



# Housing Element and General Plan Update

## Draft Supplemental Environmental Impact Report

*prepared by*

**City of San Leandro**  
Department of Community Development  
835 East 14<sup>th</sup> Street  
San Leandro, California 94577  
Contact: Avalon Schultz

*prepared with the assistance of*

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449 15th Street, Suite 303  
Oakland, California 94612

**September 2022**

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**RINCON CONSULTANTS, INC.**

Environmental Scientists | Planners | Engineers

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Appendix TRA VMT Impact Assessment Memorandum and Traffic Volumes



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# Acronyms and Abbreviations

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AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACFD	Alameda County Fire Department
AC Transit	Alameda Contra Costa Transit
ACTC	Alameda County Transportation Commission
ADT	Average daily traffic
ADU	Accessory Dwelling Unit
AIM	Advance Infrastructure Mitigation
ALUCPs	Airport Land Use Compatibility Plans
AMI	Area Median Income
AQ	Air Quality
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BCDC	Bay Conservation and Development Commission
BMP	Best Management Practices
BTOD	Bay Fair Transit Oriented Development
BTU	British thermal unit
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
Cal-EMA	California Emergency Management Agency
CalEPA	California Environmental Protection Agency
CAP	Climate Action Plan
CARB	California Air Resources Board
CARE	Community Air Risk Evaluation
CC	Commercial Community
CCR	California Code of Regulations
CDOC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act

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CFR	Code of Federal Regulation
CN	Commercial Neighborhood
CN	Commercial Neighborhood
CNEL	Community Noise Equivalent Level
CNRA	California Natural Resources Agency
CO	Carbon monoxide
COG	Council of Governments
CPTED	Crime Prevention Through Environmental Design
CPUC	California Public Utilities Commission
CR-M	Commercial Regional Mall
CS	Commercial Services
CVP	Central Valley Project
CVSD	Castro Valley Sanitary District
DA	Downtown Area
dba	Decibels
DMP	Drought Management Program
DNL	Day-Night Average Level
DOC	Department of Conservation (CA)
DOF	Department of Finance
DOGGR	Division of Oil, Gas & Geothermal Resources
DPM	Diesel particulate matter
DPS	drought planning sequence
EBCE	East Bay Community Energy
EBMUD	East Bay Municipal Utility District
EIA	Energy Information Administration
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
EV	Electric vehicle
FAA	Federal Aviation Administration
FAR	Floor area ratio
FEMA	Federal Emergency Management Act
FTA	Federal Transit Administration

GHG	Greenhouse gas
GWP	Global warming potential
HCD	Housing and Community Development
HMGP	Hazard Mitigation Grant Program
HRA	Health risk assessment
HVAC	Heating, ventilation, and air conditioning
HWD	Hayward Executive Airport
IG	General Industrial
IL	Industrial Limited
IP	Industrial Park
IPCC	Intergovernmental Panel on Climate Change
IT	Industrial Transportation
LAFCO	Local Agency Formation Commission
LEED	Leadership in Energy and Environmental Design
$L_{eq}$	Equivalent noise level
LEV	Low-Emission Vehicle
LID	Low impact development
LSAT	Land-Surface Air Temperature
LU	Land Use
MERV	Minimum Efficiency Reporting Value
MMT	Million metric tons
MPO	Metropolitan Planning Organizations
MRP	Municipal Regional Stormwater
MT	Metric tons
MTC	Metropolitan Transportation Commission
MTC	Metropolitan Transportation Commission
NA	North Area
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCP	Noise Compatibility Program
NHTSA	National Highway Traffic and Safety Administration
NO	Nitrogen monoxide
NO <sub>x</sub>	Oxides of nitrogen

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NO <sub>2</sub>	Nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
OAK	Oakland International Airport
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Service
OLSD	Oro Loma Sanitary District
OPR	Office of Planning and Research
OS	Open Space
OSHA	Occupational Safety and Health Administrations
P	Professional Office
Pb	Lead
PCE	Peninsula Clean Energy
PG&E	Pacific Gas & Electric
PDA	Priority Development Area
PG&E	Pacific Gas & Electric
PM <sub>10</sub>	Particulate Matter (10 micrometers)
PM <sub>2.5</sub>	Particulate Matter (2.5 micrometers)
PPV	Peak particle velocity
PS	Public and Semi-Public
RCRA	Resource Conservation and Recovery Act
RD	Residential Duplex
RHNA	Regional Housing Needs Assessment
RM	Residential Multi-Family
RMS	Root mean square
RO	Residential Outer
RPS	Renewable Portfolio Standard
RS	Residential Single Family
RS-PD	Residential Single Family (Planned Development)
RS-VP	Residential Single Family (View Preservation)
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Boards

SA	South Area
SAF Plan	State Alternative Fuels Plan
SAFE	Safer Affordable Fuel Efficient
SB	Senate Bill
SCS	Sustainable Communities Strategy
SEIR	Supplemental Environmental Impact Report
SEMS	Standard Emergency Management System
SFBAAB	San Francisco Bay Area Air Basin
SLCTMP	San Leandro Creek Trail Master Plan
SLMC	San Leandro Municipal Code
SLPD	San Leandro Police Department
SLRHS	San Leandro Recreation Division
SLUSD	San Leandro Unified School District
SLZO	San Leandro Zoning Ordinance
SO <sub>2</sub>	Sulfur dioxide
SR	State Route
STC	Sound transmission class
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resource Control Board
TAC	Toxic air contaminant
TOD	Transit Oriented Development
US	United States
USACE	U.S. Army Corps of Engineers
USC	United States Code
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
UWMP	Urban Water Management Plan
VdB	Vibration decibels
VMT	Vehicle miles traveled
WPCP	Water Pollution Control Plant
WTP	Water treatment plants
ZEV	Zero Emission Vehicle

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# Executive Summary

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This document is a Supplemental Environmental Impact Report (SEIR) analyzing the environmental effects of the proposed City of San Leandro 2023-2031 Housing Element and General Plan Update, including updates to the Environmental Hazards Element, and a proposed Environmental Justice Element (“project”). This SEIR is supplemental to the 2035 General Plan Update Draft EIR for the City of San Leandro (2035 EIR), State Clearinghouse No. 2001092001, adopted in June 2016,<sup>1</sup> in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15163.

This section summarizes the characteristics of the proposed project, alternatives to the project, and the environmental impacts and mitigation measures associated with the project.

## Project Synopsis

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### Project Description

This document has been prepared as an SEIR to the 2016 General Plan Update Draft EIR for the City of San Leandro (2035 General Plan EIR), State Clearinghouse No. 2001092001, adopted in June 2016, in accordance with *California Environmental Quality Act (CEQA) Guidelines* Section 15163. This SEIR has been prepared to examine the potential environmental effects of the proposed City of San Leandro 2023-2031 Housing Element and General Plan Update. The following is a summary of the full project description, which can be found in Section 2.0, *Project Description*.

The Housing Element update presents a comprehensive set of housing policies and actions for the years 2023-2031. The Housing Element update includes a series of Zoning Amendments to reduce barriers to housing development, comply with State law, and address the City’s Regional Housing Needs Assessment (RHNA) allocation, which determined that the City needs to plan for approximately 3,855 residential units during the planning period, plus a buffer to ensure ongoing compliance with the No Net Loss provisions of State housing law. The General Plan Update will include updates to the Environmental Hazards Element and the adoption of an Environmental Justice Element. To fulfill the requirements of the Housing Element, the City will also make changes to the General Plan Land Use Element, land use designations, and Zoning Code.

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<sup>1</sup> The 2016 EIR is incorporated by reference and is available on the City’s website at: <https://www.sanleandro.org/332/General-Plan>



## **Project Objectives**

- Bring the City's General Plan and Zoning Code into conformance with recently enacted State law.
- Identify housing sites with a collective capacity to meet the City's RHNA for 6<sup>th</sup> Cycle Housing Element planning period of 2023-2031, with buffer capacity.
- Locate most housing sites in existing urban areas, near transit and commercial services.
- Update land use designation and zoning district development standards in Priority Development Areas to support the vision of the City's General Plan and provide sufficient capacity to meet the City's RHNA.
- Revise Natural Hazards Element to comply with recently enacted State law.
- Adopt an Environmental Justice Element to comply with recently enacted State law.

## **Alternatives**

As required by CEQA, this SEIR examines alternatives to the project. Studied alternatives include the following two alternatives. Based on the alternatives analysis, Alternative 2 was determined to be the environmentally superior alternative.

- Alternative 1: No Project/Adopted 2035 General Plan
- Alternative 2: Downtown Emphasis Alternative

### **Alternative 1**

Alternative 1, the No Project Alternative/Adopted 2035 General Plan, assumes that the current policies and land use and zoning designations would not change from the City's adopted 2035 General Plan. Changes to the Land Use Element, land use designations, and zoning code to allow for an increase in allowable in the Downtown Mixed Use District land use designations, Transit Oriented Mixed Use District land use designations, and increase in allowable Floor Area Ratio (FAR) in the Corridor Mixed Use District would not occur. Typical development assumptions are included in the analysis of this alternative, including compliance with applicable regulations or typical City-required measures. Additionally, this alternative would not include the proposed policies of the Housing Element update and the Environmental Hazards Element update and would not include the proposed policies of the Environmental Justice Element.

### **Alternative 2**

Alternative 2 would intensify development in Downtown San Leandro by increasing the maximum allowable densities in the Downtown Priority Development Area. The proposed allowable density of the Downtown Mixed Use land use designation would increase from 100 dwelling units (du)/acre to 150 du/acre. Additionally, the maximum height limit would be eliminated in the Downtown Area (DA)-2 zoning district. Alternative 2 would assume the same number of residential units and square feet of office space in the Bay Fair Transit Oriented Development (BTOD) area as the project (2,460 housing units and 75,000 square feet of office space over what was assumed in the 2017 BTOD Specific Plan EIR). The total development capacity assumption for Alternative 2 would be the same as the project (a net increase of 4,960 residential units and 75,000 square feet of office space), but all residential units assumed in the North Area (NA), Parking (P), and South Area (SA) zoning districts that are assumed in the project would be redistributed to the DA zoning districts.

Refer to Section 6.0, *Alternatives*, for the complete alternatives analysis.

## Areas of Known Controversy

The SEIR scoping process did not identify any areas of known controversy for the project. Responses to the Notice of Preparation (NOP) of a Draft SEIR and input received at the SEIR scoping meeting held by the City are summarized in Section 1.0, *Introduction*.

## Issues to be Resolved

The Housing Element Update would require approval by the California Department of Housing and Community Development (HCD).

## Issues Not Studied in Detail in the SEIR

Section 4.10, *Effects Found Not to be Significant*, summarizes issues from the environmental checklist that were not studied in detail in this SEIR, which include: Aesthetics, Agricultural and Forestry Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Tribal Cultural Resources, and Wildfire.

## Summary of Impacts and Mitigation Measures

Table ES-1 summarizes the environmental impacts of the project as described in the SEIR, the original 2035 General Plan EIR conclusions, the relevant 2035 General Plan mitigation measures and if any revisions or additions are required by the SEIR, and residual impacts (the impact after application of mitigation, if required). Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved pursuant to *CEQA Guidelines* Section 15093.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under *CEQA Guidelines* Section 15091.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

**Table ES-1 Summary of SEIR Environmental Impacts, 2035 General Plan EIR Conclusions, Relevant 2035 General Plan EIR Mitigation Measures, and SEIR Residual Impacts**

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<b>Air Quality</b>			
<p><b>Impact AQ-1.</b> The project would support the primary goals of the 2017 Clean Air Plan, would implement applicable control measures for the 2017 Clean Air Plan, and would not disrupt or hinder implementation of any 2017 Clean Air Plan control measures. The project’s vehicle miles traveled (VMT) increase would be less than the population increase. Impacts would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than Significant</p>
<p><b>Impact AQ-2.</b> Development facilitated by the project would not result in a cumulatively considerable net increase of criteria pollutants with adherence to policies in the 2035 General Plan and continued implementation of Mitigation Measure AQ-2A and AQ-2B-1 in the 2035 General Plan EIR. This impact would be less than significant with mitigation.</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p><b>Mitigation Measure AQ-2A.</b> 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.</p> <p><b>Mitigation Measure AQ-2B-1.</b> 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 particulate matter (PM) 10 (Table 8-1, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the BAAQMD CEQA Guidelines).</p> <p>No additional mitigation measures would be required from the SEIR.</p>	<p>Less than Significant with Mitigation Incorporated</p>

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<p><b>Impact AQ-3.</b> Construction activities for individual projects could potentially expose sensitive receptors to substantial pollutant concentrations. Projects would be required to implement Mitigation Measure AQ-2B-2 from the 2035 General Plan EIR but impacts would remain significant and unavoidable. The project would not include new sources of toxic air contaminants (TACs). Operational impacts would be less than significant.</p>	<p>Significant and Unavoidable</p>	<p><b>Mitigation Measure AQ-2B-2.</b> 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. No additional mitigation measures would be required from the SEIR.</p>	<p>Significant and Unavoidable</p>
<p><b>Impact AQ-4.</b> Development facilitated by the project would not create objectionable odors that could affect a substantial number of people. Impacts would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than Significant</p>
<p><b>Greenhouse Gas Emissions</b></p>			
<p><b>Impact GHG-1.</b> Development facilitated by the project would not directly or indirectly generate greenhouse gas (GHG) emissions that would have a significant effect on the environment. GHG emissions from the project would not exceed 2035 General Plan EIR thresholds. This impact would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than Significant</p>

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Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<p><b>Impact GHG-2.</b> The project would not conflict with the 2017 Scoping Plan, Plan Bay Area 2050, the City’s 2035 General Plan, or the City’s Climate Action Plan (CAP). Impacts would be less than significant.</p>	<p>Significant and Unavoidable</p>	<p>None required</p>	<p>Less than Significant</p>
<p><b>Energy</b></p>			
<p><b>Impact E-1.</b> The project would not result in a significant environmental impact due to the wasteful, inefficient, or unnecessary consumption of energy resources. Impacts would be less than significant.</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>Less than Significant</p>
<p><b>Impact E-2.</b> Development facilitated by the project would not conflict with or obstruct an applicable renewable energy or energy efficiency plan. Impacts would be less than significant.</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>Less than Significant</p>
<p><b>Land Use and Planning</b></p>			
<p><b>Impact LU-1.</b> The project would not change current land use designations and would not physically divide an established community. There would be no impact.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>No Impact</p>
<p><b>Impact LU-2.</b> The project would update the Housing Element, Environmental Hazards Element, and implement a proposed Environmental Justice Element to bring the City’s 2035 General Plan into conformance with State requirements and facilitate development aligned with the vision of the 2035 General Plan, BTOD Specific Plan, and Plan Bay Area 2050. These updates would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There would be no impact.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>No Impact</p>

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<b>Noise</b>			
<p><b>Impact N-1.</b> Development facilitated by the project could involve construction with lengthy durations, substantial soil movement, or use of large, heavy-duty equipment near noise-sensitive land uses that would exceed the Federal Transit Administration (FTA) daytime noise limits and result in significant impacts. Impacts would be reduced to less than significant with adherence with revisions to 2035 General Plan EIR Mitigation NOI-4. Therefore, impacts generated by temporary construction noise would be less than significant and no new or additional mitigation would be required.</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p><b>Revised Mitigation Measure NOI-4.</b> Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the acceptable standards (e.g., 80 A-Weighted Decibel (dBA) Equivalent Continuous Noise Level (Leq) at residential receptors during the daytime) and when the anticipated construction duration is greater than is typical (e.g., two years or greater). Temporary noise barriers shall be constructed with solid materials (e.g., wood) with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier. If a sound blanket is used, barriers shall be constructed with solid material with a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated sound transmission class (STC) 32 or higher. No additional mitigation measures would be required from the SEIR.</p>	<p>Less than Significant with Mitigation Incorporated</p>
<p><b>Impact N-2.</b> Development facilitated by the project would result in a substantial increase in ambient noise levels from off-site increases in traffic volumes. Potential mitigation would be infeasible or would not guarantee a reduction in noise below significance thresholds. Permanent impacts to ambient noise levels would be significant and unavoidable.</p>	<p>Significant and Unavoidable</p>	<p>No feasible mitigation measures</p>	<p>Significant and Unavoidable</p>
<p><b>Impact N-3.</b> Development facilitated by the project would be residential and office space and not anticipated to involve operational activities that could result in substantial vibration or groundborne noise. Construction associated with project development could result in potential vibration impacts from heavy equipment. However, issuance of a Standard Conditions of Approval by the City prior to a building permit for projects would reduce potential vibration impacts to sensitive resources and nearby residents. Impacts would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than Significant</p>

City of San Leandro  
**Housing Element and General Plan Update**

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<p><b>Impact N-4.</b> Development facilitated by the project would be residential and office space would not modify the city’s existing land use designations and therefore would not add residential or commercial uses within the 65 Community Noise Equivalent Level (CNEL) noise contours of any public or private airstrip where not currently allowed and would therefore not expose people residing or working to excessive noise levels. Impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant
<b>Population and Housing</b>			
<p><b>Impact PH-1.</b> The project would be consistent with the RHNA, the 2035 General Plan, and Plan Bay Area 2050 population forecasts. The project would not induce unplanned growth directly or indirectly, and impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant
<p><b>Impact PH-2.</b> The project would accommodate increased residential development in Priority Development Areas on sites that are currently zoned for residential and mixed use development. The project would therefore not result in the displacement of people or housing, and there would be no impact.</p>	Less than Significant	None required	No Impact
<b>Public Services and Recreation</b>			
<p><b>Impact PS-1.</b> Implementation of the project would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives. Impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<p><b>Impact PS-2.</b> Implementation of the project would incrementally increase the service population of the San Leandro Police Department (SLPD) and potentially require new or expanded facilities. The project’s incremental contribution to demand for new police protection services would be offset by payment of proportionate property taxes, sales taxes, and/or development fees. Additionally, development facilitated by the project would comply with General Plan policies related to fire services and fire safety. Impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant
<p><b>Impact PS-3.</b> Implementation of the project would increase the enrollment of students in local schools. However, payment of school fees fully mitigates impacts to schools under Senate Bill (SB) 50. Therefore, the project would not result in the need for the provision of new or physically altered schools. impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant
<p><b>Impact PS-4.</b> Development under the project would incrementally increase the City’s population and increase the use of existing parks and recreational facilities and reduce the City’s parkland to population ratio. However, development fees for parks or donation of parkland pursuant to the Quimby Act would be required as part of the individual projects. impacts related to the physical deterioration of parkland or recreational facilities, and the need to construct new facilities, would be less than significant.</p>	Less than Significant	None required	Less than Significant



Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<p><b>Impact PS-5.</b> Development under the project would incrementally increase the City population and increase the use of existing library facilities. However, property taxes related to new development would contribute to any necessary new or expanded library facilities. impacts related to the provision of new or physically altered public facilities would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than Significant</p>
<b>Transportation</b>			
<p><b>Impact TRA-1.</b> Construction and operation of development facilitated by the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system. Impacts would be less than significant.</p>	<p>Significant and Unavoidable</p>	<p><b>Mitigation Measure TRAF-1A: <i>Intersections</i>.</b> The City of San Leandro should implement the following traffic improvements and facilities to reduce impacts to standard:</p> <ul style="list-style-type: none"> <li>▪ <b>E. 14th Street and Davis Street (SR-112) (#3).</b> The addition of Cumulative with proposed Plan traffic would cause the intersection level of service (LOS) 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.</li> </ul> <p>Implementation of the following measures would improve intersection operations during the AM peak hour to LOS D:</p> <ul style="list-style-type: none"> <li>▫ 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.</li> <li>▪ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> <li>▪ Because this intersection is within the East 14th Street Priority Development Area (PDA), implementation of the following measures would improve intersection operations during the AM peak hour to LOS E:</li> <li>▪ Implement proposed Policy T-5.2: Evaluating Development Impacts.</li> <li>▪ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>This mitigation is considered feasible if the intersection was under City control. However, this intersection is under California Department of Transportation’s (Caltrans’) jurisdiction, so the</p>	<p>Less than Significant</p>

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
		<p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>E. 14th Street and San Leandro Boulevard (#4).</b> 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.                             <p>Implementation of the following measure would improve intersection operations during the AM peak hour to LOS D:</p> <ul style="list-style-type: none"> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>This intersection is within the Bay Fair BART Transit Village PDA and Association of Bay Area Governments (ABAG)/Metropolitan Transportation Commission (MTC) has already designated Bay Fair BART Transit Village a potential PDA. Upon adoption of the Bay Fair Transit Oriented Development (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 a significant impact under proposed Plan Policy T-5.2: Evaluating Development Impacts.</p> <p>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.</p> </li> <li>▪ <b>E. 14th Street and Hesperian Boulevard/Bancroft Avenue (#5).</b> 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.</li> </ul>	

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
		<p>Implementation of the following measure would improve intersection operations during the AM peak hour:</p> <ul style="list-style-type: none"> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology</li> </ul> <p>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.</p> <p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>Hesperian Boulevard and Halcyon Drive/Fairmont Drive (#10).</b> 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.</li> </ul> <p>Implementation of the following measures would improve intersection operations during the AM and PM peak hours to LOS D:</p> <ul style="list-style-type: none"> <li>▫ 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.</li> <li>▫ Provide an overlap signal phase for the northbound right turns.</li> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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,</p>	

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		<p>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:</p> <ul style="list-style-type: none"> <li>▫ Implement proposed Policy T-5.2: Evaluating Development Impacts.</li> <li>▫ Provide an overlap signal phase for the northbound right turns.</li> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>Washington Avenue and San Leandro Boulevard (#15).</b> 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: <ul style="list-style-type: none"> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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.</p> </li> <li>▪ <b>San Leandro Boulevard and Marina Boulevard (#16).</b> 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.</li> </ul>	

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
		<p>Implementation of the following measures would improve intersection operations during the AM and PM peak hours:</p> <ul style="list-style-type: none"> <li>▫ 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)</li> <li>▫ Restripe lanes on the west leg to provide two corresponding receiving lanes. (Consistent with the findings of the San Leandro Shoreline Development Project EIR)</li> <li>▫ 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.</li> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>San Leandro Boulevard and Davis Street (#17).</b> 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.</li> </ul> <p>Implementation of the following measures would improve intersection operations during the AM and PM peak hours to LOS D:</p> <ul style="list-style-type: none"> <li>▫ 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.</li> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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</p>	

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		<p>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:</p> <ul style="list-style-type: none"> <li>▫ Implement proposed Policy T-5.2: Evaluating Development Impacts.</li> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>Philips Lane and Davis Street (#28).</b> 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.</li> </ul> <p>Implementation of the following measures would improve intersection operations during the PM peak hour:</p> <ul style="list-style-type: none"> <li>▫ 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.</li> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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.</p>	

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
		<ul style="list-style-type: none"> <li> <p>▪ <b>Warden Avenue/Timothy Drive and Davis Street (#29).</b> 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.</p> <p>Implementation of the following measures would improve intersection operations during the PM peak hour:</p> <ul style="list-style-type: none"> <li>▫ 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.</li> <li>▫ Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.</li> </ul> <p>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.</p> </li> <li> <p>▪ <b>Doolittle Drive and Davis Street (#30).</b> 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.</p> <p>Implementation of the following measures would improve intersection operations during the PM peak hour:</p> <ul style="list-style-type: none"> <li>▫ 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.</li> <li>▫ 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.</li> <li>▫ Optimize the traffic signal cycle length and splits.</li> </ul> <p>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</p> </li> </ul>	

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		<p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>Doolittle Drive and Marina Boulevard (#31).</b> 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: <ul style="list-style-type: none"> <li>▫ 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).</li> <li>▫ Optimize the traffic signal cycle length and splits. (Consistent with the findings of the San Leandro Shoreline Development Project EIR).</li> <li>▫ 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).</li> </ul> </li> <li>▪ <b>Alvarado Street and Aladdin Avenue (#35).</b> 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: <ul style="list-style-type: none"> <li>▫ 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.</li> </ul> </li> </ul>	



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		<ul style="list-style-type: none"> <li>▫ 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.</li> <li>▫ 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.</li> <li>▫ Optimize the traffic signal cycle length and splits.</li> </ul> <p>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.</p> <p>Mitigation Measure TRAF-1B: <i>Freeway Segments</i>: The City of San Leandro shall initiate efforts to coordinate with Caltrans and Alameda CTC to identify</p> <ul style="list-style-type: none"> <li>▪ <b>I-880 Northbound segments between Washington Avenue and 98th Avenue.</b> These three mainline segments experience LOS F conditions during the AM peak hour under both existing and cumulative plus Proposed Plan conditions.</li> </ul> <p>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:</p> <ul style="list-style-type: none"> <li>▫ Add additional capacity to the freeway segment by increasing the number of travel lanes in the northbound direction.</li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>I-580 Northbound segment between 150th Avenue and Benedict Drive,</b> which is at LOS F during the AM peak hour under both existing and cumulative plus Proposed Plan conditions.</li> </ul>	

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		<p>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:</p> <ul style="list-style-type: none"> <li>▫ Add additional capacity to the freeway segment by increasing the number of travel lanes in the northbound direction.</li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>I-580 Northbound segment between Foothill Boulevard and 106th Avenue</b>, is at LOS E during the AM peak hour under existing and LOS F under cumulative plus Proposed Plan conditions.</li> </ul> <p>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:</p> <ul style="list-style-type: none"> <li>▫ Add additional capacity to the freeway segment by increasing the number of travel lanes in the northbound direction.</li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>▪ <b>I-880 Southbound segment between Marina Boulevard and Washington Avenue</b> would operate at LOS F during the PM peak hour under cumulative plus Proposed Plan condition, which is considered to be significant.</li> </ul> <p>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:</p> <ul style="list-style-type: none"> <li>▫ Add additional capacity to the freeway segment by increasing the number of travel lanes in the southbound direction.</li> </ul> <p>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.</p>	

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
		<p>Consequently, the Cumulative plus Proposed Plan impact remains significant and unavoidable.</p> <ul style="list-style-type: none"> <li>▪ <b>I-238 Eastbound segment between Hesperian Boulevard and SR 185</b> 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:               <ul style="list-style-type: none"> <li>▫ Add additional capacity to the freeway segment by increasing the number of travel lanes in the eastbound direction.</li> </ul> </li> </ul> <p>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.</p> <p>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 County Transportation Commission (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.</p> <p><b>Mitigation Measure TRAF-2A.</b> Implementation of the following improvement would reduce the impact to acceptable levels:</p> <ul style="list-style-type: none"> <li>▪ Widen Doolittle Drive to provide an additional travel lane in the northbound direction; or</li> <li>▪ 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.</li> </ul> <p>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.</p>	

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
		<p>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.</p> <p>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.</p> <p>No additional mitigation measures would be required from the SEIR.</p>	
<p><b>Impact TRA-2.</b> The development facilitated by the project would result in city VMT per capita that would be a greater reduction than 15 percent than the planning area average per capita VMT. Employee VMT associated with the project would be screened out due to proximity to the Bay Area Rapid Transit (BART) station. Impacts would be less than significant.</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>Less than Significant</p>
<p><b>Impact TRA-3.</b> Development facilitated by the project may result in roadway modifications, which would be reviewed in accordance with the City of San Leandro Standard Plans. Therefore, the project would not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). Impacts would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than Significant</p>
<p><b>Impact TRA-4.</b> Development facilitated by the project would not result in inadequate emergency access. Impacts would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than Significant</p>

City of San Leandro  
**Housing Element and General Plan Update**

Impact	Original EIR Conclusion	Relevant 2035 General Plan Mitigation Measure(s)	Residual Impact
<b>Utilities and Service Systems</b>			
<p><b>Impact UTIL-1.</b> Development facilitated by the project may require the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications facilities within the city. While new connections to existing utility service systems could be required, such connections would not result in disturbance beyond individual development sites and adjacent infrastructure corridors and would not result in significant environmental effects. Impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant
<p><b>Impact UTIL-2.</b> The project would result in a net increase in water demand. However, this increase in demand can be served by projected and reasonably available water supplies. Impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant
<p><b>Impact UTIL-3.</b> The project would result in a net increase in wastewater. However, the wastewater treatment plants have adequate capacity to serve the project. Impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant
<p><b>Impact UTIL-4.</b> Development facilitated by the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. The project would not impair the attainment of solid waste reduction goals and would comply with federal, State, and local statutes and regulations related to solid waste. Impacts would be less than significant.</p>	Less than Significant	None required	Less than Significant

# 1 Introduction

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This Environmental Impact Report (EIR) has been prepared as a Supplemental EIR (SEIR) to the 2016 General Plan Update Draft EIR for the City of San Leandro (2035 General Plan EIR), State Clearinghouse No. 2001092001, adopted in June 2016, in accordance with *California Environmental Quality Act (CEQA) Guidelines Section 15163*.<sup>1</sup>

This SEIR discusses the potential environmental impacts of the proposed City of San Leandro (City) 2023-2031 Housing Element and General Plan Update which includes amendments to land use and zoning development standards, updates to the Environmental Hazards Element, and the proposed Environmental Justice Element (hereinafter referred to collectively as “project”). This section discusses (1) the basis for a SEIR, (2) the SEIR’s purpose and legal authority, (3) the background of the 2035 General Plan EIR and this SEIR, (4) the scope of the SEIR, (5) issues not studied in detail in this SEIR, and (7) the environmental review process required under CEQA. The project is described in detail in Section 2, *Project Description*.

## 1.1 Basis for a Supplemental EIR

The key considerations in determining the need for the appropriate type of additional CEQA review are outlined *CEQA Guidelines Section 15163*:

- (a) The Lead or Responsible Agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:
  - 1) Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and
  - 2) Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.
- (b) The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.
- (c) A supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087.
- (d) A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.
- (e) When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.

*CEQA Guidelines 15162* describes the conditions under which a SEIR would be an appropriate document for actions not considered in the Final EIR. A SEIR is appropriate when:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

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<sup>1</sup> The 2035 General Plan EIR is incorporated by reference and is available on the City’s website at: <https://www.sanleandro.org/332/General-Plan>

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The project would increase allowable densities, floor area ratio (FAR), and building heights under the City's land use and zoning code. Therefore, only minor additions or changes would be necessary to make the 2035 General Plan EIR adequately apply to the project, and thus the City has determined that the preparation of an SEIR is the appropriate approach to CEQA compliance. The 2035 General Plan EIR is incorporated into this document by reference. A summary of impacts and applicable mitigation measures identified in the 2035 General Plan EIR is included as Appendix A and in Section 4, *Environmental Impact Analysis*.

## 1.2 Purpose and Legal Authority

The project would require the approval of the City of San Leandro. Therefore, the project is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines* (California Code of Regulations, Title 14), the purpose of this SEIR is to serve as an informational document that:

“will inform public agency decisionmakers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

As discussed above, this document is an SEIR to the 2035 General Plan EIR pursuant to *CEQA Guidelines* Sections 15162 and 15163. An SEIR is appropriate when, “Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.”

This SEIR is intended to serve as an informational document for the public and City of San Leandro decisionmakers. The process will include public hearings before the Planning Commission and City Council to consider certification of a Final SEIR and approval of the proposed project.

## 1.3 Environmental Impact Report Background

In 2016, the City of San Leandro adopted and certified the Final EIR (State Clearinghouse No. 2001092001) for the San Leandro 2035 General Plan Update. The 2015-2023 Housing Element, which the City adopted in January 2015, is part of the General Plan Update and was evaluated under the 2035 General Plan EIR.

The City of San Leandro distributed a Notice of Preparation (NOP) of this SEIR for a 30-day agency and public review period starting on January 14, 2022, and ending on February 14, 2022. The City held an EIR Scoping Meeting on January 19, 2022. The scoping meeting was held via Zoom at 6:00 p.m. and provided information about the project to members of public agencies, interested stakeholders, and residents/community members. A recording of the meeting was posted on the project website at [www.slhousingelement.com](http://www.slhousingelement.com).

The City received letters from four agencies in response to the NOP during the public review period, as well as various spoken comments during the EIR Scoping Meeting. The NOP is presented in Appendix NOP of this EIR, along with the NOP comments received. Table 1-1 summarizes the content of the letters and verbal comments and where the issues raised are addressed in the EIR.

**Table 1-1 NOP Comments and SEIR Response**

Commenter	Comment/Request	How and Where It Was Addressed
<b>Agency Comments</b>		
Native American Heritage Commission (NAHC)	Recommends consultation with Native American tribes that are affiliated with the project area and provides a summary of the requirements for compliance with Assembly Bill (AB 52) and Senate Bill (SB) 18.	Please refer to subsection 4.10.9, Tribal Cultural Resources, of Section 4.10, <i>Effects Found Not to be Significant</i> , which discusses the less than significant impacts to tribal cultural resources and summarizes consultation completed pursuant to AB 52 and SB 18.
East Bay Municipal Utility District (EBMUD)	Notes that main extensions to serve specific developments facilitated by the project will be at the project sponsor's expense.  Notes that EBMUD will not design piping or service and will not begin underground work until soil quality data, groundwater quality data, and remediation plans have been received and reviewed.  Encourages the use of recycled water and the implementation of water conservation measures in development facilitated by the project.	Please refer to subsection 4.10.6, Hazards and Hazardous Materials, and subsection 4.10.7, Hydrology and Water Quality, in Section 4.10, <i>Effects Found Not to be Significant</i> . These subsections discuss the less than significant impacts related to groundwater and hazardous materials. Also refer to Section 4.9, <i>Utilities and Service Systems</i> , which discusses impacts to water service.
Alameda County Transportation Commission (ACTC)	Notes that the City is required by the Congestion Management Land Use analysis Program to conduct a transportation impact analysis for the project with the Countywide Travel Demand Model.  Notes that the EIR should identify the project's potential impacts to roadways and Metropolitan Transportation System transit operators, and that the EIR should provide adequate mitigation.	Please refer to Section 4.8, <i>Transportation</i> , which addresses impacts to transportation systems.



Commenter	Comment/Request	How and Where It Was Addressed
Bay Area Air Quality Management District (BAAQMD)	<p>Encourages the full evaluation of potential significant impacts and feasible mitigation measures in San Leandro community census tracts that are in the top 30 percent of pollution burden statewide, as identified in CalEnviroscreen 4.0.</p> <hr/> <p>Notes that the EIR should provide a detailed analysis of the project’s effects on local and regional air quality, air pollutant emissions, and the project’s consistency with State and regional greenhouse gas (GHG) and air pollutant emissions goals.</p> <hr/> <p>Notes that the EIR should evaluate all feasible mitigation measures to minimize air pollutant emissions and exposure.</p>	<p>Please refer to Section 4.2, <i>Air Quality</i>, which discusses potential impacts to air quality and consistency with applicable air quality regulations and policies. Also refer to Section 4.3, <i>Greenhouse Gas Emissions</i>, which discusses potential impacts to GHG emissions and consistency with applicable GHG emissions regulations and policies.</p>
<b>Verbal Comments</b>		
	<p>Suggests that the City examines potential impacts of development on schools.</p>	<p>Please refer to Section 4.7, <i>Public Services and Recreation</i>, which discusses potential impacts to schools.</p>
	<p>Notes that the EIR should consider the regional context of the No Project Alternative – for example, not increasing housing in urban places results in greater housing demand in rural areas.</p>	<p>Please refer to Section 6, <i>Alternatives</i>.</p>
	<p>Notes that the EIR should consider impacts related to creeks, and hazards associated with flood zones, sea level rise, and hazardous materials sites.</p>	<p>Please refer to subsection 4.10.6, <i>Hazards and Hazardous Materials</i>, and subsection 4.10.7, <i>Hydrology and Water Quality</i>, in Section 4.10, <i>Effects Found Not to be Significant</i>.</p>
	<p>Notes that San Leandro High School is currently at capacity and that the project would impact school capacity.</p>	<p>Please refer to Section 4.7, <i>Public Services and Recreation</i>, which discusses potential impacts to schools.</p>

## 1.4 Scope of the Supplemental EIR

As noted in subsection 1.3, *Environmental Impact Report Background*, an NOP was circulated to potentially interested parties on January 14, 2022, and responses received on the NOP were considered when setting the scope and content of the environmental information in this SEIR. Subsections 4.1 through 4.9 in Section 4, *Environmental Impact Analysis*, address the resource areas outlined in the bullet points below. Environmental topic areas that are addressed in this SEIR include:

- Air Quality
- Energy
- Greenhouse Gas Emissions
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation

- Transportation
- Utilities and Service Systems

Section 5, *Other CEQA Required Discussions*, covers topics, including growth-inducing effects and significant and unavoidable impacts. The alternatives section of the SEIR (Section 6) was prepared in accordance with *CEQA Guidelines* Section 15126.6 and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. In addition, the alternatives section identifies the “environmentally superior” alternative among the alternatives assessed. The alternatives evaluated include the CEQA-required “No Project” alternative and one alternative development scenario.

The level of detail contained throughout this SEIR is consistent with the requirements of CEQA and applicable court decisions. *CEQA Guidelines* Section 15151 provides the standard of adequacy on which this document is based. The *CEQA Guidelines* state:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

In preparing the SEIR, use was made of pertinent City policies and guidelines including the 2035 General Plan EIR and other background documents. A full reference list is contained in Section 7, *References and Preparers*.

## 1.5 Issues Not Studied in Detail in the SEIR

Environmental topic areas not covered in Sections 4.1 through 4.9 are discussed in Section 4.10, *Effects Found Not to be Significant*. This section provides a summary of the less than significant impact determinations made by the 2035 General Plan EIR and how these areas remain to be less than significant with the implementation of the project.

There is no substantial evidence that the project would result in significant impacts to the following environmental topic areas:

- Aesthetics
- Agricultural and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mineral Resources
- Tribal Cultural Resources
- Wildfire

## 1.6 Lead, Responsible, and Trustee Agencies

The *CEQA Guidelines* define lead, responsible and trustee agencies. The City of San Leandro is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. The California Department of Housing and Community Development (HCD) is the only responsible agency for the project. HCD is responsible for the review and certification of the Housing Element.

The Board of Forestry and Fire Protection (Board), which is a government-appointed body within the California Department of Forestry and Fire Protection (CalFire), is responsible for reviewing the Environmental Hazards Element under Government Code section 65302.5. The Board reviews the Environmental Hazards Element and responds to the City with its findings regarding the uses of land and policies in State Responsibility Areas (SRAs) or Very High Fire Hazard Severity Zones (VHFHSZs) that will protect life, property, and natural resources from unreasonable risks associated with wildfires, and the methods and strategies for wildfire risk reduction and prevention within SRAs or VHFHSZs (Gov. Code, Section 65302.5, subd. (b)(3); California Board of Forestry and Fire Protection, 2022).

A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies for the project.

## 1.7 Environmental Review Process

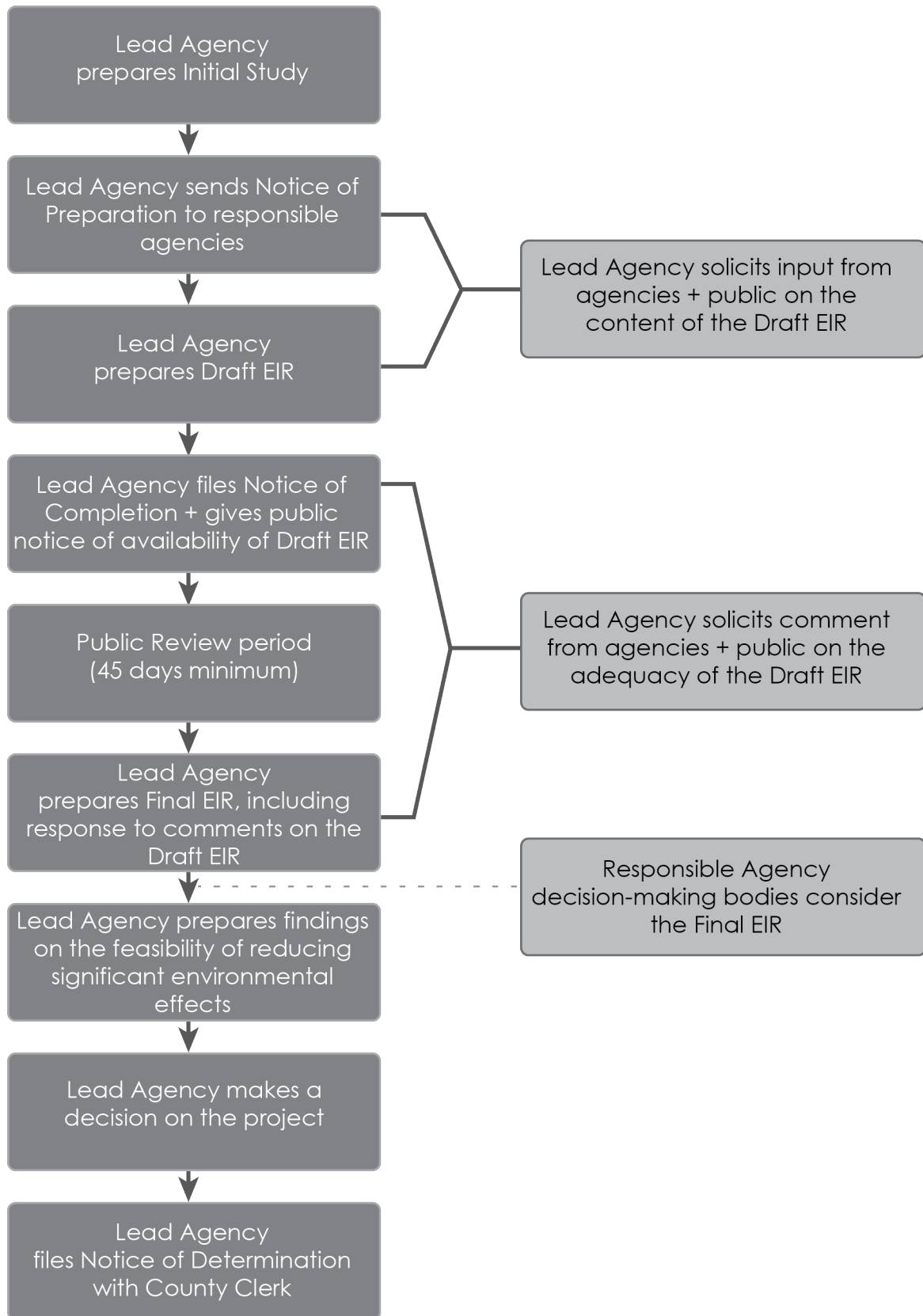
The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP) and Initial Study.** After deciding that an EIR is required, the lead agency (City of San Leandro) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the project could create significant environmental impacts.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion (NOC).** The lead agency must file a NOC with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the NOC in the County Clerk's office for 30 days (Public Resources Code Section 21092) and send a copy of the NOC to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for

review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (Public Resources Code 21091).

4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (*CEQA Guidelines* Section 15090).
6. **Lead Agency Project Decision.** The lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, legal, social, technological or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects. These measures must be fully enforceable through permit conditions, agreements or other measures.
9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).

**Figure 1-1 Environmental Review Process**



## 2 Project Description

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The Housing Element Update and General Plan Update, herein referred to collectively as the “project,” would amend the City of San Leandro 2035 General Plan (hereinafter referred to as the “2035 General Plan”) by replacing the current Housing Element with the proposed 2023-2031 Housing Element Update, updating the Environmental Hazards Element, and a proposed Environmental Justice Element. To fulfill the requirements of the Housing Element, the project would also involve minor changes to the City of San Leandro’s Land Use Element, land use designations, and zoning code.

This section describes the project, including the lead agency, major characteristics, objectives, and discretionary actions needed for approval.

### 2.1 Lead Agency Name and Contact

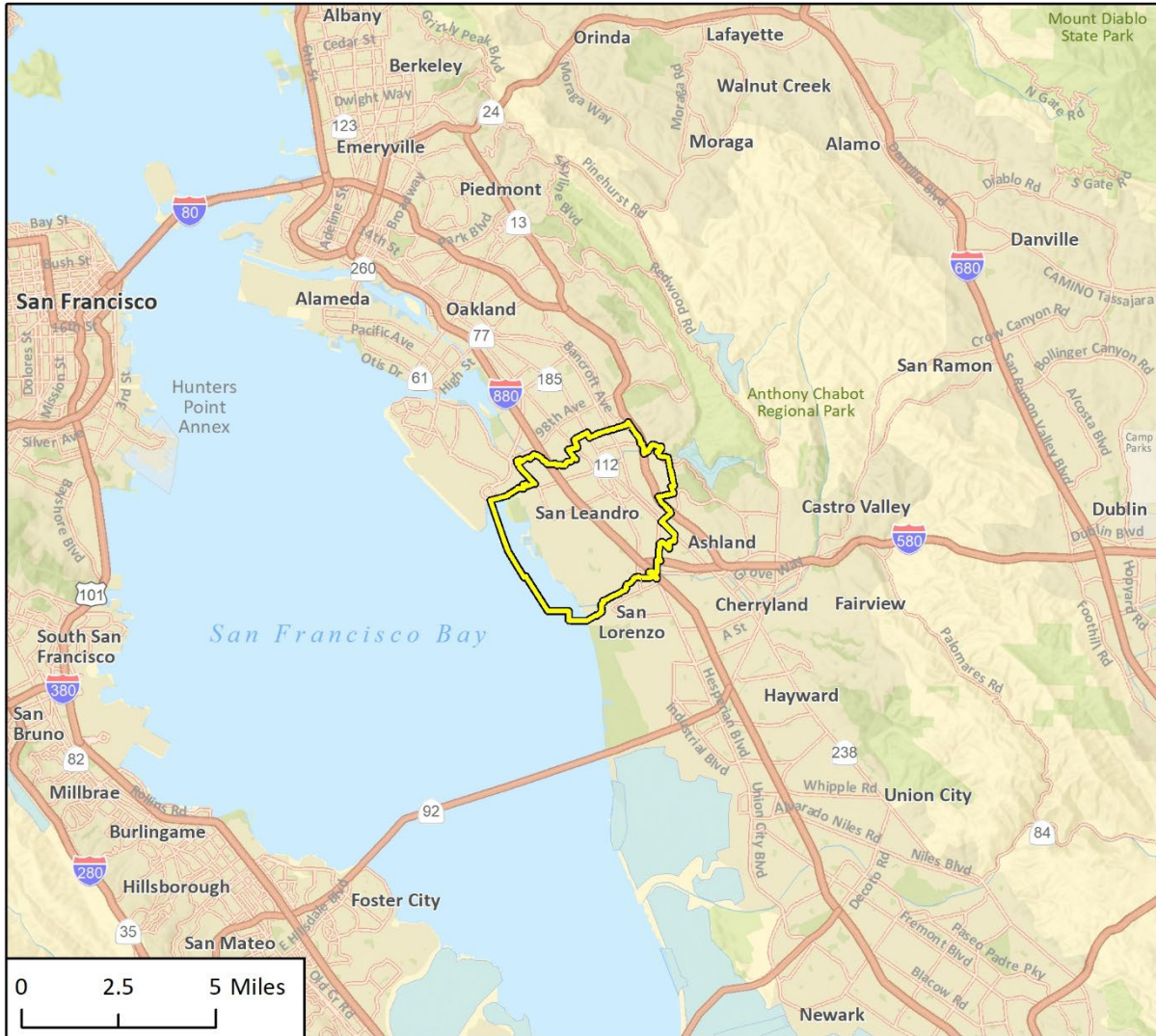
City of San Leandro  
835 East 14<sup>th</sup> Street  
San Leandro, California 94577  
Contact: Avalon Schultz, AICP, Principal Planner  
City of San Leandro Planning Division  
510-577-3422

### 2.2 Project Location

The City of San Leandro (hereinafter referred to as “City”) is in northern Alameda County in the eastern portion of the San Francisco Bay Area. The City is adjacent to the cities of Alameda and Oakland to the north, the unincorporated community of San Lorenzo and the City of Hayward to the south, the San Francisco Bay to the west, and unincorporated Alameda County and the Diablo Range to the east. Interstate 880 (I-880), State Route (SR) 185, and Interstate 580 (I-580) generally run north-south through the city. A grid system of east-west and north-south roadways, including arterials, collectors, and local streets, provide vehicular access throughout the city. Major thoroughfares in the city include Davis Street (SR 112) and Marina Boulevard, which run east-west; and San Leandro Boulevard, East 14<sup>th</sup> Street (SR 185), Washington Avenue, and Doolittle Drive (SR 61), which run north-south.

San Leandro’s city limits, which constitute the project area for this Environmental Impact Report (“EIR”), encompass approximately 15 square miles. The regional location of the city is shown in Figure 2-1 and the city boundary is shown in Figure 2-2.

Figure 2-1 Regional Location



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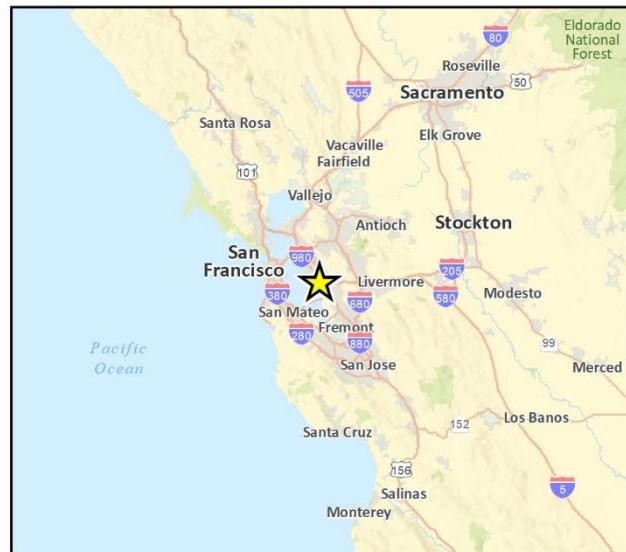


Fig. 1 Regional Location



Figure 2-2 Project Site Location





## 2.3 Existing City Characteristics

### 2.3.1 Current Land Use Designation and Zoning

Single-family residential areas are generally located in the northern, eastern, and southern portions of the city. In the western portion of the city, the area generally bounded by Menlo Street, Williams Street, and Estudillo Canal contains mostly single-family residential with multi-family residential parcels distributed throughout. Multi-family residential areas are dispersed throughout the city but are generally concentrated along Davis Street, Washington Avenue, East 14<sup>th</sup> Street, and areas between. Low-density residential uses are mostly in the city's southern, northeastern, and northern areas, with pockets of low-density residential in the Mulford Gardens area in the western portion of the city. Mulford Gardens consists of "garden" density, low-, low-medium, and medium-density residential areas. Other low-medium and medium-density residential areas are in the southwestern portion of the city on either side of Wicks Boulevard (City of San Leandro 2016).

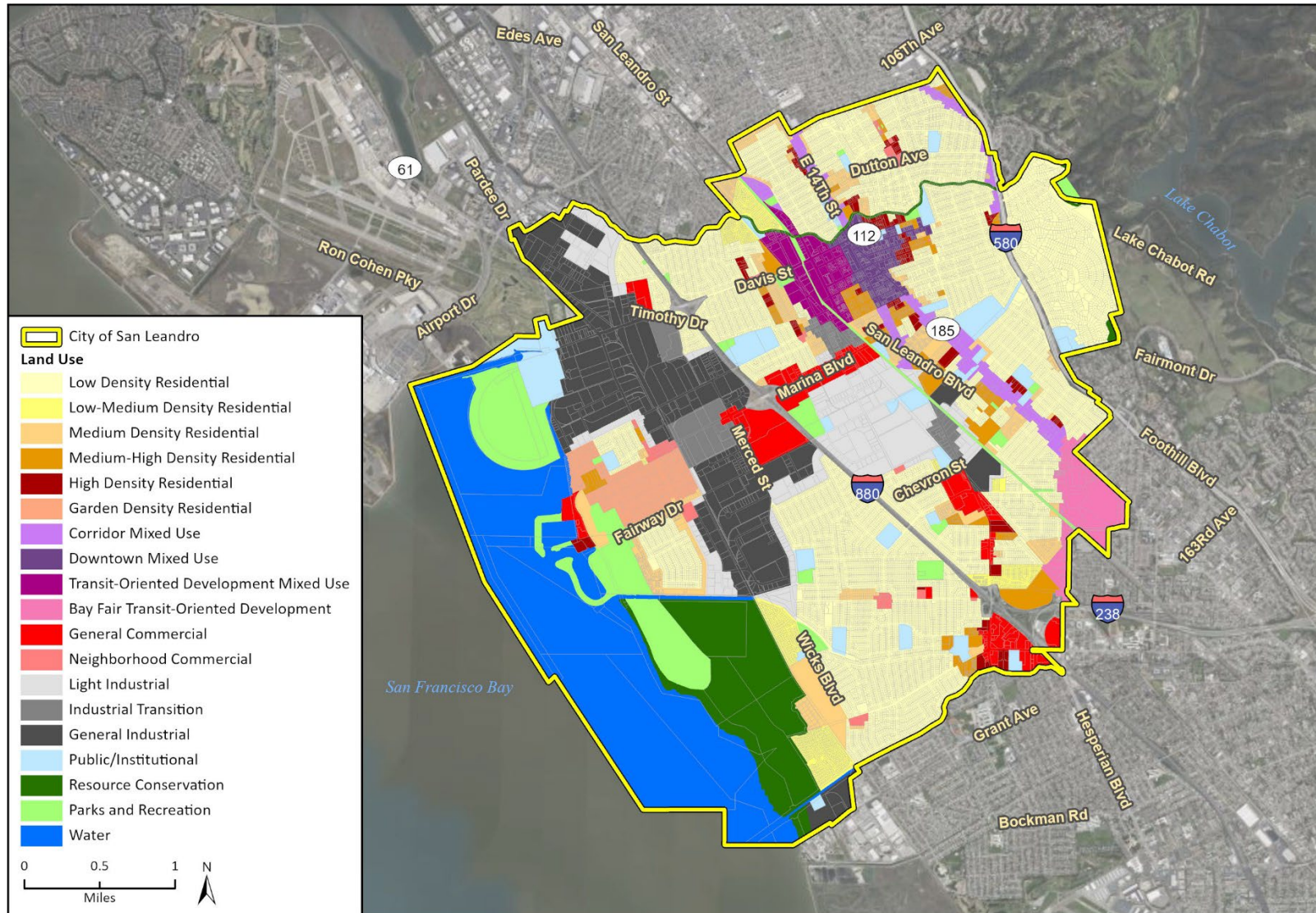
Commercial and industrial areas are generally located near the center of the city; there is a concentration of commercial land use near the intersection of Marina Boulevard and I-880, and mixed-use areas are clustered near Downtown and along East 14<sup>th</sup> Street. Industrial areas are mostly on the western side of I-880 with some light industrial areas between I-880 and the Bay Area Rapid Transit (BART) rail line near Washington Avenue. Land use locations are shown in Figure 2-3.

The dominant land use designation in San Leandro is residential, with the 2035 General Plan defining six categories of residential land uses. The categories, definitions and acreage of each residential land use type are described in Table 2-1. Other land use designations in the city include commercial, mixed-use, industrial, and public/open space. Table 2-2 describes the definitions, categories, and acreage of each designation.

### 2.3.2 Surrounding Land Uses

The city is surrounded by the urbanized San Francisco Bay Area, with the City of Oakland and the greater Oakland area to the north and the community of San Lorenzo and City of Hayward to the south. Immediately west of the city is the San Francisco Bay, and the Diablo Range, unincorporated communities, and regional parkland of Alameda County are to the east. Land uses immediately adjacent to the city's borders are primarily low- to medium-density residential with some industrial uses to the north and southwest. Oakland International Airport is approximately 0.7-mile northwest of the city.

Figure 2-3 San Leandro Land Use Designations



Imagery provided by Microsoft Bing and its licensors © 2022.  
 Additional data provided by City of San Leandro, 2021.

sanLeandroHousingElement\_Map\_2  
 Fig X Land Use Map

**Table 2-1 Residential and Mixed Use Land Use Designations**

<b>Residential Land Use Type</b>	<b>Definition</b>	<b>Corresponding Zoning Codes</b>	<b>Acres in City</b>	<b>Percentage of City Area</b>
Garden Residential	Detached single family homes with new lots being no smaller than 8,000 square feet. Generally one to four units per acre.	RO, RS, PS	160	1.9
Low Density Residential	Detached single family homes on lots of 5,000 to 10,000 square feet. Gross densities range from three to six units per acre, with a maximum allowable net density of 8.7 units per acre.	RS, RS-40, RS-VP, RS-PD, RD, PS, CN	3,098	37.4
Low-Medium Density Residential	Attached and detached single family homes on small lots (<5,000 square feet permitted). Gross densities range from seven to 11 units per acre with a maximum allowable net density of 12.4 units per acre.	RS-PD, RD, RS, PS	206	2.5
Medium Density Residential	Attached and detached housing types, such as townhomes, duplexes, and planned unit developments, as well as single family homes on standard lots (5,000 square feet) or smaller. Gross densities range from 12 to 18 units per acre with a maximum allowable net density of 21.7 units per acre (maximum not allowed in all corresponding zoning districts).	RD, RM-3500, RM-2500, RM-2000, RS-PD, PS	410	4.9
Medium-High Density Residential	Multi-family residences, apartments, townhomes, and condominiums, with single family homes also permitted. Gross densities range from 19 to 25 units per acre with a maximum allowable net density of 29 units per acre.	RM-1800, RM-2000, RM-2500, RM-3500, PS	217	2.6
High Density Residential	Multi-family residences, multi-story apartments, and condominiums. This designation is intended to identify and conserve existing concentrations of such development where existing net densities exceed 29 units per acre. Maximum allowable net density of 50 units per acre (not allowed in all corresponding zoning districts).	RM-875, RM-1800	118	2.4
Downtown Mixed Use	Corresponds to an area that has historically been the central business district of San Leandro. Allows a range of uses to create a pedestrian oriented street environment, including retail, services, offices, cultural activities, public and civic buildings, and other compatible uses. Upper story residential uses are permitted. A maximum FAR of 3.5 applies but is not permitted in all corresponding zoning districts.	DA-1, DA-2, DA-3, P, RM-875, RM-1800, CN, PS	98	1.2
Transit Oriented Mixed Use	High-intensity land uses that capitalize on proximity to the San Leandro BART Station. Encourages the vertical mixing of different uses, including residential, office, and retail uses. Maximum far ranges from 4.0 to 5.0, with approximately 60 to 80 units per acre allowed.	DA-2, DA-3, DA-4, DA-6, RM-875, RM-1800, PS	158	1.9
Corridor Mixed Use	A mix of commercial and residential uses oriented in linear development along major transit arterials such as East 14th Street. Commercial and office uses permitted, with residential uses allowed in free-standing structures or in upper floors of mixed use developments.	NA-1, NA-2, SA-1, SA-2, SA-3, DA-2, RM-875, RM-1800, RM-2000, RM-2500, RM-3000, CN, CC, P, PS, IL	184	2.2

Residential Land Use Type	Definition	Corresponding Zoning Codes	Acres in City	Percentage of City Area
Bay Fair Transit Oriented District Mixed Use	Approximately 120 acres around the Bay Fair BART station, including Bayfair Center, Fairmont Square, Fashion Faire Place, and other commercial properties along Hesperian Boulevard, Fairmont Drive, and East 14th Street. Retail, office, higher density housing, open space, and public land uses permitted with a maximum FAR of 3.0.	Subject to Bay Fair Transit Oriented District Specific Plan	121	1.5
<b>Total</b>			<b>4,768</b>	<b>58.5</b>

RD = Residential Duplex; RO = Residential Outer; RS = Residential Single Family; RM = Residential Multi-Family; RM-3000 = 3,000 square feet (sf) per unit; RM-2500 = 2,500 sf/unit; RM-2000 = 2,000 sf/unit; RM-1800 = 1,800 sf/unit; RM-875 = 875 square feet per unit; RS-40 = Residential Single Family with 40-foot front setback; RS-VP = Residential Single Family (View Preservation); RS-PD = Residential Single Family (Planned Development); PS = Public and Semi-Public; CN = Commercial Neighborhood, DA = Downtown Area; NA =North Area; SA = South Area

Source: City of San Leandro 2016

**Table 2-2 Non-Residential Land Use Designations**

Land Use Designation	Categories	Definition	Corresponding Zoning Codes	Acres in City	Percent of City Area
Commercial	Neighborhood Commercial	Small shopping centers or clusters of street front buildings with local-serving businesses and services. Allowable uses include groceries, local-serving offices, pharmacies, laundromats, dry cleaners, restaurants, and other businesses. Maximum allowable floor area ratio (FAR) of 0.5. Residential uses and mixed-use development may be considered to a maximum net density of 24.2 units per acre.	CN, P, CC, PS	55	0.7
	General Commercial	Larger shopping centers or districts and commercial uses providing a broader range of goods and services serving a broader market. Allowable uses include supermarkets, department stores, apparel stores, theaters, offices, and banks. These areas can also contain auto-oriented commercial uses such as hotels, car dealerships, and service centers. Maximum FAR of 1.0, with some zoning districts in this category allow residential uses subject to conditional use permits and a maximum net density of 24.2 units per acre.	CC, CS, CN, PS, P	343	4.1
Industrial	Light Industrial	Wholesale activities, distribution activities, research and development, e-commerce uses, business services, technology, and manufacturing operations with minimal off-site impacts. Uses must be compatible with adjacent residential uses. A maximum FAR of 1.0 applies but may not be attainable in all districts.	IL, IP, IG, CC, CS, P, PS	518	6.3
	General Industrial	A wide range of manufacturing, transportation, food and beverage processing, technology, warehousing, vehicle storage, office flex, and distribution uses. A maximum FAR of 1.0 applies but may not be attainable in all districts.	IG, IL, IP, CC, CS, P, PS	1,003	12.1
	Industrial Transition	Areas that have historically been industrial but have transitioned or may transition to a diverse mix of uses, including general commercial activities. Industrial uses are permitted, but a broader mix of commercial uses including offices, medical facilities, retail, services, and restaurants are encouraged. Residential uses are permitted on properties within 0.5 mile of a BART station. Maximum FAR is 1.0 with no density limit.	IT, IG, CC, IL, IP	172	2.1

Land Use Designation	Categories	Definition	Corresponding Zoning Codes	Acres in City	Percent of City Area
Public/Open Space	Public/Institutional	Public schools, libraries, post offices, churches, public hospitals, and utility properties and facilities. Maximum FAR of 1.0 applies.	PS	354	4.3
	Parks and Recreation	Land uses for active recreation purposes, including neighborhood, community, and regional parks; golf courses; and recreational amenities at Oyster Bay Regional Shoreline. Related structures generally should not exceed ten percent of the area within any park.	OS, PS, CR	548	6.6
	Resource Conservation	Land to remain undeveloped due to high environmental sensitivity, or land used primarily for passive recreation such as walking trails. Includes land within and along the banks of San Leandro Creek. Development is generally not permitted.	OS, PS	522	6.3
<b>Total</b>				<b>3,515</b>	<b>42.5</b>

CC = Commercial Community; CN = Commercial Neighborhood; CR-M = Commercial Regional Mall; CS = Community Services; P = Professional Office; PS = Public and Semi-Public; IL = Industrial Limited; IG = General Industrial; IP = Industrial Park; IT = Industrial Transition; OS = Open Space Source: City of San Leandro 2016

## 2.4 Project Characteristics

### 2.4.1 Housing Element Update

The Housing Element is one of the State-mandated elements of a city's General Plan. The Housing Element identifies the city's existing housing conditions and needs, and establishes goals, objectives, and policies that comprise the City's housing strategy to accommodate projected regional housing needs. Pursuant to Housing Element law, the City of San Leandro must adopt plans and regulatory systems that provide for and do not unduly constrain housing development within the city. Housing needs addressed in the Housing Element include but are not limited to the provision of adequate housing for low-income households and for special-needs populations (e.g., people experiencing homelessness, seniors, single-parent households, large families, and persons with disabilities), and the evaluation and removal of constraints that inhibit development of housing for all income levels.

The State requires local governments to update their Housing Element every eight years in update "cycles," with the 6<sup>th</sup> Housing Element update cycle currently underway (which will cover the planning period of 2023 through 2031). In each cycle, the California Department of Housing and Community Development (HCD) provides a Regional Housing Needs Assessment (RHNA) to each regional planning agency in the state, which determines the total number of new housing units at certain affordability levels to meet the housing needs of people of all income levels. The City of San Leandro is a member of the Association of Bay Area Governments (ABAG), the regional planning agency for the nine-county San Francisco Bay Area. ABAG distributes the RHNA to each member community in the ABAG region. On May 20, 2021, the ABAG Executive Board approved the Final RHNA Methodology and Draft Allocations, which includes a "fair share" allocation for meeting regional housing needs for each community in the ABAG region. In December 2021, the ABAG Executive Board adopted the Final RHNA allocations.

The City's current Housing Element was adopted in 2003 and updated in 2011 and 2015. The 2023-2031 Housing Element Update would bring the element into compliance with State legislation since adoption of the 2015-2023 Housing Element and would reflect San Leandro's "fair share" allocation of housing to meet regional housing needs. The City completed a public review draft of the 2023-2031 Housing Element in July 2022 and submitted the draft Housing Element to HCD for review. The draft Housing Element is available on the City's website: [www.SLHousingElement.com](http://www.SLHousingElement.com).

The 2023-2031 Housing Element includes the following chapters:

- **Housing Needs Assessment.** The Housing Needs Assessment of the 2023-2031 Housing Element includes an assessment of the City's population, household, and housing stock characteristics; existing and future housing needs by household types; an analysis of housing needs and resources for special needs populations; and a review of historic and current integration and segregation patterns. The Housing Needs Assessment evaluates existing and projection population characteristics, including population growth, age characteristics, race and ethnicity, household characteristics, and economic characteristics such as employment and income. The Housing Needs Assessment also considers the housing needs of special needs groups, including but not limited to seniors, large households, persons with disabilities, and extremely-low income residents. Additionally, the Housing Needs Assessment evaluates housing affordability and cost burden of housing.
- **Housing Constraints.** The Housing Constraints chapter of the 2023-2031 Housing Element includes an analysis of resources and constraints related to housing production and

preservation, including governmental regulations; infrastructure requirements and market conditions such as land, construction, and labor costs; as well as financing availability. Non-governmental constraints evaluated in this chapter include the housing market and affordability; land costs which vary depending on location, zoning, and current land uses; and availability of financing for affordable housing and capital used by site developers, homeowners, and investors. Governmental constraints considered in the Housing Constraints chapter include but are not limited to land use controls such as zoning and specific plans; residential development standards, and planning and development fees and processing times. Finally, this chapter also evaluates infrastructure constraints, such as water, wastewater, and storm drainage infrastructure and capacity.

- **Housing Resources.** The Housing Resources chapter of the 2023-2031 Housing Element includes an inventory of land suitable and available for residential development that meets the city's regional housing need by income level. The City conducted a housing Sites Inventory to demonstrate the City's ability to satisfy its share of the regional housing need, and this chapter documents the methodology and results of the Sites Inventory. The Housing Resources chapter evaluates future housing needs and how the City will accommodate the RHNA while considering the adequacy of the Sites Inventory, availability of infrastructure and services environmental constraints, and financial and administrative resources.

In addition, the 2023-2031 Housing Element includes the following components: review of the 2015-2023 Housing Element to identify progress and evaluate the effectiveness of previous policies and programs, and a Housing Plan to address the City's identified housing needs, with goals, policies, and actions. Proposed goals, policies, and programs in the 6<sup>th</sup> Cycle Housing Element support the city's diverse community and housing needs by addressing the following issues:

- Housing and support for residents experiencing homelessness
- Affordable housing production and preservation
- Overall housing development, especially near transit
- Homeownership education and opportunities
- Development of accessory dwelling units (ADUs) and diverse housing types
- Workforce and moderate-income housing
- Fair housing and tenant protections
- Mobile home park affordability and protections
- Housing that accommodates special needs residents
- Community development, planning, and infrastructure
- Racial/ethnic and economic equity, integration, and opportunities
- Encourage all-electric construction in new housing

## 2.4.2 Regional Housing Needs Assessment

The Housing Element must address the City's fair share of the regional housing needs and specific State statutory requirements and must reflect the vision and priorities of the local community. As of December 2021, ABAG determined a final RHNA Allocation of 3,855 units for the City, broken down by units appropriate for very low, low, moderate, and above-moderate-income households. It is important to note that the City is not required to build enough housing to meet its RHNA allocation; rather, the City must provide the appropriate land use designations in its General Plan and in



subsequent rezoning to allow for additional housing and housing appropriate for different income levels. The Housing Element in and of itself does not develop housing – it is a policy document. Most development is built by the private market. The Housing Element identifies opportunities for the City to remove barriers to market development and enhances opportunities for affordable housing.

HCD requires local jurisdictions to identify enough future housing sites inventory to not only cover the jurisdiction’s 6<sup>th</sup> Cycle RHNA, but to also provide for an additional buffer capacity above the RHNA. The buffer capacity is required to accommodate realistic production rates of affordable housing units; plus having the buffer can allow for instances when a smaller residential project may have to be considered for a given property. The “No Net Loss” Law (Government Code Section 65863) requires maintenance of sufficient sites to meet the RHNA for all income levels throughout the planning period. The recommendation from HCD is to adopt a housing sites inventory with a buffer of at least 20 percent over the allocated RHNA for low and moderate-income sites. The RHNA allocation is detailed in Table 2-3.

**Table 2-3 City of San Leandro Regional Housing Needs Allocation**

	Income Category (Percent of Alameda County Area Median Income [AMI])				Total Housing Units
	Very Low (31-50% AMI)	Low (51-80% AMI)	Moderate (81-120%)	Above Moderate (120% or more)	
RHNA Housing Units	489	868	696	1,802	<b>3,855</b>

The City plans to meet the RHNA requirements through planned and approved projects, projected ADUs, and vacant and underutilized sites with modifications to land use and zoning districts as further detailed below. Housing units approved, permitted but not yet built (“pipeline projects”), or units in receipt of a certificate of occupancy as of June 30, 2022, can be credited towards meeting the City’s RHNA for the 6th Cycle Housing Element. An estimated number of ADUs, also referred to as granny flats and secondary units, can be counted towards the RHNA. The City’s ADU ordinance allows ADUs and junior ADUs in single-family and multi-family uses.

After accounting for the units from planned and approved projects and from projected ADU development, the City will meet the remaining RHNA and buffer through the identification of sites suitable for housing development. The City assumed a development potential of 70 percent on each site. Jurisdictions can utilize a percentage factor to calculate the realistic capacity of sites to conservatively reflect a reduction in density at a project level due to factors such as local land use controls, typical densities of existing or approved residential development, and the availability of infrastructure. A projection of densities at 70 percent of the maximum number of dwelling units per acre is a conservative but reasonable estimate for the Bay Area region.

As described in Chapter 4, *Housing Resources*, of the Housing Element Update, most vacant and underutilized sites identified as opportunities for multifamily and mixed-use housing are located within the Downtown Mixed Use, Corridor Mixed Use, Transit-Oriented Mixed Use, and Bay Fair Transit-Oriented Development land use designations. These areas are generally referred to as Downtown, the Bay Fair TOD, and the East 14<sup>th</sup> Street corridor. These areas are “Priority Development Areas,” a term used by regional agencies to identify locations approved for future higher density growth that are typically accessible by one or more transit services near services, and targeted for more focused public funding (e.g., infrastructure, affordable housing, economic development). These areas, as shown in Figure 2-4, are locations for transit-oriented development, generally within walking distance of high-quality public transit and commercial centers. The City of San Leandro made significant efforts during the 4<sup>th</sup> and 5<sup>th</sup> cycle housing element planning periods

to decrease constraints to multifamily residential and mixed use development, particularly in these areas.

### 2.4.3 Proposed Zoning and Land Use Changes

To fulfill the vision of Priority Development Areas as centers of development and accommodate the city’s RHNA, the City proposes changes to land use and zoning districts that would achieve larger-scale residential and mixed use development typologies in Priority Development Areas. Specifically, the City proposes to increase the allowable densities in the General Plan Land Use Element and the San Leandro Zoning Code in the Downtown Mixed Use District and Transit Oriented Mixed Use District land use designations and increase the allowable Floor Area Ratio (FAR) in the Corridor Mixed Use District.

The allowable density would be increased in the following zoning districts:

- DA-1, DA-2, DA-3, DA-4 (Downtown Areas 1, 2, 3, and 4)
- SA-1, SA-2, SA-3 (South Area 1, 2, and 3 District)

The tables below outline the proposed changes to density, FAR, and building heights in San Leandro. Table 2-4 shows the proposed allowable FAR in the General Plan land use designations in Priority Development Areas in San Leandro. The proposed maximum allowable FAR in these districts ranges from 2.5 to 5.0.

**Table 2-4 Proposed FAR – San Leandro General Plan Land Use Designations**

Land Use Designation	Current FAR	Proposed FAR
Downtown Mixed Use	Maximum 3.5	Maximum 3.5
Transit-Oriented Mixed Use	Maximum 4.0, 5.0 adjacent to BART	Maximum 4.0, 5.0 adjacent to BART
Corridor Mixed Use	Maximum 1.5	Maximum 2.5 (increase of 1.0 FAR)
<b>Average</b>	<b>Maximum 3.5</b>	<b>Maximum 3.8</b>

FAR = Floor Area Ratio  
 BART = Bay Area Rapid Transit

Table 2-5 outlines the proposed increase in maximum density for the Downtown Mixed-Use land use designation in San Leandro, which will increase by 25 du/acre above the current standard.

**Table 2-5 Proposed Allowable Density by General Plan Land Use Designation in San Leandro**

Land Use Designation	Current Maximum Density (units/acre)	Proposed Allowable Density Range (units/acre)
Downtown Mixed Use	100	125 (increase of 25 du/acre)

du/ac = dwelling units per acre

Table 2-6 shows the proposed allowable densities by zoning district in San Leandro’s Priority Development Areas. The proposed updates include an increase of 25 du/ac in the DA-1 and DA-4 zones, 40 du/ac to 85 du/ac in the DA-2 zone (depending on proximity to transit), 40 du/ac to 65 du/ac in the DA-3 zone (depending on proximity to transit) and 50 du/ac in the SA-1, SA-2, and SA-3 zones. The proposed maximum density by zoning district ranges from 85 to 125 du/ac.

**Table 2-6 Proposed Allowable Density by Zoning District in San Leandro**

Zoning District	Current Maximum Density (du/a)	Proposed Maximum Density (du/a)
DA-1	100	125 (increase of 25 du/acre)
DA-2	40	85; or Within the General Plan Downtown Mixed Use land use category: 100 Within the General Plan Transit-Oriented Mixed Use land use category: 125 (increase of 45-85 du/acre)
DA-3	60	100; or Within the General Plan Transit-Oriented Mixed Use land use category: 125 (increase of 40-65 du/acre)
DA-4	100	125 (increase of 25 du/acre)
DA-6	N/A	N/A
NA-1, NA-2, P	24	24
SA-1, SA-2, SA-3	35	85 (increase of 50 du/acre)

DA = Downtown Area

NA = North Area

P = Parking

SA = South Area

du/ac = dwelling units per acre

Additionally, the maximum height limit would be raised in the DA-2, SA-1, SA-2, and SA-3 zoning districts as described in detail below in Table 2-7.

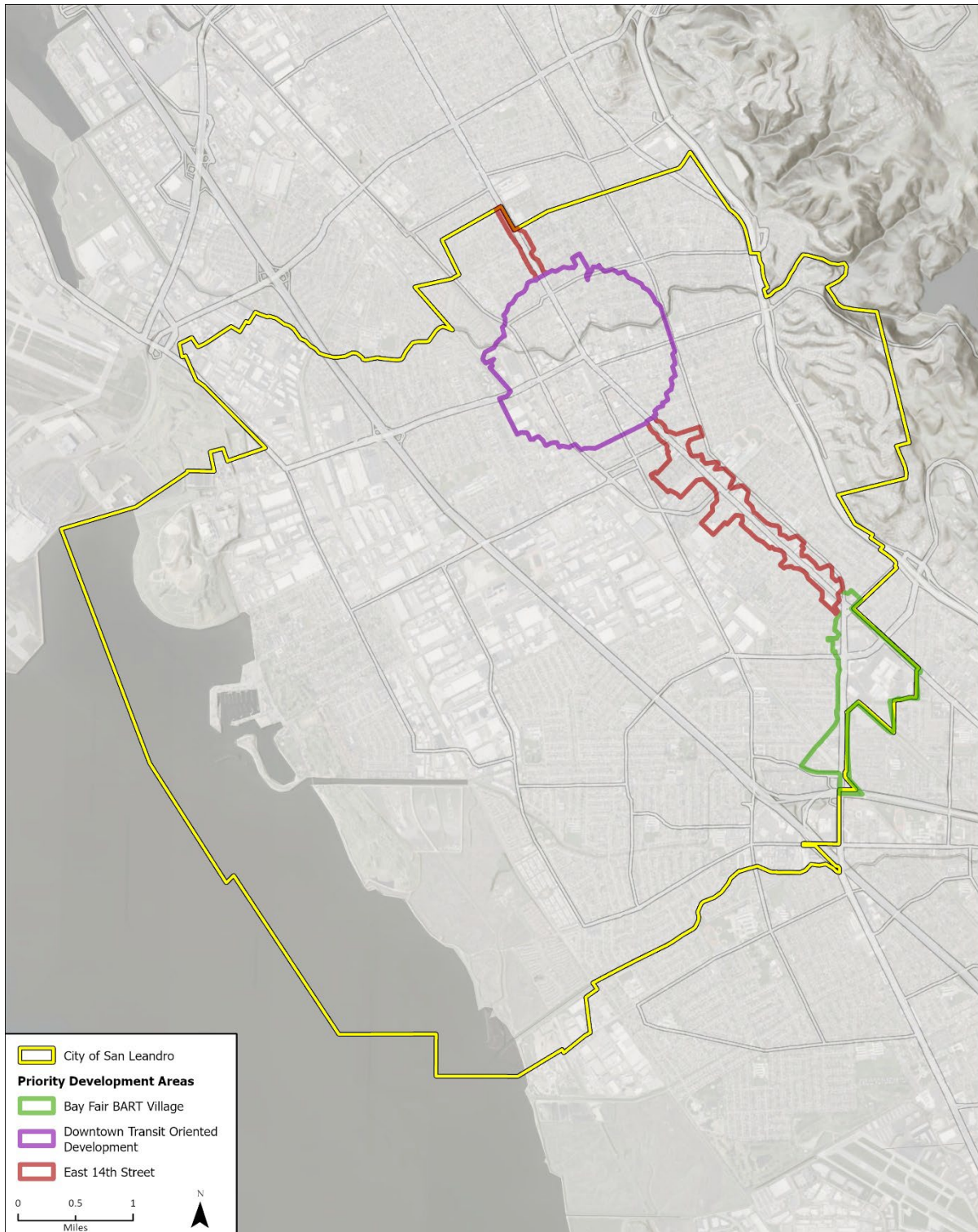
**Table 2-7 Proposed Changes to Maximum Height**

Zoning	Current Maximum Height (feet)	Proposed Maximum Height (feet)
DA-2	50	65
DA-6	75	No Maximum
SA-1, SA-2, SA-3	50	65

DA = Downtown Area; SA = South Area

Increasing dwelling unit/acre density limitations and allowable FAR for residential development would bring the development allowances more closely into conformance with the intent of the 2035 General Plan. The proposed changes to land use and zoning districts would occur in Priority Development Areas, which are shown in Figure 2-4.

**Figure 2-4 Priority Development Areas**



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## 2.4.4 Development Capacity Assumptions

The environmental analysis encompasses impacts resulting from the changes to land use and zoning districts that apply to all applicable parcels in the city beyond the housing inventory sites. These changes would allow the City to achieve the development capacity assumed in the 2035 General Plan. Although it is unlikely that these changes would result in an increase in development capacity beyond what was analyzed in the 2035 General Plan EIR, this SEIR conservatively assumes an additional 2,500 residential units in the Downtown Transit Development District and East 14<sup>th</sup> Street Corridor Priority Development Areas compared to what was analyzed in the 2035 General Plan EIR (State Clearinghouse #2001092001).

Although there is no change at this time to the Bay Fair Transit Oriented District (BTOD) zoning districts, for purposes of the environmental analysis and to be conservative, this SEIR assumes an increase of 2,460 housing units and 75,000 square feet of office space in the BTOD area over what was assumed in the 2018 BTOD Specific Plan EIR due to the identification of new housing and mixed use opportunity sites in the BTOD area. Therefore, this SEIR analyzes a net increase of 4,960 residential units and 75,000 square feet of office space in the three Priority Development Areas in the city compared to the assumptions analyzed in the 2035 General Plan EIR.

## 2.4.5 Environmental Hazards Element Update

The proposed Environmental Hazards Element Update (the City's safety element) will address the requirements of new State legislation and incorporate proposed policies based on updated local and regional data. The update will address the following legislative requirements:

- **Senate Bill (SB) 99** requires jurisdictions, upon the next revision of the Housing Element on or after January 1, 2020, to review and update the safety element to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes. The Environmental Hazards Element Update includes an assessment of residential emergency evacuation routes consistent with SB 99.
- **Senate Bill 379** requires Safety Elements to include a climate change vulnerability assessment, measures to address vulnerabilities, and a comprehensive hazard mitigation and emergency response strategy. In addition, Senate Bill 1035 requires cities and counties to update their safety element during a housing element or local hazard mitigation plan update cycle, but not less than once every eight years, if new information on flood hazards, fire hazards, or climate adaptation or resilience is available that was not available during the previous revision of the safety element. The Environmental Hazards Element Update identifies populations vulnerable to climate change, present climate change projection information, and include proposed goals, policies and implementation programs addressing climate change.
- **Senate Bill 1241** requires review and update of the safety element, upon the next revision of the housing element on or after January 1, 2014, as necessary to address the risk of fire in state responsibility areas and very high fire hazard severity zones. The Environmental Hazards Element update includes proposed goals, policies and programs related to fire hazard planning and preparedness consistent with CAL FIRE requirements.

- **Assembly Bill (AB) 747** requires each jurisdiction to review and update as necessary the Safety Element to identify evacuation routes and capacity, safety, and viability under a range of emergency scenarios. This information must be included by January 1, 2022, or upon approval of the next update to the Local Hazard Mitigation Plan. The Safety Element Update will identify emergency scenarios and goals, policies, and implementation programs to mitigate potential impacts associated with emergency evacuation.

Updates to the proposed Environmental Hazards Element, which incorporates the State-mandated Safety Element of the General Plan, will address the requirements of these bills. Areas of the Environmental Hazards Element that would be updated include geology and seismicity, stormwater management and flooding, fire hazards, climate change, and disaster response.

## 2.4.6 Environmental Justice Element

California State Senate Bill (SB) 1000, signed into law in 2016, states that revisions or adoption of two or more elements of a general plan on or after January 1, 2018, trigger a requirement to “adopt or review the environmental justice Element, or the environmental justice goals, policies, and objectives in other elements.” Per Government Code Section 65040.12(e), environmental justice is “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” Environmental justice goals, policies, and objectives must aim to reduce health risks to disadvantaged communities (DACs), promote civil engagement, and prioritize the needs of these communities.

San Leandro proposes to adopt an Environmental Justice Element that would include policies to reduce pollution exposure and prioritize public transit, recreational opportunities, food access, safe and sanitary housing, physical health of residents, community equity, and engagement of residents in disadvantaged communities.

## 2.5 Project Objectives

The project presents a comprehensive set of policies and actions to update the Housing and Environmental Hazards Elements, and the new Environmental Justice Element; and amend the development standards of the land use and zoning districts to support the goals of the City’s 2035 General Plan. The project will encompass the entire City of San Leandro. Objectives for the project include the following:

- Bring the City’s General Plan and Zoning Code into conformance with recently enacted State law.
- Identify housing sites with a collective capacity to meet the City’s RHNA for 6<sup>th</sup> Cycle Housing Element planning period of 2023-2031, with buffer capacity.
- Locate most housing sites in existing urban areas, near transit and commercial services.
- Update land use designation and zoning district development standards in Priority Development Areas to support the vision of the City’s General Plan and provide sufficient capacity to meet the City’s RHNA.
- Revise Natural Hazards Element to comply with recently enacted State law.
- Adopt an Environmental Justice Element to comply with recently enacted State law.

## 2.6 Required Discretionary Actions

With recommendations from the Planning Commission, the City of San Leandro City Council would need to take the following discretionary actions in conjunction with the project:

- Certification of the SEIR
- Adoption of the 2023-2031 Housing Element
- Adoption of changes to the Land Use Element of the 2035 General Plan, the Environmental Hazards Element, and the City's zoning ordinance
- Adoption of the Environmental Justice Element
- Review of the draft 2023-2031 Housing Element Update by HCD to determine compliance with State law and submittal of written findings to the City

The City will seek certification of the Housing Element from the HCD subsequent to the City's adoption.

## 3 Environmental Setting

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This section provides a general overview of the environmental setting for the project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4.0, *Environmental Impact Analysis*.

### 3.1 Regional Setting

The City of San Leandro is in northern Alameda County in the eastern portion of the San Francisco Bay Area, referred to as the “East Bay.” The East Bay region generally includes cities along the eastern shores of the San Francisco Bay and San Pablo Bay and inland communities in Alameda and Contra Costa counties. Approximately one-third of the Bay Area’s population resides in the East Bay. The city is adjacent to Oakland to the north, the unincorporated Alameda County communities of San Lorenzo and Ashland to the south, the San Francisco Bay to the west, and the Diablo Range to the east.

San Leandro is in the San Francisco Hydrologic Region. Drainage generally flows to west toward the San Francisco Bay. San Leandro is in a seismically active region in the vicinity of the San Andreas and Hayward faults. The nearest active fault is the Hayward Fault, which runs in a north-south direction adjacent to the city’s eastern border.

The San Francisco Bay Area is known to have a variable Mediterranean climate with generally moderate temperatures year-round, with rainfall concentrated in the winter months. Although air quality in the area has steadily improved in recent years, the San Francisco Bay Area remains a nonattainment area for ozone (urban smog) and particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>).

Annual rainfall average in the eastern Bay Area is about 21 inches per year, with most rainfall occurring between October and April (Western Regional Climate Center 2022).

The City of San Leandro is located in the jurisdiction of the Association of Bay Area Governments (ABAG), a Joint Powers Agency established under California Government Code Section 6502 et seq. Pursuant to federal and State law, ABAG serves as a regional planning agency and local government service provider for the nine San Francisco Bay Area counties, which include Sonoma, Napa, Marin, Solano, San Francisco, Contra Costa, San Mateo, Alameda, and Santa Clara Counties. ABAG is responsible for preparing the RHNA, and ABAG and the Metropolitan Transportation Commission are jointly responsible for preparing the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) in coordination with other State and local agencies. These documents include population, employment, and housing projections for the region, the most recent version being Plan Bay Area 2050.

### 3.2 Project Setting

The project setting is the San Leandro city limits. San Leandro’s limits encompass approximately 15.4 square miles. Interstate 880 (I-880), State Route (SR) 185, and Interstate 580 (I-580) generally run north-south through the city. A grid system of east-west and north-south roadways, including arterials, collectors, and local streets, provide vehicular access throughout the city. Major thoroughfares in the city include Davis Street (SR 112) and Marina Boulevard, which run east-west; and San Leandro Boulevard, East 14<sup>th</sup> Street (SR 185), Washington Avenue, and Doolittle Drive (SR



61), which run north-south. The city is also served by the Bay Area Rapid Transit (BART) rail system with stations in Downtown San Leandro at San Leandro Boulevard and W. Juana Avenue, and at Hesperian Boulevard and Thornally Drive south of the Bay Fair shopping center.

The focus of the proposed land use and zoning changes is concentrated in the city's three Priority Development Areas: Downtown San Leandro, the Bay Fair TOD, and the East 14<sup>th</sup> Street corridor. These three areas generally span the city along East 14<sup>th</sup> Street on the eastern side of the city. Downtown San Leandro is in the northern portion of the city, around the intersection of East 14<sup>th</sup> Street and Callan Avenue/Davis Street. The San Leandro Creek flows through the Downtown area.

The Bay Fair TOD area is at the southeastern edge of San Leandro, adjacent to unincorporated Alameda County. It includes the Bay Fair BART Station, Bayfair Center, East 14<sup>th</sup> Street and Hesperian Boulevard corridors, and small pockets of residential neighborhoods. The Priority Development Areas are almost entirely built out with retail, office, civic, and residential uses.

CEQA Guidelines Section 15125 requires EIRs to include a description of the physical environmental conditions in the project area which constitutes the "baseline" conditions and helps determine whether the project would have a significant impact. For purposes of this environmental analysis, the Notice of Preparation (NOP) was published on January 14, 2022, which sets the baseline for comparison of the project's impacts with the 2035 General Plan EIR. The analysis contained in this EIR compares the project's impacts with the 2035 General Plan EIR's conclusions and confirms whether impacts would be less than, similar to, or greater than those of the 2035 General Plan EIR.

### 3.3 Cumulative Impact Setting

As defined in *CEQA Guidelines* Section 15335, "cumulative impacts" refer to two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project when added to other closely related past, present and reasonable foreseeable probable future nearby projects. For example, transportation impacts of two nearby projects may be insignificant when analyzed separately but could have a significant impact when analyzed together. Cumulative impacts analysis provides a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects. According to *CEQA Guidelines* Section 15130(b), a discussion of significant cumulative impacts shall include a list of past, present, and probable future projects related to cumulative impacts; or a summary of projections contained in an adopted local, regional, or statewide plan that describes or evaluates conditions contributing to the cumulative effect.

The cumulative setting for each environmental issue area is described in Section 4, *Environmental Impact Analysis*. The project is in San Leandro; however, cumulative impacts as analyzed in this SEIR may be spread throughout the region. Cumulative impact discussions of hydrology and water quality, and utilities and service systems, rely on larger geographic areas such as the hydrologic region, watershed, or utility district boundary.

CEQA requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a forecast of future development potential. The 2035 General Plan EIR considered development of cumulative projects through the year 2035; therefore, the cumulative time frame has also been extended in this SEIR to account for the passage of time.

## 4 Environmental Impact Analysis

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This section discusses the possible environmental effects of the project for the specific issue areas that were identified through the scoping process as having the potential to experience significant effects. A “significant effect” as defined by the *CEQA Guidelines* Section 15382:

means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds,” which are those criteria adopted by the City and other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation, if applicable. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per Section 15093 of the *CEQA Guidelines*.
- **Less than Significant with Mitigation Incorporated.** A significant impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under Section 15091 of the *CEQA Guidelines*.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). The mitigation section also identifies if mitigation measures are new measures, not included in the 2035 General Plan EIR. In cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the project in conjunction with other past, planned and pending developments in the area listed in Section 3.0, *Environmental Setting*.

The Executive Summary of this SEIR summarizes all impacts and mitigation measures that apply to the project.

## 4.1 Air Quality

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This section analyzes the effects of the project on air quality emissions and the associated impacts. This section analyzes both temporary air quality impacts relating to construction activity and possible long-term air quality impacts associated development facilitated by the project. The analysis herein is based partially on the vehicle miles traveled (VMT) data provided by Kittelson & Associates (2022).

### 4.1.1 Setting

#### **a. Existing Air Quality Setting**

##### **Local Climate and Meteorology**

The City of San Leandro is located within the boundaries of the San Francisco Bay Area Air Basin (SFBAAB). The SFBAAB encompasses the nine-county region including all of Alameda, Contra Costa, Santa Clara, San Francisco, San Mateo, Marin and Napa counties, and the southern portions of Solano and Sonoma counties. SFBAAB is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which is tasked with regulating stationary sources of air pollution and operates a regional monitoring network that measures the ambient concentrations of the six criteria air pollutants in the SFBAAB. Air quality in the SFBAAB is affected by the region's emission sources and by natural factors. Topography, wind speed and direction, and air temperature gradient all influence air quality. The SFBAAB has a Mediterranean climate, with warm, dry summers and cool, damp winters.

Stationary and mobile sources generate air pollutant emissions in the basins. Stationary sources can be divided into two major subcategories: point and area sources. Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat. Area sources are widely distributed and are generated by residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products, among other things. Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and are classified as either on-road or off-road. On-road sources may be legally operated on roadways and highways. Off-road sources include aircraft, ships, trains, and construction equipment. Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

The SFBAAB typically has high concentrations of pollutants due to its high population density.

##### **Air Quality Pollutants of Primary Concern**

The federal and State clean air acts mandate the control and reduction of certain air pollutants. Under these laws, the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for certain criteria pollutants. Ambient air pollutant concentrations are affected by the rates and distributions of corresponding air pollutant emissions, and by the climate and topographic influences discussed above. Proximity to major sources is the primary determinant of concentrations of non-reactive pollutants, such as carbon monoxide (CO) and suspended particulate matter. Ambient CO levels

usually follow the spatial and temporal distributions of vehicular traffic. A discussion of each primary criteria air pollutant is provided below.

### *Ozone*

Ozone is produced by a photochemical reaction (i.e., triggered by sunlight) between nitrogen oxides (NO<sub>x</sub>) and reactive organic gases (ROG).<sup>1</sup> NO<sub>x</sub> is formed during the combustion of fuels, while ROG is formed during combustion and evaporation of organic solvents. Because ozone requires sunlight to form, it mostly occurs in substantial concentrations between the months of April and October.

Ozone is a pungent, colorless, toxic gas with direct health effects on humans including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to ozone include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors.

### *Carbon Monoxide*

CO is an odorless, colorless gas and causes health problems such as fatigue, headache, confusion, and dizziness. The incomplete combustion of petroleum fuels by on-road vehicles and at power plants is a major cause of CO, which is also produced during the winter from wood stoves and fireplaces. CO tends to dissipate rapidly into the atmosphere; consequently, violations of the State CO standards are associated generally with major roadway intersections during peak-hour traffic conditions.

Localized CO “hotspots” can occur at intersections with heavy peak-hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high that the local CO concentration exceeds the National Ambient Air Quality Standards (NAAQS) of 35.0 ppm or the California Ambient Air Quality Standards (CAAQS) of 20.0 ppm. The entire Basin is in conformance with state and federal CO standards, as indicated by the recent air quality monitoring. There are no current exceedances of CO standards within the air district and there has not been a CO exceedance in the Bay Area since before 1994.<sup>2</sup> For 2019, the latest available data, the Bay Area’s reported maximum 1-hour and average daily concentrations of CO were 5.6 ppm and 1.7 ppm, respectively (BAAQMD 2019). These concentrations were well below the respective 1-hour and 8-hour standards of 20 ppm and 9 ppm. Given the ambient concentrations, which includes mobile as well as stationary sources, a project in Bay Area would need to emit concentrations three times the hourly maximum ambient emissions for all sources before project emissions would exceed the 1-hour standard. Additionally, the project would need to emit seven times the daily average for ambient concentrations to exceed the 8-hour standards. Typical development projects, even plan level growth, would not emit the levels of CO necessary to result in a localized hot spot.

### *Nitrogen Dioxide*

NO<sub>2</sub> is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. Nitric oxide is the principal form of nitrogen oxide produced by combustion, but nitric oxide reacts rapidly to form NO<sub>2</sub>, creating the mixture of nitrogen monoxide (NO) and NO<sub>2</sub> commonly called oxides of nitrogen (NO<sub>x</sub>). Nitrogen dioxide is an acute irritant. A relationship between NO<sub>2</sub> and chronic pulmonary fibrosis may exist, and an increase in bronchitis may occur in

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<sup>1</sup> CARB defines VOC and ROG similarly as, “any compound of carbon excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate,” with the exception that VOC are compounds that participate in atmospheric photochemical reactions (CARB 2009). For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions and the term ROG is used in this report.

<sup>2</sup> BAAQMD only has records for annual air quality summaries dating back to 1994.

young children at concentrations below 0.3 ppm. NO<sub>2</sub> can potentially irritate airways in the human respiratory system (U.S. EPA 2016b). Short term exposures can aggravate respiratory diseases, particularly asthma, leading to respiratory symptoms such as coughing, wheezing or difficulty breathing. Longer exposures to elevated concentrations of NO<sub>2</sub> may contribute to the development of asthma and potentially increase susceptibility to respiratory infections requiring hospital admissions and visits to emergency rooms. Much of the information on distribution in air, human exposure and dose, and health effects is specifically for NO<sub>2</sub> and there is only limited information for NO<sub>x</sub>, as well as large uncertainty in relating health effects to NO<sub>2</sub> or NO<sub>x</sub> exposure (CARB, 2019c). Nitrogen dioxide absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM<sub>10</sub> and acid rain.

### *Suspended Particulate Matter*

PM<sub>10</sub> is particulate matter measuring no more than 10 microns in diameter; PM<sub>2.5</sub> is fine particulate matter measuring no more than 2.5 microns in diameter. Suspended particulates are mostly dust particles, nitrates, and sulfates. Both PM<sub>10</sub> and PM<sub>2.5</sub> are by-products of fuel combustion and wind erosion of soil and unpaved roads and are directly emitted into the atmosphere through these processes. Suspended particulates are also created in the atmosphere through chemical reactions. PM<sub>10</sub> and PM<sub>2.5</sub> represent fractions of particulate matter that can be inhaled into the air passages and the lungs and can cause adverse health effects. The characteristics, sources, and potential health effects associated with the small particulates (those between 2.5 and 10 microns in diameter) and fine particulates (those 2.5 microns and below) can be very different.

The small particulates generally come from windblown dust and dust kicked up by mobile sources. The fine particulates are generally associated with combustion processes, and form in the atmosphere as a secondary pollutant through chemical reactions. Fine particulate matter is more likely to penetrate deeply into the lungs and poses a health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the small and fine particulate matter inhaled into the lungs remains there. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

### *Lead*

Lead is a metal found in the environment and in manufacturing products. Historically, the major sources of lead emissions have been mobile and industrial sources. In the early 1970s, the U.S. EPA set national regulations to gradually reduce the lead content in gasoline. In 1975, unleaded gasoline was introduced for motor vehicles equipped with catalytic converters. The U.S. EPA completed the ban prohibiting the use of leaded gasoline in highway vehicles in December 1995. As a result of the U.S. EPA's regulatory efforts to remove lead from gasoline, atmospheric lead concentrations have declined substantially over the past several decades. The most dramatic reductions in lead emissions occurred prior to 1990 due to the removal of lead from gasoline sold for most highway vehicles. Because of phasing out leaded gasoline, metal processing is now the primary source of lead emissions. The highest level of lead in the air is found generally near lead smelters. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers.

Development under the proposed project would not introduce any new sources of lead emissions; consequently, lead emissions are not required to be quantified and are not further evaluated in this analysis.

### *Sulfur Dioxide*

Sulfur Dioxide (SO<sub>2</sub>) is a gaseous air pollutant composed of sulfur and oxygen, which forms when sulfur-containing fuels such as coal, oil, or diesel are burned. The largest source of SO<sub>2</sub> emissions is derived from fossil fuel combustion at powerplants and other industrial facilities. Short term exposures to SO<sub>2</sub> can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO<sub>2</sub> (US EPA 2022).

### **Toxic Air Contaminants**

The California Health and Safety Code Section 39655 defines a toxic air contaminant (TAC) as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health.” Most of the estimated health risks from TACs can be attributed to relatively few compounds, the most important being diesel particulate matter (DPM) from diesel-fueled engines. CARB identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans. According to CARB, diesel engine emissions are believed to be responsible for about 70 percent of California’s estimated known cancer risk attributable to TACs and they make up about 8 percent of outdoor PM<sub>2.5</sub> (CARB 2021a). Mobile sources such as trucks and buses are among the primary sources of diesel emissions, and concentrations of DPM are higher near heavily traveled highways

### **Air Quality Standards**

The federal and State governments have established ambient air quality standards for the protection of public health. The US EPA is the federal agency designated to administer air quality regulation, while CARB is the State equivalent in the California Environmental Protection Agency (CalEPA). The BAAQMD provides local management of air quality in the city. CARB has established air quality standards and is responsible for the control of mobile emission sources, while the BAAQMD is responsible for enforcing standards and regulating stationary sources.

The U.S. EPA has set primary NAAQS for ozone, CO, NO<sub>2</sub>, SO<sub>2</sub>, particulate matter with an aerodynamic diameter equal to or less than 10 microns (PM<sub>10</sub>), fine particulate matter with an aerodynamic diameter equal to or less than 2.5 microns (PM<sub>2.5</sub>), and lead. Primary standards are those levels of air quality deemed necessary, with an adequate margin of safety, to protect public health. In addition, California has established health-based ambient air quality standards (CAAQS) for these and other pollutants, some of which are more stringent than the federal standards. Table 4.1-1 lists the current federal and State standards for regulated pollutants and the attainment status of the air basin with respect to these standards.

**Table 4.1-1 Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	California Standards		National Standards	
		Concentration	Attainment Status	Concentration	Attainment Status
Ozone	8 Hour	0.070 ppm	N	0.070 ppm	N
	1 Hour	0.09 ppm	N		
Carbon Monoxide	8 Hour	9.0 ppm	A	9 ppm	A
	1 Hour	20 ppm	A	35 ppm	A
Nitrogen Dioxide	1 Hour	0.18 ppm	A	0.100 ppm	U
	Annual Arithmetic Mean	0.030 ppm		0.053 ppm	A
Sulfur Dioxide	24 Hour	0.04 ppm	A	0.14 ppm	A
	1 Hour	0.25 ppm	A	0.075 ppm	A
	Annual Arithmetic Mean			0.030 ppm	A
Particulate Matter (PM <sub>10</sub> )	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	N		
	24 Hour	50 µg/m <sup>3</sup>	N	150 µg/m <sup>3</sup>	U
Particulate Matter - Fine (PM <sub>2.5</sub> )	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	N	12 µg/m <sup>3</sup>	U/A
	24 Hour			35 µg/m <sup>3</sup>	N
Sulfates	24 Hour	25 µg/m <sup>3</sup>	A		
Lead	Calendar Quarter			1.5 µg/m <sup>3</sup>	A
	Rolling 3 Month Average			0.15 µg/m <sup>3</sup>	
	30 Day Average	1.5 µg/m <sup>3</sup>			A
Hydrogen Sulfide	1 Hour	0.03 ppm	U		
Vinyl Chloride (chloroethene)	24 Hour	0.010 ppm	No information available		
Visibility Reducing particles	8 Hour (10:00 to 18:00 PST)		U		

A=Attainment N=Nonattainment U=Unclassified; mg/m<sup>3</sup>=milligrams per cubic meter ppm=parts per million µg/m<sup>3</sup>=micrograms per cubic meter

Source: BAAQMD 2017a, <http://www.baaqmd.gov/research-and-data/air-quality-standards-and-attainment-status>

As a local air quality management agency, the BAAQMD must monitor air pollutant levels to ensure that State and federal air quality standards are met and, if they are not met, to develop strategies to meet them. Depending on whether standards are met or exceeded, a local air basin is classified as in “attainment” or “non-attainment.” The SFBAAB is designated non-attainment for the federal standards for ozone and PM<sub>2.5</sub> and in non-attainment for the State standard for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>.

### Current Air Quality

CARB and the U.S. EPA established ambient air quality standards for major pollutants, including ozone, CO, NO<sub>2</sub>, SO<sub>2</sub>, Pb, and PM<sub>10</sub> and PM<sub>2.5</sub>. Standards have been set at levels intended to be protective of public health. California standards are more restrictive than federal standards for each of these pollutants except for lead and the eight-hour average for CO. The local Air Pollution Control Districts are required to monitor air pollutant levels to ensure that air quality standards are met and, if they are not met, to develop strategies to meet the standards.

The City of San Leandro is located within the SFBAAB under the jurisdiction of BAAQMD. As the local air quality management agency, the BAAQMD is required to monitor air pollutant levels to ensure



that state and federal air quality standards are met and, if they are not met, to develop strategies to meet the standards.

The closest air quality monitoring station to the city is the Oakland-9925 International Blvd station, located approximately 0.5 mile north of the city. The Oakland-9925 International Blvd station monitors ozone, CO, NO<sub>2</sub>, and PM<sub>2.5</sub>. For PM<sub>10</sub> measurements, the San Francisco-Arkansas station at 10 Arkansas Street was used, located approximately 13 miles northwest of the city. Table 4.1-2 indicates the number of days that each of the air quality standards have been exceeded at the stations during the monitoring period from 2018 through 2020. The 8-hour ozone state thresholds were exceeded twice in 2019. The one-hour ozone state thresholds were once in 2019. PM<sub>2.5</sub> exceeded federal thresholds 13 times in 2018 and 11 times in 2020. PM<sub>10</sub> exceeded state thresholds twice in 2020. No other thresholds were exceeded in the years 2018 through 2020.

**Table 4.1-2 Ambient Air Quality at Nearest Monitoring Stations**

Pollutant	2018	2019	2020
<b>Oakland-9925 International Blvd</b>			
8-Hour Ozone (ppm), maximum	0.052	0.073	0.066
Number of days of state exceedances (>0.070 ppm)	0	2	0
Number of days of federal exceedances (>0.070 ppm)	0	0	0
1-hour Ozone (ppm), maximum	0.061	0.098	0.090
Number of days of state exceedances (>0.09 ppm)	0	1	0
Number of days of federal exceedances (>0.112 ppm)	0	0	0
Nitrogen dioxide (ppb), 1-hour maximum	72.9	61.8	59.2
Number of days of state exceedances (>180 ppb)	0	0	0
Number of days of federal exceedances (>100 ppb)	0	0	0
Particulate matter <2.5 microns, µg/m <sup>3</sup> , 24-hour maximum	172.1	24.7	167.7
Number of days above federal standard (>35 µg/m <sup>3</sup> )	13	0	11
<b>San Francisco-Arkansas Street Station</b>			
Particulate matter <10 microns, µg/m <sup>3</sup> , 24-hour maximum	43	42	105
Number of days of state exceedances (>50 µg/m <sup>3</sup> )	0	0	2
Number of days of federal exceedances (>150 µg/m <sup>3</sup> )	0	0	0

ppm = parts per million

µg/m<sup>3</sup> = micrograms per cubic meter

Source: CARB 2021b

## Sensitive Receptors

Ambient air quality standards have been established to represent the levels of air quality considered sufficient to protect public health and welfare, with a margin of safety. They are designed to protect that segment of the public most susceptible to the effects of air pollutants and subsequent respiratory distress, such as children under 14, the elderly over 65, persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases. The BAAQMD defines sensitive receptors as children, adults, and seniors occupying or residing in residential dwellings, schools, daycare centers, hospitals, and senior-care facilities. Workers are not considered sensitive receptors because they have other legal protections; specifically, employers must follow regulations set forth by the Occupation Safety and Health Administration to ensure the health and

well-being of their employees (BAAQMD 2020). The following locations contain sensitive receptors within San Leandro:

- Residences throughout the city
- Childcare centers, preschools, and K-12 schools
- Hospitals such as the San Leandro Hospital, Kaiser Permanente San Leandro, Kindred Hospital, and the Fairmont Hospital
- Senior centers such as the San Leandro Senior Community Center

### **Odorous Emissions**

- The BAAQMD lists wastewater treatment plants, landfills or transfer stations, refineries, composting facilities, confined animal facilities, food manufacturing, smelting plants, and chemical plants as land uses with the potential to generate substantial odor complaints (BAAQMD 2017b). The following odorous land uses are present within San Leandro: San Leandro Water Pollution Control Plant

- Davis Street Transfer Station

Food and beverage manufacturers

## 4.1.2 Regulatory Setting

### **a. Federal Regulations**

#### **Federal Clean Air Act**

The U.S. EPA is charged with implementing national air quality programs. U.S. EPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA), passed in 1963 by the U.S. Congress and amended several times. The 1970 federal CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 federal CAA amendments represent the latest in a series of federal efforts to regulate air quality in the United States.

#### **National Ambient Air Quality Standards**

The federal CAA requires U.S. EPA to establish primary and secondary NAAQS for several criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants known to be hazardous to human health. NAAQS have been established for ozone, CO, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and Pb.

### **b. State Regulations**

#### **California Clean Air Act**

The California CAA, signed into law in 1988, requires all areas of the State to achieve and maintain the CAAQS by the earliest practical date. CARB is the State air pollution control agency and is a part of CalEPA. CARB is the agency responsible for coordination and oversight of State and local air pollution control programs in California, and for implementing the requirements of the California

CAA. CARB oversees local district compliance with federal and California laws, approves local air quality plans, submits the State implementation plans to the U.S. EPA, monitors air quality, determines and updates area designations and maps, and sets emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

### **California Ambient Air Quality Standards**

The California CAA requires CARB to establish ambient air quality standards for California, known as CAAQS. Similar to the NAAQS, CAAQS have been established for criteria pollutants and standards are established for vinyl chloride, hydrogen sulfide, sulfates, and visibility-reducing particulates. In general, the CAAQS are more stringent than the NAAQS on criteria pollutants. The California CAA requires all local air districts to endeavor to achieve and maintain the CAAQS by the earliest practical date. The California CAA specifies that local air districts focus attention on reducing the emissions from transportation and area-wide emission sources and provides districts with the authority to regulate indirect sources.

CARB released a technical advisory on reducing air pollution near high-volume roadways to clarify the 500-foot recommendation from 2005 due to the increased focus on and benefits from infill development, which can often occur within 500 feet of a major roadway (CARB 2017). As described in the technical advisory, California has implemented various measures to improve air quality and reduce exposure to traffic emissions. These include the Diesel Risk Reduction Plan, which aims to reduce particulate matter emissions from diesel vehicles. The continued electrification of California's vehicle fleet would also reduce PM<sub>2.5</sub> levels, and ongoing efforts to reduce emissions from cars and trucks and to move vehicles towards "zero emission" alternatives will continue to drive down traffic pollution (CARB 2017).

As shown in Table 4.1-2, the nearest monitoring stations to the city have shown the area to have relatively clean air, with only one exceedance of ozone and a handful of exceedances of PM<sub>2.5</sub>.

### **c. Regional and Local Regulations**

#### **Bay Area Air Quality Management District**

The BAAQMD is the agency primarily responsible for assuring national and State ambient air quality standards are attained and maintained in the SFBAAB. The BAAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, and conducting public education campaigns, as well as many other activities. The BAAQMD has jurisdiction over much of the nine-county Bay Area, including the including the City of San Leandro.

The BAAQMD adopted the 2017 Clean Air Plan as an update to the 2010 Clean Air Plan. The 2017 Clean Air Plan provides a regional strategy to protect public health and protect the climate, which would apply to SFBAAB. To fulfill State ozone planning requirements, the 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors—ROG and NO<sub>x</sub>—and reduce transport of ozone and its precursors to neighboring air basins, such as stationary-source control measures to be implemented through the BAAQMD regulations; mobile-source control measures to be implemented through incentive programs and other activities; and transportation control measures to be implemented through transportation programs in cooperation with the Metropolitan Transportation Commission (MTC), local governments, transit agencies, and others. In

addition, the 2017 Clean Air Plan builds upon and enhances the BAAQMD's efforts to reduce emissions of fine particulate matter and toxic air contaminants. The 2017 Clean Air Plan also represents the Bay Area's most recent triennial assessment of the region's strategy to attain the state 1-hour ozone standard (BAAQMD 2017a).

### City of San Leandro 2035 General Plan

The City of San Leandro's 2035 General Plan, adopted in September 2016, lists several GHG-reduction goals, policies, and actions as part of the Transportation Element and Open Space, Parks, and Conservation Element that support the goal of reducing criteria air pollutants. The following goals and policies are applicable to the proposed project (City of San Leandro 2016a):

- Policy T-1.4 Transit Oriented Development.** Ensure that properties adjacent to the City's BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods
- Policy T-1.5 Land Use Strategies.** Promote land use concepts that reduce the necessity of driving, encourage public transit use, and reduce trip lengths. These concepts include live-work development, mixed use development, higher densities along public transit corridors, and the provision of commercial services close to residential areas and employment centers.
- Policy T-1.6 Siting of Housing and Public Facilities.** Consider access to public transportation to be a major factor in the location and siting of future housing and public facilities. Conversely, ensure that community facilities such as libraries, parks, schools, and community, civic, and recreation centers, are served by public transit.
- Policy T-1.10 Reduced Trip Generation.** Encourage local employers to develop programs that promote ridesharing, flextime and telecommuting, bicycle use, and other modes of transportation that reduce the number and distance of vehicle trips generated.
- Policy T-2.6 Building Design and Site Planning.** Ensure that the site planning and design of new development promotes the use of non-auto modes of transportation by including amenities such as sidewalks, bike lockers, and bus shelters.
- Policy T-3.5 Accommodation of Bicycles and Pedestrians.** Require new development to incorporate design features that make walking, bicycling, and other forms of nonmotorized transportation more convenient and attractive. Facilities for bicycles and pedestrians, including secured bicycle parking, clearly marked crosswalks, well-lit streets and sidewalks, landscaping, and street furniture should be provided within new employment areas, shopping destinations, multi-modal transportation facilities, and community facilities.
- Policy OSC-7.8 Green Building.** Promote green building in new construction and remodels.
- Policy OSC-7.9 Reducing Greenhouse Gases Through Land Use and Transportation Choices.** Locate and design new development in a manner which maximizes the ability to use transit, walk, or bicycle for most trips, reduce dependence on fossil fuel powered vehicles, and reduce vehicle miles traveled.

**Policy OSC-8.2 Planning and Building Practices.** Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency, and support the City’s greenhouse gas reduction goals.

### **City of San Leandro Reach Code (Proposed)**

As part of the San Leandro Climate Action Plan 2021 commitments, the City has started developing its Reach Code with technical support from East Bay Community Energy (EBCE). Under the Reach Code, new construction would be required to be all-electric with limited exceptions such as infeasibility. New single-family, two-unit residential, and townhomes would be required to include two EV spaces (one Level 2 EV ready and one Level 1 EV ready); new multi-family buildings with more than 20 units would be required to include 40 percent Level 2 EV charging stations and 60 percent Level 1 EV ready spaces; and new office buildings would be required to include 20 percent Level 2 EV charging stations and 30 percent Level 2 EV capable spaces. The reach codes are scheduled for adoption in late 2022, concurrently with adoption of the 2022 Building Standards Code that will go into effect on January 1, 2023.

#### 4.1.3 Impact Analysis

##### **a. Methodology and Significance Thresholds**

To determine whether a project would result in a significant impact to air quality, Appendix G of the *CEQA Guidelines* requires consideration of whether a project would:

1. Conflict with or obstruct implementation of the applicable air quality plan
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard
3. Expose sensitive receptors to substantial pollutant concentrations
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people

##### **BAAQMD Significance Thresholds**

This analysis uses the BAAQMD’s May 2017 *CEQA Air Quality Guidelines* to evaluate air quality. The plan-level thresholds specified in the May 2017 BAAQMD *CEQA Air Quality Guidelines* were used to determine whether the proposed project impacts exceed the thresholds identified in *CEQA Guidelines* Appendix G.

##### *Consistency with Air Quality Plan*

Under BAAQMD’s methodology, a determination of consistency with *CEQA Guidelines* thresholds should demonstrate that a project:

1. Supports the primary goals of the 2017 Clean Air Plan
2. Includes applicable control measures from the 2017 Clean Air Plan
3. Does not disrupt or hinder implementation of any 2017 Clean Air Plan control measures

*Short-Term Emissions Thresholds*

The BAAQMD’s May 2017 *CEQA Air Quality Guidelines* have no plan-level significance thresholds for construction air pollutants emissions. However, they do include project-level screening and emissions thresholds for temporary construction-related emissions of air pollutants. These thresholds represent the levels at which a project’s individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB’s existing air quality conditions and are discussed in detail below (BAAQMD 2017b). Construction emissions associated with plan implementation are discussed qualitatively to evaluate potential air quality impacts.

The BAAQMD developed screening criteria in the 2017 *CEQA Air Quality Guidelines* to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant air quality impacts. The screening criteria for residential land uses are shown in Table 4.1-3.

**Table 4.1-3 BAAQMD Criteria Air Pollutant Screening Levels**

Land Use Type	Operational Criteria Pollutant Screening Size (du)	Construction Criteria Pollutant Screening Size (du)
Single-family	325 (NO <sub>x</sub> )	114 (ROG)
Apartment, low-rise	451 (ROG)	240 (ROG)
Apartment, mid-rise	494 (ROG)	240 (ROG)
Apartment, high-rise	510 (ROG)	249 (ROG)
Condo/townhouse, general	451 (ROG)	240 (ROG)
Condo/townhouse, high-rise	511 (ROG)	252 (ROG)
Mobile home park	450 (ROG)	114 (ROG)
Retirement community	487 (ROG)	114 (ROG)
Congregate care facility	657 (ROG)	240 (ROG)

du = dwelling unit; NO<sub>x</sub> = oxides of nitrogen; ROG = reactive organic gases  
 Source: BAAQMD 2017b

If a project is equal to or less than the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project’s air pollutant emissions. These screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration (BAAQMD 2017b).

In addition to the screening levels above, several additional factors are outlined in the 2017 *CEQA Air Quality Guidelines* that construction activities must satisfy for a project to meet the construction screening criteria:

- All basic construction measures from the 2017 *CEQA Guidelines* must be included in project design and implemented during construction
- Construction-related activities would not include any of the following:
  - Demolition
  - Simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously)

- Simultaneous construction of more than one land use type (e.g., project would develop residential and commercial uses on the same site) (not applicable to high density infill development)
- Extensive material transport (e.g., greater than 10,000 cubic yards of soil import/export) requiring a considerable amount of haul truck activity

For projects that do not meet the screening criteria above, the BAAQMD construction significance thresholds for criteria air pollutants, shown in Table 4.1-4, are used to evaluate a project’s potential air quality impacts.

**Table 4.1-4 BAAQMD Criteria Air Pollutant Significance Thresholds**

Pollutant	Construction Thresholds Average Daily Emissions (lbs/day)	Operational Threshold Average Daily Emissions (lbs/day)	Operational Threshold Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (exhaust)	82	15
PM <sub>2.5</sub>	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	Not Applicable

lbs = pounds; NO<sub>x</sub> = oxides of nitrogen; ROG = reactive organic gases; PM<sub>2.5</sub> = particulate matter with an aerodynamic diameter equal to or less than 2.5 microns  
 Source: BAAQMD 2017b

For all projects in the SFBAAB, the BAAQMD 2017 *CEQA Air Quality Guidelines* recommends implementation of the Basic Construction Mitigation Measures listed in Table 8-2 of the Guidelines (BAAQMD 2017b). For projects that exceed the thresholds in Table 4.1-4, the BAAQMD 2017 *CEQA Air Quality Guidelines* recommends implementation of the Additional Construction Mitigation Measures listed in Table 8-3 of the Guidelines (BAAQMD 2017b).

*Operation Emissions Thresholds*

The BAAQMD’s 2017 *CEQA Air Quality Guidelines* contain specific operational plan-level significance thresholds for criteria air pollutants. Plans must show the following over the planning period:

- Consistency with current air quality plan (AQP) control measures, and
- Vehicle miles traveled (VMT) or vehicle trips increase is less than or equal to the plan’s projected population increase.

If a plan can demonstrate consistency with both criteria, then impacts would be less than significant. The current air quality plan is the 2017 Clean Air Plan.

For project-level thresholds, the screening criteria for operational emissions are shown in Table 4.1-3. For projects that do not meet the screening criteria, the BAAQMD operational significance thresholds for criteria air pollutants, shown in Table 4.1-4, are used to evaluate a project’s potential air quality impacts.

### *Carbon Monoxide Hotspots*

BAAQMD provides a preliminary screening methodology to conservatively determine whether a proposed project would exceed CO thresholds. If the following criteria are met, a project would result in a less than significant impact related to local CO concentrations:

1. The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.
2. Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
3. Project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

### *Toxic Air Contaminants*

For health risks associated with TAC and PM<sub>2.5</sub> emissions, the BAAQMD May 2017 CEQA Air Quality Guidelines state a project would result in a significant impact if the any of the following thresholds are exceeded (BAAQMD 2017b):

- Non-compliance with Qualified Community Risk Reduction Plan;
- Increased cancer risk of > 10.0 in a million;
- Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or
- Ambient PM<sub>2.5</sub> increase of > 0.3 µg/m<sup>3</sup> annual average

### *Lead*

Projects would be required to comply with BAAQMD Regulation 11, Rule 1 (Lead), which is intended to control the emission of lead to the atmosphere.

### *Asbestos*

Demolition of buildings would be subject to BAAQMD Regulation 11, Rule 2 (Asbestos Demolition, Renovation, and Manufacturing). BAAQMD Regulation 11, Rule 2 is intended to limit asbestos emissions from demolition and the associated disturbance of asbestos-containing waste material generated or handled during these activities. This rule requires notification of BAAQMD of any regulated demolition activity, and contains specific requirements for surveying, notification, removal, and disposal of material containing asbestos. Impacts related to asbestos emissions from projects that comply with Regulation 11, Rule 2 are considered to be less than significant since the regulation would ensure the proper and safe disposal of asbestos containing material.

### *Odors*

The BAAQMD provides minimum distances for siting of new odor sources shown in Table 4.1-5. A significant impact would occur if the project would result in other emissions (such as odors) affecting substantial numbers of people or would site a new odor source as shown in Table 4.1-5 within the specified distances of existing receptors.



**Table 4.1-5 BAAQMD Odor Source Thresholds**

Odor Source	Minimum Distance for Less than Significant Odor Impacts
Wastewater treatment plant	2 miles
Wastewater pumping facilities	1 mile
Sanitary Landfill	2 miles
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	2 miles
Chemical Manufacturing	2 miles
Fiberglass Manufacturing	1 mile
Painting/Coating Operations	1 mile
Rendering Plant	2 miles

Source: BAAQMD 2017b

## Methodology

### *Construction Emissions*

Construction-related emissions are temporary but may still result in adverse air quality impacts. Construction of development facilitated by the project would generate temporary emissions from three primary sources: the operation of construction vehicles (e.g., scrapers, loaders, dump trucks, etc.); ground disturbance during site preparation and grading, which creates fugitive dust; and the application of asphalt, paint, or other oil-based substances.

At this time, there is not sufficient detail to provide analysis of individual construction projects that would be facilitated by the project, and thus it would be speculative to analyze project-level impacts. Rather, consistent with the programmatic nature of the project and this SEIR, construction impacts for the project are discussed qualitatively and emissions are not compared to the project-level thresholds.

### *Operation Emissions*

Based on plan-level guidance from the BAAQMD 2017 *CEQA Air Quality Guidelines*, long-term operational emissions associated with implementation of the proposed project are discussed qualitatively by comparing the proposed project to the 2017 Clean Air Plan goals, policies, and control measures. In addition, comparing the rate of increase of plan VMT and population is recommended by BAAQMD for determining significance of criteria pollutants. If the proposed project does not meet either criterion then impacts would be potentially significant.

## **b. Prior Environmental Analysis**

Chapter 4.2 of the 2035 General Plan EIR determined that the 2035 General Plan would not conflict with or obstruct implementation of the 2010 Clean Air Plan or expose a substantial number of people to objectionable odors. However, the 2035 General Plan EIR found that the 2035 General Plan could violate an air quality standard and result in a cumulatively considerable net increase of criteria pollutants and could expose sensitive receptors to substantial concentrations of air pollution. Therefore, the 2035 General Plan EIR included Mitigation Measures AQ-2A, AQ-2B-1, AQ-

2B-2, and AQ-3 to reduce impacts to a less than significant level (pages 4.2-42 through 4.2-43). All the CEQA checklist items listed above under the *Methodology and Significance Thresholds* section are addressed in this analysis.

### c. Project Impacts and Mitigation Measures

**Threshold 1:** Would the project conflict with or obstruct implementation of the applicable air quality plan?

**Impact AQ-1** THE PROJECT WOULD SUPPORT THE PRIMARY GOALS OF THE 2017 CLEAN AIR PLAN, WOULD IMPLEMENT APPLICABLE CONTROL MEASURES FOR THE 2017 CLEAN AIR PLAN, AND WOULD NOT DISRUPT OR HINDER IMPLEMENTATION OF ANY 2017 CLEAN AIR PLAN CONTROL MEASURES. THE PROJECT'S VMT INCREASE WOULD BE LESS THAN THE POPULATION INCREASE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

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#### Project Consistency with the Current Air Quality Plan

The 2035 General Plan EIR determined that the 2035 General Plan would not conflict with the 2010 Clean Air Plan due to compliance with policies within the 2035 General Plan.

A project that supports the goals within the 2017 Clean Air Plan would be consistent with the 2017 Clean Air Plan. The goals of the 2017 Clean Air Plan are to attain air quality standards, reduce population exposure and protect public health, and reduce GHG emissions and protect the climate. Consistency with BAAQMD quantitative thresholds is interpreted as demonstrating support for the 2017 Clean Air Plan goals. In addition, the project would be consistent with the 2017 Clean Air Plan's primary goal of achieving and maintaining attainment status for AAQS as the land use patterns in the project would not be substantially different from existing land use patterns. The project would result in a net increase of 4,960 residential units and 75,000 square feet of office space in the three Priority Development Areas in the city, which would encourage denser housing on sites in proximity to services, transit, and bicycle routes. By allowing for the easier use of alternative modes of transportation, the project would promote more efficient land use interaction and could reduce the use of personal vehicles and subsequent mobile emissions than if the residential units and office space were placed farther from transit. In addition, development facilitated by the project would be required to comply with the latest Title 24 regulations, including requirements for residential indoor air quality. The analysis is based on compliance with 2019 Title 24 requirements although individual projects developed under the plan would be required to comply with the most current version of Title 24 at the time of project construction. These requirements currently mandate Minimum Efficiency Reporting Value (MERV)-13 (or equivalent) filters for heating/cooling systems and ventilation systems in residences (Section 150.0[m]) or implementation of future standards that would be anticipated to be equal to or more stringent than current standards. Therefore, the project would improve air quality compared to development farther from transit and services through reducing VMT and would protect public health through stringent requirements for MERV-13 filters or equivalent indoor air quality measures, which would be consistent with the primary goals of the 2017 Clean Air Plan.

The 2017 Clean Air Plan includes 85 control measures aimed at reducing air pollution in the Bay Area under the following sectors: stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants. These control measures are designed to protect the climate and promote mixed use, compact development to reduce vehicle emissions and exposure to pollutants from stationary and mobile sources. BAAQMD

encourages lead agencies to incorporate these measures into plan elements. Many of these measures are industry-specific and would not be applicable to development facilitated by the project (e.g., stationary sources, agriculture, and natural and working lands). Measures from transportation, energy, building, water, waste, and super-GHG pollutants sectors are focused on larger-scale planning efforts (e.g., transit funding, utility energy procurement, regional energy plans) and would not directly apply to development facilitated by the project. Table 4.1-6 shows project consistency with applicable control measures from the 2017 Clean Air Plan.

**Table 4.1-6 Project Consistency with Applicable 2017 Clean Air Plan Control Measures**

Control Measures	Consistency
<b>Transportation</b>	
<p><b>TR2: Trip Reduction Programs.</b> Implement the regional Commuter Benefits Program (Rule 14-1) that requires employers with 50 or more Bay Area employees to provide commuter benefits. Encourage trip reduction policies and programs in local plans, e.g., general and specific plans while providing grants to support trip reduction efforts. Encourage local governments to require mitigation of vehicle travel as part of new development approval, to adopt transit benefits ordinances in order to reduce transit costs to employees, and to develop innovative ways to encourage rideshare, transit, cycling, and walking for work trips. Fund various employer-based trip reduction programs.</p>	<p><b>Consistent:</b> Development facilitated by the project would be required to comply with the Bay Area Commuter Benefits Program, which requires Bay area employers with 50 or more full-time employees to offer one of the four following commuter benefits to their employees:</p> <ul style="list-style-type: none"> <li>▪ Option 1: Allow employees to exclude their transit or vanpool costs from taxable income, to the maximum amount, as allowed by federal law (currently \$130 per month).</li> <li>▪ Option 2: Employer-provided transit subsidy (or transit pass) or vanpool subsidy up to \$75 per month.</li> <li>▪ Option 3: Employer-provided free or low cost bus, shuttle or vanpool service operated by or for the employer.</li> <li>▪ Option 4: An alternative employer-provided commuter benefit that is as effective as in reducing single occupant vehicles as Options 1-3.</li> </ul>
<p><b>TR9: Bicycle and Pedestrian Access and Facilities.</b> Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities.</p>	<p><b>Consistent:</b> The project would facilitate development of housing and office spaces within the city’s three Priority Development Areas and transportation corridors currently served by Class II and Class III bicycle lanes, which would encourage the use of bicycles and reduce reliance on single-occupancy vehicles. Since development would be focused in the Downtown Area and the Bay Fair TOD Specific Plan Area, future residents would be able to utilize city provided bicycle parking spaces and lockers at Downtown San Leandro and Bay Fair BART stations, which would encourage residents to bicycle and walk to transit and services (City of San Leandro 2018).</p>
<b>Energy</b>	
<p><b>EN2: Decrease Electricity Demand.</b> Work with local governments to adopt additional energy-efficiency policies and programs. Support local government energy efficiency program via best practices, model ordinances, and technical support. Work with partners to develop messaging to decrease electricity demand during peak times.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with the City Code, Chapter 7.5.7, which mandates the implementation of Title 24. Compliance would include rooftop solar on residences that are three stories or less in height. Future development would also be required to comply with the City’s Reach Code which will go into effect January 2023. Electricity would be provided either by PG&amp;E or EBCE, which are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. EBCE currently defaults to the Renewable 100 program for San Leandro customers to source 100 percent renewable energy.</p>

Control Measures	Consistency
<b>Buildings</b>	
<p><b>BL1: Green Buildings.</b> Collaborate with partners such as KyotoUSA to identify energy-related improvements and opportunities for on-site renewable energy systems in school districts; investigate funding strategies to implement upgrades. Identify barriers to effective local implementation of the CALGreen (Title 24) statewide building energy code; develop solutions to improve implementation/enforcement. Work with ABAG’s BayREN program to make additional funding available for energy-related projects in the buildings sector. Engage with additional partners to target reducing emissions from specific types of buildings.</p>	<p><b>Consistent:</b> Development facilitated by the project would be required to comply with the energy and sustainability standards of Title 24 (including the California Energy Code and CALGreen) and the City’s associated amendments that are in effect at that time. For example, the current 2019 CALGreen standards and the City’s Construction and Demolition Ordinance require a minimum of 65 percent diversion of non-hazardous construction/demolition waste and 100 percent recycling of all asphalt/concrete. New low-rise residential buildings would also be required to install solar PV panels. The Title 24 standards are updated every three years and become increasingly more stringent over time. Future development would also be required to comply with the City’s Reach Code which will go into effect January 2023.</p>
<b>Water</b>	
<p><b>WR2: Support Water Conservation.</b> Develop a list of best practices that reduce water consumption and increase on-site water recycling in new and existing buildings; incorporate into local planning guidance.</p>	<p><b>Consistent:</b> Future development that needs new or expanded water service would be required to comply with East Bay Municipal Utility District’s Section 31 water efficiency regulations, which include best practice requirements that are more stringent than CALGreen and the state’s Model Water Efficiency Landscape Ordinance to reduce indoor and outdoor water use.</p>

Source: BAAQMD 2017c

As shown in Table 4.1-6, the project would be consistent with the applicable measures as development facilitated by the project would be required to comply with the latest Title 24 regulations and would increase density in Priority Development Areas, allowing for greater use of alternative modes of transportation. Development facilitated by the project would not contain elements that would disrupt or hinder implementation of a 2017 Clean Air Plan control measures, such as precluding an extension of a planned transit line or bike bath or proposing excessive parking. Therefore, the project would be consistent with the 2017 Clean Air Plan.

### Project VMT and Population Growth

According to the BAAQMD 2017 *CEQA Air Quality Guidelines*, the threshold for criteria air pollutants and precursors includes an assessment of the rate of increase of plan VMT versus population growth. As discussed above under Section 4.1.3a, to result in a less than significant impact, the analysis must show that over the course of the planning period, the project’s projected VMT increase would be less than or equal to its projected population increase. As shown in Table 4.1-7, the proposed net percentage VMT increase associated with the project (approximately 7 percent) would be less than the net percentage population increase (approximately 25 percent).

**Table 4.1-7 Increase in Population Compared to VMT Under Project**

Scenario	2020 Without Project	2040 With Project	Net Increase	Percent Change
Population	96,907	121,372	24,465	25%
Vehicle Miles Traveled	4,063,817	4,352,428	288,611	7%

Source: Data provided by Kittelson & Associates, Inc 2022 (Appendix TRA)

Therefore, similar to findings in the 2035 General Plan EIR, the project’s VMT increase would not conflict with the BAAQMD’s 2017 *CEQA Air Quality Guidelines* operational plan-level significance thresholds for criteria air pollutants and would be consistent with the 2017 Clean Air Plan. Accordingly, impacts would be less than significant.

### Mitigation Measures

Mitigation measures would not be required.

### Significance After Mitigation

Impacts would be less than significant without mitigation.

**Threshold 2:** Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

**Impact AQ-2 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF CRITERIA POLLUTANTS WITH ADHERENCE TO POLICIES IN THE 2035 GENERAL PLAN AND CONTINUED IMPLEMENTATION OF MITIGATION IN THE 2035 GENERAL PLAN EIR. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

The 2035 General Plan EIR found that despite implementation of policies within the 2035 General Plan, criteria air pollutant emissions associated with buildout of the 2035 General Plan would cause a substantial net increase in emissions that exceeds the BAAQMD regional significance threshold. Mitigation Measure AQ-2A would require implementation of BAAQMD-approved mitigation measures if future development facilitated under the 2035 General Plan would generate operational emissions in excess of BAAQMD significance thresholds (page 4.2-40). Additionally, Mitigation Measure AQ-2B-1 would require future development to comply with BAAQMD’s Basic Construction Mitigation Measures recommended for all projects (BAAQMD 2017b). Therefore, impacts on criteria air pollutants were determined to be less than significant with mitigation.

### Construction

The SFBAAB is in non-attainment for the federal standards for ozone and PM<sub>2.5</sub> and in non-attainment for the state standard for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>. The project would not directly result in construction of any development or infrastructure; however, future development supported by the project would result in short-term construction-related criteria pollutant emissions that have the potential to have an adverse effect on air quality. Construction such as demolition, grading, construction worker travel, delivery and hauling of construction supplies and debris, and fuel combustion by on-site construction equipment would generate pollutant emissions. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and

other air contaminants, particularly during site preparation and grading. The extent of daily emissions, particularly ROGs and NO<sub>x</sub> emissions, generated by construction equipment, would depend on the quantity of equipment used and the hours of operation for each project. The extent of PM<sub>2.5</sub> and PM<sub>10</sub> emissions would depend upon the following factors: 1) the amount of disturbed soils; 2) the length of disturbance time; 3) whether existing structures are demolished; 4) whether excavation is involved; and 5) whether transporting excavated materials offsite is necessary. Dust emissions can lead to both nuisance and health impacts. According to the 2017 BAAQMD *CEQA Air Quality Guidelines*, during construction PM<sub>10</sub> is the greatest pollutant of concern.

Development facilitated by the project may have longer construction durations than development currently allowed under local zoning and land use designations since the project would increase allowable density, FAR, and height applicable in portions of the three Priority Development Areas. Therefore, although impacts related to air quality from construction have been examined in the City's 2035 General Plan EIR, this analysis conservatively assumes that construction activities would be greater than what could occur under existing conditions.

As discussed in Section 4.1.3a, the BAAQMD does not require plan-level thresholds of significance for construction emissions; however, the BAAQMD does maintain and recommend project-level thresholds that potential future development projects would be subject to. Development facilitated by the project would be required to continue to comply with Policies EH-3.4 and OSC-8.2 of the 2035 General Plan, which would minimize impacts during construction through regulating design and encouraging construction and site planning practices that would ensure energy efficiency. Development would also be required to comply with local and regional air quality regulations, as well as Mitigation Measure AQ-2B-1 listed in the 2035 General Plan EIR (page 4.2-42), which would require adherence to BAAQMD Basic Construction Mitigation Measures. The BAAQMD Basic Construction Mitigation Measures includes 8 measures outlining requirements for watering exposed surfaces, using wet power vacuum street sweepers, vehicle speeds, paving, idling times, maintaining and checking all construction equipment, and posting a visible sign with Lead Agency contact information for dust complaints. Therefore, impacts from construction emissions would be less than significant with Mitigation Measure AQ-2B-1, and no new or additional mitigation would be required.

## **Operation**

According to the BAAQMD 2017 *CEQA Air Quality Guidelines*, the threshold for criteria air pollutants and precursors requires an assessment of the rate of increase of plan VMT and population. As discussed under Impact AQ-2, the VMT associated with project buildout would not exceed the rate of increase from the forecast population. VMT increases at a lower percentage because the proposed project would amend development standards to concentrate residences closer to jobs and services to reduce singular vehicle trips and encourage alternative models of travel.

It should be noted that the project would not itself authorize specific development to occur within the city. The project would focus development in the city's PDAs, which are located in the 50 to 70 percentile for pollution burden as determined by CalEnviroScreen 4.0 (OEHHA 2022). However, as discussed in the 2035 General Plan EIR (page 4.2-37), development facilitated by the project would be required to comply with applicable policies in the 2035 General Plan which would reduce criteria air pollutants to the maximum extent possible. Policies related to green building, transportation, and land use choices as discussed in the 2035 General Plan EIR, including Policies OSC-7.8 and 7.9, T-1.3 through 1.5, T-5.7 through T-5.9, LU-2.5, and LU-6.5, would reduce criteria air pollutants from development projects to the maximum extent feasible (page 4.2-37). Additionally, future

development would need to implement Mitigation Measure AQ-2A from the 2035 General Plan EIR, which would require implementation of BAAQMD-approved mitigation measures if operational emissions were found to be in excess of BAAQMD thresholds (page 4.2-40). Therefore, impacts concerning criteria pollutants generated from operation of the project would be less than significant.

### **Mitigation Measures**

No additional mitigation measures would be required.

### **Significance After Mitigation**

Impacts would be less than significant with existing mitigation.

**Threshold 3:** Would the project expose sensitive receptors to substantial pollutant concentrations?

**Impact AQ-3 CONSTRUCTION ACTIVITIES FOR INDIVIDUAL PROJECTS COULD POTENTIALLY EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS. PROJECTS WOULD BE REQUIRED TO IMPLEMENT MITIGATION MEASURE AQ-2B-2 FROM THE 2035 GENERAL PLAN EIR BUT IMPACTS WOULD REMAIN SIGNIFICANT AND UNAVOIDABLE. THE PROJECT WOULD NOT INCLUDE NEW SOURCES OF TACs. OPERATIONAL IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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The 2035 General Plan EIR concluded that impacts on CO hotspots would be less than significant, and impacts on operational TACs would be less than significant with Mitigation Measure AQ-3 which would require preparation of a health risk assessment (HRA) for future non-residential land uses that 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 are within 1,000 feet of a sensitive land use (pages 4.2-46 through 4.2-48). However, the 2035 General Plan EIR concluded that construction TACs would be significant and unavoidable even with implementation of Mitigation Measure AQ-2B-2, which would require implementation of BAAQMD-approved mitigation measures if future development facilitated under the 2035 General Plan would generate construction exhaust emissions in excess of BAAQMD significance thresholds (page 4.2-42). This is because it is not possible to predict the specific characteristics of the construction and operation of those projects and accurately model their individual emissions (page 4.2-42).

### **Carbon Monoxide Hotspots**

As discussed in Section 4.1.1a above, the project would need to emit seven times the daily average for ambient CO concentrations to exceed the 8-hour standards. Based on the low background level of carbon monoxide in the project area, ever-improving vehicle emissions standards for new cars in accordance with state and federal regulations, and the low level of operational carbon monoxide emissions anticipated for development facilitated by the project, the project would not create new hotspots or contribute substantially to existing hotspots. Therefore, the project would not expose sensitive receptors to substantial concentrations of CO, and impacts would be less than significant.

## Toxic Air Contaminants

### *Construction*

Construction-related activities would result in short-term emissions of diesel particulate matter (DPM) exhaust emissions from off-road, heavy-duty diesel equipment for site preparation (e.g., excavation, grading, and clearing), building construction, and other miscellaneous activities. DPM was identified as a TAC by CARB in 1998. The potential cancer risk from the inhalation of DPM, as discussed below, outweighs the potential non-cancer<sup>3</sup> health impacts (CARB 2021a).

Generation of DPM from construction typically occurs in a single area for a short period. Construction of development facilitated by the project would occur over approximately a decade but use of diesel-powered construction equipment in any one area would likely occur for no more than a few years for an individual project and would cease when construction is completed in that area. It is impossible to quantify risk without identified specific project details and locations.

The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period. According to the California Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the development (OEHHA 2015). BAAQMD uses an exposure period of 30 years (BAAQMD 2016).

The maximum PM<sub>10</sub> and PM<sub>2.5</sub> emissions would occur during demolition, site preparation, and grading activities, which would only occur for a portion of the overall estimated timeframe of individual projects. These activities would typically last for approximately two weeks to two years, depending on the extent of grading and excavation required (e.g., projects with subterranean parking structures or geological constraints require additional grading as compared to those without). PM<sub>10</sub> and PM<sub>2.5</sub> emissions would decrease for the remaining construction period because construction activities such as building construction and architectural coating would require less intensive construction equipment. While the maximum DPM emissions associated with demolition, site preparation, and grading activities would only occur for a portion of the overall construction period, these activities represent the worst-case condition for the total construction period. This would represent between 0.1 to 7 percent of the total 30-year exposure period for health risk calculation.

Development facilitated by the project would be required to be consistent with the applicable 2017 Clean Air Plan, BAAQMD regulatory requirements and control strategies, and the CARB In-Use Off-Road Diesel Vehicle Regulation, which are intended to reduce emissions from construction equipment and activities. Development facilitated by the project would continue to implement Mitigation Measure AQ-2B-2 from the 2035 General Plan EIR, which would require applicants for projects that exceed BAAQMD screening sizes to prepare a technical assessment evaluating potential project construction-related air quality impacts. However, as with the 2035 General Plan EIR, impacts would remain significant and unavoidable since it is not possible to predict the specific

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<sup>3</sup> Non-cancer risks include premature death, hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma, increased respiratory symptoms, and decreased lung function (CARB 2021a).



characteristics of the construction and operation of future individual residential and office space development that would be facilitated by the project and accurately model their individual emissions. Due to the programmatic nature of the project, no additional mitigation measures are available that could be certain to reduce the emissions of individual development projects to a less than significant level.

### *Operation*

In the Bay Area, there are several urban or industrialized communities where the exposure to TACs is relatively high in comparison to others. The entire city is located in an impacted community according to BAAQMD *CEQA Guidelines* (Figure 5-1) due to its proximity to the freeway, rail, and industry. Sources of TACs include, but are not limited to, land uses such as freeways and high-volume roadways, truck distribution centers, ports, rail yards, refineries, chrome plating facilities, dry cleaners using perchloroethylene, and gasoline dispensing facilities (BAAQMD 2017b). Operation of development facilitated by the project would not involve these uses; therefore, it is not considered a source of TACs. In addition, residences and office uses do not typically include new stationary sources onsite, such as emergency diesel generators. However, if residences or office uses did include a new stationary source onsite, it would be subject to BAAQMD Regulation 2, Rule 2 (New Source Review) and require permitting. This process would ensure that the stationary source does not exceed applicable BAAQMD health risk thresholds. Additionally, BAAQMD employs the Community Air Risk Evaluation (CARE) Program, which applies strategies to reduce health impacts in impacted communities (BAAQMD 2022). CARE is currently activated in San Leandro since it is an impacted community. This impact would be less than significant.

### **Project Siting**

The project would not place new land uses; it would only facilitate additional residences and office space on parcels already zoned for these uses. As discussed in the 2035 General Plan (page 4.2-43), placement of sensitive receptors proximate to existing sources of air pollutants would not substantially worsen the concentrations of air pollutants. Therefore, the project would not exacerbate TACs and impacts would be less than significant.

### **Mitigation Measures**

No additional mitigation measures would be required.

### **Significance After Mitigation**

Impacts would be less than significant with existing mitigation.

<b>Threshold 4:</b> Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?
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**Impact AQ-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT CREATE OBJECTIONABLE ODORS THAT COULD AFFECT A SUBSTANTIAL NUMBER OF PEOPLE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR concluded that the 2035 General Plan would not result in odor impacts that would affect a substantial number of people (page 4.2-51).

During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust both during normal use and when idling. However, these odors would

be temporary and transitory and would cease upon completion. Therefore, development facilitated by the project would not generate objectionable odors affecting a substantial number of people.

Table 4.1-5 provides BAAQMD odor screening distances for land uses with the potential to generate substantial odor complaints. Those uses include wastewater treatment plants, landfills or transfer stations, refineries, composting facilities, confined animal facilities, food manufacturing, smelting plants, and chemical plants. Since development facilitated by the project would include residential and office uses, none of the uses identified in the table would occur on the sites. Therefore, development facilitated by the project would not generate objectionable odors affecting a substantial number of people during operation. This impact would be less than significant.

### **Mitigation Measures**

No mitigation measures would be required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

## **4.1.4 Cumulative Impacts**

The cumulative context for air quality is regional. The SFBAAB is in non-attainment for federal standards of ozone and PM<sub>2.5</sub> and in non-attainment for the State standard for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>. The SFBAAB is in attainment of all other federal and State standards. Development facilitated by the project would generate particulate matter and the ozone precursors (ROG and NO<sub>x</sub>) in the area during construction and operation.

As described under Impact AQ-1, the project would be consistent with the 2017 Clean Air Plan control measures as development facilitated by the project would comply with the latest Title 24 regulations and would increase density and height in Priority Development Areas in proximity to transit, allowing for greater use of alternative modes of transportation. Additionally, the increase in VMT would not exceed the projected population increase per the BAAQMD 2017 *CEQA Air Quality Guidelines* for operational emissions from plans. Discussion of these impacts considers the cumulative nature of criteria pollutants in the region. Therefore, the project would not result in a cumulatively considerable contribution to a conflict with or obstruction of implementation of the applicable air quality plan.

As described under Impact AQ-2, project construction would temporarily increase air pollutant emissions, possibly creating localized areas of unhealthy air pollution levels or air quality nuisances. BAAQMD has identified feasible fugitive dust control measures for construction activities because fugitive PM<sub>10</sub> and PM<sub>2.5</sub> is of concern. These temporary impacts would be mitigated with continued implementation of mitigation measures from the 2035 General Plan EIR. Discussion of these impacts considers the cumulative nature of criteria pollutants in the region; therefore, with mitigation the project would not result in a cumulatively considerable net increase of a criteria pollutant from construction emissions.

As identified under Impact AQ-3, development facilitated by the project would not have a significant impact from CO hotspots or operational TACs with implementation of existing mitigation. However, impacts from construction TACs would remain significant and unavoidable even with existing mitigation. Discussion of these impacts considers the cumulative nature of the pollutants in the region, e.g., the cancer risk and non-cancer risk thresholds have been set per existing cancer risks in the area and exceeding those thresholds would be considered a cumulative impact. As development

facilitated by the project does not exceed those thresholds, it would not expose sensitive receptors to a cumulatively considerable amount of substantial pollutant concentrations from CO hotspots or operational TACs. It could, however, expose sensitive receptors to a cumulatively considerable amount of substantial pollutant concentrations from construction TACs. Therefore, cumulative impacts of TACs would remain significant and unavoidable for the same reasons discussed in the 2035 General Plan EIR, since it is not possible to predict the specific characteristics of the construction and operation of future projects to accurately model their individual emissions.

As identified under Impact AQ-4, development facilitated by the project would not have a significant impact from odor emissions. The consideration of cumulative odor impacts is limited to cases when projects constructed simultaneously are within a few hundred yards of each other because of the short range of odor dispersion. It is unlikely that construction of the residential units and office uses would occur within a few hundred yards of major off-site construction, especially since development would be concentrated in the city's Priority Development Areas. Therefore, development facilitated by the project would not result in a cumulatively considerable odor impact.

## 4.2 Greenhouse Gas Emissions

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This section analyzes the potential for the project to generate greenhouse gas (GHG) emissions in excess of standards or to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. The analysis in this section considers the GHG emissions analysis contained in the 2035 General Plan EIR, supplemented by analysis of potential changes proposed by the project. The analysis in this section is based in part on modeling using the California Emissions Estimator Model (CalEEMod); modeling outputs are included in Appendix AQ. One comment letter was received from BAAQMD which noted that the SEIR should provide a detailed analysis of the project's consistency with State and regional GHG goals.

### 4.2.1 Setting

#### a. Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years.

The United Nations Intergovernmental Panel on Climate Change (IPCC) expressed that the rise and continued growth of atmospheric CO<sub>2</sub> concentrations is unequivocally due to human activities in the IPCC's Sixth Assessment Report (2021). It is estimated that between the period of 1850 through 2019, that a total of 2,390 gigatonnes of anthropogenic CO<sub>2</sub> was emitted (IPCC 2021). It is likely that anthropogenic activities have increased the global surface temperature by approximately 1.07 degrees Celsius between the years 2010 through 2019 (IPCC 2021). Furthermore, since the late 1700s, estimated concentrations of CO<sub>2</sub>, methane, and nitrous oxide in the atmosphere have increased by over 43 percent, 156 percent, and 17 percent, respectively, primarily due to human activity (U.S. EPA 2021a). Emissions resulting from human activities are thereby contributing to an average increase in Earth's temperature

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxides (N<sub>2</sub>O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and natural processes, such as oceanic evaporation, largely determine its atmospheric concentrations.

GHGs are emitted by natural processes and human activities. Of these gases, CO<sub>2</sub> and CH<sub>4</sub> are emitted in the greatest quantities from human activities. Emissions of CO<sub>2</sub> are usually by-products of fossil fuel combustion, and CH<sub>4</sub> results from off-gassing associated with agricultural practices and

landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases and SF<sub>6</sub> (U.S. EPA 2021a).

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as “carbon dioxide equivalent” (CO<sub>2</sub>e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO<sub>2</sub> on a molecule per molecule basis (IPCC 2021).<sup>1</sup>

The accumulation of GHGs in the atmosphere regulates the earth’s temperature. Without the natural heat-trapping effect of GHGs, the earth’s surface would be about 33 degrees Celsius (°C) cooler (World Meteorological Organization 2022). GHG emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

## **b. Greenhouse Gas Inventory**

### **Global**

In 2015, worldwide anthropogenic total 47,000 million MT of CO<sub>2</sub>e, which is a 43 percent increase from 1990 GHG levels (U.S. EPA 2021b). Specifically, 34,522 million metric tons (MMT) of CO<sub>2</sub>e of CO<sub>2</sub>, 8,241 MMT of CO<sub>2</sub>e of CH<sub>4</sub>, 2,997 MMT of CO<sub>2</sub>e of N<sub>2</sub>O, and 1,001 MMT of CO<sub>2</sub>e of fluorinated gases were emitted in 2015. The largest source of GHG emissions were energy production and use (includes fuels used by vehicles and buildings), which accounted for 75 percent of the global GHG emissions. Agriculture uses and industrial processes contributed 12 percent and six percent, respectively. Waste sources contributed for three percent and two percent was due to international transportation sources. These sources account for approximately 98 percent because there was a net sink<sup>2</sup> of two percent from land-use change and forestry. (U.S. EPA 2021b).

### **Federal**

Total U.S. GHG emissions were 6,558 MMT of CO<sub>2</sub>e in 2019. Emissions decreased by 1.7 percent from 2018 to 2019; since 1990, total U.S. emissions have increased by an average annual rate of 0.06 percent for a total increase of 1.8 percent between 1990 and 2019. The decrease from 2018 to 2019 reflects the combined influences of several long-term trends, including population changes, economic growth, energy market shifts, technological changes such as improvements in energy efficiency, and decrease carbon intensity of energy fuel choices. In 2019, the industrial and transportation end-use sectors accounted for 30 percent and 29 percent, respectively, of nationwide GHG emissions while the commercial and residential end-use sectors accounted for 16 percent and 15 percent of nationwide GHG emissions, respectively, with electricity emissions distributed among the various sectors (U.S. EPA 2021c).

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<sup>1</sup> The Intergovernmental Panel on Climate Change’s (2021) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change’s (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes a GWPs from the Fourth Assessment Report.

<sup>2</sup> Net sink refers to the taking in of more carbon than can be emitted.

## California

Based on the CARB California Greenhouse Gas Inventory for 2000-2019, California produced 418.2 MMT of CO<sub>2</sub>e in 2019, which is 7.2 MMT of CO<sub>2</sub>e lower than 2018 levels. The major source of GHG emissions in California is the transportation sector, which comprises 40 percent of the state's total GHG emissions. The industrial sector is the second largest source, comprising 21 percent of the state's GHG emissions while electric power accounts for approximately 14 percent (CARB 2021). The magnitude of California's total GHG emissions is due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions as compared to other states is its relatively mild climate. In 2016, the State of California achieved its 2020 GHG emission reduction target of reducing emissions to 1990 levels as emissions fell below 431 MMT of CO<sub>2</sub>e (CARB 2019). The annual 2030 statewide target emissions level is 260 MMT of CO<sub>2</sub>e (CARB 2017).

## City of San Leandro

The City of San Leandro released a 2021 Climate Action Plan (CAP) that includes a GHG inventory for 2005-2017, which includes business-as-usual emissions forecasts for 2030 and 2050 (City of San Leandro 2021). The CAP established a baseline communitywide GHG inventory for calendar year 2005, in which the City emitted approximately 720,990 metric tons (MT) of CO<sub>2</sub>e. The CAP included a 2017 inventory that showed emissions reduce to approximately 573,580 MT of CO<sub>2</sub>e. Most of the emissions in the baseline year of 2005 were from transportation, accounting for 60 percent of emissions, while the nonresidential energy sector accounted for 25 percent and the residential energy sector accounted for 14 percent.

### c. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Each of the past three decades has been warmer than all the previous decades in the instrumental record, 2013 through 2021 all rank among the ten-warmest years on record. It also marked the 45<sup>th</sup> consecutive year (since 1977) with global temperatures rising above the 20<sup>th</sup> century average (NOAA 2022). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations jointly indicate that LSAT and sea surface temperatures have increased.

According to *California's Fourth Climate Change Assessment*, statewide temperatures from 1986 to 2016 were approximately 0.6 to 1.1°C higher than those recorded from 1901 to 1960. Potential impacts of climate change in California may include reduced water supply from snowpack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years (State of California 2018). In addition to statewide projections, *California's Fourth Climate Change Assessment* includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state and regionally specific climate change case studies (State of California 2018). However, while there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. A summary follows of some of the potential effects that could be experienced in California as a result of climate change.

## **Air Quality and Wildfires**

Scientists project that the annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C (36.32°F to 37.76°F) in the next 50 years and by 3.1 to 4.9°C (37.58°F to 40.82°F) in the next century (State of California 2018). Higher temperatures are conducive to air pollution formation, and rising temperatures could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. In addition, as temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains (State of California 2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains could tend to temporarily clear the air of particulate pollution, which would effectively reduce the number of large wildfires and thereby ameliorate the pollution associated with them (California Natural Resources Agency 2009).

## **Water Supply**

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Department of Water Resources 2018). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western U.S., including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (State of California 2018). The Sierra snowpack provides the majority of California's water supply as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the fraction of precipitation that falls as snow and the amount of snowfall at lower elevations, thereby reducing the total snowpack (State of California 2018). Projections indicate that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (State of California 2018).

## **Hydrology and Sea Level Rise**

Climate change could affect the intensity and frequency of storms and flooding (State of California 2018). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2020, observed by satellites, is approximately 3.3 millimeters per year, double the twentieth century trend of 1.6 millimeters per year (World Meteorological Organization 2013; National Aeronautics and Space Administration 2021). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea level rise ranging

between 0.25 to 0 1.01 meters by 2100 with the sea level ranges dependent on a low, intermediate, or high GHG emissions scenario (IPCC 2021). A rise in sea levels could erode 31 to 67 percent of southern California beaches and cause flooding of approximately 370 miles of coastal highways during 100-year storm events. This would also jeopardize California's water supply due to saltwater intrusion and induce groundwater flooding and/or exposure of buried infrastructure (State of California 2018). Furthermore, increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

## **Agriculture**

California has an over \$50 billion annual agricultural industry that produces over a third of the country's vegetables and two-thirds of the country's fruits and nuts (California Department of Food and Agriculture 2020). Higher CO<sub>2</sub> levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase water demand as hotter conditions lead to the loss of soil moisture. In addition, crop yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (State of California 2018). Temperature increases could also change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

## **Ecosystems**

Climate change and the potential resultant changes in weather patterns could have ecological effects on the global and local scales. Soil moisture is likely to decline in many regions as a result of higher temperatures, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; State of California 2018).

### **4.2.2 Regulatory Setting**

#### **a. Federal Regulations**

##### **Federal GHG Emissions Regulation**

The U.S. Supreme Court determined in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) that the USEPA has the authority to regulate motor vehicle GHG emissions under the federal Clean Air Act. The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the USEPA issued a Final Rule that established the GHG permitting thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

In *Utility Air Regulatory Group v. Environmental Protection Agency* (134 Supreme Court 2427 [2014]), the U.S. Supreme Court held the USEPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention



of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

In the most recent *West Virginia v. Environmental Protection Agency* (20-1530 [2022]), the U.S. Supreme Court held that the USEPA may not regulate emissions from coal- and gas-fired power plants using generation shifting<sup>3</sup> that was implemented as part of the 2015 Clean Power Plan. The Court held that the USEPA is not permitted, under the Clean Air Act, to implement regulations for power plants that were allowed under the Clean Power Plan. However, the Court upheld EPA's authority to continue regulating greenhouse gas emissions from the power sector (American Lung Association 2022).

### **Safer Affordable Fuel-Efficient Vehicle Rule**

In April 2020, EPA and NHTSA issued the Safer Affordable Fuel Efficient (SAFE) Vehicles Rule, which required automakers to improve fuel efficiency 1.5 percent annually from model years 2021 through 2026. The SAFE rule also upended State emission programs, and withdrew the waiver for California's Advanced Clean Cars Program, Zero Emission Vehicle Program (ZEV), and Low-Emission Vehicle Program (LEV). In response, California and other states sued in federal court to challenge the final action on preemption of state vehicle standards. In April 2021, the Biden administration, USEPA, and Department of Transportation began the process of dropping limitations on California's waiver. In December 2021, NHTSA issued a repealing of the SAFE Vehicle Rule Part One. In March 2022, USEPA did the same, thereby reinstating California's waiver and the ability of other states to adopt the California standards (Center for Climate and Energy Solutions [C2ES] 2022).

## **b. State Regulations**

### **California's Advanced Clean Cars program (Assembly Bill 1493)**

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as Pavley), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, USEPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles beginning with the 2009 model year. Pavley I regulates model years from 2009 to 2016 and Pavley II, which is now referred to as "Low Emission Vehicle III GHG", regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the Low Emission Vehicle, Zero Emissions Vehicles, and Clean Fuels Outlet programs, and would provide major reductions in GHG emissions. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011). The implementation of these rules is currently delayed due to the SAFE Vehicle Rule, described under *Federal Regulations*.

### **California Global Warming Solutions Act of 2006**

California's major initiative for reducing GHG emissions is outlined in AB 32, the "California Global Warming Solutions Act of 2006," which was signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. AB 32 requires

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<sup>3</sup> Switching electricity generation from fossil fuels to clean sources.

CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO<sub>2</sub>e. The Scoping Plan was approved by CARB on December 11, 2008 and included measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since approval of the Scoping Plan.

Senate Bill (SB) 32, signed into law on September 8, 2016, extends AB 32 by requiring the State to further reduce GHGs to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, as well as implementation of recently adopted policies and policies, such as SB 350 and SB 1383 (see below). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan Update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with statewide per capita goals of 6 MT CO<sub>2</sub>e by 2030 and 2 MT CO<sub>2</sub>e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, subregional, or regional level), but not for specific individual projects because they include all emissions sectors in the State (CARB 2017).

The Draft 2022 Scoping Plan Update has been prepared to assess the progress towards the 2030 target as well as to outline a plan to achieve carbon neutrality no later than 2045. The 2022 Scoping Plan Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities (CARB 2022).

### **Executive Order S-3-05**

Executive Order (EO) S-3-05, signed by Governor Arnold Schwarzenegger in 2005, proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra Nevada snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the EO established total GHG emission targets for the state. Specifically, emissions are to be reduced to the 2000 level by 2010, the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

### **Renewables Portfolio Standard Program (Senate Bill 100)**

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the State's Renewables Portfolio Standard Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

### **Senate Bill 375: Sustainable Communities and Climate Protection Act**

SB 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020

and 2035. SB 375 directs each of the State’s 18 major Metropolitan Planning Organizations to prepare a “sustainable communities strategy” (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan. On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. ABAG was assigned targets of a 10 percent reduction in GHGs from transportation sources by 2020 and a 19 percent reduction in GHGs from transportation sources by 2035. In the ABAG region, SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements.

### **PRC Division 30 Part 3 Chapter 13.1 and Health and Safety Code Sections 39730.5-8 (Senate Bill 1383)**

Adopted in September 2016, SB 1383 requires the CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. The bill requires the strategy to achieve the following reduction targets by 2030:

1. Methane – 40 percent below 2013 levels
2. Hydrofluorocarbons – 40 percent below 2013 levels
3. Anthropogenic black carbon – 50 percent below 2013 levels

The bill also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

### **Executive Order B-55-18**

On September 10, 2018, Governor Brown issued Executive Order B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

### **Executive Order N-79-20**

On September 23, 2020, Governor Newsom issued Executive Order (EO) N-79-20, which established the following new statewide goals:

- All new passenger cars and trucks sold in-state to be zero-emission by 2035;
- All medium- and heavy-duty vehicles in the state to be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks; and
- All off-road vehicles and equipment to be zero-emission by 2035 where feasible.

EO N-79-20 directs CARB, the Governor’s Office of Business and Economic Development, the CEC, the California Department of Transportation, and other state agencies to take steps toward drafting regulations and strategies and leveraging agency resources toward achieving these goals.

### **California Integrated Waste Management Act (Assembly Bill 341)**

The California Integrated Waste Management Act of 1989, as modified by AB 341, requires each jurisdiction’s source reduction and recycling element to include an implementation schedule that shows: diversion of 25 percent of all solid waste by January 1, 1995, through source reduction,

recycling, and composting activities; diversion of 50 percent of all solid waste on and after January 1, 2000; and diversion of 75 percent of all solid waste by 2020, and annually thereafter. CalRecycle is required to develop strategies to implement AB 341, including source reduction.

## **California Building Standards Code**

The California Code of Regulations, Title 24, is referred to as the California Building Code. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, handicap accessibility, and so on. The California Building Code's energy efficiency and green building standards are outlined below.

### *Part 6 – Building Energy Efficiency Standards*

CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The 2019 Title 24 standards are the applicable building energy efficiency standards for the project because they became effective on January 1, 2020 (CEC 2018).

2022 Building Energy Standards will become effective at the beginning of 2023 and improve upon the 2019 standards. It will include several amendments including revisions to residential energy efficiency standards for solar photovoltaic systems, establish requirements that mixed fuel buildings are electric ready, enhancements of requirements for duct sealing and ventilation, among others (CEC 2021).

### *Part 11 – California Green Building Standards*

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11 first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Code). The 2016 CALGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of non-residential and residential structures. It also includes voluntary tiers (I and II) with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory Green Building Standards and may adopt additional amendments for stricter requirements.

The mandatory standards require the following practices:

1. 20 percent reduction in indoor water use relative to specified baseline levels
2. 50 percent construction/demolition waste diverted from landfills
3. Inspections of energy systems to ensure optimal working efficiency
4. Use of low pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards
5. Implementation of dedicated circuitry to facilitate installation of electric vehicle (EV) charging stations in newly constructed attached garages for single-family and duplex dwellings
6. Installation of EV charging stations at least three percent of the parking spaces for all new multi-family developments with 17 or more units

The voluntary standards require the following:

1. Tier I—15 percent improvement in energy requirements, stricter water conservation requirements for specific fixtures, 65 percent reduction in construction waste, 10 percent recycled content, 20 percent permeable paving, 20 percent cement reduction, cool/solar reflective roof
2. Tier II—30 percent improvement in energy requirements, stricter water conservation requirements for specific fixtures, 75 percent reduction in construction waste, 15 percent recycled content, 30 percent permeable paving, and 30 percent cement reduction, cool/solar reflective roof

Similar to the compliance reporting procedure for demonstrating Building Energy Efficiency Standards compliance in new buildings and major renovations, compliance with the CALGreen water-reduction requirements must be demonstrated through completion of water use reporting forms for new low-rise residential and non-residential buildings. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

### **c. Regional and Local Regulations**

#### **Plan Bay Area 2050**

Plan Bay Area 2050 is a state-mandated, integrated long-range transportation, land-use, and housing plan that would support a growing economy, provide more housing and transportation choices and reduce transportation-related pollution in the nine-county San Francisco Bay Area (MTC/ABAG 2021). The SCS builds on earlier efforts to develop an efficient transportation network and grow in a financially and environmentally responsible way. Plan Bay Area 2050 focuses on advancing equity and improving resiliency in the Bay Area by creating strategies in the following four elements: Housing, Economy, Transportation, and Environment. The Plan discusses how the future is uncertain due to anticipated employment growth, lack of housing options, and outside forces, such as climate change and economic turbulence. These uncertainties will impact growth in the Bay Area and exacerbate issues for those who are historically and systemically marginalized and underserved and excluded. Thus, Plan Bay Area 2050 has created strategies and considered investments that will serve those systemically underserved communities and provide equitable opportunities. The Plan presents a total of 35 strategies to outline how the \$1.4 trillion dollar investment would be utilized. The strategies include, but are not limited to, the following: providing affordable housing, allowing higher-density in proximity to transit-corridors, optimizing the existing roadway network, creating complete streets, providing subsidies for public transit, reducing climate emissions, and expanding open space area. Bringing these strategies to fruition will require participation by agencies, policymakers, and the public. An implementation plan is also included as part of the Plan to assess the requirements needed to carry out the strategies, identify the roles of pertinent entities, create an appropriate method to implement the strategies, and create a timeline for implementation (ABAG/MTC 2021).

## Bay Area Air Quality Management District

In 2013, the Bay Area Air Quality Management District (BAAQMD) adopted resolution no. 2013-11, “Resolution Adopting a Greenhouse Gas Reduction Goal and Commitment to Develop a Regional Climate Protection Strategy” that builds on state and regional climate protection efforts by (BAAQMD 2013):

1. Setting a goal for the Bay Area region to reduce GHG emissions by 2050 to 80 percent below 1990 levels
2. Developing a Regional Climate Protection Strategy to make progress towards the 2050 goal, using BAAQMD’s Clean Air Plan to initiate the process
3. Developing a 10-point work program to guide the BAAQMD’s climate protection activities in the near-term

The BAAQMD is currently developing the Regional Climate Protection Strategy and has outlined the 10-point work program, which includes policy approaches, assistance to local governments, and technical programs that will help the region make progress toward the 2050 GHG emissions goal.

The BAAQMD is responsible for enforcing standards and regulating stationary sources in its jurisdiction, including the San Francisco Bay Area Air Basins and all Belmont. The BAAQMD regulates GHG emissions through specific rules and regulations, as well as project and plan level emissions thresholds for GHGs to ensure that new land use development in the San Francisco Bay Area Air Basin contributes to its fair share of emissions reductions (BAAQMD 2017a).

The BAAQMD adopted the 2017 Clean Air Plan as an update to the 2010 Clean Air Plan. The 2017 Clean Air Plan provides a regional strategy to protect public health and protect the climate, which would apply to SFBAAB. The 2017 Clean Air Plan is consistent with GHG reduction targets adopted by the State, and lays the groundwork for a long-term effort to reduce Bay Area GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050 (BAAQMD 2017b). City of San Leandro 2035 General Plan

The City of San Leandro’s 2035 General Plan, adopted in September 2016, lists several GHG-reduction goals, policies, and actions as part of the Transportation Element and Open Space, Parks, and Conservation Element that support the goal of reducing GHG emissions. The following goals and policies are applicable to the proposed project (City of San Leandro 2016):

### **Goal T-1** Coordinate land use and transportation planning

**Policy T-1.4 Transit Oriented Development.** Ensure that properties adjacent to the City’s BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.

**Policy T-1.5 Land Use Strategies.** Promote land use concepts that reduce the necessity of driving, encourage public transit use, and reduce trip lengths. These concepts include live-work development, mixed use development, higher densities along public transit corridors, and the provision of commercial services close to residential areas and employment centers.

- Policy T-1.6 Siting of Housing and Public Facilities.** Consider access to public transportation to be a major factor in the location and siting of future housing and public facilities. Conversely, ensure that community facilities such as libraries, parks, schools, and community, civic, and recreation centers, are served by public transit.
- Policy T-5.2 Evaluating Development Impacts.** Use vehicle miles traveled (VMT) as the primary metric for evaluating the transportation impacts of new development proposals. Traffic impact studies may also consider the total number of trips generated and the resulting impact on traffic volumes and congestion (e.g., "Level of Service"), but VMT shall provide the primary basis for determining appropriate mitigation measures.
- Goal OSC-7** Promote recycling, water conservation, green building, and other programs which reduce greenhouse gas emissions and create a more sustainable environment.
- Policy OSC-7.1 Recycling.** Actively promote recycling, composting, and other programs that reduce the amount of solid waste requiring disposal in landfills.
- Policy OSC-7.8 Green Building.** Promote green building in new construction and remodels.
- Policy OSC-7.9 Reducing Greenhouse Gases Through Land Use and Transportation Choices.** Locate and design new development in a manner which maximizes the ability to use transit, walk, or bicycle for most trips, reduce dependence on fossil fuel powered vehicles, and reduce vehicle miles traveled.
- Goal OSC-8** Promote the efficient use of energy and the increased use of renewable energy by San Leandro residents and businesses.
- Policy OSC-8.1 Conservation and Energy Efficiency.** Strongly advocate for increased energy conservation by San Leandro residents and businesses, and ensure that the City itself is a conservation role model.
- Policy OSC-8.2 Planning and Building Practices.** Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency, and support the City's greenhouse gas reduction goals.

## City of San Leandro Climate Action Plan

In July 2021, the City of San Leandro adopted an update to its Climate Action Plan (CAP), a citywide strategy to reduce GHG. The CAP contains the following GHG reduction strategies that are applicable to the project (City of San Leandro 2021):

- Strategy BE-2 Electrified New Construction.** Commit to developing a reach code limiting natural gas use in new construction, or as directed by the State or regional agencies.
- Strategy AD-2 Transit-Oriented Development.** Continue to concentrate multi-family development and pedestrian-oriented mixed-use development within existing TOD areas and along major transit corridors.

**Strategy AD-3 Infill Development.** Focus new housing development on underutilized or vacant infill sites on flatter lands and continue to discourage new development in hillside areas.

**Strategy AT-8 Autonomous Vehicles.** Explore opportunities to effectively reduce GHG emissions associated with autonomous vehicles.

**Strategy TE-2 EV Charging Stations.** Increase the availability of publicly accessible EV charging stations at multifamily residential buildings, retail centers, offices, and public facilities.

**Strategy WR-2 Construction and Demolition Waste.** Explore opportunities to exceed State requirements for construction and demolition materials by encouraging deconstruction and material reuse.

### City of San Leandro Municipal Code

Section 3.24.400 of the SLMC requires commercial business organic waste generators and multi-family dwelling units to participate in organic waste collection services. These users must subscribe to collection services for compost containers, recycling containers, and landfill containers.

Section 7.5.600 of the SLMC requires compliance with the California Green Building Code, Title 24, Part 11, which details requirements for energy conservation and green design.

Section 7.5.700 of the SLMC requires compliance with the California Energy Code, Title 24, Part 6, which details requirements for the use of energy-efficient design and technologies as well as provisions for incorporating renewable energy resources into building design.

## 4.2.3 Impact Analysis

### a. Methodology and Thresholds of Significance

To determine whether a project would result in a significant impact related to GHG emissions, Appendix G of the *CEQA Guidelines* requires consideration of whether a project would:

1. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Individual projects do not generate enough GHG emissions to create significant project-specific environment effects. However, the environmental effects of a project's GHG emissions can contribute incrementally to cumulative environmental effects that are significant, contributing to climate change, even if an individual project's environmental effects are limited (*CEQA Guidelines* Section 15064[h][1]). The issue of a project's environmental effects and contribution towards climate change typically involves an analysis of whether a project's contribution towards climate change is cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (*CEQA Guidelines* Section 15064[h][1]).

*CEQA Guidelines* Section 15064.4 recommends that lead agencies quantify GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, including the extent to which the project may increase or reduce



GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a plan for the reduction or mitigation of GHG emissions. *CEQA Guidelines* Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies, or suggested by other experts, as long as any threshold chosen is supported by substantial evidence (see *CEQA Guidelines* Section 15064.7[c]).

CARB recommended local plan-level GHG thresholds of no more than 6 MT CO<sub>2</sub>e per capita by 2030 and no more than 2 MT CO<sub>2</sub>e per capita by 2050 in the 2017 Scoping Plan (CARB 2017). However, since the project would tier from the 2035 General Plan EIR, the 2035 and 2050 significance thresholds<sup>4</sup> outlined within the 2035 General Plan EIR were interpolated to establish a 2040 threshold consistent with the project's buildout year. This would be more conservative and more applicable to the City than CARB's plan-level thresholds in the 2017 Scoping Plan. The 2035 General Plan EIR's 2050 threshold of 1.2 MT CO<sub>2</sub>e per service population per year was subtracted by the 2035 threshold of 3.2 MT CO<sub>2</sub>e per service population per year, which was then divided by 15 years to reach a MT CO<sub>2</sub>e reduction per year of 0.13 MT CO<sub>2</sub>e. A 5-year reduction from the 2035 threshold of 3.2 MT CO<sub>2</sub>e would equate to an MT CO<sub>2</sub>e per service population per year of 2.6 MT CO<sub>2</sub>e for the year 2040. Therefore, the 2.6 MT CO<sub>2</sub>e per service population per year threshold is applied to the project, and is consistent with the GHG reduction targets of EO B-30-15, which is to reduce GHG emissions 40 percent below 1990 levels by 2030, and S-03-05, which is to reduce GHG emissions 80 percent below 1990 levels by 2050.

GHG emissions for development facilitated by the project (operation) were calculated using CalEEMod Version 2020.4.0. CalEEMod is a statewide land-use emissions model designed to quantify greenhouse gases associated with construction and operations of development projects. CalEEMod can be based on default settings within the model where project specific data is unknown, providing a consistent baseline for emissions estimates. CalEEMod is recommended by BAAQMD for use in quantifying development related GHG emissions. The model calculates emissions of the following GHGs: CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub>, which are combined using each GHGs' GWP and reported as CO<sub>2</sub>e. The calculation methodology and input data used in CalEEMod can be found in the CalEEMod User's Guide Appendices A, D, and E (CAPCOA 2021). GHG emissions include water and solid waste sources and area, energy, and mobile sources. The input data and subsequent operation GHG emission estimates for development facilitated by the project are discussed below.

## **Construction Emissions**

According to BAAQMD, GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions; BAAQMD does not analyze construction GHG emissions in their thresholds. Rather, the BAAQMD recommends the incorporation of Best Management Practices (BMPs) to reduce GHG emissions during construction. Examples of BMPs include using alternative fueled construction vehicles/equipment of at least 15 percent of the fleet; using building materials of at least 10 percent; and recycling or reusing at least 50 percent of construction waste or demolition materials. The proposed City thresholds for land use projects are designed to address operational GHG emissions that represent most of the project's GHG emissions, and therefore similar to BAAQMD, the City does not include construction GHG emissions in their GHG thresholds.

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<sup>4</sup> Based on long-term GHG reduction targets of EO B-30-15, which set a goal of 40 percent below 1990 levels by 2030, and EO S-03-05, which set a goal of 80 percent below 1990 levels by 2050 (City of San Leandro 2016).

## Operational Emissions

### *Energy Sources*

Emissions from energy use include electricity and natural gas use. The electricity consumption values in CalEEMod include the CEC-sponsored California Commercial End Use Survey and Residential Appliance Saturation Survey studies. CalEEMod currently incorporates California's 2019 Title 24 building energy efficiency standards.

Electricity emissions are calculated by multiplying the energy use times the carbon intensity of the utility district per kWh. East Bay Community Energy (EBCE) would serve development facilitated by the project. Because EBCE would be residents default electricity provider, the company's specific energy intensity factors (i.e., the amount of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O per kWh) were used in the calculations of GHG emissions. Per SB 100, the statewide Renewable Portfolio Standard (RPS) program requires electricity providers to increase procurement from eligible renewable energy sources to 60 percent by 2030, which EBCE is already in compliance with. EBCE has introduced a Renewable 100 option in 2022 which consists of 100 percent eligible renewable energy resources (EBCE 2022). However, since customers have the option to opt out of the Renewable 100 program and enroll in the Bright Choice Program which would be supplied by 40 percent eligible renewable energy, energy intensity factors were set to reflect 40 percent renewable energy for a conservative analysis (EBCE 2020). Although customers also have the option to select PG&E as their electricity provider, this analysis assumes EBCE as the main provider since the San Leandro City Council voted to set the default electricity option for residential and commercial customers to EBCE's Renewable 100 (EBCE 2022). In accordance with Section 150.1(c)(14) of the 2019 Building Energy Efficiency Standards, development facilitated by the project would be required to install PV systems on all low-rise residential structures up to three stories equal to the expected electricity usage. Since the project would increase height allowances in the Downtown Area and South Area, it would allow residential structures more than three stories and development facilitated by the project may not all include PV systems. As a conservative analysis, CalEEMod assumed that no structures would include PV systems.

### *Area Sources*

Emissions associated with area sources, including space and water heating, consumer products, landscape maintenance, and architectural coating were calculated in CalEEMod and use standard emission rates from CARB, USEPA, and emission factor values provided by the local air district (BREEZE Software 2021).

### *Waste Sources*

GHG emissions from waste generation were also calculated in CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (BREEZE Software 2021). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by CalRecycle.

### *Water and Wastewater Sources*

GHG emissions from water and wastewater usage calculated in CalEEMod were based on the electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for northern and southern California. A 20 percent reduction in indoor potable water use was incorporated in the model in accordance with CALGreen standards.

### Mobile Sources

Mobile source emissions are generated by the increase in vehicle trips to and from sites that would where development facilitated by the project would occur. Trip generation rates were calculated using City VMT data provided in the VMT analysis prepared by Kittelson & Associates (Appendix TRA). Mobile emissions also assumed 2040 fleet mixes and emission factors, as this is the year in which the project's development is analyzed against GHG reduction goals.

### b. Prior Environmental Analysis

Chapter 4.6, *Greenhouse Gas Emissions*, of the 2035 General Plan EIR analyzes the 2035 General Plan's impacts related to GHGs. As discussed in that chapter, the 2035 General Plan would generate GHG emissions but would not exceed the identified GHG efficiency targets for 2020 or 2035, and impacts concerning GHG emissions would be less than significant (pages 4.6-26 through 4.6-28). However, the 2035 General Plan EIR concluded that the 2035 General Plan could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases since it cannot yet be demonstrated that the City will achieve GHG emissions reductions consistent with CARB's 2014 Update to the Scoping Plan, which calls for an 80 percent reduction below 1990 levels by the year 2050. The 2035 General Plan EIR determined that no mitigation measures are available to address post-2030 GHG reductions beyond continued implementation of existing and proposed policies and programs (page 4.6-40). Actions outside of the City's jurisdictional control, such as additional State and federal actions, are necessary to achieve the 2050 target. Therefore, impacts would remain significant and unavoidable.

### c. Project Impacts and Mitigation Measures

**Threshold 1:** Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

**Impact GHG-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT DIRECTLY OR INDIRECTLY GENERATE GHG EMISSIONS THAT WOULD HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. GHG EMISSIONS FROM THE PROJECT WOULD NOT EXCEED 2035 GENERAL PLAN EIR THRESHOLDS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR concluded that the 2035 General Plan would directly and indirectly generate GHG emissions but would not exceed identified GHG efficiency targets for 2020 or 2035. Therefore, impacts were less than significant (pages 4.6-26 through 4.6-28).

Long-term operational sources of GHG emissions associated with the project would include mobile sources (e.g., vehicle exhaust), energy consumption (e.g., electricity and natural gas), solid waste (e.g., emissions that would occur at a landfill associate with solid waste decomposition), wastewater treatment, and water consumption (e.g., electricity used to deliver and treat water consumed by customers in the city). Table 4.2-1 shows the operational GHG emissions associated with development facilitated by the project. As shown therein, annual emissions from full buildout of an additional 4,960 dwelling units and 75,000 square feet of office space would be 24,809 MT of CO<sub>2</sub>e per year. With a project increase in service population of 12,700, this would result in emissions of 2.0 MT of CO<sub>2</sub>e per service population per year. The relatively low annual emissions from the project are mostly due to EBCE's sourcing of renewable energy under the Bright Choice and Renewable 100 programs, which would decrease GHG emissions from energy sources. The project's 2.0 MT of CO<sub>2</sub>e per service population per year would not exceed the interpolated 2040 MT CO<sub>2</sub>e per service

population target of 2.6 as outlined in the 2035 General Plan EIR. As discussed below under Impact GHG-2, the project would not conflict with goals and policies in the 2017 Scoping Plan, Plan Bay Area 2050, the City’s 2035 General Plan, or the City’s CAP. Therefore, the project would not result in more severe impacts than what was analyzed in the 2035 General Plan and impacts would be less than significant.

**Table 4.2-1 Operational GHG Emissions**

Emission Source	Annual Emissions (MT of CO <sub>2</sub> e)
<b>Operational</b>	
Area	239
Energy	3,561
Mobile	19,527
Waste	1,182
Water	300
<b>Operational Total</b>	<b>24,809</b>
Project Population Increase <sup>1</sup>	12,700
<b>MT of CO<sub>2</sub>e per Service Population</b>	<b>2.0</b>
Interpolated 2040 Threshold from the 2035 General Plan EIR (MT of CO <sub>2</sub> e per Service Population)	2.6
<b>Exceed Target?</b>	<b>No</b>

<sup>1</sup> Residential population increase (12,400) plus employee population increase (using 250sf/job, 75,000sf divided by 250 = 300 jobs)  
 Source: Appendix AQ

### Mitigation Measures

No mitigation measures would be required.

### Significance After Mitigation

Impacts would be less than significant without mitigation.

**Threshold 2:** Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Impact GHG-2 THE PROJECT WOULD NOT CONFLICT WITH THE 2017 SCOPING PLAN, PLAN BAY AREA 2050, THE CITY’S 2035 GENERAL PLAN, OR THE CITY’S CAP. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR (pages 4.6-28 through 4.6-41) concluded that the 2035 General Plan would be consistent with Plan Bay Area and policies within the City’s CAP. However, while the 2035 General Plan supports progress toward the long term-goals identified in EO B-30-15 and EO 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. The 2035 General Plan EIR determined that no mitigation measures are currently available to address post-2030 GHG reductions beyond continued implementation of existing and proposed policies and programs. Although the 2035 General Plan and the CAP include measures to align the City with GHG reduction targets of AB 32 and EO B-30-15, additional State and federal actions are necessary to ensure that State and

federally regulated sources take similar aggressive measures to ensure the deep cuts needed to achieve the 2050 target. Therefore, impacts would remain significant and unavoidable since there are no post-2020 federal and state measures that would assist the City in achieving the efficiency target by 2035.

The project was evaluated for consistency with applicable State and local plans that were developed with the intent of reducing GHG emissions. Each applicable plan is discussed separately below.

### **2017 Scoping Plan**

Development facilitated by the project would be consistent with the goals of the 2017 Scoping Plan through requirements to comply with the latest Title 24 Green Building Code and Building Efficiency Energy Standards. Development facilitated by the project would be required to install PV systems on all low-rise residential structures up to three stories equal to the expected electricity usage system per the 2019 Building Energy Efficiency Standards and CALGreen energy efficient design and construction provisions.

Additionally, policies P.1.4 and P.2.6 of the Housing Element Update would encourage infill development in locations near public transit and services to support the State's climate goals. The land use designation and zoning amendments included with the project would facilitate development of residences and office uses near transit corridors and BART stations in Priority Development Areas, which would reduce reliance on personal vehicles. Implementation of the project would align with the 2017 Scoping Plan's recommendations for local jurisdictions to adopt general plan policies and diagram designations and zone map and standards that are consistent with the SCS, and to enable mixed use, walkable, compact, infill development that includes a range of housing types and affordability levels. As discussed in Impact AQ-1 of Section 4.1, *Air Quality*, the net percentage VMT increase associated with the project (approximately 8 percent) would be less than the net percentage population increase (approximately 25 percent). The project would reduce per capita vehicle trips compared to the population increase and would therefore reduce the City's GHG proportion of emissions attributed to fossil fuel use. Furthermore, as analyzed above under Impact GHG-1, project emissions of 2.0 MT CO<sub>2</sub>e would be below the 2035 General Plan EIR interpolated 2040 threshold of 2.6 MT CO<sub>2</sub>e, which would also be consistent with the plan-level thresholds in the 2017 Scoping Plan. As noted in Section 4.2.3, these thresholds are more conservative and more applicable to the City. Therefore, the project would be consistent with the 2017 Scoping Plan goals for the encouragement of alternative transportation use and VMT reduction.

### **2017 Clean Air Plan**

A project that supports the goals within the 2017 Clean Air Plan would be consistent with the 2017 Clean Air Plan. The goals of the 2017 Clean Air Plan are to attain air quality standards, reduce population exposure and protect public health, and reduce GHG emissions and protect the climate. As discussed in Section 4.1, *Air Quality*, the project would be consistent with the primary goals and applicable control measures within the 2017 Clean Air Plan. The project would facilitate development of housing and office spaces within the city's three PDAs and transportation corridors currently served by Class II and Class III bicycle lanes, which would encourage the use of bicycles and reduce reliance on single-occupancy vehicles. Development facilitated by the project would also be required to comply with the latest Title 24 regulations, as well as the latest iteration of CALGreen, the California Energy Code, and any locally adopted amendments which include requirements for

the use of energy-efficient design and technologies as well as provisions for incorporating renewable energy resources into building design.

### Plan Bay Area 2050

To achieve the ABAG and MTC sustainable vision for the San Francisco Bay Area, the Plan Bay Area 2050 land use concept plan concentrates most new population and employment growth in and around Priority Development Areas (PDAs). The project concentrates new housing and office space in the city’s three PDAs to increase transit opportunities and reduce dependence on vehicle travel, consistent with the Plan Bay Area 2050 directive. The strategies from Plan Bay Area 2050 related to GHG emissions and applicable to the project are shown in Table 4.2-2. As shown, the project would be consistent with the goals and strategies of Plan Bay Area 2050.

**Table 4.2-2 Project Consistency with Plan Bay Area 2050**

Measure	Project Consistency
<p><b>H3. Allow a greater mix of housing densities and types in Growth Geographies.</b> Allow a variety of housing types at a range of densities to be built in Priority Development Areas, select Transit-Rich Areas and select High-Resource Areas.</p>	<p><b>Consistent.</b> The project would facilitate development of housing at a range of densities and office spaces within the city’s three PDAs and transportation corridors.</p>
<p><b>T8. Build a Complete Streets network.</b> Enhance streets to promote walking, biking and other micro-mobility through sidewalk improvements, car-free slow streets, and 10,000 miles of bike lanes or multi-use paths.</p>	<p><b>Consistent.</b> The project would facilitate development of housing and office spaces within the city’s three PDAs and transportation corridors currently served by Class II and Class III bicycle lanes, which would encourage the use of bicycles and reduce reliance on single-occupancy vehicles. The city also has bicycle parking spaces at the downtown San Leandro and Bay Fair BART stations, as well as additional bicycle parking spaces and bicycle lockers along major transportation corridors and in proximity to transit and services which future residents could utilize (City of San Leandro 2018). Since the project would increase allowable density and height in the city’s three PDAs, it would place more residents and employees within walking distances to services (commercial, retail, restaurants), employment, and transit, which would promote active transportation.</p>
<p><b>EN4. Maintain urban growth boundaries.</b> Using urban growth boundaries and other existing environmental protections, focus new development within the existing urban footprint or areas otherwise suitable for growth, as established by local jurisdictions.</p>	<p><b>Consistent.</b> The project would facilitate development of housing and office uses through increasing allowable density, FAR, and height on sites within San Leandro’s urban footprint and PDAs. By placing residents and workers close to jobs and alternative methods of transportation, the project would reduce GHG emissions and other criteria pollutants associated with vehicle use to help communities stay healthy and safe.</p>
<p><b>EN8. Expand clean vehicle initiatives.</b> Expand investments in clean vehicles, including more fuel-efficient vehicles and electric vehicle subsidies and chargers.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with EV requirements pursuant to 2022 CalGreen. Two-family residences and townhomes would be required to include one Level 2 EV capable space per dwelling unit; multi-family buildings with more than 20 units would be required to include 10 percent Level 2 EV capable parking spaces, 25 percent Level 2 EV ready spaces, and 5 percent Level 2 EV charging spaces; and non-residential uses would be required to include 15 percent Level 2 EV capable parking spaces and 5 percent Level 2 EV charging spaces.</p>

Source: ABAG 2021

## City of San Leandro 2035 General Plan

The Transportation Element and Open Space, Parks, and Conservation Element of the 2035 General Plan contain policies aimed at reducing GHG emissions. As shown in Table 4.2-3, the proposed project would be consistent with these policies and actions.

**Table 4.2-3 City of San Leandro General Plan Consistency for GHG Emissions**

General Plan Policy or Action	Consistency
<b>Transportation Element</b>	
<p><b>Policy T-1.4 Transit Oriented Development.</b> Ensure that properties adjacent to the City’s BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.</p> <p><b>Policy T-1.5 Land Use Strategies.</b> Promote land use concepts that reduce the necessity of driving, encourage public transit use, and reduce trip lengths. These concepts include live-work development, mixed use development, higher densities along public transit corridors, and the provision of commercial services close to residential areas and employment centers.</p> <p><b>Policy T-1.6 Siting of Housing and Public Facilities.</b> Consider access to public transportation to be a major factor in the location and siting of future housing and public facilities. Conversely, ensure that community facilities such as libraries, parks, schools, and community, civic, and recreation centers, are served by public transit.</p>	<p><b>Consistent.</b> The project would increase allowable density and height on sites within the city’s Priority Development Areas adjacent to BART stations and transit corridors, which would reduce the use of single-occupancy vehicles and encourage future residents and workers to utilize alternative modes of transportation.</p>
<p><b>Policy T-5.2 Evaluating Development Impacts.</b> Use vehicle miles traveled (VMT) as the primary metric for evaluating the transportation impacts of new development proposals. Traffic impact studies may also consider the total number of trips generated and the resulting impact on traffic volumes and congestion (e.g., "Level of Service"), but VMT shall provide the primary basis for determining appropriate mitigation measures.</p>	<p><b>Consistent.</b> The transportation analysis for development facilitated by the project uses VMT as the primary metric for evaluating impacts, as conducted in Section 4.8, <i>Transportation</i>, of this SEIR.</p>
<b>Open Space, Parks, and Conservation Element</b>	
<p><b>Policy OSC-7.1 Recycling.</b> Actively promote recycling, composting, and other programs that reduce the amount of solid waste requiring disposal in landfills.</p>	<p><b>Consistent.</b> Future development would be required to comply with organic waste recycling pursuant to SLMC Section 3.24.400 and SB 1383, which would reduce methane emissions.</p>
<p><b>Policy OSC-7.8 Green Building.</b> Promote green building in new construction and remodels.</p> <p><b>Policy OSC-8.1 Conservation and Energy Efficiency.</b> Strongly advocate for increased energy conservation by San Leandro residents and businesses and ensure that the City itself is a conservation role model.</p>	<p><b>Consistent:</b> Development facilitated by the project would be required to be constructed in accordance with the latest iteration of CALGreen, the California Energy Code, and any locally adopted amendments which include requirements for the use of energy-efficient design and technologies as well as provisions for incorporating renewable energy resources into building design. The City would require individual projects to comply with the latest Title 24 Green Building Code and Building Efficiency Energy Standards pursuant to SLMC Section 7.5.700 which would reduce energy use from lighting, water-efficient faucets and toilets, and water</p>

General Plan Policy or Action	Consistency
	<p>efficient landscaping and irrigation. Future development would also be required to comply with the City’s Reach Code that will go into effect in January 2023. EBCE already has an option for residents to source 100 percent renewable energy. San Leandro customers have Renewable 100 service as default since March 2022. Customers would have the option to enroll in their Bright Choice program that sources 40 percent renewable energy or select PG&amp;E as their electricity provider.</p>
<p><b>Policy OSC-7.9 Reducing Greenhouse Gases Through Land Use and Transportation Choices.</b> Locate and design new development in a manner which maximizes the ability to use transit, walk, or bicycle for most trips, reduce dependence on fossil fuel powered vehicles, and reduce vehicle miles traveled.</p>	<p><b>Consistent.</b> The project would increase allowable density, FAR, and height on sites within the city’s Priority Development Areas adjacent to BART stations and transit corridors, which would place residents and workers in proximity to transit, services, and jobs. This would encourage the bicycling or walking which would reduce the use of single-occupancy vehicles and overall VMT.</p>
<p><b>Policy OSC-8.2 Planning and Building Practices.</b> Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency, and support the City’s greenhouse gas reduction goals.</p>	<p><b>Consistent:</b> Development facilitated by the project would be required to be constructed in accordance with the latest iteration of CALGreen, the California Energy Code, and locally adopted amendments such as SLMC Section 7.5.700, which include requirements for the use of energy-efficient design and technologies as well as provisions for incorporating renewable energy resources into building design. Future development would also be required to comply with the City’s Reach Code which will go into effect in January 2023. Additionally, pursuant to the City’s Construction and Demolition Ordinance, future development would be required to recycle 100 percent of all asphalt/concrete, and divert 65 percent of non-hazardous construction materials.</p>

Source: City of San Leandro 2016

## City of San Leandro Climate Action Plan

The City’s 2021 CAP contains 52 strategies to reduce communitywide and municipal GHG emissions to achieve the City’s target of reducing emissions by 40 percent below 2005 levels by 2030 and 80 percent below 2005 levels by 2050. The strategies included in the CAP cover the main categories of building electrification, residential energy efficiency, commercial energy efficiency, municipal renewable energy and energy efficiency, renewable energy, reducing auto dependency, active and alternative transportation, transportation electrification and low-carbon fuels, waste management, waste reduction and reuse, water efficiency, community consumption, and equity and just transition. The strategies applicable to the project are summarized in Table 4.2-4. As shown therein, the project would be consistent with applicable GHG reduction strategies in the City’s CAP.



**Table 4.2-4 Project Consistency with Applicable Climate Action Plan Measures**

Recommended Goals	Project Consistency
<p><b>Strategy BE-2 Electrified New Construction.</b> Commit to developing a reach code limiting natural gas use in new construction, or as directed by the State or regional agencies.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with the 2022 State Energy Code, which encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards (CEC 2022). Additionally, future development would be required to adhere to requirements within the city’s Reach Code, which will go into effect January 2023 and contain more stringent requirements than the 2022 State Energy Code.</p>
<p><b>Strategy AD-2 Transit-Oriented Development.</b> Continue to concentrate multi-family development and pedestrian-oriented mixed-use development within existing TOD areas and along major transit corridors.</p>	<p><b>Consistent.</b> The project would increase allowable density, FAR, and height on sites within the city’s Priority Development Areas adjacent to BART stations and transit corridors, which would reduce the use of single-occupancy vehicles and encourage future residents and workers to bicycle or walk and use alternative modes of transportation.</p>
<p><b>Strategy AD-3 Infill Development.</b> Focus new housing development on underutilized or vacant infill sites on flatter lands and continue to discourage new development in hillside areas.</p>	<p><b>Consistent.</b> The project would focus development within portions of the city’s three Priority Development Areas by increasing allowable density and height, which would allow the efficient utilization of currently underutilized or vacant infill sites.</p>
<p><b>Strategy AT-8 Autonomous Vehicles.</b> Explore opportunities to effectively reduce GHG emissions associated with autonomous vehicles.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with EV requirements pursuant to 2022 CalGreen. Two-family residences, and townhomes would be required to include one Level 2 EV capable space per dwelling unit; multi-family buildings with more than 20 units would be required to include 10 percent Level 2 EV capable parking spaces, 25 percent Level 2 EV ready spaces, and 5 percent Level 2 EV charging spaces; and non-residential uses would be required to include 15 percent Level 2 EV capable parking spaces and 5 percent Level 2 EV charging spaces. Furthermore, the project would focus development within the city’s three Priority Development Areas which would place residents and workers in proximity to transit, services, and jobs, thereby reducing the reliance on single-occupancy vehicles and reducing GHG emissions.</p>
<p><b>Strategy TE-2 EV Charging Stations.</b> Increase the availability of publicly accessible EV charging stations at multifamily residential buildings, retail centers, offices, and public facilities.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with EV requirements pursuant to 2022 CalGreen. Single-family residences, two-family residences, and townhomes would be required to include one Level 2 EV capable space per dwelling unit; multi-family buildings with more than 20 units would be required to include 10 percent Level 2 EV capable parking spaces, 25 percent Level 2 EV ready spaces, and 5 percent Level 2 EV charging spaces; and non-residential uses would be required to include 15 percent Level 2 EV capable parking spaces and 5 percent Level 2 EV charging spaces.</p>
<p><b>Strategy WR-2 Construction and Demolition Waste.</b> Explore opportunities to exceed State requirements for construction and demolition materials by encouraging deconstruction and material reuse.</p>	<p><b>Consistent.</b> Pursuant to the City’s Construction and Demolition Ordinance, future development would be required to recycle 100 percent of all asphalt/concrete, and divert 65 percent of non-hazardous construction materials.</p>

Source: City of San Leandro 2021

## **Summary**

As described above, the proposed project would be consistent with 2017 Scoping Plan, Plan Bay Area 2050, City of San Leandro General Plan, and the City's CAP. Although this impact was significant and unavoidable under the 2035 General Plan EIR, since it cannot yet be demonstrated that the City would achieve GHG emissions reductions consistent with an 80 percent reduction below 1990 levels by the year 2050, the project would only facilitate increased allowable height and density within the city's Priority Development Areas, which in and of themselves would not create or exacerbate this impact. Additionally, since the adoption of the 2035 General Plan EIR in June 2016, Governor Brown has issued EO B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and provided direction to address post-2030 GHG reductions. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

## **Mitigation Measures**

No mitigation measures would be required.

## **Significance After Mitigation**

Impacts would be less than significant without mitigation.

### **4.2.4 Cumulative Impacts**

The geographic scope for related projects considered in the cumulative impact analysis for GHG emissions is global because impacts of climate change are experienced on a global scale regardless of the location of GHG emission sources. The impact of GHG emissions generated by development facilitated by the project would not be confined to a particular air basin but instead is dispersed worldwide. Therefore, GHG emissions and climate change are, by definition, cumulative impacts. Thus, the issue of climate change involves an analysis of whether a project's contribution towards an impact is cumulatively considerable.

GHG emissions from one project cannot, on their own, result in changes in climatic conditions; therefore, the emissions from any project must be considered in the context of their contribution to cumulative global emissions, which is the basis for determining a significant cumulative impact. This is determined through the project's consistency with applicable GHG emission thresholds and applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs. As discussed under Impact GHG-1, GHG emissions from development facilitated by the project would not exceed the 2035 General Plan EIR threshold. In addition, development facilitated by the project would be consistent with the 2017 Scoping Plan, Plan Bay Area 2050, City General Plan, and the City's CAP. Therefore, the project would not result in a significant cumulative impact related to GHG emissions.

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## 4.3 Energy

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This section evaluates impacts to energy, including the potential wasteful, inefficient, or unnecessary consumption of energy resources, associated with development facilitated by the proposed project and potential conflicts of the project with or obstruction of a state or local plan for renewable energy or energy efficiency. The physical environmental impacts associated with the generation of electricity and burning of fuels have been accounted for in Section 4.1, *Air Quality*, and Section 4.2, *Greenhouse Gas Emissions*.

### 4.3.1 Setting

Energy relates directly to environmental quality as it can adversely affect air quality and other natural resources. Fossil fuels are burned to create electricity to power homes and vehicles, which creates heat. Transportation energy use relates to the fuel efficiency of cars and trucks, and the availability and use of public transportation, the choice of different travel modes (auto, carpool, and public transit), and the miles traveled by these modes. Construction and routine operation and maintenance of infrastructure also consume energy, as do residential land uses, typically in the form of natural gas and electricity.

#### **Energy Production**

In 2019 (latest available data), the two largest sources of energy produced in California were crude oil at approximately 920.1 trillion British thermal units (Btu), and renewable energy sources at approximately 1,139.6 trillion Btu, while natural gas production was 220.8 trillion Btu and nuclear electric power was 168.8 trillion Btu (EIA 2022a). The City of San Leandro does not have any oil well sites (California Department of Conservation [DOC], Division of Oil, Gas & Geothermal Resources [DOGGR] 2022).

#### **Energy Consumption**

##### *Electricity and Natural Gas*

Total energy consumption in the United States in 2020 was approximately 93 quadrillion Btu (EIA 2021a). In 2020, petroleum provided approximately 35 percent of that energy, with other sources of energy derived from natural gas (approximately 34 percent), coal (approximately 10 percent), renewable sources (approximately 12 percent), and nuclear power (approximately 9 percent). On a per capita basis in 2020, California was ranked the fourth lowest state in terms of total energy consumption (EIA 2022a).

Most of the electricity generated in California is from natural gas-fired power plants, which provided approximately 37 percent of total electricity generated in 2020 (CEC 2022d). In 2020, California produced 70 percent of the electricity it used and imported the rest from outside the state. In 2020, California used 272,576 gigawatt hours (GWh) of electricity, with 190,913 GWh produced in-state (CEC 2022d).

The smallest scale at which energy consumption information is readily available is the county level. Therefore, energy consumption in Alameda County is used herein to characterize the city's existing consumption of electricity and natural gas. Alameda County consumed approximately 10,247 GWh of electricity in 2020 from residential and non-residential uses (most recent available data) (CEC 2022b). San Leandro is served by East Bay Community Energy (EBCE), which supplies electricity to all

accounts (residential, business, and municipal) and is delivered through Pacific Gas and Electric (PG&E). EBCE buys power mainly from clean sources like wind, solar, and hydropower. EBCE's Board of Directors established the goal of purchasing 100 percent clean power for all customers by 2030 (EBCE 2022). Alameda County consumed approximately 367 millions of therms of natural gas in 2019 in both residential and non-residential uses (CEC 2022c).

*Petroleum*

Energy consumed by the transportation sector accounts for roughly 39 percent of California’s energy demand, amounting to approximately 3,073.3 trillion Btu in 2019 (EIA 2019a). Petroleum-based fuels are used for approximately 98 percent of the state’s transportation activity (EIA 2019b). Most gasoline and diesel fuel sold in California for motor vehicles is refined in California to meet state-specific formulations required by the California Air Resources Board (CARB). California’s transportation sector, including on-road and rail transportation, consumed approximately 662 million barrels of petroleum fuels in 2019 (EIA 2021b).

In 2020 (most recent available data), San Leandro consumed 51.6 million gallons of retail gasoline (CEC 2022a). One gallon of finished motor gasoline (containing about 10 percent fuel ethanol by volume) is equal to 120,286 British thermal units (Btu) (EIA 2022b). Based on this formula, approximately 1.7 billion Btu in gasoline was consumed per day in 2020 in the city (see Table 4.3-1).

**Table 4.3-1 Annual and Daily Transportation Energy Consumption in San Leandro**

<b>Fuel Type</b>	<b>Annual Fuel Use (million gallons)</b>	<b>Daily Fuel Use (million gallons)</b>	<b>Daily Energy Use (billions of Btu)</b>	<b>San Leandro Population</b>	<b>Daily per Capita Energy Use (thousands of Btu)</b>
Gasoline	51.6	0.14	1.7	88,404	190.5

Notes: Btu = British thermal units  
 Source: CEC 2022a, EIA 2022b, DOF 2022

**Alternative Fuels**

A variety of alternative fuels are used to reduce petroleum-based fuel demand. The use of these fuels is encouraged through various statewide regulations and plans (e.g., Low Carbon Fuel Standard and Health and Safety Code Section 38566 [Senate Bill (SB) 32]). Conventional gasoline and diesel may be replaced, depending on the capability of the vehicle, with many alternative fuels including the following:

*Biodiesel* is a renewable alternative fuel that can be manufactured from vegetable oils, animal fats, or recycled restaurant greases. Biodiesel is biodegradable and cleaner-burning than petroleum-based diesel fuel. Biodiesel can run in any diesel engine generally without alterations but fueling stations have been slow to make it available. There are nine biodiesel refueling stations in California, two of which are in the San Francisco Bay Area (U.S. Department of Energy 2022).

*Electricity* can be used to power electric and plug-in hybrid electric vehicles directly from the power grid. The electricity grid usually provides electricity used to power vehicles, which store it in the vehicle’s batteries. Fuel cells are being explored to use electricity generated on board the vehicle to power electric motors. Electrical charging stations are available throughout San Leandro and Alameda County.

## 4.3.2 Regulatory Setting

### **a. Federal Regulations**

#### **Energy Policy and Conservation Act**

Enacted in 1975, the Energy Policy and Conservation Act established fuel economy standards for new light-duty vehicles sold in the United States. The law placed responsibility on the National Highway Traffic and Safety Administration (NHTSA), a part of the United States Department of Transportation (USDOT), for establishing and regularly updating vehicle standards. The United States Environmental Protection Agency (USEPA) administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards.

#### **National Energy Policy Act of 1992**

The National Energy Policy Act of 1992 (EPACT92) calls for programs that promote efficiency and the use of alternative fuels. EPACT92 requires certain federal, state, and local governments and private operators to stock vehicle fleets with a percentage of light duty alternative fuel vehicles each year. In addition, EPACT92 has financial incentives: federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of alternative fuel vehicles. EPACT92 also requires states to consider a variety of incentive programs to help promote alternative fuel vehicles.

#### **Energy Policy Act of 2005**

The Energy Policy Act of 2005 provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

#### **Energy Independence and Security Act of 2007**

The Energy Independence and Security Act, enacted by Congress in 2007, is designed to improve vehicle fuel economy and help reduce the United States dependence on foreign oil. It expands the production of renewable fuels, reducing dependence on oil, and confronting climate change. Specifically, it does the following:

Increases the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard, requiring fuel producers to use at least 36 billion gallons of biofuel in 2022, which represents a nearly five-fold increase over current levels

Reduces United States demand for oil by setting a national fuel economy standard of 35 miles per gallon (mpg) by 2020 – an increase in fuel economy standards of 40 percent

The Energy Independence and Security Act of 2007 also set energy efficiency standards for lighting (specifically light bulbs) and appliances. Development would also be required to install photosensors and energy-efficient lighting fixtures consistent with the requirements of 42 USC Section 17001 et seq.

## Corporate Average Fuel Economy Standards

The Corporate Average Fuel Economy (CAFE) standards are Federal rules established by the National Highway Traffic Safety Administration (NHTSA) that set fuel economy and GHG emissions standards for all new passenger cars and light trucks sold in the United States. The CAFE standards generally become more stringent with time, reaching an estimated 38.3 miles per gallon for the combined industry-wide fleet for model year 2020 (77 Federal Register 62624 et seq. October 15, 2012 Table I-1). It is, however, legally infeasible for individual municipalities to adopt more stringent fuel efficiency standards. The Clean Air Act (42 United States Code [USC] Section 7543[a]) states that “no state or any political subdivision therefore shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this part.” In August 2016, the USEPA and NHTSA announced the adoption of the phase two programs related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower carbon dioxide (CO<sub>2</sub>) emissions by approximately 1.9 billion metric tons of CO<sub>2</sub> and reduce oil consumption by up to 3.9 billion barrels over the lifetime of the vehicles sold under the program (77 Federal Register 62665 et seq. October 15, 2012 Table I-22).

NHSTA and USEPA finalized the rulemaking process to establish the Safer Affordable Fuel Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). The SAFE Vehicles Rule would amend the existing CAFE standards such that the requirements for model years 2021 through 2026 are lowered to the 2020 standards of 43.7 miles per gallon (mpg) and 204 grams of CO<sub>2</sub> per mile for passenger cars and 31.3 mpg and 284 grams of CO<sub>2</sub> per mile for light duty trucks (83 Federal Register 42989 August 24, 2018, Table I-1 and Table I-2).

## Construction Equipment Fuel Efficiency Standard

USEPA sets emission standards for construction equipment. The first federal standards (Tier 1) were adopted in 1994 for all off-road engines over 50 horsepower (hp) and were phased in by 2000. A new standard was adopted in 1998 that introduced Tier 1 for all equipment below 50 hp and established the Tier 2 and Tier 3 standards. The Tier 2 and Tier 3 standards were phased in by 2008 for all equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Emissions requirements for new off-road Tier 4 vehicles were to be completely phased in by the end of 2015.

## Energy Star Program

In 1992, USEPA introduced Energy Star® as a voluntary labeling program designed to identify and promote energy-efficient products to reduce GHG emissions. The program applies to major household appliances, lighting, computers, and building components such as windows, doors, roofs, and heating and cooling systems. Under this program, appliances that meet specification for maximum energy use established under the program are certified to display the Energy Star® label. In 1996, USEPA joined with the Energy Department to expand the program, which now also includes qualifying commercial and industrial buildings, as well as homes (Energy Star 2022).

## **b. State Regulations**

### **Warren-Alquist Act**

The 1975 Warren-Alquist Act established the California Energy Resources Conservation and Development Commission, now known as the CEC. The Act established a State policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures.

### **California Energy Action Plan**

The CEC is responsible for preparing the California Energy Action Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The 2008 California Energy Action Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure needs, as well as encouragement of urban designs that reduce vehicle miles travelled (VMT) and accommodate pedestrian and bicycle access.

### **Assembly Bill 2076: Reducing Dependence on Petroleum**

Pursuant to Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), the CEC and CARB prepared and adopted a joint-agency report, *Reducing California's Petroleum Dependence*, in 2003. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita VMT. One of the performance-based goals of AB 2076 is to reduce petroleum demand to 15 percent below 2003 demand. Furthermore, in response to the CEC's 2003 and 2005 *Integrated Energy Policy Reports*, the Governor directed the CEC to take the lead in developing a long-term plan to increase alternative fuel use.

### **Integrated Energy Policy Report**

Senate Bill 1389 (Chapter 568, Statutes of 2002) required the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. The CEC uses these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety. The most recent assessment, the *2021 Integrated Energy Policy Report*, highlights the implementation of California's innovative policies and the role they have played in establishing a clean energy economy and provides more detail on several key energy policies, including decarbonizing buildings, increasing energy efficiency savings, and integrating more renewable energy into the electricity system (CEC 2021).

### **California Renewable Portfolio Standard and Senate Bill 100**

Established in 2002 under SB 1078, and accelerated by SB 107 (2006), SB X 1-2 (2011), and SB 100 (2018), California's Renewable Portfolio Standard (RPS) obligates investor-owned utilities, energy service providers, and community choice aggregators to procure 33 percent total retail sales of electricity from renewable energy sources by 2020, 60 percent by 2030, and 100 percent by 2045. SB 100 also states "that it is the policy of the state that eligible renewable energy resources and



zero-carbon resources supply 100 percent of retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045.” The CPUC and the CEC are jointly responsible for implementing the program.

### **Senate Bill 350: Clean Energy and Pollution Reduction Act of 2015**

The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources to be increased to 50 percent by December 31, 2030. The Act also requires doubled energy efficiency savings in electricity and natural gas for retail customers through increased efficiency and conservation by December 31, 2030.

### **Assembly Bill 1493: Reduction of Greenhouse Gas Emissions**

Assembly Bill 1493 (Chapter 200, Statutes of 2002), known as the Pavley bill, amended Health and Safety Code sections 42823 and 43018.5 requiring CARB to develop and adopt regulations that achieve maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles, light-duty trucks, and other vehicles used for noncommercial personal transportation in California.

Implementation of new regulations prescribed by AB 1493 required that the state apply for a waiver under the federal Clean Air Act. Although the USEPA initially denied the waiver in 2008, the USEPA approved a waiver in June 2009, and in September 2009, CARB approved amendments to its initially adopted regulations to apply the Pavley standards that reduce GHG emissions to new passenger vehicles in model years 2009 through 2016. According to CARB, implementation of the Pavley regulations is expected to reduce fuel consumption while also reducing GHG emissions.

### **Assembly Bill 1007: State Alternative Fuels Plan**

AB 1007 (Chapter 371, Statutes of 2005) required the CEC to prepare a state plan to increase the use of alternative fuels in California. The CEC prepared the State Alternative Fuels Plan (SAF Plan) in partnership with CARB and in consultation with other State, federal, and local agencies. The SAF Plan presents strategies and actions California must take to increase the use of alternative, nonpetroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production. The SAF Plan assessed various alternative fuels and developed fuel portfolios to meet California’s goals to reduce petroleum consumption, increase alternative fuel use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

### **Bioenergy Action Plan, Executive Order S-06-06**

Executive Order (EO) S-06-06, April 25, 2006, establishes targets for the use and production of biofuels and biopower, and directs State agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following target to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels in California by 2010, 40 percent by 2020, and 75 percent by 2050. EO S-06-06 also calls for the State to meet a target for use of biomass electricity. The 2011 Bioenergy Action Plan identifies those barriers and recommends actions to address them so that the State can meet its clean energy, waste reduction, and climate protection goals. The 2012 Bioenergy Action Plan updates the 2011 Plan and provides a more detailed action plan to achieve the following goals:

- Increase environmentally and economically sustainable energy production from organic waste
- Encourage development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications
- Create jobs and stimulate economic development, especially in rural regions of the State
- Reduce fire danger, improve air and water quality, and reduce waste

## **Title 24, California Code of Regulations (CCR)**

CCR, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-Residential Buildings. The CEC established Title 24 in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and nonresidential buildings. The standards are updated on an approximately three-year cycle to allow consideration and possible incorporation of new efficient technologies and methods. In 2019, the CEC updated Title 24 standards with more stringent requirements effective January 1, 2020. All buildings for which an application for a building permit is submitted on or after January 1, 2020 must follow the 2019 standards. The 2022 update was adopted August 11, 2021 and goes into effect January 1, 2023. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The building efficiency standards are enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary due to local climatologic, geologic, or topographic conditions, provided that these standards exceed those provided in Title 24.

### **Part 6 (Building Energy Efficiency Standards)**

Part 6 of Title 24 contains the 2016 Building Energy Efficiency Standards for new residential and CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The most current standards are the 2019 Title 24 standards. The 2019 Standards focus on four key areas: 1) smart residential photovoltaic systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements (CEC 2018). Under the 2019 Standards, nonresidential buildings will be 30 percent more energy-efficient compared to the 2016 Standards. The CEC adopted the 2022 Energy Code on August 11, 2021, and applies starting January 1, 2023. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements, expands solar and battery storage standards, and other stricter requirements.

### **California Green Building Standards Code (2019), CCR Title 24, Part 11**

California's green building code, referred to as CALGreen, was developed to provide a consistent approach to green building within the State. CALGreen lays out the minimum requirements for newly constructed residential and nonresidential buildings to reduce GHG emissions through improved efficiency and process improvements. The requirements pertain to energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and

internal air contaminants. It also includes voluntary tiers to further encourage building practices that improve public health, safety, and general welfare by promoting a more sustainable design.

### **c. Regional and Local Regulations**

#### **Plan Bay Area 2050**

Plan Bay Area 2050 is a State-mandated, integrated long-range transportation, land-use, and housing plan, known as a Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), that would support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution in the nine-county San Francisco Bay Area (ABAG/MTC 2021). Plan Bay Area 2050 focuses on advancing equity and improving resiliency in the Bay Area by creating strategies in the following four elements: Housing, Economy, Transportation, and Environment. Strategies include allowing higher-density in proximity to transit-corridors, optimizing the existing roadway network, creating complete streets, providing subsidies for public transit, and reducing climate emissions, which will reduce overall per capita energy use from non-renewable resources.

#### **San Leandro Municipal Code**

San Leandro’s Municipal Code Chapter 7.5.7, Energy Code, mandates the implementation of California Building Standards Code, Title 24, Part 6, the California Energy Code, which has specific requirements for building design to reduce energy consumption. Some of the measures in the California Energy Code include the use of certain building materials to ensure a greater degree of energy efficiency during building operation and construction and energy efficiency standards for appliances, lighting amenities, and water fixtures, among other project components. San Leandro’s Municipal Code Chapter 3.19 requires all new municipal building projects to meet the United States Green Building Council LEED Silver rating. San Leandro Municipal Code Chapter 7.5.6, Green Building Code, adopts California Building Standards Code, Title 24, part 11, Green Building Standards Code (CALGreen).

#### **San Leandro 2021 Climate Action Plan**

In July 2021, the City of San Leandro adopted an update to its Climate Action Plan (CAP), a citywide strategy to reduce greenhouse gas emissions (GHG). Chapter 4 of the CAP includes strategies that target energy reduction through energy efficiency and conservation, including prioritizing increasing and installing renewable energy generation systems and energy storage systems on rental homes, multi-family buildings, and affordable housing; reducing automobile dependency and increasing transit-oriented development; and committing to developing a reach code limiting natural gas use in new construction, or as directed by the State or regional agencies (City of San Leandro 2021).

#### **2035 General Plan**

There are several energy-related policies of the 2035 General Plan in the Open Space and Conservation, Environmental Hazards, Land Use, and Transportation Elements. Policies include using best practices for energy conservation in building and construction, using renewable energy sources where possible, utilizing energy-reducing transportation strategies and alternative fuel vehicles, reducing VMT and increasing active transportation options, and reducing emissions.

### 4.3.3 Impact Analysis

#### a. Significance Thresholds and Methodology

##### Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, an impact is considered significant if the project would:

1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation;
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

##### Methodology

Public Resources Code Section 21100(b)(3) states that an EIR shall include “mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.”

Construction energy demand for the project is evaluated qualitatively because project-specific information regarding construction is unavailable for individual projects. Construction energy demand accounts for anticipated energy consumption during construction of development facilitated by the proposed project, such as fuel consumed by construction equipment and construction workers’ vehicles traveling to and from the construction site. These construction activities would temporarily create a higher demand for energy supplies. The extent of energy use generated by construction equipment would depend on the quantity of equipment used and the hours of operation for each project.

The California Emissions Estimator Model (CalEEMod) version 2020.4.0 was used to approximate the operational natural gas and electricity consumption from development facilitated by the proposed project. This analysis then determined whether energy consumed during operation for full buildout of the project would be wasteful, inefficient, or unnecessary. Operational energy demand accounts for the anticipated energy consumption from development facilitated by the project, such as fuel consumed by cars, trucks, and public transit; natural gas consumed for on-site power generation and heating building spaces; and electricity consumed for building power needs, including, but not limited to, lighting, water conveyance, and air conditioning. The estimate of total daily VMT associated with the project is based on VMT data provided in Section 4.8, *Transportation*.

#### b. Prior Environmental Analysis

The 2035 General Plan EIR did not include a dedicated Energy chapter, but it did include an analysis of vehicle trips in Chapter 4.6, *Greenhouse Gas Emissions*, and an analysis of energy conservation in Chapter 4.14, *Utilities and Service Systems*. The 2035 General Plan EIR (page 4.14-73) acknowledged that future development in the city would result in a substantial increase in natural gas and electricity demands and therefore the commitment of nonrenewable resources for construction and operation, including electricity and natural gas resources. Development within San Leandro would be subject to several measures that address the commitment of nonrenewable resources. Future development would be required to comply with applicable building and design requirements, including energy conservation and efficiency standards set by Chapter 3.19 of the Municipal Code and CALGreen. The 2035 General Plan EIR (page 4.14-80) concluded that compliance with these standards, as well as implementation of applicable 2035 General Plan goals and policies, would

reduce the use of nonrenewable resources to the maximum extent practicable. The analysis provided concluded that emissions from on-road transportation would decrease between 2015 and 2035 due to reduced VMT per capita with implementation of the 2035 General Plan. The 2035 General Plan EIR determined the 2035 General Plan would be consistent with the City's adopted CAP and regional plans to reduce energy use (page 4.14-80) (City of San Leandro 2016c).

### **c. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Impact E-1 THE PROJECT WOULD NOT RESULT IN A SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO THE WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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#### **Demolition and Construction**

As described in Section 2, *Project Description*, the project would result in a net increase of 4,960 residential units and 75,000 square feet of office space in the three Priority Development Areas in the city compared to the assumptions analyzed in the 2035 General Plan EIR. The project would not change the types of uses designated by current land use designations analyzed under the 2035 General Plan EIR and 2018 BTOD Specific Plan EIR. The project would support the infill, transit-oriented development envisioned in the 2035 General Plan and 2018 BTOD Specific Plan.

The project would not require more demolition than what is currently possible, but it would accommodate increased construction labor and materials associated with larger scale building types and increased number of residential units. Increased building heights and densities could result in more construction-related energy-consuming activities such as construction of deeper foundations to support the building construction and increased parking and storage space for residents. Construction activities would require energy resources primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators. Temporary power may be provided for construction trailers and electric construction equipment. The manufacture and procurement of building materials used in construction of development facilitated by the project would require energy use. The California Natural Resources Agency's (CNRA) Final Statement of Reasons notes that "a full 'lifecycle' analysis that would account for energy used in building materials and consumer products will generally not be required" (CNRA 2018). It is reasonable to assume that manufacturers of concrete, steel, lumber, or other building materials would employ energy conservation practices to minimize their cost of doing business.

Energy use during demolition and construction would be temporary, and construction equipment used would be typical of similar-sized construction projects in the region. Development facilitated by the project would utilize construction contractors that comply with applicable CARB regulations such as accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment, and restricted idling of heavy-duty diesel motor vehicles. Construction contractors are required to comply with the provisions of CCR Title 13, sections 2449 and 2485, prohibiting diesel-fueled commercial and off-road vehicles from idling for more than five minutes, minimizing unnecessary fuel consumption. Construction equipment would be subject to the USEPA Construction Equipment Fuel Efficiency Standard, which would minimize inefficient fuel

consumption. These construction equipment standards are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Any minor amounts of natural gas that may be consumed as a result of construction would be temporary and negligible and would not have an adverse effect. Electrical power would be consumed during demolition and construction activities, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the area. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. The electricity used for construction activities would be temporary and minimal; it would be within the supply and infrastructure service capabilities of EBCE and it would not require additional local or regional capacity.

Overall, demolition and construction activities would not have an adverse impact on available electricity supplies or infrastructure. Demolition and construction activities would utilize fuel-efficient equipment consistent with State and federal regulations and would comply with state measures, including the latest Title 24 standards, to reduce the inefficient, wasteful, or unnecessary consumption of energy. Per applicable regulatory requirements such as 2019 or later CALGreen, development facilitated by the project would comply with construction waste management practices to divert construction and demolition debris from landfills. These practices would result in efficient use of energy by construction facilitated by the project. Therefore, project construction activities would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

## **Operation**

Operation of the project would contribute to regional energy demand by consuming electricity and gasoline and diesel fuels. Electricity and natural gas would be used for heating and cooling systems, lighting, appliances, and water and wastewater conveyance, among other purposes. Vehicle trips associated with residents of development facilitated by the project would represent the greatest operational use of energy associated with the project. According to the CalEEMod modeling outputs included in Appendix GHG, electricity use associated with the additional residences facilitated by the project would be approximately 19.2 million kWh per year of electricity and 41.8 billion BTU per year of natural gas. The 75,000 square feet of office space would use approximately 0.9 million kWh per year of electricity and 1.4 billion BTU per year of natural gas. The general location of the project parcels within the three Priority Development Areas in the city proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands.

All development would be required to comply with all standards set in the latest iteration of the California Building Standards Code (California Code of Regulations Title 24), which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources by the built environment during operation. California's CALGreen standards require implementation of energy-efficient light fixtures and building materials into the design of new construction projects. Further, the 2019 Building Energy Efficiency Standards (California Code of Regulations Title 24, Part 6) require newly constructed buildings to meet energy performance standards set by CEC. These standards are specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. Pursuant to CALGreen, all plumbing fixtures used for the project would be high-efficiency fixtures, which would minimize the potential inefficient or wasteful consumption of energy related to water and wastewater. Further, the default EBCE electricity service for development facilitated by the project would provide 100 percent renewable energy.

Therefore, operation of development facilitated by the project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT or associated excess and wasteful vehicle energy consumption and would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

The City's GHG reduction goals are consistent with goals recommended by the State pursuant to AB 32. San Leandro maintains a goal to reduce emissions to 40 percent below 2005 levels by 2030 and 80 percent below 2005 levels by 2050. The CAP contains 52 GHG emissions reduction strategies related to building electrification, residential energy efficiency, renewable energy, reducing automobile dependency, transportation electrification, and community consumption (City of San Leandro 2021). Development facilitated by the project would be designed to comply with the targets and strategies established by the CAP. For example, new construction would be encouraged to be entirely electric structures with electric appliances, and rehabilitated structures would be incentivized to retrofit residences with electric appliances. Further, development facilitated by the project would generally be sited near alternative transit options to reduce vehicle miles traveled by automobile. In addition to compliance with CALGreen and the Building Energy Efficiency Standards, development facilitated by the project would also be designed to be consistent with the goals outlined in the City's CAP. Therefore, the project would not obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

### **Mitigation Measures**

No mitigation measures would be required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

<b>Threshold 2:</b> Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
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### **Impact E-2 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT CONFLICT WITH OR OBSTRUCT AN APPLICABLE RENEWABLE ENERGY OR ENERGY EFFICIENCY PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

As discussed in Section 4.3.2, *Regulatory Setting*, several State plans, and the City's adopted 2035 General Plan and CAP include energy conservation and energy efficiency strategies intended to enable the State and the City to achieve GHG reduction and energy conservation goals. A full discussion of the project's consistency with GHG reduction plans is included in Section 4.2, *Greenhouse Gas Emissions*. As shown in Table 4.3-2 and Table 4.3-3, development facilitated by the project would be consistent with (and not conflict with nor obstruct) State and local renewable energy and energy efficiency plans.

**Table 4.3-2 Consistency with State Renewable Energy and Energy Efficiency Plans**

Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
<p><b>Assembly Bill 2076: Reducing Dependence on Petroleum.</b> Pursuant to AB 2076, the CEC and CARB prepared and adopted a joint-agency report, <i>Reducing California’s Petroleum Dependence</i>, in 2003. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita VMT. One of the performance-based goals of AB 2076 is to reduce petroleum demand to 15 percent below 2003 demand.</p>	<p><b>Consistent.</b> The project would encourage housing development in urbanized areas that are near transit, employment, and services, thereby encouraging the use of active transportation (walking, biking) and public transit, and reducing the city’s per capita VMT.</p>
<p><b>2019 Integrated Energy Policy Report.</b> The 2019 report highlights the implementation of California’s innovative policies and the role they have played in establishing a clean energy economy, as well as provides more detail on several key energy policies, including decarbonizing buildings, increasing energy efficiency savings, and integrating more renewable energy into the electricity system.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with the City Code, Chapter 7.5.7, which mandates the implementation of Title 24. Compliance would include rooftop solar on all residential building types that are three stories or less in height. Electricity would be provided either by PG&amp;E or EBCE, which source some or all their power from renewable sources. Given these features, the project would facilitate decarbonization of buildings (removing GHG emissions from the building’s energy use), the increase in energy efficiency savings, and integration of more renewable energy into the electricity system. Therefore, the project would not conflict with or obstruct implementation of the 2019 Integrated Energy Policy Report.</p>
<p><b>California Renewable Portfolio Standard.</b> California’s RPS obligates investor-owned utilities, energy service providers, and community choice aggregators to procure 33 percent total retail sales of electricity from renewable energy sources by 2020, 60 percent by 2030, and 100 percent by 2045.</p>	<p><b>Consistent.</b> EBCE and PG&amp;E supply electricity in the city and they are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. EBCE already has an option for residents to source 100 percent renewable energy. Because PCE and PG&amp;E would provide electricity service to the areas affected by the proposed land use and zoning changes, the project would not conflict with or obstruct implementation of the California Renewable Portfolio Standard.</p>
<p><b>Energy Action Plan.</b> In the October 2005, the CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues, and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the state’s ongoing actions in the context of global climate change. The nine major action areas in the EAP include energy efficiency, demand response, renewable energy, electricity adequacy/reliability/infrastructure, electricity market structure, natural gas supply/demand/infrastructure, transportation fuels supply/demand/infrastructure, research/development/demonstration, and climate change.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with the City Code, Chapter 7.5.7, which mandates the implementation of Title 24. Compliance would include rooftop solar on all residential building types that are three stories or less in height. Electricity would be provided either by PG&amp;E or EBCE, which source some or all their power from renewable sources. The project also would encourage housing development in urbanized areas that are near transit, employment, and services, thereby encouraging the use of active transportation (walking, biking) and public transit, and reducing the city’s per capita VMT. Given these features, the project would facilitate implementation of the nine major action areas in the EAP. Therefore, the project would not conflict with or obstruct implementation of the EAP.</p>



Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
<p><b>AB 1007: State Alternative Fuels Plans.</b> The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California’s goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.</p> <p><b>Bioenergy Action Plan, EO S-06-06.</b> The EO establishes the following targets to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels in California by 2010, 40 percent by 2020, and 75 percent by 2050.</p>	<p><b>Consistent.</b> The project would not interfere with or obstruct the production of biofuels in California. Vehicles used by future residents would be fueled by gasoline and diesel fuels blended with ethanol and biodiesel fuels as required by CARB regulations. Therefore, the project would not conflict with or obstruct implementation of the Bioenergy Action Plan or the State Alternative Fuels Plan.</p>
<p><b>Title 24, CCR – Part 6 (Building Energy Efficiency Standards) and Part 11 (CALGreen).</b> The 2019 Building Energy Efficiency Standards move toward cutting energy use in new homes by more than 50 percent and will require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories and less. The CALGreen Standards establish green building criteria for residential and nonresidential projects. The 2019 Standards include the following: increasing the number of parking spaces that must be prewired for electric vehicle chargers in residential development; requiring all residential development to adhere to the Model Water Efficient Landscape Ordinance; and requiring more appropriate sizing of HVAC ducts.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with the City Code, Chapter 7.5.7, which mandates the implementation of Title 24. Therefore, the project would not conflict with or obstruct implementation of the Title 24 standards.</p>

The City’s 2035 General Plan includes goals and policies that necessitate actions to track energy use and improve energy efficiency and conservation. The City’s CAP also includes measures that work to improve energy efficiency and conservation. As shown in Table 4.3-3, development facilitated by the project would be consistent with (and not conflict with nor obstruct) energy conservation and efficiency strategies contained in the 2035 General Plan and CAP.

**Table 4.3-3 Consistency with the City General Plan and Climate Action Plan**

Proposed Project Consistency	
General Plan Energy Efficiency Goal or Policy	
<p><b>Goal OSC-8: Energy.</b> Promote the efficient use of energy and the increased use of renewable energy by San Leandro residents and businesses.</p> <p><b>Policy OSC-8.2: Planning and Building Practices.</b> Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency and support the City’s greenhouse gas reduction goals.</p>	<p><b>Consistent.</b> Development facilitated by the project would be required to comply with the City Code, Chapter 7.5.7, which mandates the implementation of Title 24. Development facilitated by the project would be required to use efficiency lighting, implement sustainable purchasing, study feasibility of solar or other renewable energy. EBCE and PG&amp;E supply electricity in the city and they are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. EBCE already has an option for residents to source 100 percent renewable energy. San Leandro customers have Renewable 100 service as default since March 2022. Because PCE and PG&amp;E would provide electricity service to the areas affected by the proposed land use and zoning changes, the project would be consistent with the general plan’s goals and policies regarding energy efficiency and renewable energy mix.</p>

**Proposed Project Consistency**

**Pol T-1.10: Reduced Trip Generation.** Encourage local employers to develop programs that promote ridesharing, flextime and telecommuting, bicycle use, and other modes of transportation that reduce the number and distance of vehicle trips generated.

**Consistent.** The project would encourage infill housing and office space development in urbanized areas near public transit, which facilitates active transportation and public transit use by residents and employees in the city. Although the project would not directly involve programs at places of employment to reduce VMT, the project would make it easier for active transportation and public transit use to occur.

**CAP Measure**

**Measure AD-2:** Continue to concentrate multi-family development and pedestrian-oriented mixed-use development within existing Transit Oriented Development (TOD) areas and along major transit corridors.

**Consistent.** The project would encourage multifamily and mixed use infill housing development on vacant and underutilized sites in the city’s Priority Development Areas near the public transit, employment, and services.

**Measure AD-3:** Focus new housing development on underutilized or vacant infill sites on flatter lands and continue to discourage new development in hillside areas.

**Measure RE-1:** Encourage San Leandro households and businesses to switch from PG&E electricity supplies to East Bay Community Energy, and commit to defaulting to Renewable 100 tier for 100-percent renewable energy.

**Consistent.** EBCE and PG&E supply electricity in the City and they are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. EBCE already has an option for residents to source 100 percent renewable energy. Because PCE and PG&E would provide electricity service to the areas affected by the proposed land use and zoning changes, the project would not conflict with or obstruct implementation of the City’s CAP. Development facilitated by the project would be required to comply with the City Code, Chapter 7.5.7, which mandates the implementation of Title 24. Compliance would include rooftop solar on all residential building types that are three stories or less in height. Therefore, the project would not conflict with or obstruct implementation of the Title 24 standards.

**Measure RE-3:** Prioritize increasing and installing renewable energy generation systems and energy storage systems on rental homes, multi-family buildings, and affordable housing.

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Source: City of San Leandro 2016a, City of San Leandro 2016b, City of San Leandro 2021

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The project would be consistent with the City’s adopted energy conservation and efficiency strategies contained in the 2035 General Plan and CAP. Further, approval of the project itself would not change these regulations and would not provide any goals, policies, or programs that would conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, impacts would be less than significant.

**Mitigation Measures**

No mitigation measures would be required.

**Significance After Mitigation**

Impacts would be less than significant without mitigation.

### 4.3.4 Cumulative Impacts

A project's environmental impacts are "cumulatively considerable" if 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" (*CEQA Guidelines* Section 15065[a][3]). The geographic scope for energy consumption is the City of San Leandro. This geographic scope is appropriate because the smallest scale at which energy consumption information is readily available is the city level. Cumulative buildout of the City's 2035 General Plan is considered part of this cumulative analysis.

Cumulative development would increase demand for energy resources, but those resources would not be consumed in a wasteful, inefficient, or unnecessary manner as all projects would be required to comply with Federal, state and local laws and regulations related to energy efficiency and reduction/conservation of energy. Further, new iterations of the California Building Energy Efficiency Standards and CALGreen would require increasingly more efficient appliances and building materials that reduce energy consumption in new development. In addition, vehicle fuel efficiency is anticipated to continue improving through implementation of the existing Pavley Bill regulations under AB 1493.

As described under Impact E-1, development facilitated by the project would be constructed in accordance with the California Building Energy Efficiency Standards and CALGreen. Additionally, housing development in infill locations is presumed to lower VMT due to the proximity to office and commercial uses. Therefore, the project's contribution to a significant cumulative energy impact is not cumulatively considerable.

Development facilitated by the project would not result in a wasteful, inefficient, or unnecessary consumption of energy, and operation of the new residential structures would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. Therefore, the project would not make a cumulatively considerable contribution to a significant cumulative impact.

The geographic scopes for the cumulative impact analysis of consistency with renewable energy and energy efficiency plans are the State of California and the City of San Leandro. Projects throughout the State of California are required to adhere to applicable renewable energy and energy efficiency laws, programs, and policies such as California's RPS, AB 1493, and Title 24 standards. All other pending and future projects in the county would be required to adhere to General Plan policies to mitigate energy impacts where feasible. In addition, all pending and future projects would be reviewed for consistency with the City General Plan and CAP. Therefore, the cumulative impact would be less than significant. As discussed under Impact E-2, development facilitated by the project would be consistent with the energy-related goals, policies, and actions of the statewide plans and the City General Plan and measures of the CAP; therefore, the project would not make a cumulatively considerable contribution to a significant cumulative impact with respect to consistency with renewable energy and energy efficiency plans.

## 4.4 Land Use and Planning

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This section analyzes the consistency of the project with applicable land use plans, policies, and regulations, and identifies environmental effects that would arise from such inconsistencies. The analysis in this section considers the land use and planning analysis contained in the 2035 General Plan EIR, supplemented by analysis of potential changes proposed by the project.

### 4.4.1 Existing Setting

#### a. Existing Land Uses

The general distribution of land uses and their corresponding zoning districts within San Leandro are shown in Table 4.4-1. Residential uses comprise half of the city's land area, while Industrial and Public/Open Space uses make up the second and third largest uses of land area in the city. Commercial and Mixed-Use uses are dispersed throughout the city. Each land use designation consists of multiple zoning districts, which allows for clearer distinctions between specific allowable land uses and development standards applied.

#### City of San Leandro 2035 General Plan Land Use Designations

The following section describes the zoning districts allowable within each land use area in San Leandro.

##### *Residential*

- **Garden Residential (1-4 du/ac):** Garden Residential land use designation applies to use of land for single family detached residences in a county or semi-rural environment no smaller than 8,000 square feet. Small-scale commercial gardens and animal husbandry, consistent with the residential character of the area, are also permitted.
- **Low Density Residential (3-6 dwelling units per acre [du/ac]):** The Low Density Residential land use designation applies to use of land for single family detached residences between 5,000 to 10,000 square feet. This is the predominant residential type in San Leandro.
- **Low-Medium Density Residential (7-11 du/ac):** The Low-Medium Density Residential land use designation applies to use of land for single family attached and detached residences on lots smaller than 5,000 square feet.
- **Medium Density Residential (12-18 du/ac):** The Medium Density Residential land use designation applies to use of land for attached residences, such as townhomes and duplexes. Single family detached homes on standard lots, smaller lots, and clustered or planned unit developments are also permitted in areas with this designation. These areas may include common open space and private recreational facilities, or mobile home parks.
- **Medium-High Density Residential (19-25 du/ac):** The Medium-High Density Residential land use designation applies to use of land for multi-family residences, such as garden apartments, townhomes, and two-story condominiums. Single family homes are also permitted.
- **High Density Residential (>29 du/ac):** The High Density Residential land use designation applies to use of land for multi-family residences.

**Table 4.4-1 Existing Land Use Summary for San Leandro**

Land Use Designation	Corresponding Zoning Designations	Total Acres (approximate) <sup>1</sup>	Percent of City Land Acreage (%)
<b>Residential</b>		<b>4,209</b>	<b>49.5</b>
Garden Residential	<ul style="list-style-type: none"> <li>▪ Residential Outer District (RO)</li> <li>▪ Residential Single-Family District (RS)</li> <li>▪ Public and Semipublic District (PS)</li> </ul>	160	1.9
Low Density Residential	<ul style="list-style-type: none"> <li>▪ Residential Single-Family District (RS)</li> <li>▪ Residential Single-Family District with 40 ft front yard setback (RS-40)</li> <li>▪ Residential Single-Family District with view preservation (RS-VP)</li> </ul>	3,098	36.5
Low-Medium Density Residential	<ul style="list-style-type: none"> <li>▪ Residential Single-Family District with Planned Development (RS-PD)</li> <li>▪ Residential Duplex District (RD), Public and Semipublic District (PS)</li> </ul>	205	2.4
Medium Density Residential	<ul style="list-style-type: none"> <li>▪ Residential Duplex District (RD),</li> <li>▪ Residential Multi-Family District with 14.5 dwellings per gross acre (RM-3000)</li> <li>▪ Residential Multi-Family District with 17.5 dwellings per gross acre (RM-2500),</li> <li>▪ Residential Multi-Family District with 22 dwellings per gross acre (RM-2000)</li> </ul>	412	4.9
Medium-High Density Residential	<ul style="list-style-type: none"> <li>▪ Residential Multi-Family District with 24 dwellings per gross acre (RM-1800)</li> </ul>	217	2.6
High Density Residential	<ul style="list-style-type: none"> <li>▪ RM-875<sup>1</sup></li> </ul>	117	1.4
<b>Commercial</b>		<b>369</b>	<b>4.4</b>
Neighborhood Commercial	<ul style="list-style-type: none"> <li>▪ Commercial Neighborhood District (CN)</li> <li>▪ Professional Office District (P)</li> </ul>	52	0.6
General Commercial	<ul style="list-style-type: none"> <li>▪ Commercial Community District (CC)</li> <li>▪ Commercial Services District (CS)</li> <li>▪ Commercial Recreation District (CR)</li> <li>▪ Commercial Regional Mall District (CR-M)</li> </ul>	316	3.7
<b>Mixed Use</b>		<b>591</b>	<b>7.0</b>
Downtown Mixed Use	<ul style="list-style-type: none"> <li>▪ Downtown Area 1 (DA-1)</li> <li>▪ Downtown Area 2 (DA-2)</li> <li>▪ Downtown Area 3 (DA-3)</li> <li>▪ Professional Office District (P)</li> <li>▪ Public and Semipublic District (PS)</li> <li>▪ Commercial Neighborhood (CN)</li> </ul>	107	1.3

Land Use Designation	Corresponding Zoning Designations	Total Acres (approximate) <sup>1</sup>	Percent of City Land Acreage (%)
Transit Oriented Mixed Use	<ul style="list-style-type: none"> <li>▪ Downtown Area 2 (DA-2)</li> <li>▪ Downtown Area 3 (DA-3)</li> <li>▪ Downtown Area 4 (DA-4)</li> <li>▪ Downtown Area 6 (DA-6)</li> <li>▪ Public and Semipublic District (PS)</li> </ul>	149	1.7
Corridor Mixed Use	<ul style="list-style-type: none"> <li>▪ North Area 1 District (NA-1)</li> <li>▪ North Area 2 District (NA-2)</li> <li>▪ South Area 1 District (SA-1)</li> <li>▪ South Area 2 District (SA-2)</li> <li>▪ South Area 3 District (SA-3)</li> <li>▪ Downtown Area 2 (DA-2)</li> <li>▪ Commercial Neighborhood (CN)</li> <li>▪ Professional (P)</li> <li>▪ Public and Semipublic District (PS)</li> </ul>	174	2.1
Bayfair Transit Oriented Development (TOD) Mixed Use	<ul style="list-style-type: none"> <li>▪ Bay-Fair Transit Oriented Development District (B-TOD)</li> </ul>	161	1.9
<b>Industrial</b>		<b>1,693</b>	<b>19.9</b>
Light Industrial	<ul style="list-style-type: none"> <li>▪ Industrial Limited District (IL)</li> <li>▪ Industrial Park District (IP)</li> </ul>	518	6.1
General Industrial	<ul style="list-style-type: none"> <li>▪ Industrial General District (IG)</li> <li>▪ Industrial Limited District (IL)</li> <li>▪ Industrial Park District (IP)</li> </ul>	1,004	11.8
Industrial Transition	<ul style="list-style-type: none"> <li>▪ Industrial Transition District (IT)</li> </ul>	171	2.0
<b>Public/Open Space</b>		<b>1,426</b>	<b>16.8</b>
Public/Institutional	<ul style="list-style-type: none"> <li>▪ Public and Semipublic District (PS)</li> </ul>	354	4.2
Parks and Recreation	<ul style="list-style-type: none"> <li>▪ Open Space District (OS)</li> </ul>	550	6.5
Resource Conservation	<ul style="list-style-type: none"> <li>▪ Open Space District (OS)</li> </ul>	522	6.1
<b>Total Acres</b>		<b>8,286</b>	<b>100.0</b>

<sup>1</sup> Excludes 224 acres of Freeway right-of-way and 1,384 acres of surface water in San Francisco Bay.

### *Commercial*

- **Neighborhood Commercial (Maximum Floor Area Ratio [FAR] 0.5):** The Neighborhood Commercial land use designation applies to small shopping centers or clusters of street front buildings with local-serving businesses and services. Other permitted uses include groceries, local-serving offices, pharmacies, laundromats, dry cleaners, restaurants, and other businesses that serve the daily needs of nearby residential areas.
- **General Commercial (Maximum FAR 1.0):** The General Commercial land use designation applies to larger shopping centers, shopping districts, and commercial uses providing a broader range of goods and services and serving a broader market than the neighborhood commercial areas. Permitted uses include but are not limited to supermarkets, department stores, apparel stores, theaters, and non-retail services such as offices and banks. These areas also contain primarily auto-oriented uses such as hotels and motels, car dealerships, auto service and repair businesses, and construction suppliers.

### *Mixed Use*

- **Downtown Mixed Use (Maximum FAR 3.5):** The Downtown Mixed Use land use designation applies to a range of uses which create a pedestrian-oriented street environment. Uses include retail shops, services, offices, cultural activities, public and civic buildings, and similar and compatible uses, including upper story residential uses.
- **Transit Oriented Mixed Use (Maximum FAR 4.0):** The Transit Oriented Mixed Use land use designation aims to provide a mix of high-intensity land uses in close proximity to the San Leandro BART station. Vertical mixing of different uses is emphasized, with housing being the predominant use in some areas and office/retail the major use in others.
- **Corridor Mixed Use (Maximum FAR 1.0-1.5):** The Corridor Mixed Use land use designation allows for a mix of commercial and residential uses oriented in linear development pattern along major transit-served arterials. A range of commercial and office uses is permitted, and residential uses may either be free-standing or integrated into the upper floors of mixed-use projects. The maximum permitted FAR in this district is 1.0 with a FAR up to 1.5 permitted for projects that incorporate housing.
- **Bay Fair TOD (Maximum FAR 3.0):** The Bay Fair TOD Specific Plan adopted in 2018 envisions a walkable, transit-oriented community hub with a mix of retail, neighborhood services, housing, and office spaces.

### *Industrial*

- **Light Industrial (Maximum FAR 1.0):** The Light Industrial land use designation contains wholesale activities, distribution facilities, research and development or e-commerce uses, business services, technology, and manufacturing operations which produce minimal off-site impacts. Campus-style industrial parks, professional offices, and a limited range of commercial uses are also permitted.
- **General Industrial (Maximum FAR 1.0):** The General Industrial land use designation contains a wide range of manufacturing, transportation, food and beverage processing, technology, warehousing, vehicle storage, office-flex, and distribution uses. A limited range of commercial uses is also permitted.
- **Industrial Transition (Maximum FAR 1.0):** The Industrial Transition land use designation applies to areas that used to be industrial but have or may transition to a more diverse mix of uses,

including general commercial activities. Industrial uses will continue to be permitted in these areas in the future, but a broader mix of commercial uses such as offices, medical facilities, retail, services, home furnishing stores, construction showrooms, and restaurants is also encouraged. Residential uses in this land use designation are only permitted if properties are within 0.5 miles of a BART station, or where live-work development is proposed.

### *Public/Open Space*

- **Public/Institutional (Maximum FAR 1.0):** The Public/Institutional land use designation applies to public schools, libraries, post offices, churches, public hospitals, and other public or institutional buildings. It also applies to major utility properties or facilities.
- **Parks and Recreation:** The Parks and Recreation land use designation applies to land used for active recreational purposes, including neighborhood, community, and regional parks, golf courses, and the recreational amenities at Oyster Bay Regional Shoreline. Permitted uses include athletic fields and sports facilities, civic buildings with a primarily recreational or social function, and leisure-oriented uses such as picnic areas, boat slips, and tot lots.
- **Resource Conservation:** The Resource Conservation land use designation applies to undeveloped land due to high environmental sensitivity, or land used primarily for passive recreation (such as walking trails). Development is generally not permitted in this land use designation.

## 4.4.2 Regulatory Setting

### a. State Regulations

#### **California Housing Element Law**

California Housing Element law (Government Code Sections 65580 to 65589.8) includes provisions related to the requirements for housing elements of local government General Plans. Among these requirements are an assessment of housing needs and an inventory of resources and constraints relevant to meeting these needs. Additionally, to assure that counties and cities recognize their responsibilities in contributing to the attainment of the State housing goals, this section of the Government Code calls for local jurisdictions to plan for, and facilitate the construction of, their fair share of the region's projected housing needs, known as the Regional Housing Needs Allocation (RHNA). The City of San Leandro's current 2015- 2023 Housing Element Update was adopted in January 2015.

#### **Local Agency Formation Commissions**

The Cortese-Knox-Hertzberg Local Government Reorganization Act (Cortese-Knox-Hertzberg Act) of 2000 (Government Code Section 56000 et seq.) establishes the process through which local agency boundaries are established and revised. Each county must have a Local Agency Formation Commission (LAFCO), which is the agency that has the responsibility to create orderly local government boundaries, with the goal of encouraging "planned, well-ordered, efficient urban development patterns," the preservation of open-space lands, and the discouragement of urban sprawl. While LAFCOs have no land use power, their actions determine which local government will be responsible for planning new areas. LAFCOs address a wide range of boundary actions, including the creation and modifications of spheres of influence for cities and special districts, annexations,



reorganizations, incorporations, and the detachment of areas from special districts. A city's or special district's sphere of influence is an indication of an agency's future growth boundaries.

## **Planning and Zoning Law**

State law requires each city and county in California to adopt a general plan for the physical development of the land within its planning area (Government Code Sections 65300-65404). The general plan must contain land use, housing, circulation, open space, conservation, noise, and safety elements, as well as any other elements that the city or county may wish to adopt. The circulation element of a local general plan must be correlated with the land use element.

Zoning authority originates from city and county police power and from the State's Planning and Zoning Law, which sets minimum requirements for local zoning ordinances. The city or county zoning code is the set of detailed requirements that implement the general plan policies at the level of the individual parcel. The zoning code presents standards for different uses and identifies which uses are allowed in the various zoning districts of the jurisdiction. Since 1971, State law has required the city or county zoning code to be consistent with the jurisdiction's general plan.

## **Sustainable Communities and Climate Protection Act (SB 375)**

The Sustainable Communities and Climate Protection Act (SB 375) supports the State's climate goals by helping reduce greenhouse gas emissions through coordinated transportation, housing, and land use planning. Under the Act, the California Air Resources Board (CARB) set targets for 2020 and 2035 for each of the 18 metropolitan planning organization regions in 2010 and updated them in 2018. Each of the regions must prepare a Sustainable Communities Strategy (SCS), as an integral part of its regional transportation plan, that contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet CARB's targets. The Act establishes some incentives to encourage implementation of the development patterns and strategies included in an SCS. Developers can get relief from certain environmental review requirements under the California Environmental Quality Act (CEQA) if their new residential and mixed-use projects are consistent with a region's SCS that meets the targets (see Public Resources Code Sections 21155, 21155.1, 21155.2, 21159.28).

### **b. Regional Regulations**

#### **Association of Bay Area Governments (ABAG)/Metropolitan Transportation Commission (MTC) Plan Bay Area 2050**

Plan Bay Area 2050 is a long-range, integrated transportation and land-use plan for the nine-county San Francisco Bay Area. The Plan is the combined Regional Transportation Plan and Sustainable Communities Strategy (also referred to as the RTP/SCS) and was jointly adopted by the ABAG and the MTC in October 2021. The Plan describes where and how the region can accommodate two million new people and one million new jobs from 2021 to 2050 and details the regional transportation investment strategy over the next 30 years. Growth in the plan area is promoted in Priority Development Areas and limited in Priority Conservation Areas to promote preservation of key resources.

The RTP/SCS consists of 35 strategies and over 80 individual implementation actions, as well as an Implementation Plan for Plan Bay Area 2050 that builds upon the Plan Bay Area 2040 Action Plan, which identifies specific actions that focuses and improves upon the categories of housing,

economy, transportation, and environment. ABAG and MTC developed land use and transportation scenarios in the Plan known as Horizon that distribute the total amount of anticipated growth across the region and measure how well each scenario measures against the Plan goals. Based upon performance, the preferred scenario provides a regional pattern of household and employment growth and a corresponding transportation investment strategy (ABAG/MTC 2021).

## **San Francisco Bay Plan**

The San Francisco Bay Plan was completed and adopted by the San Francisco Bay Conservation and Development Commission (BCDC) in 1968 and was transmitted to the California Legislature and the Governor in 1969. This comprehensive plan is concentrated on the conservation of the San Francisco Bay (the Bay) and pertains to all development at the Bay's shoreline. BCDC has jurisdiction within 100 feet of the Bay's shoreline. The McAteer-Petris Act designated BCDC as the permanent agency for carrying out the Bay Plan and directs BCDC to exercise its authority to issue or deny permit applications for placing fill, extracting materials, or changing the use of any land, water, or structure within the area of its jurisdiction.

## **Bay Conservation and Development Commission (BCDC) Public Access Design Guidelines**

As mentioned above, BCDC has jurisdiction within 100 feet of the Bay's shoreline. As such, proposed development within that jurisdiction is subject to BCDC Public Access Design Guidelines, which are intended to ensure that maximum feasible public access is provided. BCDC defines "public access" as including physical public access to and along the shoreline of the Bay and visual public access to the Bay from other public spaces. Physical improvements, as defined by BCDC, may include waterfront promenades, trails, plazas, play areas, overlooks, parking spaces, landscaping, site furnishings, and connections from public streets to the water's edge. In general, the Public Access Design Guidelines provide recommendations for improving and maximizing public access; however, they do not establish a specific set of design requirements, recognizing that development and character differs from location to location.

## **Association of Bay Area Governments Bay Trail Plan**

The Bay Trail Plan proposes development of a continuous regional hiking and bicycling trail around the perimeter of the San Francisco and San Pablo Bays. Implementation of the Bay Trail is coordinated by the San Francisco Bay Trail Project; a nonprofit organization created by and housed within ABAG. A proposed trail route goes through San Leandro near Monarch Bay Drive and currently continues to the south as a Class I bicycle and pedestrian path.

## **San Francisco Bay Area Water Trail**

The San Francisco Bay Area Water Trail is an ongoing effort to create a network of launch and landing sites to accommodate non-motorized boats and sail craft throughout the San Francisco Bay and is intended to promote recreational water access opportunities. The Water Trail is a regional trail linking nine counties in the Bay Area and joins three other trail systems, including the San Francisco Bay Trail, Bay Area Ridge Trail, and the California Coastal Trail. The nearest designated Water Trail site to the city is at the Tidewater Boating Center in Oakland, which is approximately 7 miles north. The Water Trail program is implemented by the Coastal Conservancy in collaboration with the ABAG, BCDC, and the State Department of Boating and Waterways.

## **Airport Land Use Compatibility Plans**

The Airport Land Use Compatibility Plans (ALUCPs) for Oakland International Airport (OAK) and Hayward Executive Airport (HWD) present the criteria, maps, and policies to be utilized by the Alameda County Airport Land Use Commission (Land Use Commission) and other local jurisdictions. These policies apply when reviewing proposals for land use development within the airports' Airport Influence Areas (AIAs) for compatibility with airport operations. The AIAs are defined based on political boundaries, noise contours, and flight tracks. Portions of San Leandro are within the AIAs for OAK and HWD. The ALUCPs establish Safety Compatibility Zones that depict the relative risk of aircraft accidents. General Plan amendments are subject to review by the Land Use Commission.

### **c. Local Regulations**

#### **City of San Leandro 2035 General Plan**

The City of San Leandro 2035 General Plan was adopted in 2016 and provides guidelines for land use decision-making in the city. The General Plan contains eight elements: Land Use; Transportation; Economic Development; Open Space, Conservation and Parks; Environmental Hazards; Historic Preservation and Community Design; Community Services and Facilities; and Housing. Together, the Land Use, Housing, and Environmental Hazards Elements are intended to ensure that adequate land, infrastructure services, and safety measures are provided to accommodate existing and future development.

##### *Land Use Element*

The Land Use Element describes existing land use patterns and provides the physical framework for land use and development in the city. The Land Use Element contains goals, policies, and actions for the City's residential, commercial, and industrial areas. In addition, the Land Use Element provides strategies for focus areas where change is likely through 2035 and guidelines for San Leandro's Planning Area and Sphere of Influence (City of San Leandro 2016b).

##### *Housing Element*

The Housing Element presents a comprehensive set of housing policies and actions that builds on an assessment of San Leandro's housing needs and an evaluation of existing housing programs, available land, and constraints on housing productions. The Housing Element consists of the following components: a review of past accomplishments and progress of implementation and effectiveness of the previous Housing Element; an assessment of existing and future housing needs; a constraints analysis addressing governmental and non-governmental constraints to housing development; an inventory of housing opportunity sites; housing policies and programs; and quantified objectives for housing development, preservation, and rehabilitation (City of San Leandro 2015).

##### *Environmental Hazards Element*

The Environmental Hazards Element identifies natural and man-made public health and safety hazards that exist within the city, and establishes preventative and responsive policies and programs to mitigate their impacts. The Environmental Hazards Element addresses earthquakes, landslides, floods, sea level rise, wildfire, air and water pollution, hazardous materials, aviation accidents, and noise. This Element allows for the consideration of hazards in land use designations and their

density and intensity standards, and places restrictions on development of hazardous areas (City of San Leandro 2016a).

### **City of San Leandro Municipal Code (SLMC) and Zoning Ordinance (SLZO)**

The SLMC establishes regulations that implement the City's General Plan. Chapter 7 of the SLMC describes the City's building codes, planning procedures, construction requirements, and fee requirements for new construction. The SLZO describes the six categories of districts within the City in Title 2: Residential, Commercial and Professional, Bay Fair Transit-Oriented Development, Industrial, Open Space, and Public and Semipublic. The SLZO establishes development regulations and landscape requirements in Titles 2 and 4 and requirements for affordable housing and residential density bonuses in Title 6.

### **Climate Action Plan**

The San Leandro 2021 Climate Action Plan (CAP), adopted in July 2021, establishes the City's comprehensive strategy to reduce greenhouse gas (GHG) emissions in a manner consistent with state reduction targets for 2020, 2030, and the long-term goal of 2050. The CAP includes goals, policies, and strategies intended to help the City reduce emissions to 80 percent below 1990 levels by 2050.

### **Bicycle and Pedestrian Master Plan**

The Bicycle and Pedestrian Master Plan, updated in 2018, contains goals and policies which are intended to guide development of the bicycle and pedestrian network in San Leandro. These policies include those that encourage natural and man-made corridors including shorelines to be used for the alignment of future multi-use trails.

### **Bay Fair Transit-Oriented Development Specific Plan**

The Bay Fair TOD Specific Plan was adopted by the San Leandro City Council in 2018 and updated in 2020, following an extensive community engagement and planning process. The Specific Plan sets a vision for the 154-acre area around the Bay Fair BART station to become a walkable, transit-oriented community hub, with public gathering spaces and a mix of retail, neighborhood services, housing, and office space.

### **Downtown San Leandro Transit-Oriented Development Strategy**

The Downtown San Leandro Transit-Oriented Development Strategy (TOD Strategy), adopted in September 2007, is intended to encourage housing, retail, jobs, and more attractive and pedestrian-friendly streets and sidewalks in downtown San Leandro. The TOD Strategy's study area is defined by a half-mile radius circle around the intersection of East 14th and Davis Streets. The TOD Strategy identifies opportunity sites and recommends land use categories to take advantage of opportunities for increased density, usage, and height, where appropriate. The TOD Strategy also identifies land use objectives for special policy areas, and establishes an open space framework for the Downtown.

### **East 14<sup>th</sup> South Area Development Strategy**

The East 14<sup>th</sup> South Area Development Strategy was developed in 2004. It contains goals and policies, a corridor concept plan, illustrative opportunity site development studies, design guidelines, a streetscape improvements plan, and implementation strategies. The primary goal of the South Area Development Strategy is to revitalize the southern portion of the East 14<sup>th</sup> Street

corridor between downtown and the Bay Fair TOD area by attracting desirable land uses, implementing streetscape improvements, and guiding new development to ensure high-quality design.

### 4.4.3 Impact Analysis

#### **a. Methodology and Significance Thresholds**

The analysis in this section focuses on the potential environmental impacts from the proposed land use changes and subsequent rezoning, as well as consistency with any applicable land use plans, policies, or regulations. The following thresholds of significance are based on Appendix G of the *CEQA Guidelines*. For purposes of this SEIR, implementation of the project may have a significant adverse impact if it would do any of the following:

1. Physically divide an established community
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect

The consistency analysis describes existing regional and local plans and policies and is intended to fulfill the requirements of *CEQA Guidelines* Section 15125(d). The emphasis of the analysis is on the project's inconsistency and potential conflicts between the project and existing applicable land use plans adopted for the purpose of avoiding or mitigating an environmental effect, and whether any inconsistencies are significant environmental effects. The project is considered consistent with the provisions of the identified regional and local plans if it meets the general intent of the applicable plans and does not conflict with directly applicable policies. A given project need not be in perfect conformity with each and every policy nor does state law require precise conformity of a proposed project with every policy or land use designation (*Sequoayah Hills Homeowners Association v. City of Oakland*, (1998) 23 Cal.App 4th 704, 719 (1993)). In *Families Unafraid to Uphold Rural El Dorado County v. El Dorado County Board of Supervisors* (1998) 62 Cal.App.4th 1332, 1341, the court held that "[t]he nature of the policy and the nature of the inconsistency are critical factors to consider." A project is clearly inconsistent when it conflicts with one or more specific, fundamental, and mandatory policies of the general plan (State of California Governor's Office of Planning and Research [OPR] 2017). Courts have also acknowledged that general and specific plans attempt to balance a range of competing interests, and that it is nearly, if not absolutely, impossible for a project to be in perfect conformity with each and every policy set forth in the applicable plan. Additionally, in reaching such consistency conclusions, the City may also consider the consequences of denial of a project, which can also result in other policy inconsistencies. For example, Government Code Section 65589.5 explains that the potential consequences of limiting the approval of housing are reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

For an impact to be considered significant, an inconsistency would also have to result in a significant adverse change in the environment not already addressed in the other resource chapters of this EIR. The analysis below provides a discussion of the most relevant policies from the various planning documents. However, the City's consistency conclusions are based upon the planning documents as a whole.

## b. Prior Environmental Analysis

Chapter 4.9 (Land Use and Planning) of the 2035 General Plan EIR determined that the 2035 General Plan would not result in new development or features that would divide existing residential neighborhoods or communities. The 2035 General Plan would not conflict with any land use plans adopted for the purpose of avoiding or mitigating an environmental effect. All the CEQA checklist items listed above under the *Methodology and Significance Thresholds* section are addressed in this analysis.

## c. Project Impacts and Mitigation Measures

<b>Threshold:</b> Would the project physically divide an established community?
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**Impact LU-1 THE PROJECT WOULD NOT CHANGE CURRENT LAND USE DESIGNATIONS AND WOULD NOT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY. THERE WOULD BE NO IMPACT.**

The 2035 General Plan EIR (page 4.9-9) determined that the 2035 General Plan would not result in new development or features that would divide existing residential neighborhoods or communities (City of San Leandro 2016c). Compliance with the 2035 General Plan policies would promote cohesive and compatible neighborhoods and prevent new development from dividing existing communities.

As described in Section 2.0, *Project Description*, the project would result in a net increase of 4,960 residential units and 75,000 square feet of office space in the three Priority Development Areas in the city compared to the assumptions analyzed in the 2035 General Plan EIR. The project would not change the types of uses designated by current land use designations analyzed under the 2035 General Plan EIR and 2018 BTOD Specific Plan EIR. Sites that are currently zoned for residential or mixed use would continue to accommodate those uses. The project would support the development envisioned in the 2035 General Plan and 2018 BTOD Specific Plan.

Changes to development standards as outlined in Section 2, *Project Description*, and new or updated policies in the Housing Element, Environmental Justice Element, and Environmental Hazards Element would not create structures, such as new roadways, or railways that could physically divide an established community, nor would the project change types of land use. Policies of the Housing Element Update would continue to promote the vision and goals of the 2035 General Plan to increase neighborhood cohesion, including neighborhood equity, housing mobility, and housing stability. Therefore, the project would not physically divide an established community and there would be no impact.

### Mitigation Measures

There would be no impact. Therefore, mitigation is not required.

<b>Threshold:</b> Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?
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**Impact LU-2 THE PROJECT WOULD UPDATE THE LAND USE ELEMENT, HOUSING ELEMENT, ENVIRONMENTAL HAZARDS ELEMENT, AND IMPLEMENT A PROPOSED ENVIRONMENTAL JUSTICE ELEMENT TO BRING THE CITY'S 2035 GENERAL PLAN INTO CONFORMANCE WITH STATE REQUIREMENTS AND FACILITATE DEVELOPMENT ALIGNED WITH THE VISION OF THE 2035 GENERAL PLAN, BTOD SPECIFIC PLAN, AND PLAN BAY AREA 2050. THESE UPDATES WOULD NOT CONFLICT WITH ANY LAND USE PLAN, POLICY, OR REGULATION ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT. THERE WOULD BE NO IMPACT.**

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The 2035 General Plan EIR (page 4.9-17) compared the goals and policies of the 2035 General Plan to existing land use plans, and concluded that the 2035 General Plan would not conflict with any land use plans adopted for the purpose of avoiding or mitigating an environmental effect and thus would result in a less than significant impact (City of San Leandro 2016c).

As set forth by State law, the General Plan serves as the primary planning document for the City and all subordinate documents and plans are required to be consistent with the General Plan. The Housing Element update would amend the 2035 General Plan and associated changes with the Land Use Element as described in Section 2, *Project Description*, to remove constraints to housing development and facilitate the sufficient development of housing at densities appropriate for respective income levels consistent with the RHNA. The building types supported by the amendments to the allowable densities, FAR, and building heights would support the type of residential and mixed use infill development envisioned in the 2035 General Plan and 2018 BTOD Specific Plan for the city's Priority Development Areas near the city's two BART stations and along East 14<sup>th</sup> Street.

By focusing residential development in the city's Priority Development Areas as transit-oriented infill development and redevelopment, the project reduces potential impacts to biologically and culturally sensitive areas; risk from wildfire hazards; per capita VMT and impacts to air quality, GHG, and energy; and the need for additional utility infrastructure. The project would be consistent with the Policy LU-3.4 of the 2035 General Plan, which promotes development on vacant and underused sites within residential and commercial areas (City of San Leandro 2016b). As with the 2035 General Plan, the project would remain consistent and would not conflict with the goals and policies of land use plans discussed in the 2035 General Plan EIR, including Plan Bay Area (updated 2021), the San Francisco Bay Plan (updated 2019), the Bay Conservation and Development Commission Public Access Design Guidelines (updated 2022), the ABAG Trail Plan (updated 2022), and the San Francisco Bay Area Water Trail Plan (updated 2022). The project would also be consistent with Plan Bay Area 2050 land use policies, including Policy H3 which aims to allow a greater of mix of housing densities and types in Growth Geographies, and Policy H6, which aims to transform unused commercial areas into housing for residents of all income levels (ABAG/MTC 2021).

The project would facilitate development that would exceed the buildout projections described in the 2035 General Plan, as discussed in Section 4.6, *Population and Housing*. However, the Housing Element Update would comply with pertinent State housing law and the City's 6<sup>th</sup> cycle RHNA allocation and has been prepared specifically to be consistent with applicable requirements of housing law. Thus, despite accommodating growth beyond that anticipated in the 2035 General Plan, housing growth under the project would not be substantial or unplanned. The project would

update the 2035 General Plan to reflect new housing requirements; therefore, the planned growth under the project would not conflict with the adopted General Plan.

Development standards associated with the project would be required to be consistent with the other portions of the 2035 General Plan, including policies and programs adopted to address environmental impacts. All development in the city would be reviewed for consistency with the City's development standards set forth in SLMC and SLZO as part of the design review process. The project would not remove or modify any policies or measures from the 2035 General Plan that are intended for environmental protection and would not conflict with any 2035 General Plan policies or measures that are intended for environmental protection. Policies in the Environmental Justice Element and updated to the Environmental Hazards Element would not result in significant environmental impacts.

Therefore, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and there would be no impact.

### **Mitigation Measures**

There would be no impact. Therefore, mitigation is not required.

## 4.4.4 Cumulative Impacts

### **Division of an Established Community**

The cumulative setting for land use and planning impacts is the City of San Leandro. Cumulative land use and planning impacts, such as the potential for conflicts with adjacent land uses and consistency with adopted plans and regulations, are typically site- and project-specific. The project would not include any features (such as roadways or railways) that would physically divide an established community, and as such, would not result in a cumulatively considerable contribution to cumulative impacts related to land use changes and impacts would be *less than significant*.

### **Consistency with Land Use Plans/Policies**

The project would be consistent with applicable land use plans, policies, or regulations, including the 2035 General Plan, BTOD Specific Plan, and Plan Bay Area 2050, and would not require significant land use changes that would create cumulative land use conflicts. Further, cumulative development will be required to comply with local regulations, plans, and policies adopted to avoid environmental effects, and as such, the proposed project would not result in a cumulatively considerable contribution to cumulative impacts related to land use changes and impacts would be *less than significant*.



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## 4.5 Noise

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This section evaluates the potential for significant impacts to noise and vibration resulting from implementation of the project. The analysis in this section considers the noise and vibration analysis contained in the 2035 General Plan EIR, supplemented by analysis of potential changes proposed by the project.

### 4.5.1 Setting

#### Overview of Environmental Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs (e.g., the human ear). Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz and less sensitive to frequencies around and below 100 Hertz (Kinsler et. al. 1999). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as a doubling of traffic volume, would increase the noise level by 3 dB; similarly, dividing the energy in half would result in a decrease of 3 dB (Caltrans 2013).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive an increase (or decrease) of up to 3 dBA in noise levels (i.e., twice [or half] the sound energy); that a change of 5 dBA is readily perceptible (8 times the sound energy); and that an increase (or decrease) of 10 dBA sounds twice (or half) as loud (10.5 times the sound energy) (Caltrans 2013). Sources of noise include stationary noise sources, such as heating, ventilation and air conditioning systems, loading dock activity, and processing machinery associated with industrial and commercial operations, and mobile sources, such as motor vehicles, trains, and aircrafts. Noise sources can also be temporary, for example noise generated by construction equipment.

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in sound level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line), the path the sound will travel, site conditions, and obstructions. Noise levels from a point source (e.g., construction, industrial machinery, ventilation units) typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance. Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation, and the changes in noise levels with distance (i.e., the drop-off rate) result simply from the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013). Noise

levels may also be reduced by intervening structures; the amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver. Structures can substantially reduce occupants’ exposure to noise as well. The FHWA’s guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The impact of noise is not a function of sound level alone. The time of day when noise occurs and the duration of the noise are also important. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. One of the most frequently used noise metrics is the equivalent noise level ( $L_{eq}$ ); it considers both duration and sound power level. The  $L_{eq}$  is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, the  $L_{eq}$  is summed over a one-hour period. The  $L_{max}$  is the highest root mean square (RMS) sound pressure level within the sampling period, and the  $L_{min}$  is the lowest RMS sound pressure level within the measuring period (Crocker 2007). Normal conversational levels are in the 60 to 65 dBA  $L_{eq}$  range; ambient noise levels greater than 65 dBA  $L_{eq}$  can interrupt conversations (Federal Transit Administration [FTA] 2018). Table 4.5-1 provides examples of noise levels from common sounds.

**Table 4.5-1 Typical Noise Levels**

Perceived Sound	Noise Level (dBA $L_{eq}$ )	Examples
Painfully Loud	160	Fireworks at 3 feet
	150	Jet takeoff
	140	Threshold of pain
Uncomfortably Loud	130	Power drill
	120	Thunder
	110	Auto horn at 3 feet, Rock band
Very Loud	100	Snowmobile, Pile driver
	90	Diesel truck, Lawn mower at 3 feet
	80	Garbage disposal, Siren at 100'
Moderately Loud	70	Vacuum cleaner, Leaf blower at 50'
	60	Ordinary conversation
	50	Average home, Light traffic
Quiet	40	Library
	30	Quiet conversation
Very Quiet	20	Soft whisper
	10	Rustling leaves
Barely Audible	0	Threshold of hearing

dBA = A-weighted decibel;  $L_{eq}$  = equivalent noise level  
 Source: City of San Leandro 2016, Chart 7-1

Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (DNL), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.). Community noise can also be measured using Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013). Noise levels described by DNL and CNEL usually differ by about 1 dBA. Quiet suburban areas typically have CNEL noise levels in the range of 40 to 50 CNEL, while areas near arterial streets are in the 50 to 60+ CNEL range. There is no precise way to convert a peak hour  $L_{eq}$  to DNL or CNEL - the relationship between the peak hour  $L_{eq}$  value and the DNL/CNEL value depends on the distribution of traffic volumes during the day, evening, and night.

## Overview of Groundborne Vibration

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hertz. The frequency of a vibrating object describes how rapidly it oscillates. The normal frequency range of most groundborne vibration that can be felt by the human body is from a low of less than 1 Hertz up to a high of about 200 Hertz (Crocker 2007). Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hertz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (FTA 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2020a). When a building is impacted by vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may amplify the vibration level due to structural resonances of the floors and walls.

Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean square (RMS) vibration velocity. The PPV is normally described in inches per second (in/sec) and RMS is normally described in vibration decibels (VdB). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration and other construction activity because it is related to the stresses that are experienced by buildings (Caltrans 2020). Table 4.5-2 summarizes the vibration damage criteria recommended by the FTA for evaluating the potential for architectural damage to buildings and the potential for annoyance.

**Table 4.5-2 Criteria for Vibration Damage Potential**

<b>Building Category</b>	<b>PPV (in/sec)</b>
I. Reinforced concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Nonengineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12

in/sec = inches per second; PPV = peak particle velocity  
 Source: FTA 2018

In addition to the potential for building damage, the human body responds to vibration signals. However, unlike buildings, which are rigid, it takes some time for the human body to respond to vibration. In a sense, a building responds to the instantaneous movement while the human body responds to average vibration amplitude, which is measured as RMS. The averaging of the particle generally results in the RMS conservatively being equivalent to 71 percent of the PPV. Thus, human annoyance usually results in a more restrictive vibration limit than structural damage limits.

Numerous studies have been conducted to characterize the human response to vibration. The vibration annoyance potential criteria recommended for use by the FTA, which are based on the general human response to different levels of groundborne vibration velocity levels, are described in Table 4.5-3.

**Table 4.5-3 Criteria for Vibration Annoyance Potential**

<b>Land Use Category</b>	<b>VdB Level (Frequent Events)</b>
Category 1: Buildings where vibration would interfere with interior operations <sup>1</sup>	65
Category 2: Residences and buildings where people normally sleep	72
Category 3: Institutional land uses with primarily daytime use	75

<sup>1</sup> This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. For equipment that is more sensitive, a detailed vibration analysis must be performed.  
 VdB = vibration decibel  
 Source: FTA 2018

**Sensitive Receivers**

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The San Leandro 2035 General Plan Environmental Hazards Element identifies noise-sensitive land uses as residences, schools, child care centers, hospitals, churches, libraries, nursing homes, and certain types of parks and recreational areas. Vibration-sensitive receivers, which are similar to noise-sensitive receivers, also includes the above-mentioned land use types. However, vibration-sensitive receivers also include fragile/historic-era buildings and buildings where vibrations may interfere with vibration-sensitive equipment that is affected by vibration levels that may be well below those associated with human annoyance (e.g., recording studios or medical facilities with sensitive equipment). Downtown San Leandro, one of the Priority Development Areas that would be impacted by the project, has a large concentration of historic and potentially historic buildings, which includes local, State, and federally designated historic properties, as shown on Figure 4.4-1 of the 2035 General Plan EIR (City of San Leandro 2016).

## Existing Noise Environment

The primary source of noise is vehicular traffic on roadways; therefore, the highest noise levels are generally adjacent to Interstate 880 (I-880) and Interstate 580 (I-580), as described in Chapter 4.10 of the 2035 General Plan EIR. BART transit noise is a major source of community noise in San Leandro as well. The BART tracks transect the center of the city in a northwest-to-southeast direction, and the system has two stops in the city, including San Leandro Station located in the north-central portion of the city near the intersection of Davis Street and San Leandro Boulevard, and Bay Fair Station located in the southeast portion of the city near Bayfair Center. Both stations serve the Daly City-Dublin/Pleasanton, Daly City-Berryessa/North San Jose, and Richmond-Berryessa/North San Jose lines. Passing trains are among the loudest noise sources in the city, exceeding 95 dBA at 100 feet. Train horns may be even louder, approaching 110 dBA. Brakes, coupling impacts, and crossing guard warnings are also common sources of noise along the rail transit corridors.

Noise from aircraft overflights is a concern in San Leandro mainly due to the proximity of Oakland International Airport. As shown in Figure 4.10-2 in the 2035 General Plan EIR, the 65 dBA CNEL noise contour associated with the airport extends to the southwest edge of San Leandro. While the 24-hour ambient noise levels are within levels deemed acceptable by the FAA, some areas experience short-duration incidents where noise levels exceed 70 dBA (City of San Leandro 2016b).

Noise monitoring for the 2035 General Plan indicated noise levels up to 65-67 dB DNL at locations near the freeway and BART tracks. The 2035 General Plan EIR measured 15-minute  $L_{eq}$  noise levels at 13 short-term locations and the 24-hour  $L_{DN}$  noise levels at three long-term locations spread throughout the city. Noise levels at these locations, measured in 2015, were between 50.8 and 69.8 dBA. The following noise measurement locations in or near the Priority Development Areas measured the following dBA:

- LT-1: 64.8 dBA  $L_{DN}$
- LT-3: 67.4 dBA  $L_{DN}$
- ST-5: 65.5 dBA  $L_{eq}$
- ST-7: 58.5 dBA  $L_{eq}$
- ST-10: 64.2 dBA  $L_{eq}$
- ST-12: 57.7 dBA  $L_{eq}$

Noise measurements were also conducted for the BTOD Specific Plan in 2017. Two noise measurements were taken at different locations on Hesperian Boulevard and one on East 14<sup>th</sup> Street. Locations were selected as representative of actual noise levels from major roadways and the BART line during peak hours for traffic (between 4 p.m. and 6 p.m.). Noise measurements ranged from 67.6 to 70.0 dBA  $L_{eq}$  (City of San Leandro 2017).

The main sources of vibration in San Leandro are from construction equipment. The highest levels of vibration from construction are typically caused by grading and demolition activities. Vibration caused by construction is short-term in nature and impacts are generally restricted to areas within the immediate vicinity of active construction equipment.

## 4.5.2 Regulatory Setting

### a. Federal Regulations

#### Department of Housing and Urban Development

The federal Department of Housing and Urban Development (HUD) sets environmental criteria and standards in Title 24 of the Code of Federal Regulations (CFR), Part 51. New construction proposed in areas that exceed 65 dB  $L_{DN}$  must incorporate noise attenuation features to maintain interior noise levels at 45 dB  $L_{DN}$ . Development in areas exceeding 65 dB  $L_{DN}$  requires further attenuation features. In general, the HUD regulations match the California state regulations discussed below.

The FTA provides guidelines on vibration limits that are used to evaluate human annoyance and architectural damage caused by groundborne vibration (FTA 2018). Annoyance is a subjective measure that can vary per individual, as some individuals are more sensitive to than others. The FTA's criteria on human annoyance are based on experience with rapid transit and commuter rail systems. The severity of architectural damage varies from cosmetic damage such as cracking of building elements to structural damage that can threaten the integrity of a building. Buildings that are older and in disrepair are susceptible to damage from vibration.

### b. State Regulations

#### California Building Code

CCR Title 24, Building Standards Administrative Code, Part 2, Chapter 12, and the California Building Code codify the State noise insulation standards. These noise standards apply to new construction in California to control interior noise levels as they are affected by exterior noise sources and interior noise sources from separate areas. The regulations specify that interior noise levels shall not exceed 45 dBA  $L_{DN}$  in any habitable room, as well as specifying sound transmission class requirements for walls, floors, and ceilings around sleeping units.

### c. Local Regulations

#### City of San Leandro 2035 General Plan

##### Noise

The Environmental Hazards Element of the City's General Plan establishes noise and land use compatibility guidelines in San Leandro. Table 4.5-4 identifies areas where uses are acceptable, conditionally acceptable, normally unacceptable, or clearly unacceptable based on ambient noise level. Policy EH-7.1 ensures that new developments are evaluated for noise impacts using the standards listed in the table below. The City requires projects that could significantly increase noise levels to incorporate mitigation measures to reduce such impacts. Policy EH-7.4 states that a project's noise impacts should be evaluated based on the potential for adverse community response, as well as its conformance to the adopted standards, and that projects should not degrade noise levels in neighborhoods to the maximum tolerable levels shown in the table below.

Policy EH-7.4 of the 2035 General Plan states that for CEQA purposes, an increase of 3 dB  $L_{DN}$  should generally be considered a significant adverse impact.

**Table 4.5-4 City of San Leandro Noise and Land Use Compatibility Guidelines**

Land Use Category	Noise Exposure Levels (CNEL/Ldn, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low Density Single Family, Duplex, Mobile Homes	<60	55-70	70-75	75+
Residential- Multiple Family	<65	60-70	70-75	75+
Transient Lodging, Motels, Hotels	<65	60-70	70-80	80+
Schools, Libraries, Churches, Hospitals, Nursing Homes	<70	60-70	70-80	80+
Auditoriums, Concert Halls, Amphitheaters	NA	<70	NA	65+
Sports Arena, Outdoor Spectator Sports	NA	<75	NA	70+
Playgrounds, Neighborhood Parks	<70	67.5-75	NA	72.5+
Golf Courses, Riding Stables, Water Recreation, Cemeteries	<75	70-80	NA	80+
Office Buildings, Businesses, Commercial and Professional	<70	67.5-77.5	75+	N/A
Industrial, Manufacturing, Utilities, Agricultural	<75	70-80	75+	N/A

Notes: N/A = not applicable  
Source: City of San Leandro 2016a

The 2035 General Plan contains additional goals, policies, and actions related to noise. Policy EH-7.2 ensures that interior noise levels in new residential construction do not exceed 45 dB L<sub>DN</sub>, as required by Title 24 of the California Building Code. For non-residential construction, the acceptable interior noise levels are determined on a case-by-case basis, depending on the type of activity proposed. Policy EH-7.3 maintains a goal for the City to maintain an exterior noise level of no more than 60 dB L<sub>DN</sub> in residential areas, although some San Leandro neighborhoods already exceed this noise level. This policy directs the City to encourage a variety of noise abatement measures that benefit these areas.

Policy EH-7.5 discourages noise-sensitive uses such as hospitals, schools, and rest homes from locating in areas with very high noise levels unless sufficient noise mitigation and buffering can be provided. Conversely, this policy discourages new uses likely to produce high levels of noise from locating in areas where noise sensitive uses would be adversely impacted. Policy EH-7.6 states that if new housing is constructed in areas that exceed normally acceptable noise levels, the City requires project design and construction measures that minimize noise intrusion. Policy EH-8.3 requires new development or redevelopment near freeways, arterials, BART, and major bus routes to incorporate site planning and architectural design measures that reduce the exposure of future building occupants to traffic noise.

### Vibration

Policy EH-7.9 of the 2035 General Plan intends to limit the potential for vibration impacts from construction and ongoing operations to disturb sensitive uses such as housing and schools by directing the City to adopt Standard Conditions of Approval or Construction Development Standards for new non-residential land uses that are subject to CEQA and require the use of large construction



equipment to reduce the potential for vibration related construction impacts for development projects near sensitive uses.

The City issues Standard Conditions of Approval for projects prior to the issuance of a building permit for projects that require the use of large construction equipment (e.g., vibratory roller, pile drivers). The Standard Conditions of Approval stipulate that proposed projects shall use the best available technology for construction equipment and permanent operations so that vibrations are reduced to a level consistent with FTA guidelines for annoyance and architectural damage. The Standard Conditions of Approval stipulates that construction activity for a proposed project shall not create noise or safety hazards for adjacent residents and properties. The Standard Conditions of Approval also require a vibration control plan for projects near sensitive receptors such as schools or residences, or near sensitive historic resources. The City issues Standard noise and vibration Conditions of Approval for new construction projects that require the use of large construction equipment (e.g., vibratory rollers, dozers, pile drivers) within 135 feet for pile driving near historic structures, 100 feet for pile driving near residential structures, 40 feet for vibratory rollers near historic structures, 25 feet for vibratory rollers near residential structures, and 20 feet for dozers and other heavy earthmoving equipment. Methods to reduce construction-related vibration include the use of smaller and well-maintained equipment, use of static rollers in lieu of vibratory rollers, cast-in-place drilling as opposed to pile driving, limitations on construction hours, and guidelines for the positioning of vibration-generating equipment. The developer is required to adhere to the Standard Conditions of Approval prior to commencement of construction, and the City requires the Standard Conditions of Approval to be recorded on the property.

### **City of San Leandro Municipal Code**

San Leandro Municipal Code Chapter 4.1 provides restrictions and regulations for noise within San Leandro. Municipal Code Section 4.1.1115 provides restrictions for construction activities adjacent to or across the street from residential uses. Under Section 4.1.1115(b) of the City's Municipal Code, construction is restricted to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between 8:00 a.m. and 7:00 p.m. on weekends. All construction activities adjacent to or across the street from residential uses are prohibited on federal holidays. Section 4.1.1115(c) of the Municipal Code also restricts sustained operation of mechanical devices from between the hours of 9:00 p.m. and 8:00 a.m., unless the device is enclosed within a sound insulated structure, preventing the noise from being plainly audible from any residential property line.

### **Alameda County Code of Ordinances**

Because the City of San Leandro's General Plan and Municipal Code do not contain quantified thresholds for stationary noise sources, thresholds from the Alameda County Code of Ordinances are used in this analysis. Pursuant to the Alameda County Code of Ordinances Chapter 6.60, stationary sources of noise should not exceed 55 dBA  $L_{eq}$  during daytime hours from 7:00 a.m. to 10:00 p.m., or 50 dBA  $L_{eq}$  during nighttime hours from 10:00 p.m. to 7:00 a.m.

### **Oakland International Airport Land Use Compatibility Plan**

This Airport Land Use Compatibility Plan (ALUCP) for Oakland International Airport presents the criteria, maps, and policies to be utilized by the Alameda County Airport Land Use Commission (ALUC) and other local jurisdictions. The policies within the ALUCP apply to all lands within the airport influence area, which includes the western portion of San Leandro. Noise compatibility policies in the ALUCP are established to prevent the development of noise-sensitive land uses in

portions of the airport environ that are exposed to significant levels of aircraft noise. The ALUCP states that for residential land uses, a 60 dB CNEL noise level is considered conditionally acceptable and 65 and greater dB CNEL is considered incompatible. Noise level contours with noise levels 60 dBA CNEL and greater do not reach land in San Leandro, as shown in Figure 3-3 of the ALUCP (Alameda County ALUC 2010).

### 4.5.3 Impact Analysis

#### a. Methodology and Significance Thresholds

The analysis in this section focuses on the potential environmental impacts related to noise and vibration from the proposed land use and zoning changes. The following thresholds of significance are based on Appendix G of the *CEQA Guidelines*. For purposes of this SEIR, implementation of the project may have a significant adverse impact if it would do any of the following:

1. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
2. Generate excessive groundborne vibration or groundborne noise levels
3. For a project located within the vicinity of a private airstrip or 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, expose people residing or working in the project area to excessive noise levels

Specific thresholds of significance for construction, operation, vibration, and land use compatibility are discussed below:

#### Construction Noise

This analysis references guidance from the FTA to establish a quantified threshold against which to assess the impact of construction noise (FTA 2018). The FTA recommends a threshold of 80 dBA Leq (8hr) for daytime construction noise received at residential receptors, which is used in this analysis.

#### Operational Noise

Policy EH-7.4 of the 2035 General Plan states that for CEQA purposes, an increase of 3 dB  $L_{DN}$  should generally be considered a significant adverse impact.

For traffic-related noise, impacts would be considered significant if the project would result in exposure of sensitive receptors to an unacceptable increase in noise levels. As described under *Overview of Environmental Noise* above, a doubling of sound power (increase of 3 dB) is considered 'barely perceptible' to the human ear, while an increase of 5dB is considered 'readily perceptible.' For purposes of this analysis, a significant impact would occur if project-related traffic increases the ambient noise environment of noise-sensitive locations by 3 dBA or more.

#### Land Use Compatibility

A substantial number of homes in San Leandro are within the 65 dB Ldn contour, as shown in Figure 4.10-1 in the 2035 General Plan EIR (page 4.10-13). The City uses development review and zoning through the conditional use permit process to limit the hours of operation for noise-producing activities and to identify noise muffling and buffering requirements. The City also requires noise mitigation when residences are located near freeways, industrial uses, and other noise sources, as

described in Chapter 4-1 of the City's Municipal Code. This includes the use of sound walls, double-paned windows, and other measures that would protect future residents while still allowing nearby industrial and commercial uses (City of San Leandro 2016).

## **Vibration**

The City has not adopted a significance threshold to assess vibration impacts during construction and operation. Therefore, the FTA Transit Noise and Vibration Impact Assessment Manual (FTA 2018) is used to evaluate potential construction vibration impacts related to both potential building damage and human annoyance. Construction vibration impacts from housing development would be significant if vibration levels exceed the Caltrans criteria shown in Table 4.5-2 and Table 4.5-3, using the lower range of the thresholds. For example, impacts would normally be significant if vibration levels exceed 0.2 in./sec. PPV for residential structures and 0.3 in./sec. PPV for commercial structures. This is the limit where minor cosmetic (i.e., non-structural) damage may occur to these buildings. However, groundborne vibration would also have the potential to impact structures near a site with historic significance at much lower levels. Therefore, for a conservative analysis to these buildings, construction vibration impacts would be significant if vibration levels exceed 0.12 in./sec. PPV for extremely fragile historic buildings, as shown in Table 4.5-2. In addition, construction vibration impacts would cause human annoyance at nearby residences if vibration levels exceed 72 VdB from frequent events such as construction activity.

## **Methodology**

### *Construction Noise*

For assessment purposes, noise levels for common construction equipment provided in the FTA *Transit Noise and Vibration Impact Assessment (2018)* guidance document were used to analyze potential noise levels associated with future development facilitated by the project.

Construction equipment can be considered to operate in two modes: stationary and mobile. Stationary equipment operates in a single location for one or more days at a time, with either fixed-power operation (e.g., pumps, generators, and compressors) or variable-power operation (e.g., pile drivers, rock drills, and pavement breakers). Mobile equipment moves around a construction site with power applied in cyclic fashion, such as bulldozers, graders, and loaders (FTA 2018). Each phase of construction has its own noise characteristics due to specific equipment mixes; some will have higher continuous noise levels than others and some may have high-impact intermittent noise levels (FTA 2018). Therefore, construction noise levels may fluctuate depending on the type of equipment being used, construction phase, or equipment location. In typical construction projects on vacant sites, grading activities typically generate the highest noise levels because grading involves the largest equipment and covers the greatest area.

Variation in power imposes difficulty in characterizing the noise source level from construction equipment. Power variation is accounted for by describing the noise at a reference distance from the equipment operating at full power and adjusting it based on the duty cycle of the activity to determine the  $L_{eq}$  of the operation (FHWA 2018). It is very common for programmatic analysis such as this to utilize a conservative standard reference distance of 50 feet for development occurring in urban areas; project-specific noise analysis might use more specific values and it would be uncommon for there to be multiple pieces of heavy equipment operating together so close to a nearby property line for very long.

Heavy construction equipment during grading and site preparation for development facilitated by the project would typically include bulldozers, excavators, front-end loaders, dump trucks, and graders. It is assumed that diesel engines would power all construction equipment. Construction equipment would not all operate at the same time or location due to the different tasks performed by each piece of equipment. In addition, construction equipment would not be in constant use during the 8-hour operating day.

Impact devices such as pile drivers may be used for construction of development facilitated by the project. The use of pile drivers is not anticipated and is very unlikely to occur during construction for the type of development facilitated by the project. However, this analysis considers the potential for use of this equipment as a conservative analysis. A pile driver could be used to drive foundation piles into the ground. These devices would typically operate separately from other equipment. Typical noise levels associated with the types of heavy equipment most likely to be utilized during development associated with the project are given in Table 4.5-5 below.

**Table 4.5-5 Construction Equipment Noise Levels**

Equipment	Typical Noise Level (dBA) at 50 Feet from Source
Concrete Mixer	85
Dozer	85
Grader	85
Jackhammer	88
Loader	80
Paver	85
Pile-driver (Impact)	101
Pile-driver (Sonic)	95
Truck	84

Sources: FTA 2018

*On-site Operational Noise*

The primary on-site noise sources associated with operation of residential units, and those discussed in this analysis, would include noise from stationary heating, ventilation, and air conditioning (HVAC) equipment, on-site vehicle movement (e.g., trash hauling), and outdoor activities.

*Off-site Operational Noise*

Residential development facilitated by the project would be expected to generate vehicle trips, thereby increasing off-site traffic on area roadways. The project’s off-site traffic noise impacts are analyzed based on average daily traffic (ADT) roadway volume data provided by Kittelson and Associates (Kittelson) for existing conditions (2020), existing conditions with the project, future without project conditions (2040), and future with project conditions, which is included as Appendix TRA. The percentage increase with the project was used to identify roadway segments which could experience a doubling of traffic volumes (100 percent), which would indicate potential increase of 3 dBA Ldn or more.

*Groundborne Vibration*

Development facilitated by the project, being entirely residential, would not include any substantial vibration sources associated with operation. Therefore, construction activities have the greatest potential to generate ground-borne vibration affecting nearby receivers, especially during grading and excavation. The greatest vibratory source during general construction activities would be anticipated to be a dozer; however, an impact pile driver may be used during impact construction activities, if required, and if so, would generate higher vibration than a large bulldozer. Construction vibration estimates are based on vibration levels reported by Caltrans and the FTA (Caltrans 2020; FTA 2018). Table 4.5-6 shows typical vibration levels for various pieces of construction equipment used in the assessment of construction vibration (FTA 2018).

Because groundborne vibration could cause physical damage to structures and is measured in an instantaneous period, vibration impacts are typically modeled based on the distance from the location of vibration-intensive construction activities, which is conservatively assumed to be edge of a project site, to the edge of the nearest off-site structures. For assessment purposes, potential vibration impacts from construction activities were based on a reference distance of 25 feet to conservatively analyze potential vibration levels impacting residents near construction sites. Equipment operating so closely to nearby buildings and structures for other than brief periods would be unlikely.

**Table 4.5-6 Typical Vibration Levels for Construction Equipment**

<b>Equipment</b>	<b>PPV (Inches/Second) at 25 Feet</b>	<b>VdB</b>
Pile Driver (Impact – upper range)	1.518	112
Pile Driver (Sonic – upper range)	0.734	105
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Loaded Truck	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Sources: FTA 2018.

**b. Prior Environmental Analysis**

Chapter 4.10 (Noise) of the 2035 General Plan EIR determined that the 2035 General Plan would not cause or worsen exposure of sensitive land uses to existing elevated noise levels, would not result in the perception of excessive noise and vibration by sensitive receptors in new developments and would not result in the perception of excessive vibration by individuals living or working in areas of existing sensitive land uses, but would cumulatively contribute to the substantial increase in ambient noise environment at existing sensitive land uses proximate to certain roadway segments. Although City policies could, in certain cases, reduce or prevent significant increases in ambient noise under implementation of the 2035 General Plan, the measures described in these policies would not be universally feasible and some of the most effective noise attenuation measures, including sound walls and berms, would be infeasible or inappropriate in some locations where sensitive land uses already exist. Therefore, even after the application of relevant, feasible regulations and 2035 General Plan policies, traffic noise impacts would remain significant.

All CEQA checklist items listed above under the *Methodology and Significance Thresholds* section are addressed in this analysis.

### c. Project Impacts and Mitigation Measures

**Threshold 1:** Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**Impact NOI-1 DEVELOPMENT FACILITATED BY THE PROJECT COULD INVOLVE CONSTRUCTION WITH LENGTHY DURATIONS, SUBSTANTIAL SOIL MOVEMENT, OR USE OF LARGE, HEAVY-DUTY EQUIPMENT NEAR NOISE-SENSITIVE LAND USES THAT WOULD EXCEED THE FTA DAYTIME NOISE LIMITS AND RESULT IN SIGNIFICANT IMPACTS. IMPACTS WOULD BE REDUCED TO LESS THAN SIGNIFICANT WITH ADHERENCE WITH REVISIONS TO 2035 GENERAL PLAN EIR MITIGATION MEASURE NOI-4. THEREFORE, IMPACTS GENERATED BY TEMPORARY CONSTRUCTION NOISE WOULD BE LESS THAN SIGNIFICANT AND NO NEW OR ADDITIONAL MITIGATION WOULD BE REQUIRED.**

The 2035 General Plan EIR (pages 4.10-51 to 4.10-53) determined that although limiting construction to the least noise-sensitive hours of the day would help reduce construction noise impacts, it remains possible that construction activities may lead to substantial temporary or periodic increases to ambient noise levels, and the impact would be potentially significant. The 2035 General Plan EIR concluded that with Mitigation Measure NOI-4, ambient noise impacts from construction activities would be less than significant. Mitigation Measure NOI-4 requires all new development to adhere to Standard Conditions of Approval or Construction Development Standards, which restricts construction activities to daytime hours 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, and requires construction contractors to enact a series of measures that reduce noise impacts to surrounding uses, particularly residences.

The areas of the city included in the project are currently zoned such that development could occur under existing conditions. Development facilitated by the project (4,960 residential units and 75,000 square feet of office space) may have longer construction durations than development allowed by current zoning and land use designations, especially on sites that are proposed to have increased height allowances. Therefore, although impacts related to construction noise have been examined in the City's 2035 General Plan EIR, this analysis conservatively assumes that construction activities would be greater than what could occur under existing conditions.

As described in Table 4.5-5, noise levels for typical construction equipment used for residential development may exceed 80 dB at 50 feet, assuming no intervening barriers or mitigation has been applied. Since the project would allow for more intensive development in concentrated areas, additions to Mitigation Measure NOI-4 are included to ensure that construction noise from individual projects can be mitigated to a level of less than significant. When needed, the use of temporary noise barriers can reduce construction noise by 15 dBA or more.

The following revisions will be made to Mitigation Measure NOI-4 from the 2035 General Plan EIR:

Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the acceptable standards (e.g., 80 dBA  $L_{eq}$  at residential receptors during the daytime) and when the anticipated construction duration is greater than is typical (e.g., two years or greater).

Temporary noise barriers shall be constructed with solid materials (e.g., wood) with a density of

at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier. If a sound blanket is used, barriers shall be constructed with solid material with a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated sound transmission class (STC) 32 or higher.

Adherence to the construction hours and adherence to revised Mitigation Measure NOI-4 would reduce sustained construction-related noise impacts. Therefore, construction noise impacts from the project would be less than significant with revised Mitigation Measure NOI-4, and no new or additional mitigation would be required.

### **Mitigation Measures**

No new mitigation measures would be required.

### **Significance After Mitigation**

Impacts would be less than significant with revised mitigation.

**Impact NOI-2 DEVELOPMENT FACILITATED BY THE PROJECT WOULD RESULT IN A SUBSTANTIAL INCREASE IN AMBIENT NOISE LEVELS FROM OFF-SITE INCREASES IN TRAFFIC VOLUMES. POTENTIAL MITIGATION WOULD BE INFEASIBLE OR WOULD NOT GUARANTEE A REDUCTION IN NOISE BELOW SIGNIFICANCE THRESHOLDS. PERMANENT IMPACTS TO AMBIENT NOISE LEVELS WOULD BE SIGNIFICANT AND UNAVOIDABLE.**

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### **Operational On-Site Noise**

The 2035 General Plan EIR (page 4.10-37) determined that residential land uses are generally not associated with substantial permanent increases in ambient noise from long-term operations. In the case of these land uses, very specific sources of noise, such as lawn equipment or social gatherings, would be the most likely source of excessive noise. Noise sources associated with residential land uses are generally not sufficiently frequent or sustained to result in permanent substantial increases to ambient noise levels (i.e., periodic increase in the ambient noise environment would not affect average daily or hourly average noise levels). The 2035 General Plan EIR (page 4.10-37) determined that the noise-related policies of the General Plan Environmental Hazards Chapter would serve to prevent or mitigate substantial permanent increases to ambient noise levels from long-term operations of commercial and mixed use development.

The project would increase maximum allowed heights for residential and mixed use land uses in certain locations and density in the city's Priority Development Areas, and would increase the allowable number of residential units and office space in Priority Development Areas beyond the assumptions of the 2035 General Plan EIR. Following residential development, the operational use of residential property would not be expected to lead to permanent increases in ambient noise in a residential area.. Existing City Municipal Code regulations and 2035 General Plan policies would limit and minimize potential noise impacts from typical noises associated with residential uses, such as loud music; gardening equipment; and heating, ventilation, and air conditioning (HVAC) units (General Plan Policy EH-7.8, Municipal Code Section 4.1.1115).

For large buildings, HVAC units are typically located on the roof, where operational noise is greatly reduced by distance and the intervening building itself; however, for smaller buildings including smaller multi-family residential units (fewer than four stories), large HVAC units are often placed at ground level on a concrete pad adjacent to the building. As the project would increase maximum

allowed heights in certain locations and result in the construction of larger buildings, HVAC units used in development facilitated by the project would most likely be roof-mounted units that create less operational noise than units on the ground. Therefore, the project would not increase the amount or nature of HVAC units analyzed in the 2035 General Plan EIR and, by increasing the likelihood of rooftop siting, may in fact reduce the potential noise impacts from HVAC units.

The project also includes 75,000 square feet of new office space in the BTOD area. Office buildings are generally not associated with substantial permanent increases to on-site ambient noise levels since they do not utilize sources of substantial noise such as large generators. There may potentially be some increase due to the activity of vehicles in the parking areas and noise from HVAC units. The slight increase in ambient noise would not significantly increase on-site ambient noise or constitute a significant impact. As discussed in the 2035 General Plan EIR, the noise-related policies of the 2035 General Plan would serve to prevent or mitigate substantial permanent increases to ambient noise levels from long-term operations of commercial and mixed use development. The project would not substantially increase on-site ambient noise beyond the assumptions analyzed for the buildout of the 2035 General Plan.

Impacts would be less than significant.

### **Transportation-Related Noise**

The 2035 General Plan EIR (page 4.10-50) determined that even after the application of relevant, feasible regulations and 2035 General Plan policies, the impact to ambient noise levels from long-term project operation due to increases to transportation-related noise, especially that of automobile traffic, would remain significant and unavoidable. Development of land uses under implementation of the 2035 General Plan would result in traffic increases that would cause substantial permanent increases in ambient noise levels, particularly at ten major road segments where increases in the ambient noise level within 50 feet from the roadway centerline would exceed 3 dB  $L_{DN}$  by 2035.

Policies EH-7.4 and EH-7.5 would be applicable to future development and ensure that future development would be discouraged if it would significantly increase noise levels or produce high noise levels in noise-sensitive areas. Although these policies could, in certain cases, reduce or prevent significant increases in ambient noise under implementation of the 2035 General Plan, the measures described in these policies would not be universally feasible and some of the most effective noise attenuation measures, including sound walls and berms, would be infeasible or inappropriate in locations where sensitive land uses, such as residences, schools, and open space already exist. Factors which would render these mitigations infeasible include but are not limited to cost, aesthetic considerations, and negative impacts to pedestrian and bicycle connectivity. The 2035 General Plan EIR considered NOI-3 to achieve project and site-specific noise reduction features but concluded that NOI-3 would be infeasible due to the same financial and practical considerations as listed above.

The project would generate additional vehicle trips. Traffic noise impacts were estimated using average daily traffic (ADT) roadway volumes provided by Kittelson & Associates (see Appendix TRA). The percent increase between with and without project ADT traffic volumes was used to determine roadways that would experience at 100 percent increase (or doubling in traffic volumes) or more. The threshold of significance for traffic noise throughout the entire city is 3 dBA  $L_{dn}$ , or an approximate doubling of traffic volume, which is the barely perceptible limit of human ear response to noise level changes. Figure 4.5-1 shows the roadway segments in the city that would experience a doubling of traffic volume due to the project above 2020 conditions. Based on 2020 conditions, the



project would result in a decrease in traffic volume on I-580 and I-880 but would result in double or more traffic volumes on roadways near Downtown San Leandro and the BTOD area. Figure 4.5-2 shows the roadway segments in the city that would experience a doubling of traffic volume due to the project above 2040 No Project conditions. Based on 2040 conditions, the project would result in double or more traffic volumes on roadway segments throughout the city. The doubling of traffic volumes would result in a 3 L<sub>DN</sub> dBA increase in noise levels. Therefore, the project would contribute to ambient noise increase related to traffic. Impacts attributed to off-site traffic noise would be significant.

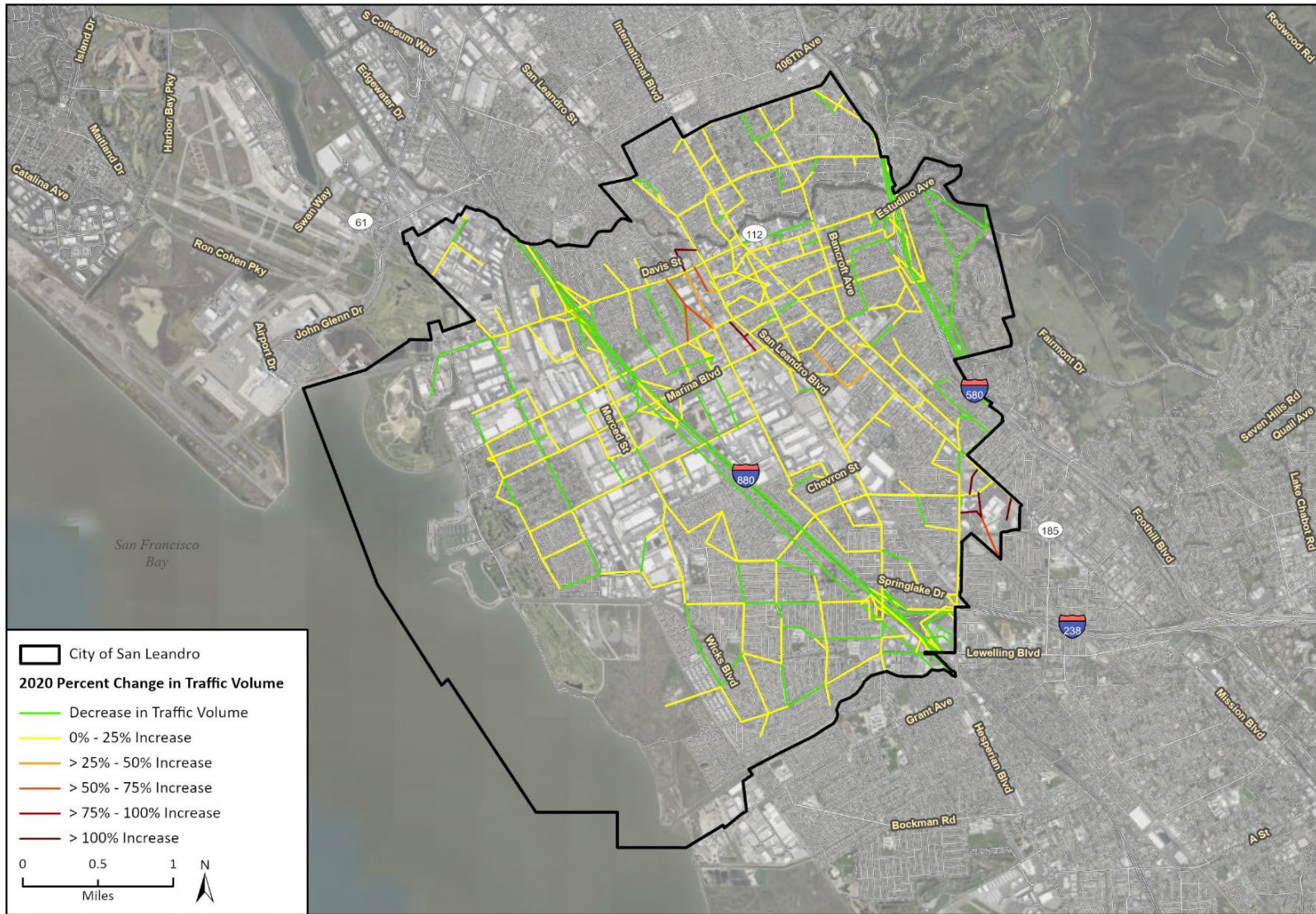
### **Mitigation Measures**

For the reasons stated in the 2035 General Plan EIR, site-specific noise reduction features, such as sound walls and berms, may not be feasible to implement or may not fully reduce traffic-related noise below threshold levels. No feasible mitigation measures are available to mitigate noise impacts to a less than significant level.

### **Significance After Mitigation**

No mitigation would reduce impacts to less than significant. Impacts would be significant and unavoidable.

**Figure 4.5-1 2020 Roadway Traffic Volume Increase**

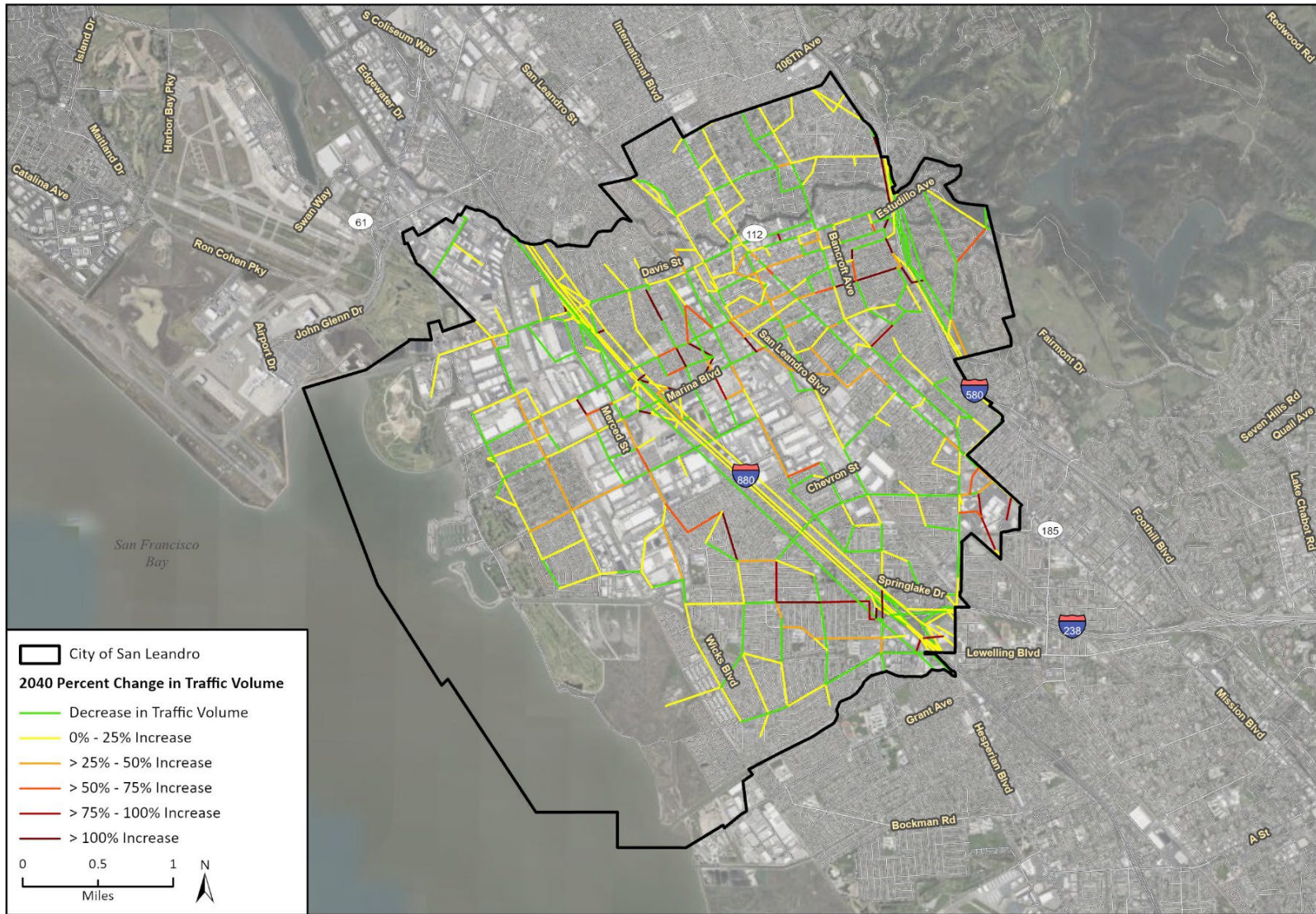


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 Additional data provided by Kittelson and Associates, 2022.

Traffic Volumes  
 Fig X 2020 Percent Change in Traffic Volume



Figure 4.5-2 2040 Roadway Traffic Volume Increase



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 Additional data provided by Kittelson and Associates, 2022.

Traffic Volumes  
 Fig X 2040 Percent Change in Traffic Volume

**Threshold 2:** Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

**Impact NOI-3** DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE RESIDENTIAL AND OFFICE SPACE AND NOT ANTICIPATED TO INVOLVE OPERATIONAL ACTIVITIES THAT COULD RESULT IN SUBSTANTIAL VIBRATION OR GROUNDBOURNE NOISE. CONSTRUCTION ASSOCIATED WITH PROJECT DEVELOPMENT COULD RESULT IN POTENTIAL VIBRATION IMPACTS FROM HEAVY EQUIPMENT. HOWEVER, ISSUANCE OF A STANDARD CONDITION OF APPROVAL BY THE CITY PRIOR TO A BUILDING PERMIT FOR PROJECTS WOULD REDUCE POTENTIAL VIBRATION IMPACTS TO SENSITIVE RESOURCES AND NEARBY RESIDENTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

### Construction-Related Groundbourne Noise and Vibration

The 2035 General Plan EIR (page 4.10-31) determined that the City's Municipal Code Section 4.1.1115, which provides restrictions for construction activities adjacent to or across the street from residential uses, and Policy EH-7.9 and Action EH-7.9A of the Environmental Hazards Chapter of the 2035 General Plan, would ensure that construction activities do not result in sustained levels of vibration that could result in architectural damage or ongoing annoyance and therefore the impact would be less than significant.

Construction from development facilitated by the project would result in varying degrees of groundborne vibration depending on the equipment and methods employed. As depicted in Table 4.5-6 above, the greatest source of vibration during most construction would be caused by use of vibratory rollers, which would create approximately 0.21 in/sec PPV at the modeled distance of 25 feet (FTA 2018).

As discussed under Thresholds of Significance above, the vibration level for potential annoyance is 72 VdB and the most conservative level for structures is 0.12 in/sec PPV for structures with high historic significance; the level is higher for residential units at 0.2 in/sec PPV, and at 0.3 in/sec PPV for commercial uses. Vibration Impacts from typical construction equipment, such as vibratory rollers and bulldozers, would not result in vibration levels above building architectural damage thresholds beyond approximately 35 feet in any direction. However, development facilitated by the project could require additional construction equipment and/or longer periods of construction than what is allowed under the current land use designations and zoning districts due to the potential for new or deeper underground parking garages or deeper foundations to support taller buildings. Pile driving may be required due to the increase in allowable height in DA-2, SA-1, SA-2, and SA-3 zoning districts to 65 feet. DA-2 is in the Downtown San Leandro area, which has a large concentration of historic resources, and it is likely that development facilitated by the project would be near a structure of historic significance (see Figure 4.4-1 in the 2035 General Plan EIR). Given typical setbacks and equipment size, a pile driver may be used within close distance of nearby buildings and structures. This analysis conservatively assumes the use of an impact pile driver, which would generate approximately 1.518 in/sec PPV at a distance of 25 feet (FTA 2018). This would exceed the building architectural damage thresholds of between 0.12 and 0.3 in/sec PPV depending on the type of building impacted.

The City issues a Standard Conditions of Approval for projects prior to the issuance of a building permit for projects that require the use of large construction equipment (e.g., vibratory roller, pile drivers). The Standard Conditions of Approval stipulate that proposed projects shall use the best available technology for construction equipment and permanent operations so that vibrations are reduced to a level consistent with FTA guidelines for annoyance and architectural damage., The

Standard Conditions of Approval stipulates that construction activity for a proposed project shall not create noise or safety hazards for adjacent residents and properties. The Standard Conditions of Approval may include a vibration control plan if near sensitive receivers such as schools or residences, or near sensitive historic resources. The City issues Standard Conditions of Approval for new construction projects that require the use of large construction equipment (e.g., vibratory rollers, dozers, pile drivers) within 135 feet for pile driving near historic structures, 100 feet for pile driving near residential structures, 40 feet for vibratory rollers near historic structures, 25 feet for vibratory rollers near residential structures, and 20 feet for dozers and other heavy earthmoving equipment. Methods to reduce construction-related vibration include the use of smaller and well-maintained equipment, use of static rollers in lieu of vibratory rollers, cast-in-place drilling as opposed to pile driving, limitations on construction hours, and guidelines for the positioning of vibration-generating equipment. The developer is required to adhere to the Standard Conditions of Approval prior to commencement of construction, and the City requires the Standard Conditions of Approval to be recorded on the property.

With issuance of a Standard Conditions of Approval for projects requiring large construction equipment, potential impacts from vibration due to construction would be minimized and would result in a less than significant level.

### **Operation-Related Groundborne Noise and Vibration**

Development facilitated by the project would not involve substantial vibration sources associated with operation. The primary sources of operational vibration would be from related vehicular traffic and the operation of HVAC units; no heavy industrial equipment would be expected in residential developments. Neither HVAC units nor light-duty vehicle traffic generate significant vibration. The Standard Condition of Approval stipulates that no use, activity, or process shall produce vibrations that are perceptible without instruments by a reasonable person at the property lines of a site. Therefore, operational vibration impacts of development facilitated by the project would be less than significant.

Implementation of the project would not result in levels of long-term operation-related groundborne noise or vibration that would exceed the FTA thresholds for annoyance or architectural damage. Therefore, impacts would be less than significant.

### **Mitigation Measures**

No mitigation measures would be required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 3:** For a project located within the vicinity of a private airstrip or 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 expose people residing or working in the project area to excessive noise levels?

**Impact NOI-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE RESIDENTIAL AND OFFICE SPACE WOULD NOT MODIFY THE CITY'S EXISTING LAND USE DESIGNATIONS AND THEREFORE WOULD NOT ADD RESIDENTIAL OR COMMERCIAL USES WITHIN THE 65 CNEL NOISE CONTOURS OF ANY PUBLIC OR PRIVATE AIRSTRIP WHERE NOT CURRENTLY ALLOWED AND WOULD THEREFORE NOT EXPOSURE PEOPLE RESIDING OR WORKING TO EXCESSIVE NOISE LEVELS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR (pages 4.10-55 to 4.10-56) concluded that development under the 2035 General Plan would not expose people residing or working in the project area to excessive noise levels due to airport-related noise. The western portion of San Leandro is in the Oakland International Airport ALUCP airport influence area. However, noise level contours with noise levels 60 dBA CNEL and greater do not reach land in San Leandro, as shown in Figure 3-3 of the ALUCP (Alameda County ALUC 2010). Therefore, the project would not be located in an area that would expose people to excessive noise levels from the Oakland International Airport.

The nearest heliport is the Sutter Medical Center Castro Valley heliport, located approximately 1.8 miles east of the city boundary. Medical heliports are typically used infrequently, and only in emergency situations. The nearest private airport is Little Hands Airport, located 7.5 miles northeast of the city limit. Due to the small number of flights operating at these private airstrips or heliports, coupled with the distances to the nearest noise-sensitive receptors within the city, the noise level impacts due to operations at these facilities do not generate substantial noise impacts in the city (City of San Leandro 2016). The project would be located in the city; therefore, it would not be impacted by excessive noise from private airstrips or heliports.

The project would not be located in an area that would expose people residing or working to excessive noise levels from public airports or private airstrips. Therefore, the impact due to noise levels produced by public and private airports would be less than significant.

### **Mitigation Measures**

No mitigation measures would be required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

## 4.5.4 Cumulative Impacts

The geographic scope for cumulative noise impacts is generally limited to areas within 0.5 mile of the project area, which is the City of San Leandro. This geographic scope is appropriate for noise because the project's noise impacts related to construction would be localized and site-specific. Beyond this distance, impulse noise may be briefly audible, but steady noise associated with development facilitated by the project would generally dissipate such that the level of noise would reduce to below the daytime and nighttime thresholds and/or blend in with the background noise level. Cumulative projects include the full development potential of the City's 2035 General Plan Land Use Diagram.

### **Short-Term Cumulative Construction Phase Impacts**

Construction activities associated with the project may overlap with construction activities for other cumulative development projects within and near the city. Construction noise is localized and rapidly attenuates within an urban environment. It remains possible that construction activities may lead to substantial temporary or periodic increases to ambient noise levels. Combined noise levels associated with simultaneous construction activities at sites in close proximity to each other may result in a significant temporary increase in ambient noise levels at noise-sensitive uses, such as residences and schools, in excess of established thresholds, and impacts would be potentially cumulatively significant. Vibration impacts from development facilitated by the project has the potential to exceed building architectural damage thresholds. Multiple developments facilitated by the project could occur near each other (i.e., less than 200 feet) in the city's PDAs, and simultaneously, noise and vibration from individual construction projects may combine to create significant cumulative impacts.

As discussed under Impacts NOI-1, adherence to the construction hours established in the Standard Conditions of Approval and adherence to revised Mitigation Measure NOI-4 for individual projects would reduce sustained construction-related noise impacts. Implementation of this revised mitigation measure would reduce the project's contribution to cumulative construction noise impacts such that it would not be cumulatively considerable with mitigation incorporated. As discussed in Impact NOI-3 projects would be required to adhere to Standard Conditions of Approval to minimize potential impacts from vibration due to construction, and individual projects would not contribute to a cumulatively considerable vibration impact. Therefore, cumulative vibration impacts would be less than significant.

### **Long-Term Cumulative Operational Noise Impacts**

#### *Traffic-Related Noise*

As discussed in Impact NOI-2, the project would result in a doubling of traffic volumes on roadway segments in the city under both 2020 and 2040 conditions as shown in Figure 4.5-1 and Figure 4.5-2, which would result in a 3  $L_{DN}$  dBA increase in noise levels in areas near those roadways. The noise contours and traffic-related noise levels developed for the project include and account for regional travel patterns as they affect traffic levels in San Leandro. Existing and future traffic volumes, as well as cumulative traffic noise increases, were discussed above in Impact NOI-2. These traffic counts inherently include cumulative traffic as generated by regional trips. This data accounts for growth both within San Leandro under the project as well as anticipated regional growth. As discussed in Impact NOI-2, cumulative impacts would remain significant and unavoidable because no feasible mitigation measures are available to mitigate noise impacts to a less than significant level in all

cases. Therefore, the incremental effect of traffic-related noise from development facilitated by the project would be significant and unavoidable.

#### *On-Site Operational Noise*

As discussed in Impact NOI-2, the primary source of cumulative operational noise associated with development facilitated by the project would be HVAC units. Similar to construction noise and vibration, operational noise from these sources is localized and rapidly attenuates within an urbanized setting due to the effects of intervening structures and topography that block the line of sight, and due to other noise sources closer to receivers that obscure project-related noise. Any proposed HVAC units would be required to incorporate siting or baffling considerations to comply with the exterior noise standards in Table 4.5-4. Therefore, the incremental effect of operational HVAC noise from development facilitated by the project would not be cumulatively considerable.



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## 4.6 Population and Housing

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This section evaluates potential significant impacts to population and housing that could result from implementation of the project. The analysis in this section considers the population and housing analysis contained in the 2035 General Plan EIR, supplemented by analysis of potential changes proposed by the project.

### 4.6.1 Setting

#### Population

The City of San Leandro had an estimated population of 88,404 residents in 2022, representing approximately 5.4 percent of the Alameda County population of 1,651,979 (DOF 2022). The city's population increased by 3,454, or approximately 4.1 percent, from the 2010 population of 84,950.

The city's population change from 2010 to 2020 is shown in Table 4.6-1. The city's population grew by approximately 4.2 percent between 2010 to 2015 but decreased slightly from 2015 to 2020. Total growth from 2010 to 2020 was 2,890, or approximately 3.4 percent.

**Table 4.6-1 City of San Leandro Population Growth**

	2010	2015	2020
Population	84,950	88,537	87,840
Difference from Previous Five Years	—	3,597	-697
Percent Total Change from Previous Five Years	—	4.2%	-0.8%

Source: DOF 2022

The 2035 General Plan EIR assumed up to 14,790 new residents between 2015 and 2035, a 16.7 percent increase.

#### Housing

As of January 1, 2022, there were 32,952 housing units in the city.

The average household size in the city is 2.75 persons. Between 2010 and 2020, the number of housing units increased in the city by 533, including 266 detached or attached single family units and 165 multi-family units (DOF 2022). Attached and detached single family units increased by 1.2 percent and multi-family units increased by 2.6 percent, totaling a percent increase that is lower than the city's 3.4 percent increase in population between 2010 and 2020.

The 2035 General Plan EIR assumed 5,370 new housing units between 2015 and 2035, a 17.1 percent increase, to a total of 36,685 units by 2035. The city had 31,970 housing units in 2015. Between 2015 and 2022, housing increased by 982 units (approximately 3.1 percent) (DOF 2022). The 2035 General Plan estimated an annual growth rate of 268.5 units per year, equating to an increase of 1,880 units between 2015 and 2022. Actual growth (3.1 percent) was just over half of than the 2035 General Plan estimated growth (5.9 percent) for this time period.

## 4.6.2 Regulatory Setting

The following section summarizes regulations that pertain to population and housing.

### **State**

#### *California Housing Element Law*

Section 65583 of the California Government Code requires cities and counties to prepare a housing element, as one of the state-mandated elements of the General Plan, with specific direction on its content.

Pursuant to California Government Code Section 65584(a)(1), the California Department of Housing and Community Development (HCD) is responsible for determining the regional housing needs assessment (segmented by income levels) for each region's planning body known as a "council of governments" (COG). ABAG is the COG serving the San Francisco Bay area. HCD prepares an initial housing needs assessment and then coordinates with each COG to arrive at the final regional housing needs assessment. To date, there have been five previous housing element update "cycles." California is now in its sixth "housing-element update cycle." The ABAG RHNA and the City's General Plan Housing Element are discussed further below. California Government Code Section 65584(a)(2) states that jurisdictions should undertake all necessary actions to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need, and reasonable actions should be taken by local and regional governments to ensure that future housing production meets, at a minimum, the regional housing need established for planning purposes.

Pursuant to California Government Code Section 65583.2(g)(3), the Housing Element is required to include a program to impose housing replacement requirements on certain sites identified in the inventory of sites. Under these requirements, the replacement of units affordable to the same or lower income level, consistent with those requirements set forth in State Density Bonus Law (Government Code Section 65915(c)(3)), would be required.

Pursuant to Section 65583(c)(7), the Housing Element must develop a plan that incentivizes and promotes the creation of ADUs that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low, or moderate-income households.

#### *AB 1763*

AB 1763, effective January 1, 2020, amends the State Density Bonus Law (Section 65915) to allow for taller and denser 100 percent affordable housing developments, especially those near transit, through the creation of an enhanced affordable housing density bonus.

#### *Senate Bill 375*

Senate Bill 375 focuses on aligning transportation, housing, and other land uses to achieve regional GHG emission reduction targets established under the California Global Warming Solutions Act, also known as AB 32. SB 375 requires Metropolitan Planning Organizations (MPO) to develop a Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan, with the purpose of identifying policies and strategies to reduce per capita passenger vehicle-generated GHG emissions. As set forth in SB 375, the SCS must: (1) identify the general location of land uses, residential densities, and building intensities within the region; (2) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period; (3) identify areas within the region sufficient to

house an eight-year projection of the regional housing need; (4) identify a transportation network to service the regional transportation needs; (5) gather and consider the best practically available scientific information regarding resource areas and farmland in the region; (6) consider the state housing goals; (7) establish the land use development pattern for the region which, when integrated with the transportation network and other transportation measures and policies, will reduce GHG emissions from automobiles and light-duty trucks to achieve GHG emission reduction targets set by the California Air Resources Board (CARB), if there is a feasible way to do so; and (8) comply with air quality requirements established under the Clean Air Act.

#### *Housing Crisis Act of 2019 (SB 330, Skinner)*

The Housing Crisis Act of 2019 (SB 330) seeks to speed up housing production in the next half decade by eliminating some of the most common entitlement impediments to the creation of new housing, including delays in the local permitting process and cities enacting new requirements after an application is complete and undergoing local review—both of which can exacerbate the cost and uncertainty that sponsors of housing projects face. In addition to speeding up the timeline to obtain building permits, the bill prohibits local governments from reducing the number of homes that can be built through down-planning or down-zoning or the introduction of new discretionary design guidelines. The bill is in effect as of January 1, 2020 and expires on January 1, 2025.

#### *Relocation Assistance: California Government Code Section 7261(a)*

Section 7261(a) of the California Government Code requires that programs or projects undertaken by a public entity must be planned in a manner that (1) recognizes, at an early stage in the planning of the programs or projects and before the commencement of any actions which will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and (2) provides for the resolution of these problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion. The displacing agency must ensure the relocation assistance advisory services are made available to all persons displaced by the public entity. If the agency determines that any person occupying property immediately adjacent to the property where the displacing activity occurs has caused substantial economic injury as a result of the displacement, the agency may also make the advisory services available to that person.

## **Regional**

### *Plan Bay Area 2050*

Plan Bay Area 2050 serves as the third RTP/SCS for the Bay Area and is a major update to Plan Bay Area 2040 while accompanying a current RHNA cycle. Plan Bay Area 2050 focuses on four interrelated elements: housing, the economy, transportation, and the environment. Plan Bay Area 2050 is composed of 35 integrated strategies that provide a blueprint for how the Bay Area can accommodate future growth and make the region more equitable and resilient in the face of unexpected challenges and achieve regional GHG emissions reduction targets established by the California Air Resources Board (CARB) pursuant to SB 375. Strategies in the context of Plan Bay Area 2050 are defined as either a public policy or a set of investments that can be implemented in the Bay Area over the next 30 years. However, Plan Bay Area 2050 does not mandate any changes to local zoning rules, general plans or processes for reviewing projects; nor does the plan create an enforceable direct or indirect cap on development locations or targets in the region (ABAG/MTC 2021).

## **Local**

### *City of San Leandro General Plan*

The 2035 General Plan, adopted in 2016, was prepared pursuant to State law to guide future development and to identify the community's environmental, social, and economic goals and functions as a blueprint that defines how the City will evolve through 2035. The General Plan sets forth goals, objectives, and programs to provide a guideline for day-to-day land use policies and to meet the existing and future needs and desires of the community, while at the same time integrating a range of State-mandated elements including Land Use, Transportation, Economic Development, Community Services and Facilities, and Open Space, Conservation, and Parks (City of San Leandro 2016a).

The Housing Element of the General Plan is prepared pursuant to state law and provides planning guidance in meeting the housing needs identified in ABAG's RHNA. The Housing Element identifies the City's housing conditions and needs, and establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy. The current 2015-2023 Housing Element (responsive to the 5<sup>th</sup> RHNA cycle) was adopted by the City Council in January 2015.

### *San Leandro Municipal Code*

Zoning regulations provide for the types and densities of residential and other uses permitted in each of the City's zoning districts. Zoning in the City establishes the maximum allowable development in a zoning district. Zoning also includes height limitations and other development standards which together regulate development standards, such as setbacks, building heights, floor area ratios (FAR), open space and parking for each parcel in the city, as applicable.

## 4.6.3 Impact Analysis

### **a. Significance Thresholds and Methodology**

#### **Significance Thresholds**

The following thresholds of significance were developed based on the CEQA Guidelines, specifically from Appendix G. Accordingly, the project would have a significant impact with respect to population and housing if it would:

1. Induce substantial unplanned 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).
2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

### **b. Prior Environmental Analysis**

Chapter 4.11 (Population and Housing) of the 2035 General Plan EIR analyzes the 2035 General Plan's impacts related to population, housing, and employment. The 2035 General Plan EIR determined that the 2035 General Plan anticipated an increase of up to 14,790 new residents by 2035. Buildout under the 2035 General Plan would be consistent with regional projections and would not induce unexpected population growth. Implementation of the 2035 General Plan would not displace substantial numbers of people or substantial numbers of existing housing units,

necessitating the construction of replacement housing. All impacts related to population and housing were determined to be less than significant in the 2035 General Plan EIR (pages 4.11-6 through 4.11-12), including cumulative impacts with respect to population and housing (City of San Leandro 2016b).

### **c. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project induce substantial unplanned 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)?

**Impact PH-1 THE PROJECT WOULD BE CONSISTENT WITH THE RHNA, THE 2035 GENERAL PLAN, AND PLAN BAY AREA 2050 POPULATION FORECASTS. THE PROJECT WOULD NOT INDUCE UNPLANNED GROWTH DIRECTLY OR INDIRECTLY, AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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As described in Chapter 2, *Project Description*, this SEIR assumes an additional 2,500 residential units in the Downtown TOD and East 14<sup>th</sup> Street Corridor Priority Development Areas compared to what was analyzed in the 2035 General Plan EIR, and an increase of 2,460 housing units and 75,000 square feet of office space in the BTOD area over what was assumed in the 2018 BTOD Specific Plan EIR due to the identification of new housing and mixed use opportunity sites in the BTOD area. In total, the project would include a net increase of 4,960 residential units and 75,000 square feet of office space in the three Priority Development Areas in the city compared to the assumptions analyzed in the 2035 General Plan EIR. Employment associated with the 75,000 additional square feet of commercial development would likely be filled by existing residents in the city or neighboring jurisdictions and would not result in substantial population growth. Updates to the Environmental Hazards Element and the implementation of the policies included in the Environmental Justice Element would not result in impacts to population growth.

### **Consistency with the 2035 General Plan**

The project would generate an increase of 4,960 housing units above projections of the 2035 General Plan. Since the new housing units would be multifamily units, it can be assumed that the average household size would be smaller than the average for the city. The VMT analysis provided for the project by Kittelson and Associates (Appendix TRA) assumed a persons per household population of 2.5 based on the average multifamily household size. Using this estimate, the 4,960 housing units would support an estimated 12,400 residents beyond what was estimated for the 2035 General Plan. The 2035 General Plan EIR assumed a population of 101,250. Thus, under the project, San Leandro's population with the project would be 113,650.

The increase in population as a result of the project would be 12.2 percent above the buildout projection of the 2035 General Plan EIR. The assumed population increase would occur in areas that are generally developed and located near existing residential uses, transit corridors, job centers, neighborhood services, and amenities, consistent with the goals of the 2035 General Plan. As described in Chapter 2, *Project Description*, the project would allow sufficient density to accommodate the RHNA and reduce identified constraints to housing development. The project would update the Housing Element of the 2035 General Plan and bring it into compliance with California Housing Element Law, specifically California Government Code Section 65584, which directs jurisdictions to undertake all necessary actions to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need. Therefore, the project

would be consistent with the 2035 General Plan and California Housing Element Law, and the increase in population would not be substantial or unplanned.

### **Consistency with the RHNA**

The State requires that all local governments adequately plan to meet the housing needs of their communities. Given that the state is currently in an ongoing housing crisis due to an insufficient housing supply, the additional units under the project would further assist in addressing the existing crisis and meeting the housing needs of the city's communities. All growth under the project would be planned to accommodate development required to meet the City's RHNA allocation. Furthermore, the Housing Element Update would first be submitted to the HCD for review and approval to ensure that it would adequately address the housing needs and demands of the city. Approval by the HCD would ensure that population and housing growth under the project would not be substantial or unplanned.

### **Consistency with Plan Bay Area 2050**

Plan Bay Area 2050 does not provide population forecasts by jurisdiction. Therefore, the population forecast for San Leandro is extrapolated based on available information included in the plan's supportive documents. The Plan Bay Area 2050 Growth Pattern assumes a 33 percent growth in households from 2015 to 2050 Central Alameda County, an area that includes the City of San Leandro, or 40,000 households between 2015 to 2050. This growth equates to approximately 1,143 households per year (40,000 divided by 35 years).

In 2022, San Leandro and Hayward had a combined population of 248,995, and San Leandro's population (88,404) comprised 35.5 percent of the total. Therefore, it can be assumed that San Leandro's annual household growth forecasted in Plan Bay Area would be 35.5 percent of 1,143, or approximately 406 households. Using San Leandro's current persons per household rate of 2.75 persons per household, the annual population growth would occur at an estimated 1,117 residents<sup>1</sup>. Multiplying 1,117 residents by 28 years (2022 to 2050), the population growth estimate for San Leandro based on the projections of the Plan Bay Area 2050 Growth Pattern is 31,276 residents. Adding that number to the 2022 population, the total population estimate is 119,680.

The project's contribution to the city's population of 12,400 residents, with the total expected city population of 113,650, would not exceed the population estimate for San Leandro under the assumptions of the Plan Bay Area 2050; therefore, the project's contribution would not be considered unplanned population growth.

### **Growth-Inducing Impacts**

As discussed in Section 4.9, *Utilities and Service Systems*, the city is mostly developed and is supported by existing infrastructure even in the relatively few vacant areas available for new development. The project does not require new construction or expansion of existing roadway infrastructure (e.g., new roads). Accordingly, the project would not create new roads or other infrastructure that would be sized to accommodate additional population growth beyond the growth disclosed herein. Therefore, the project would not induce substantial unplanned population growth, either directly or indirectly, and impacts would be less than significant.

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<sup>1</sup> Calculation: 2.75 persons per household multiplied by 406 households equals 1,117 residents.

## Mitigation Measures

Impacts would be less than significant. Therefore, mitigation is not required.

**Threshold 2:** Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**IMPACT PH-2 THE PROJECT WOULD ACCOMMODATE INCREASED RESIDENTIAL DEVELOPMENT IN PRIORITY DEVELOPMENT AREAS ON SITES THAT ARE CURRENTLY ZONED FOR RESIDENTIAL AND MIXED USE DEVELOPMENT. THE PROJECT WOULD THEREFORE NOT RESULT IN THE DISPLACEMENT OF PEOPLE OR HOUSING, AND THERE WOULD BE NO IMPACT.**

For the purpose of this analysis, “substantial” displacement would occur if allowed land uses would displace more residences than would be accommodated through growth facilitated by the project. As discussed in the 2035 General Plan EIR, displacement of existing residential units could occur during potential redevelopment, and there is the potential that increased residential growth could temporarily displace existing housing units. The project consists of updating the General Plan Housing Element, as well as other General Plan elements, and no actual development is proposed as part of the update. The project analyzed in this SEIR would not result in displacement of existing housing beyond the impacts identified in the 2035 General Plan EIR because it would accommodate an increased number of housing units on sites already zoned for housing development and thus facilitate an increase in housing supply. Therefore, the potential for temporary displacement of residents on any particular location remains the same as it is under the current 2035 General Plan land use designations and the City’s zoning code.

Additionally, the Housing Element Update includes proposed policies and programs to increase tenant services and protections. Goal 4 and related policies support low-income residents from displacement and increase community stability:

### Goal 4: Protect Residents from Displacement

- P.4.1** Minimize Displacement of Vulnerable Residents. The City shall make all neighborhoods places of opportunity while minimizing the involuntary displacement of vulnerable populations, such as low-income households, seniors on fixed incomes, and people with disabilities, due to increased housing costs.
- P.4.2** Strengthen Tenant Protections. The City shall explore options to strengthen measures for eviction prevention, limits on sudden or annual rent increases, and tenant relocation assistance.
- P.4.3** Support Households Impacted by Foreclosure. The City shall work to identify funding to establish counseling and other resources to assist households at risk of foreclosure.
- P.4.4** Support Alternative Ownership Models. The City shall support resident-driven alternative ownership models to help low-income residents remain in their communities and build equity (e.g.: land trusts, tenant opportunity to purchase programs, etc.).
- P.4.5** Support Affordable Home Ownership Opportunities. The City shall promote home ownership programs and opportunities for moderate and low-income households.
- P.4.6** Support Regional Partnerships. The City shall partner with local and regional organizations to identify joint strategies and funding opportunities to help stabilize neighborhoods and protect vulnerable residents.



Therefore, the project would not result in displacement of a substantial numbers of existing people or housing beyond what was analyzed in the 2035 General Plan EIR, and there would be no impact.

### **Mitigation Measures**

There would be no impact. Therefore, mitigation is not required.

#### **4.6.4 Cumulative Impact Analysis**

Cumulative population and housing impacts consider residential and nonresidential development and growth in the city.

### **Inducement of Substantial Population Growth**

The cumulative projects in the city would have the potential to result in a significant cumulative impact if they would, in combination, directly or indirectly induce substantial unplanned population growth. The project would accommodate all projected citywide population and housing growth through 2031. Employment growth would be mostly filled by the existing workforce and would not induce substantial population growth. Therefore, cumulative impacts relating to population and housing would be the same as project impacts under Impact PH-1 and would be less than significant. The project incorporates regional growth anticipated by ABAG's RHNA projections and thus considers cumulative growth.

### **Displacement of People and Housing**

The project would not result in the displacement of people or housing above what was considered in the 2035 General Plan EIR. Additionally, the Housing Element Update's proposed goals, policies, and programs support the development of housing for low-income and special needs populations and tenant protections and services. Therefore, the project would not contribute to cumulative impacts.

## 4.7 Public Services and Recreation

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This section assesses potential impacts to public services, including fire and police protection, public schools, libraries, and parks and recreation that could result from implementation of the project. The analysis in this section considers the public service and recreation analysis contained in the 2035 General Plan EIR, supplemented by analysis of potential changes proposed by the project.

### 4.7.1 Setting

#### **Fire Protection**

The Alameda County Fire Department (ACFD) provides fire protection and emergency medical service to San Leandro. ACFD is divided into four branches: Operations, Special Operations, Fire Prevention, and Administrative Support Services. These branches provide services such as advanced life support, fire suppression, hazardous materials response, urban search and rescue, water rescue, community outreach and education, disaster preparedness, fire code compliance, and regional dispatch to residents within ACFD's service area (ACFD 2021a, City of San Leandro 2021).

The following ACFD fire stations serve the City of San Leandro (ACFD 2021b):

- Station No. 9, 450 Estudillo Avenue, San Leandro
- Station No. 10, 2194 Williams Street, San Leandro
- Station No. 11, 14903 Catalina Street, San Leandro
- Station No. 12, 1065 143<sup>rd</sup> Avenue, San Leandro
- Station No. 13, 637 Fargo Avenue, San Leandro
- Station No. 24, 1430 164<sup>th</sup> Avenue, San Leandro

#### **Police Protection**

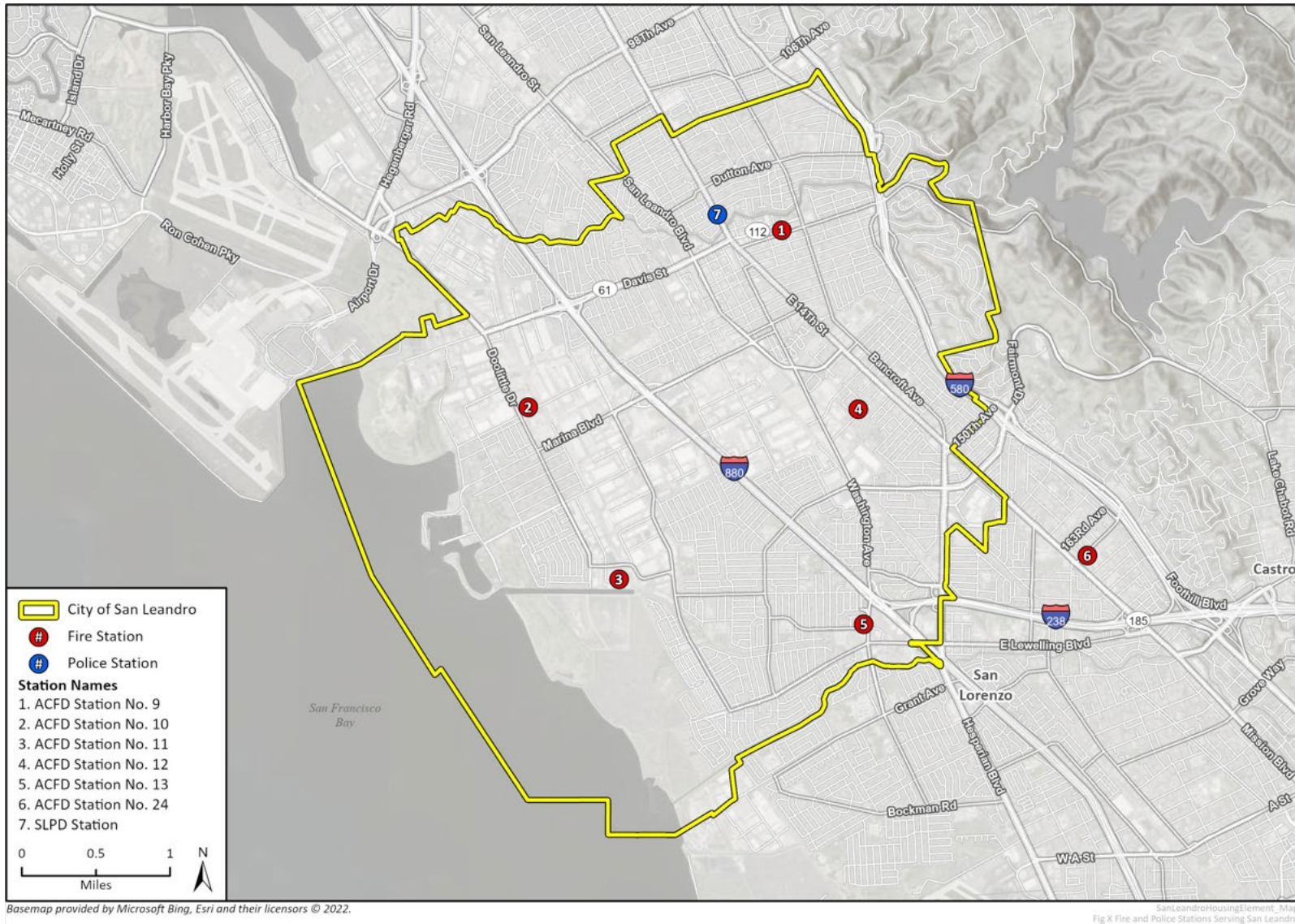
The San Leandro Police Department (SLPD) provides law enforcement services for the city. SLPD has one police station located at San Leandro City Hall at 835 East 14<sup>th</sup> Street. As of 2019, SLPD is staffed by 90 sworn personnel and 44 civilian employees (SLPD 2019).

Fire and police stations in San Leandro are shown in Figure 4.7-1.

#### **Public Schools**

The San Leandro Unified District (SLUSD) and San Lorenzo Unified School District provide public educational services to San Leandro. The project would amend land use designation and zoning district standards in a select portion of the city, as described in Section 2, *Project Description*. These areas are in the SLUSD and therefore only impacts to SLUSD are analyzed in this SEIR. SLUSD serves approximately 8,828 students. SLUSD schools are organized as kindergarten through 5<sup>th</sup> grade elementary schools, 6<sup>th</sup> through 8<sup>th</sup> grade middle schools, and 9<sup>th</sup> through 12<sup>th</sup> grade high schools. SLUSD manages eight elementary schools, two middle schools, two high schools, and one adult education school. Table 4.7-1 shows public school student enrollment for SLUSD schools.

Figure 4.7-1 Fire and Police Stations Serving San Leandro



**Table 4.7-1 SLUSD Public School Enrollment**

School	2020/2021 Enrollment <sup>1</sup>
Garfield Elementary	316
Jefferson Elementary	540
Madison Elementary	584
McKinley Elementary	447
Monroe Elementary	413
Roosevelt Elementary	520
Washington Elementary	438
Wilson Elementary	750
Bancroft Middle	952
John Muir Middle	972
San Leandro High	2,697
Lincoln Alternative	168
Other <sup>2</sup>	31
<b>Total</b>	<b>8,828</b>

<sup>1</sup> California Department of Education 2021a  
<sup>2</sup>Includes adult education and nonpublic, nonsectarian schools

According to SLUSD’s 2020 Developer Fee Justification Study, the district is slightly under capacity, with enrollment availability for 73 additional students. Broken down by grade level, kindergarten through 6<sup>th</sup> grade facilities are over capacity by 282 students, 7<sup>th</sup> through 8<sup>th</sup> grades have an available capacity for 532 students, and 9<sup>th</sup> through 12<sup>th</sup> grade facilities are over capacity by 178 students (SLUSD 2020). Special education has available capacity for one student.

**Community Library**

The City of San Leandro Public Library (SLPL) serves the city with the Main Library, the Manor Branch, the Mulford-Marina Branch, and the South Branch. The library is funded through the City’s general fund (City of San Leandro 2021b).

**Parks and Recreational Services**

*Parkland*

The City of San Leandro Recreation Division (SLRHS) maintains neighborhood parks, school facilities, special use recreation areas, community parks, and golf courses in the city, totaling 382.8 acres of improved parkland. Table 4.7-2 lists the existing parks and their areas.

**Table 4.7-2 Existing Parks and Recreation Areas**

<b>Park Name</b>	<b>Park Area (acres)</b>
<b>School Facilities<sup>1</sup></b>	<b>81.7</b>
Bancroft Middle	4.2
Corvallis Elementary	6.0
Dayton Elementary	0.5
Garfield Elementary	4.3
Jefferson Elementary	5.6
Lewelling Campus	5.2
Madison Elementary	6.4
McKinley Elementary	3.2
Monroe Elementary	2.8
John Muir Middle	11.1
Roosevelt Elementary	3.9
San Leandro High School	15.6
Washington Elementary	1.3
Washington Manor	4.9
Wilson Elementary	6.7
<b>Regional Parks</b>	<b>19</b>
Oyster Bay	19
<b>Community Parks</b>	<b>36.7</b>
Chabot	4.8
Marina	17.9
Washington Manor	14.0
<b>Neighborhood Parks</b>	<b>42.2</b>
Bonaire	5.4
Cherry Grove	7.0
Floresta	0.8
Grover Cleveland	1.0
Halcyon	4.9
McCartney	1.6
Memorial	2.7
Mulford	1.4
Siempre Verde	1.8
Stenzel	9.3
Thrasher	4.2
Toyon	2.1
<b>Mini Parks</b>	<b>4.7</b>
Halcyon Dr Linear	0.7
Heron Bay	1.4
Root	0.8

Park Name	Park Area (acres)
Victoria Circle	0.3
Warden	0.3
Cherrywood	0.9
Cherry Glen	0.3
<b>Special Use Parks</b>	<b>20.5</b>
Farrelly	0.5
Heath	0.7
Burrell/Pacific Sports <sup>2</sup>	13.7
San Leandro Ball Park	5.6
<b>Golf Courses</b>	<b>178.0</b>
<b>Total</b>	<b>382.8</b>

Source: City of San Leandro 2016c

<sup>1</sup> SLUSD and SLZUSD schools

<sup>2</sup> Owned and operated by SLUSD

The 2035 General Plan’s Open Space, Parks, and Conservation Element outlines a goal to provide at least 5 acres of improved parkland for every 1,000 residents. As discussed in Section 4.11, *Population and Housing*, the population of San Leandro is currently estimated at 87,289 residents. As shown in Table 4.7-3, the city has approximately 4.34 acres of improved parkland per 1,000 residents.

**Table 4.7-3 San Leandro Parkland Space per 1,000 Residents**

Existing Parkland (acres)	Plan Area Population (2021)	Acres per 1,000 Residents
382.8	87,289	4.34

Source: City of San Leandro 2016c; DOF 2021

The City intends to achieve this goal by working with the East Bay Regional Park District to continue the improvement of Oyster Bay Regional Shoreline and to develop the East Bay Greenway, and by requiring on-site parkland within new development where appropriate. The City also intends to supplement traditional parks with urban plazas, creek-side parks, and community gardens. The 2035 General Plan projects that the city will have a population of approximately 102,300 by 2035; therefore, the City would need a total of 511 acres of parkland to meet their goal of five acres of improved parkland per 1,000 residents (City of San Leandro 2016c).

### *Recreational Facilities*

In addition to parks and open space, the City maintains public pools, community centers, and sports fields. The City maintains three public pools including: Farrelly Pool, an outdoor, heated lap-swimming pool; San Leandro Boys and Girls Club pool, an indoor, heated lap-swimming pool; and the San Leandro Family Aquatic Center, an outdoor, heated water park with play structures, water slides, and three 25-yard lap lanes (City of San Leandro 2021a). The Marina Community Center contains a variety of rooms available for events, including a patio, an auditorium, and several multi-purpose rooms that are available to rent. In addition, the Senior Community Center contains a main hall, meeting rooms, health and fitness facilities, and arts and crafts rooms (City of San Leandro 2021b).

## 4.7.2 Regulatory Setting

### **Federal Regulations**

#### *Occupational Safety and Health Administration*

The Federal Occupational Safety and Health Administrations (OSHA) as well as California OSHA (Cal-OSHA) enforce the provisions of the federal and state Occupational Safety and Health Acts, respectively, which collectively require safety and health regulations for construction under Part 1926 of Title 29 Code of Federal Regulations (CFR). The fire-related requirements of the Federal Occupational Safety and Health Act are specifically contained in Subpart F, Fire Protection and Prevention, of Part 1926. Examples of general requirements related to fire protection and prevention include maintaining fire suppression equipment specific to construction on-site; providing a temporary or permanent water supply of sufficient volume, duration, and pressure; properly operating the on-site fire-fighting equipment; and keeping storage sites free from accumulation of unnecessary combustible materials.

#### *Federal Emergency Management Act (FEMA)*

FEMA was established in 1979 via executive order and is an independent agency of the federal government. In March 2003, FEMA became part of the U.S. Department of Homeland Security with the mission to lead the effort in preparing the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

#### *Disaster Mitigation Act of 2000*

Disaster Mitigation Act (42 United States Code [U.S.C.] Section 5121) provides the legal basis for FEMA mitigation planning requirements for state, local, and Indian Tribal governments as a condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. Section 5121-5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need and creates incentives for state, tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This Act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- Funding pre-disaster mitigation activities
- Developing experimental multi-hazard maps to better understand risk
- Establishing state and local government infrastructure mitigation planning requirements
- Defining how states can assume more responsibility in managing the Hazard Mitigation Grant Program (HMGP)
- Adjusting ways in which management costs for projects are funded

The mitigation planning provisions outlined in Section 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of

damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

## **State Regulations**

### *Fire Protection*

#### **CALIFORNIA BUILDING CODE AND CALIFORNIA FIRE CODE**

The California Building Code (California Code of Regulations [CCR], Title 24, Part 2) is a compilation of building standards, including general fire safety standards for new buildings, which are presented with more detail in the California Fire Code (CCR Title 24, Part 9). California Building Code standards are based on building standards that have been adopted by state agencies without change from a national model code; building standards based on a national model code that have been changed to address California conditions; and building standards authorized by the California legislature but not covered by the national model code. The 2019 edition of the California Building Code became effective on January 1, 2020.<sup>1</sup> The building standards in the California Building Code apply to all locations in California, except where more stringent standards have been adopted by state agencies and local governing bodies. Typical fire safety requirements of the California Fire Code include: the installation of fire sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures within wildfire hazard areas.

#### **CALIFORNIA FIRE SERVICE AND RESCUE EMERGENCY AID SYSTEM**

ACFD participates in the California Fire Service and Rescue Emergency Mutual Aid System through which the California Governor's Office of Emergency Service (OES), Fire and Rescue Division is responsible for the development, implementation and coordination of the California Fire Service and Rescue Emergency Mutual Aid Plan (Mutual Aid Plan) (Governor's Office of Emergency Services, Fire and Rescue Division 2014). The Mutual Aid Plan outlines procedures for establishing mutual aid agreements at the local, operational, regional, and State levels, and divides the State into six mutual aid regions to facilitate the coordination of mutual aid. ACFD is located in Region II. Through the Mutual Aid Plan, the OES is informed of conditions in each geographic and organizational area of the state, and the occurrence or imminent threat of disaster.

#### **CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES)**

In 2009, the State of California passed legislation creating the Cal OES and authorized it to prepare a Standard Emergency Management System (SEMS) program (Gov. Code Section 8607; Title 19 CCR Section 2401 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters. In California, SEMS provides the mechanism by which local government requests assistance. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. Cal OES coordinates the state's preparation for, prevention of, and response to major disasters, such as fires, floods, earthquakes and terrorist attacks. During an emergency, Cal OES serves as the lead state agency for emergency management in the state. It also serves as the lead agency for mobilizing the state's resources and obtaining federal resources. Cal OES coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with

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<sup>1</sup> California Building Code (CCR, Title 24, Part 2).



local government. Local jurisdictions first use their own resources and, as they are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system. California Emergency Management Agency (Cal-EMA) maintains oversight of the state’s mutual aid system.

### *Public Schools*

#### **SENATE BILL 50**

The Leroy F. Greene School Facilities Act of 1998 (known as the Greene Act), enacted in 1998, is a program for funding school facilities largely based on matching funds. For new school construction, grants provide funding on a 50/50 State and local match basis. For school modernization, grants provide funding on a 60/40 State and local match basis. Districts that are unable to provide some, or all, of the local match requirement and are able to meet the financial hardship provisions may be eligible for additional State funding (State of California, Office of Public School Construction 2019).

The Greene Act permits the local district to levy a fee, charge, dedication, or other requirement against any development project within its boundaries, for the purpose of funding the construction or reconstruction of school facilities. The Act also sets a maximum level of fees a developer may be required to pay. Pursuant to Government Code Section 65996, the payment of these fees by a developer serves to mitigate all potential impacts on school facilities that may result from implementation of a project to a less-than-significant level.

### *Parks and Recreation*

#### **QUIMBY ACT**

California Government Code Section 66477, also known as the Quimby Act, was enacted by the California legislature in 1965. The Quimby Act authorizes cities and counties to enact ordinances requiring the dedication of land, or the payment of fees for park and/or recreational facilities in lieu thereof, or both, by developers of residential subdivisions as a condition to the approval of a tentative tract map or parcel map.

### *Public Facilities*

#### **MELLO-ROOS COMMUNITY FACILITIES ACT**

The Mello-Roos Community Facilities Act, Government Code Section 53311 et seq., provides an alternative method of financing certain public capital facilities and services through special taxes. This state law empowers local agencies to establish Community Facilities Districts (CFDs) to levy special taxes for facilities such as libraries. Such districts exist within San Leandro.

### **Local Regulations**

#### *Fire Protection*

#### **CITY OF SAN LEANDRO 2035 GENERAL PLAN**

The City of San Leandro’s 2035 General Plan Community Services and Facilities Element addresses the provision of community services, including fire protection. Additionally, the element emphasizes the importance of reducing risk and the effects of disaster prevention and/or preparedness (City of

San Leandro 2016a). The following policies found within the element are applicable to fire protection services within the City:

**Goal CSF-1.** Provide and maintain high-quality police, fire, and emergency medical services.

**Policy CSF-1.1** Maintain high-quality police and fire protection services through the most efficient and effective possible means. The following minimum level of service standards for police and fire response time (exclusive of dispatch time) shall be maintained: (a) Police Services: 5 minute response time for 90 percent of all Priority One calls; (b) Fire Services: 5 minute response time for first due company for 90 percent of all emergency incidents, excluding freeway responses (3 firefighters including at least one paramedic); 10 minute response time for 90 percent for a full first alarm assignment response (17 firefighters).

**Policy CSF-1.5** Require Police and Fire Department review of proposed development plans to ensure that sufficient provisions for emergency access and response are made, fire code requirements are satisfied, and adequate levels of service can be provided.

### **SAN LEANDRO MUNICIPAL CODE**

San Leandro Municipal Code (SLMC) Title 1, General Provisions and Administration, and Title 3, Health and Safety, include regulations relevant to fire protection services in San Leandro.

Section 1-2-129, Functions of Fire Department, outlines the terms of the agreement for fire protection services between the City of San Leandro and the Alameda County Fire Department (ACFD).

Section 7-5-800 adopts the California Fire Code, which contains regulations for safeguarding life and property from the hazards of fire and explosion; dangerous conditions arising from the storage, handling, and use of hazardous materials; and hazardous conditions in the use of occupancy of buildings. Development within San Leandro would be required to comply with the requirements on the California Fire Code.

#### *Police Protection*

The City of San Leandro's 2035 General Plan Community Services and Facilities Element addresses the provision of community services, including law enforcement. Additionally, the element emphasizes the importance of reducing risk and the effects of disaster prevention and/or preparedness (City of San Leandro 2016a). The following policies found within the element are applicable to police protection services within the City:

**Goal CSF-1.** Provide and maintain high-quality police, fire, and emergency medical services.

**Policy CSF-1.1** Maintain high-quality police and fire protection services through the most efficient and effective possible means. The following minimum level of service standards for police and fire response time (exclusive of dispatch time) shall be maintained: (a) Police Services: 5 minute response time for 90 percent of all Priority One calls; (b) Fire Services: 5 minute response time for first due company for 90 percent of all emergency incidents, excluding freeway responses (3 firefighters including at least one paramedic); 10 minute

response time for 90 percent for a full first alarm assignment response (17 firefighters).

**Policy CSF-1.5** Require Police and Fire Department review of proposed development plans to ensure that sufficient provisions for emergency access and response are made, fire code requirements are satisfied, and adequate levels of service can be provided.

**Policy CSF-1.6** Incorporate Crime Prevention Through Environmental Design (CPTED) principles in the design of new development and City facilities. This includes the use of lighting, landscaping, site planning, and design features to reduce the potential for crime

### *Public Schools*

#### **SCHOOL DISTRICT DEVELOPMENT FEES**

As discussed above, Government Code Section 65995(h) was adopted by the State legislature in 1996, school fees generated by new development are deemed legally sufficient mitigation of any impacts to school facilities resulting from generation of new students associated with development.

#### **CITY OF SAN LEANDRO COMMUNITY SERVICES AND FACILITIES ELEMENT**

The City of San Leandro’s 2035 General Plan Community Services and Facilities Element addresses the provision of community services, including public education (City of San Leandro 2016a). The following policies found within the element are applicable to public educational services within the City:

**Goal CSF-2.** Encourage and support high-quality educational facilities and services in San Leandro.

**Policy CSF-2.2** When new residential development is approved, require mitigation of school impacts to the full extent permitted by law. Work collaboratively with the San Leandro and San Lorenzo Unified School Districts to ensure that appropriate fees are collected, and other allowable mitigation measures are taken.

#### **SAN LEANDRO MUNICIPAL CODE**

Article 8 of Title 7 of the SLMC enables the City Council to require dedication of lands deemed necessary for the purpose of constructing schools necessary to assure the residents of a subdivision have adequate elementary school service as a condition of final map approval for a subdivision.

### *City Library*

The City of San Leandro’s 2035 General Plan Community Services and Facilities Element addresses the provision of community services, including library services (City of San Leandro 2016a). The following policies found within the element are applicable to library services within the city:

**Policy CSF-3.3** Ensure that library funding remains adequate to sustain or increase existing service levels, including staffing, programming, and technology upgrades. Maintain or exceed American Library Association standards throughout the City’s library system.

*Parks and Recreation*

**CITY OF SAN LEANDRO COMMUNITY SERVICES AND FACILITIES ELEMENT**

The City of San Leandro's 2035 General Plan Community Services and Facilities Element addresses parkland, open space, and recreational facilities in and nearby San Leandro. This element has particular goals for parkland accessibility, stating the City aims to provide at least five acres of improved parkland for every 1,000 residents and to have a park accessible within one-half mile of every City resident. In addition, the Element describes how the City works collaboratively with EBRPD, as well as neighboring cities and communities, to create regional parks and trails (City of San Leandro 2016c). The following policies found within the element are applicable to parks, open space, and recreation in the City:

**Goal OSC-1.** Maintain and improve San Leandro's parks and recreational facilities.

**Policy OSC-1.2** Provide for the regular, systematic maintenance of San Leandro's parks and recreational facilities to prevent deterioration, ensure public safety, and permit continued public use and enjoyment.

**Policy OSC-1.4** Where cost savings and equivalent benefits would be achieved, rehabilitate existing recreational facilities before building entirely new facilities. A priority should be placed on renovating athletic fields and swimming pools, improving energy efficiency, and replacing outdated facilities with new facilities that are safe, attractive, and more responsive to current needs.

**Policy OSC-1.11** Require that capital improvement or development projects with the potential to adversely affect or temporarily disrupt San Leandro's park operations and open spaces include measures to mitigate impacts. This should include projects outside the City limits, such as work by EBMUD on Lake Chabot Dam and in the San Leandro watershed.

**Goal OSC-2** Develop additional parkland in the city to better meet existing needs and to respond to future needs.

**Policy OSC-2.1** Achieve the following service standard for parks: (a) At least 5.00 acres of improved parkland per 1,000 residents; (b) A park within one-half mile of each San Leandro resident.

**Policy OSC-2.2** Allow no net loss of open space within San Leandro's parks and recreational facility system. In the event that land currently included in the City's park inventory (Table 5-1) is to be converted to a non-park related purpose, an area of equivalent or larger acreage shall be set aside as parkland. Replacement open space should be comparable in value and function to the space that is lost.

**Policy OSC-2.3** Require new residential development to pay an impact fee and/or to dedicate parkland to offset the increase in park needs resulting from new residents. Where on-site parkland is dedicated, it should be improved, maintained, and accessible to the general public.

**Policy OSC-2.4** Pursue opportunities for new parks that augment those dedicated within private development. When planning for such parks, place a priority on sites and/or facilities that: (a) Would benefit neighborhoods or user groups that are

currently underserved by park and recreational facilities; (b) Meet a recreational facility need that has been identified by the community as a top priority; (c) Have a funding source identified; (d) Have strong community support and advocacy; (e) Would protect a special resource such as a historic building or sensitive natural area; (f) Have a willing seller or site donor; and (g) Are located in areas where substantial residential growth is planned.

**Policy OSC-2.5** Take a creative approach to identifying new prospective parks and open spaces, including such features as rooftops and urban plazas. Streets themselves should be recognized as an important potential component of the open space system, with opportunities for additional greening, planting, parklets, food production, public art, trails, and recreational activities within public rights of way.

**Policy OSC-2.7** Support the development of additional community gardens in the city, with a priority on underused utility-owned and School District owned properties.

**Policy OSC-2.8** Ensure that new parks are designed to maximize public access and visibility, and minimize the potential for conflicts with surrounding uses

**Policy OSC-2.9** Ensure that any proposal for new park or recreational facilities includes a commitment to a high level of ongoing maintenance.

**Policy OSC-2.10** Encourage the development of additional trails within the City.

**Policy OSC-2.12** Promote the inclusion of plazas, courtyards, landscaped commons, rooftop gardens/ green space, and other publicly accessible open spaces within new commercial, industrial, and public facility development.

**Policy OSC-2.13** Encourage privately owned and operated recreational facilities that are open to the general public, provided that such facilities are compatible with surrounding uses and consistent with community goals. Examples of such facilities include skating rinks, driving ranges, batting cages, family fun centers, and bowling alleys.

## CITY OF SAN LEANDRO LAND USE ELEMENT

The City of San Leandro’s 2035 General Plan Land Use Element contains strategies for shaping the physical form of San Leandro and addresses land use management and enhancement, including acquiring and maintaining land for parks, open space, and recreation (City of San Leandro 2016b). The following policies found within the element are applicable to parks, open space, and recreation in the City:

**Policy LU-3.8** Encourage new affordable housing development to provide amenities for future residents, such as on-site recreational facilities and community meeting space. Where feasible, consider the integration of social services such as childcare within such projects.

**Goal LU-4** Ensure that new residential development contributes its appropriate share toward the provision of adequate schools, parks, and other public facilities.

**Policy LU-4.1** To the extent permitted by law, allow new residential development to occur only when the public facilities needed to serve that development are available or will be provided concurrently with the development.

**Policy LU-4.3** Promote collaborative, creative solutions between the public and private sectors to develop additional schools, parks, and other public facilities in the city.

**Policy LU-4.4** Consider acquiring vacant or underutilized sites for park or school development in addition to facilitating private development on those sites.

**Goal LU-6** Foster the development of Downtown San Leandro as a vibrant pedestrian-oriented destination that is the civic and social heart of the City.

**Policy LU-6.14** Develop a network of Downtown open spaces to serve the growing population and workforce. This network should include civic plazas, parks, a linear greenway along the former Union Pacific Railroad right-of-way (part of the East Bay Greenway), and a San Leandro Creek greenway along the northern edge of Downtown. In addition, streetscape improvements should include street trees and sidewalks which connect these spaces and increase greenery in the downtown area.

### **SAN LEANDRO CREEK TRAIL MASTER PLAN**

Adopted in March 2017, the San Leandro Creek Trail Master Plan (SLCTMP) describes the San Leandro Creek Trail, a six-mile bicycle and pedestrian trail between the Chabot Dam and the San Leandro Bay, that passes through San Leandro and Oakland. The trail runs generally east-west and is intended to improve connectivity through the highly-urbanized area, with connections to schools, other trails, and the BART station in San Leandro. Several governments, agencies, and other groups collaborated to create the trail, including the Cities of San Leandro and Oakland, the Rails-to-Trails Conservancy, the San Leandro Creek Alliance, and California Department of Transportation (Caltrans) District 4. The trail is comprised of eight segments, the final three of which are jointly maintained by San Leandro and Oakland as San Leandro Creek demarcates the borders between the two cities (City of San Leandro 2017).

### **SAN LEANDRO MUNICIPAL CODE**

SLMC Chapter 7-13 establishes the City's park facilities development impact fee which, pursuant to Government Code Section 66001, allows the City to apply fees to new development to pay for new or renovated park facilities. Development in San Leandro is required to pay appropriate park development fees. Further, SLMC Section 7-1-810 requires that as a condition of approval of a tentative map or parcel map, subdivisions are required to offer to dedicate parkland, pay a fee in lieu, or a combination of both (at the option of the City).

## 4.7.3 Impact Analysis

### **Methodology and Significance Thresholds**

The public services analysis focuses on determining whether the project would result in adverse physical impacts to the environment due to the expansion of existing or construction or new fire and/or police protection and emergency facilities, library facilities, or school facilities, or construction of new facilities.

The recreation analysis focuses on determining whether reasonably foreseeable development under the project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be

accelerated. Furthermore, the analysis discusses whether the proposed project would create the need for new parks, the construction of which could result in significant environmental impacts. This analysis focuses on the existing conditions of parks and recreational facilities, and the potential for these facilities to be substantially degraded or deteriorated, at an increased rate due to implementation of the project. This analysis estimates the number of residents that would be generated by reasonably foreseeable housing development under the project and assesses whether the project would result in substantial physical deterioration of park/recreational facilities or the need for new facilities.

### *Public Services*

Based on Appendix G of the CEQA Guidelines, implementation of the project would have significant impact related to public services if it would:

1. Result in potentially significant impacts related to public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times, or other performance objectives for any of the following public services:
  - a) Fire protection
  - b) Police protection
  - c) Schools
  - d) Parks
  - e) Other public facilities (such as libraries)

### *Recreation*

Based on Appendix G of the CEQA Guidelines, the project would result in potentially significant impacts related to recreation if it would:

1. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

**Threshold 1a:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

**Impact PS-1 IMPLEMENTATION OF THE PROJECT WOULD NOT RESULT IN THE NEED FOR NEW OR PHYSICALLY ALTERED FIRE PROTECTION FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL IMPACTS, IN ORDER TO MAINTAIN ACCEPTABLE SERVICE RATIOS, RESPONSE TIMES, OR OTHER PERFORMANCE OBJECTIVES. THE NEED FOR NEW OR EXPANDED FACILITIES WOULD BE DUE TO CUMULATIVE GROWTH IN THE SERVICE AREA AND NOT SOLELY DUE TO THE PROJECT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR concluded that compliance with Title 24, the City’s Municipal Code, the California Health and Safety Code, California Fire Code, and implementation of the 2035 General Plan goals, policies, and actions, would ensure that ACFD facilities, staff, and equipment would be adequate to accommodate future growth under the 2035 General Plan.

As discussed in Section 2, *Project Description*, the project would facilitate the net increase of 4,960 residential units and 75,00 square feet of office space in the three Priority Development Areas of the city. New residential units and office space facilitated by the project would be in the existing service area of ACFD and would not require expansion of the service area for ACFD to respond to calls in a new or more distance area. The population growth accommodated under the project would be approximately 3 percent of the ACFD’s current service population across its service area. The fire stations that would be most impacted by the project would be ACFD Stations 9, 12, and 24.

Planning for new or physically altered ACFD stations is based on an assessment of the cumulative need for new facilities. The project’s incremental contribution to demand for new fire protection services would be offset by payment of proportionate property taxes, sales taxes, and/or development fees that would result from increased development and population growth. Taxes to the City’s General Fund would support the City’s budget for new or expanded fire protection services. New or expanded fire protection facilities needed to accommodate future growth in ACFD’s service area would be speculative at this time. Future proposals, if warranted, would undergo independent environmental review under CEQA. Local policies, including those in the Community Services and Facilities Element and the update to the Environmental Hazards Element would continue and improve disaster preparedness efforts, community safety, and coordination between fire protection agencies. Specifically, Community Services and Facilities Element Goal CSF-1 and Policies CSF-1.1 through CSF-1.9, as discussed in the 2035 General Plan EIR (page 4.12-6) would ensure the provision of adequate fire services in the City. Additionally, new development would be required to comply with all applicable federal, State, and local regulations governing the provision of fire protection services, including adequate fire access, fire flows, and number of hydrants, such as the 2016 California Fire Code and 2019 California Building Code. Potential future development under the proposed project would be subject to ACFD review to ensure that sufficient provisions for emergency access and response are made, fire code requirements are satisfied, and adequate levels of service can be provided.

Therefore, the project would not result in significant environmental impacts associated with the need for the provision of new or physically altered fire protection facilities, and impacts would be less than significant.



## Mitigation Measures

Impacts would be less than significant. Therefore, mitigation is not required.

**Threshold 1b:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

**Impact PS-2 IMPLEMENTATION OF THE PROJECT WOULD INCREMENTALLY INCREASE THE SERVICE POPULATION OF THE SLPD AND POTENTIALLY REQUIRE NEW OR EXPANDED FACILITIES. THE PROJECT'S INCREMENTAL CONTRIBUTION TO DEMAND FOR NEW POLICE PROTECTION SERVICES WOULD BE OFFSET BY PAYMENT OF PROPORTIONATE PROPERTY TAXES, SALES TAXES, AND/OR DEVELOPMENT FEES. ENVIRONMENTAL ADDITIONALLY, DEVELOPMENT FACILITATED BY THE PROJECT WOULD COMPLY WITH GENERAL PLAN POLICIES RELATED TO FIRE SERVICES AND FIRE SAFETY. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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Police protection services are not “facility-driven,” meaning such services are not as reliant on facilities to effectively patrol a beat. An expansion of, or intensification of development within, a beat does not necessarily result in the need for additional facilities if police officers and patrol vehicles are equipped with adequate telecommunications equipment to communicate with police headquarters. However, if the geographical area of a beat is expanded, population increases, or intensification/redevelopment of an existing beat results in the need for new police officers, new or expanded facilities may be needed.

The 2035 General Plan EIR concluded that the population increase would require increased levels of staffing to meet acceptable service ratios. Compliance with the General Plan goals and policies would ensure adequate police protections services are available for residents of San Leandro.

New residential units and office space facilitated by the project would be in the existing service area of SLPD and would not require expansion of the service area or for the SLPD to respond to calls in a new or more distance area. The population growth accommodated under the project, or additional population compared to that anticipated by the 2035 General Plan, would be approximately 14 percent compared to the current and future service population of the SLPD. SLPD does not have a service ratio standard; however, SLPD uses the formula of 10.4 officers per 10,000 residents to assess the need for additional officers and staff (City of San Leandro 2016c). As discussed in the 2035 General Plan EIR (page 4.12-10), the SLPD is currently not meeting its preferred service ratio formula of 10.4 officers per 10,000 residents and has indicated that they would need to hire additional officers and staff to meet the service ratio to serve new growth. In addition, the SLPD has indicated that it would need to purchase additional equipment to accommodate the new officers and incur training costs. As described above, the City Council approved a capital expenditure to renovate the police building and City offices within the Civic Center (where City Hall and the Police Station are located) to expand police operations services, based on existing levels of development and independent of the project. These renovations were primarily interior and do not involve construction of a new building. Construction began in early 2019 and was completed in late 2021. Development facilitated by the project would not require any additional construction or expansion of SLPD facilities.

Planning for new or physically altered SLPD stations is based on an assessment of the need for new facilities. The project's incremental contribution to demand for new police protection services would be offset by payment of proportionate property taxes, sales taxes, and/or development fees

that would result from increased development and population growth. Taxes to the City's General Fund would support the City's budget for police protection services. Funds for police services are allocated during the annual monitoring and budgeting process to ensure that the provision of police services is adequate to respond to changes in the city. New or expanded police protection facilities needed to accommodate future growth in SLPD's service area would be speculative at this time. Future proposals, if warranted, would undergo independent environmental review under CEQA.

Additionally, local policies, including those in the update to the Environmental Hazards Element would continue and improve disaster preparedness efforts, community safety, and coordination between law enforcement agencies. Specifically, Goal CSF-1 of the 2035 General Plan aims to provide and maintain high-quality police services, and Policy CSF-1.1 establishes target levels of service for police services. Therefore, the project would not result in significant environmental impacts associated with the need for the provision of new or physically altered police protection facilities, and impacts would be less than significant.

### **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

**Threshold 1c:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

**Impact PS-3 IMPLEMENTATION OF THE PROJECT WOULD INCREASE THE ENROLLMENT OF STUDENTS IN LOCAL SCHOOLS. HOWEVER, PAYMENT OF SCHOOL FEES FULLY MITIGATES IMPACTS TO SCHOOLS UNDER SB 50. THEREFORE, THE PROJECT WOULD NOT RESULT IN THE NEED FOR THE PROVISION OF NEW OR PHYSICALLY ALTERED SCHOOLS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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The 2035 General Plan EIR concluded that the students generated under the 2035 General Plan could potentially exceed the remaining capacity at SLUSD schools under worst-case conditions. Future development under the 2035 General Plan is expected to generate up to 1,958 new students within the SLUSD service area. The 2035 General Plan EIR concluded that development would occur gradually over the 19-year buildout horizon and would be subject to development impact fees that are current at the time of development; therefore, impacts would be less than significant.

As discussed in Section 4.13.1, *Setting*, SLUSD was slightly under district-wide capacity, but K-6 facilities and 9-12 facilities were over capacity during the 2020-2021 school year.

Estimated student generation rates were calculated using the methodology in SLUSD's 2020 Developer Fee Justification Study, shown in Table 4.7-4. Estimated student generation from the project is shown in Table 4.7-5.

**Table 4.7-4 SLUSD Student Generation Rates**

Grade Level	Students per Household
K through 6	0.1835
7 through 8	0.0534
9 through 12	0.1141
<b>Total</b>	<b>0.351</b>

Source: SLUSD 2020

**Table 4.7-5 Estimated Student Generation from Project**

Grade Level	Students per Household <sup>1</sup>	Dwelling Units	Total Students Generated <sup>2</sup>	2020-21 District (Shortfall) Capacity	District (Shortfall) Capacity with Project	Exceeds Available Capacity?
K through 6	0.1835	4,960	911	(282)	(1,193)	Yes
7 through 8	0.0534	4,960	265	532	267	No
9 through 12	0.1141	4,960	566	(178)	(744)	Yes
<b>Total</b>			<b>1,742</b>	<b>(75)</b>	<b>(1,670)</b>	<b>Yes</b>

<sup>1</sup> SLUSD 2020

<sup>2</sup> Results rounded up to the nearest whole number

The project could generate an estimated 1,742 new students beyond the 2035 General Plan’s estimated generation of 1,958 new students. Project implementation may contribute to the existing need for new or expanded school facilities. Previous facility expansions at SLUSD schools involved the installation of temporary portable units, which typically result in minor environmental impacts. Schools that would be most impacted by the project are those in or near the city’s Priority Development Areas.

In 2010, the SLUSD passed bond Measure M, which is a \$50.1 million bond that funds renovations and expansions of SLUSD school facilities, which would offset some of the impacts resulting from increased use of facilities. In addition, project applicants would be required to pay State-mandated school impact fees, which is considered full mitigation under CEQA and therefore the project cannot be found to have a significant impact pursuant to SB 50. According to California Government Code Section 65995(h), the payment of statutory mitigation fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities.” Further, Goal CSF-2 and Policies CSF=2.1 through CSF-2.6 would ensure the provision of adequate school services and school facilities in San Leandro. Therefore, the project would not result in significant environmental impacts associated with the need for the provision of new or physically altered schools, and impacts would be less than significant.

### **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

<b>Threshold 1d:</b>	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?
<b>Threshold 2:</b>	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
<b>Threshold 3:</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?

**Impact PS-4 DEVELOPMENT UNDER THE PROJECT WOULD INCREMENTALLY INCREASE THE CITY’S POPULATION AND INCREASE THE USE OF EXISTING PARKS AND RECREATIONAL FACILITIES AND REDUCE THE CITY’S PARKLAND TO POPULATION RATIO. HOWEVER, DEVELOPMENT FEES FOR PARKS OR DONATION OF PARKLAND PURSUANT TO THE QUIMBY ACT WOULD BE REQUIRED AS PART OF THE INDIVIDUAL PROJECTS. IMPACTS RELATED TO THE PHYSICAL DETERIORATION OF PARKLAND OR RECREATIONAL FACILITIES, AND THE NEED TO CONSTRUCT NEW FACILITIES, WOULD BE LESS THAN SIGNIFICANT.**

The city currently has 382.8 acres of parkland, with a parkland to population ratio of 4.33 acres per 1,000 residents.

The project’s anticipated population increase would reduce the city’s parkland per 1,000 residents from 4.33 acres per 1,000 residents to 3.80 acres per 1,000 residents (see Table 4.7-6). The current parkland to population ratio does not meet the City’s goal of 5.0 acres per 1,000 residents, and the project would result in a further reduction from that goal.

**Table 4.7-6 Anticipated Parkland Per 1,000 Residents**

Existing Parkland (Acres)	Existing Plan Area Population	Existing Parkland per 1,000 residents	Population With Project	Future Parkland per 1,000 Residents
382.8	88,404	4.33	100,804	3.80

Sources: City of San Leandro 2016c, DOF 2022

The 2035 General Plan noted that there are several parks and recreation facilities planned to be developed during its horizon year. With this increase in parks and recreational facilities, the 2035 General Plan estimated a total of 512 acres would be available in San Leandro (City of San Leandro 2016c). Planned parkland, including the proposed San Leandro Shoreline Park, will also contribute to additional parkland in the city. The 2035 General Plan estimated a population of 101,250 and a ratio of 5.1 acres of parks and recreational facilities per 1,000 population. With the project’s addition of 12,400 residents, this ratio would be 4.51. Therefore, the project’s contribution to the city’s population would decrease the ratio of parkland per 1,000 residents to a ratio that does not meet the City’s goal of 5.0 acres per 1,000 residents. It is anticipated that the City would need to acquire new parkland to achieve the City’s goal. Additionally, existing parkland and recreation facilities, especially in or near Priority Development Areas, may have accelerated physical deterioration due to the incremental increase in population associated with the project.

As future residential development projects are approved, development fees for parks or donation of parkland (pursuant to the Quimby Act) would be required as part of the individual projects. Funding for maintenance of new and existing facilities is provided through property assessments and taxes.

Park and recreational facility maintenance and acquisition needs in the city are evaluated with respect to population growth, locational needs, and budget. The project would not preclude implementation or expansion of any parkland, trails, or recreation facility. Additionally, the City's development standards for multifamily housing in the Priority Development Areas require publicly accessible open space on site for new projects.

Any project associated with new or expanding parkland or recreation facilities would be subject to project-specific environmental review and mitigation pursuant to CEQA. It is anticipated that the City's review processes would adequately mitigate potential environmental impacts relating to the development of new or redeveloped parkland, open space, or other recreational facilities as new residential development would be required to pay an impact fee and/or to dedicate parkland to offset the increase in park needs resulting from new residents (Policy OSC-2.3). Additionally, other policies of the Open Space, Parks, and Conservation Element would minimize potential impacts to parks and recreation facilities, including Goal OSC -1 and Policies OSC-1.1 through OSC-2.6. Therefore, the project would not result in significant substantial physical deterioration of existing parkland or substantial adverse physical impacts associated with the provision of new or physically altered parkland.

### **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

**Threshold 1e:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, or the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

**Impact PS-5 DEVELOPMENT UNDER THE PROJECT WOULD INCREMENTALLY INCREASE THE CITY POPULATION AND INCREASE THE USE OF EXISTING LIBRARY FACILITIES. HOWEVER, PROPERTY TAXES RELATED TO NEW DEVELOPMENT WOULD CONTRIBUTE TO ANY NECESSARY NEW OR EXPANDED LIBRARY FACILITIES. IMPACTS RELATED TO THE PROVISION OF NEW OR PHYSICALLY ALTERED PUBLIC FACILITIES WOULD BE LESS THAN SIGNIFICANT.**

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The 2035 General Plan EIR concluded that new development would help fund SLPL primarily through property taxes, which would offset an increase in use of library facilities. Furthermore, compliance with the goals and policies included under the 2035 General Plan, including the Community Services and Facilities and Land Use Elements, would ensure adequate library services are available to San Leandro residents; therefore, impacts would be less than significant.

The project would not include the provision of new or physically altered existing library space. Although the City does not have specific facility service goals or policies for the SLPL, the City's General Plan Policies CSF-3.1 through CSF-3.5 promote the expansion and rehabilitation of library facilities, and acquisition of technology and materials to serve the needs of San Leandro residents. Impacts from development would be offset by payment of property taxes and General Plan goals, policies, and actions.

If needed in the future, new or expanded library facilities would be subject to project-specific environmental review and mitigation pursuant to CEQA. Therefore, the project would not result in significant substantial adverse physical impacts associated with the provision of new or physically

altered public facilities, or the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts.

### **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

#### **4.7.4 Cumulative Impacts**

The geographic area to analyze cumulatively considerable impacts to facilities related to public services is the service area of each agency, respectively: ACFD, SLPD, SLUSD, and the SLPL. The geographic area to analyze cumulatively considerable impacts to facilities related to parkland and recreation facilities is the city.

#### **Fire Protection Facilities**

A significant cumulative environmental impact would result if this cumulative growth would exceed the ability of ACFD to adequately serve its service area, thereby requiring construction of new facilities or modification of existing facilities that could cause significant impacts. Jurisdictions in the ACFD service area, including the cities of Dublin, Emeryville, Newark, San Leandro, and Union City; unincorporated areas of Alameda County; and the Lawrence Berkeley National Laboratory and Lawrence Livermore National Laboratory, are anticipated to experience population growth, and ACFD will likely need new or expanded facilities to meet service goals. Planning for new or physically altered ACFD stations is based on an assessment of the cumulative need for new facilities. The incremental contribution to demand for increased ACFD protection services from implementation of the project would be offset by payment of proportionate property taxes and sales taxes by developers and the addition of new residents.

If new ACFD facilities are needed, such facilities would undergo their own independent environmental review pursuant to CEQA when details about the project are known. Projects would be required to comply with federal, State, and local regulations related to their physical impacts on the environment. Furthermore, implementation of proposed policies and actions would ensure that ACFD facilities, staff, and equipment would be adequate to accommodate future cumulative growth. Therefore, the cumulative impacts of the project would not be cumulatively considerable, and impacts would be less than significant.

#### **Police Protection Facilities**

Planning for new or physically altered SLPD stations is based on an assessment of the cumulative need for new facilities. The incremental contribution to demand for increased SLPD protection services from implementation of the project would be offset by payment of proportionate property taxes and sales taxes by developers and the addition of new residents. Funds for police services are allocated during the annual monitoring and budgeting process to ensure that the provision of police services is adequate to respond to changes in the city.

If new SLPD facilities are needed, such facilities would undergo their own independent environmental review pursuant to CEQA when details about the project are known. Projects would be required to comply with federal, State, and local regulations related to their physical impacts on the environment. Additionally, other growth inducing projects in San Leandro would be reviewed by the SLPD, in accordance with the aforementioned General Plan Policy CSF-1.5, Review of Development Plans. This would ensure that there is adequate funding when expansion is necessary.

Therefore, the cumulative impacts of the project would not be cumulatively considerable, and impacts would be less than significant.

### **School Facilities**

Cumulative projects would add new students to the SLUSD, in addition to those generated by development allowed by the project, which could potentially result in the need for new or expanded school facilities. However, development projects associated with increased population growth in the SLUSD service area would be subject to compliance with the goals, policies, and actions, included in the General Plan and would be required to pay impact fees consistent with local jurisdiction requirements to ensure the adequate provision of future facilities associated with public services, including schools. As part of the renovation and revitalization process, school projects would undergo project-specific environmental review under CEQA and be required to comply with federal, State and local regulations related to their physical impacts on the environment. All cumulative development would also be subject to payment of statutory mitigation fees. Therefore, with payment of mandatory school mitigation fees, the cumulative impacts of the project would not be cumulatively considerable, and impacts would be less than significant.

### **Public Facilities**

Impacts to SLPL facilities from increased residential development would be offset by payment of proportionate property taxes. Any project associated with new or expanding library facilities would be subject to project-specific environmental review and mitigation pursuant to CEQA. It is anticipated that the City's review processes would adequately mitigate potential environmental impacts relating to the development of new or redeveloped library facilities. Therefore, the cumulative impacts of the project would not be cumulatively considerable, and impacts would be less than significant.

### **Parks and Recreation**

The project would not preclude implementation or expansion of any parkland, trails, or recreation facility, but it would decrease the parkland to population ratio that is below the City's desired goal of 5.0 acres of parkland per 1,000 residents.

As future residential development projects are approved, onsite publicly accessible open space will be provided and development fees for parks or donation of parkland (pursuant to the Quimby Act) would be required. Further, Section 7-13-100 of the City's Municipal Code requires developers to pay park impact fees which would help ensure the provision of adequate parklands. In addition, the General Plan contains policies, under Goal OSC-2, that would help ensure that park and recreation facility goals are met. Any project associated with new or expanding parkland or recreation facilities would be subject to project-specific environmental review and mitigation pursuant to CEQA. Therefore, the project would not result in cumulatively considerable substantial physical deterioration of existing parkland or substantial adverse physical impacts associated with the provision of new or physically altered parkland. Therefore, the cumulative impacts of the project would not be cumulatively considerable, and impacts would be less than significant.

## 4.8 Transportation

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This section evaluates the impacts of the project on the local transportation system and vehicle miles traveled (VMT) in the region. The analysis in this section considers the transportation analysis contained in the 2035 General Plan EIR, supplemented by analysis of potential changes as proposed by the project. The analysis is based on a VMT study prepared by Kittelson in August 2022, which is included as Appendix TRA of this document. The Alameda County Transportation Commission (Alameda CTC) provided comments during the scoping period of the SEIR, which are provided in Appendix NOP. The comment letter noted that the City is required by the Congestion Management Land Use Analysis Program to conduct a transportation impact analysis for the project with the Countywide Travel Demand Model, and that the SEIR should identify the project's potential impacts to roadways and Metropolitan Transportation System (MTS) transit operators, and identify adequate mitigation.

### 4.8.1 Setting

The existing vehicular circulation, bicycle and pedestrian facilities, and transit services in the project vicinity are described below.

#### Circulation System

##### *Overview*

The study area is defined by the boundaries of the City of San Leandro which encompasses 5.2 miles square miles. The city is served by a circulation system that facilitates multimodal travel including walking, bicycling, public transportation, and motor vehicles, and includes a network of freeways, highways, local streets, and bicycle facilities.

##### *Freeway*

**Interstate 238** is a four- to six-lane freeway with a posted speed limit of 65 miles per hour. This east-west freeway connects Interstate 880 (I-880) in San Leandro with Interstate 580 (I-580) in Ashland and Castro Valley. Westbound exits provide access to East 14th Street (on and off ramps) and Washington Avenue (off-ramp). Eastbound exits provide access to East Lewelling Boulevard (on and off ramps).

**Interstate 580** is a six- to eight-lane freeway with a posted speed limit of 65 miles per hour. This freeway provides north-south access within and north of San Leandro and provides east-west access east of San Leandro. To the north, it is a connector to nearby cities, including Oakland and Emeryville, as well as regional destinations, such as Richmond and San Rafael. To the east, it is a connector to nearby communities, such as Castro Valley, as well as regional destinations, such as the cities of Dublin and Livermore. I-580 also provides access to the larger freeway and highway network in the region with direct connections to I-5, I-80, I-205, I-880, and I-980; US Highway 101; and State Routes (SR) 13, 24, 84, and 132. The city is served by interchanges along I-580 at 150th Avenue/Fairmont Drive<sup>7</sup> and Estudillo Avenue/Grand Avenue.

**Interstate 880** is an eight- to 10-lane freeway with a posted speed limit of 65 miles per hour. This north-south freeway connects San Leandro with nearby cities, including Hayward and Oakland, as well as regional destinations such as Fremont and San Jose. I-880 also provides access to the larger freeway network in the region with direct connections to Interstates 80, 238, 580, and 980; U.S.



Highway 101; and SR 17, 92, and 237. San Leandro is served by freeway interchanges along I-880 at Davis Street, Marina Boulevard, and Washington Avenue.

### *Arterials*

Arterial roadways are the basis of a city's circulation network. They connect freeways and major destinations in the city and are used primarily for cross-town travel, commercial vehicle travel, and access to collector streets and local streets. Arterials typically provide access to adjacent land uses, but access may be restricted by medians at some locations. Driveways are limited or consolidated to a few locations, and on-street parking may be limited or absent to provide the greatest travel capacity within the available right-of-way. Depending on the intensity of adjacent land uses, arterials may have two, four, or six lanes. Intersections with arterials may be signalized and may have dedicated left or right turn lanes. Caltrans is responsible for the design, operation, and maintenance of three arterials in San Leandro: East 14<sup>th</sup> Street (Route 185), Doolittle Drive north of Davis Street (Route 61), and Davis Street from Doolittle to East 14<sup>th</sup> Street (Route 112). These arterials are referred to by Caltrans as Tier 2 highways. The City of San Leandro is responsible for the other arterials in the city, including Bancroft Avenue, Hesperian Boulevard, Washington Avenue, San Leandro Boulevard, and Marina Boulevard.

### *Collectors*

Collectors are designed to connect neighborhoods with arterials. They carry a moderate amount of traffic, typically less than 10,000 vehicles per day, although somewhat higher volumes are not unusual. Collectors may be subject to different design standards and traffic management strategies based on adjacent land uses to accommodate neighborhoods, commercial areas, and industrial areas. These streets typically have four lanes, may have curbed parking, and have traffic signals at major intersections. Intersections with relatively lower volume streets may be four-way or two-way stop controlled. Examples of collector streets include Springlake Drive, Teagarden Street, and Farnsworth Street.

### *Local Streets*

Local streets provide immediate connections between parcels, whether in residential, commercial, or industrial areas. These are low-speed streets that typically have two lanes with curbed parking and may be four-way or two-way stop controlled. Except for a few private streets, the City of San Leandro is responsible for the design, operation, and maintenance of all local streets.

### *Transit Facilities*

San Leandro is served by several transit providers of varying service type, including Bay Area Rapid Transit (BART), Alameda-Contra Costa Transit District (AC) Transit, Amtrak, the FLEX Shuttle, and the LINKS program.

## **BART**

BART provides heavy-rail, regional transit service to the Counties of Alameda, San Francisco, Contra Costa, and San Mateo. Two BART stations are located in San Leandro: one is located to the west of downtown San Leandro and the other is adjacent to Bayfair Mall. Using the latest available data on ridership counts from August 2022, on an average weekday, 2,263 BART riders exited at the Bayfair station, and 2,721 riders exited at the downtown San Leandro station. Monthly ridership exiting at these stations in August 2022 were 61,743 riders at Bayfair and 72,852 riders at the downtown

station (BART 2022). . Direct service is provided to San Francisco, Oakland, Fremont, San Jose, Richmond, and Dublin/Pleasanton. Connecting service is provided to Concord/Pittsburg. BART operates with 15-minute headways during commute periods and provides service between 5:00 a.m. and 1:20 a.m. for East Bay and Transbay travel. Future improvements to BART service include the extension to Livermore. In addition, the Bayfair Connector project, which is funded by Alameda CTC through Measure BB funds, will provide for a smoother transfer at Bayfair once completed for traveling between Pleasanton and Fremont. Anticipated completion of the Bayfair Connector project is 2026.

Long-term planning for BART is guided by the BART Station Access Policy, adopted in 2000 and last updated in 2015. Updates to the Station Access Policy emphasize regional land use planning concentrating future population and employment within priority development areas (PDAs) around major transit hubs. Every BART station is in a PDA. The Station Access Policy recognizes the importance of local and regional partnerships for transit-oriented development around the stations (BART 2015).

### **AC TRANSIT**

Alameda Contra Costa Transit (AC Transit) provides bus service in Alameda County and the western portion of Contra Costa County, and it provides commuter, transbay service to San Francisco and the Peninsula. Its local buses connect San Leandro neighborhoods and business districts with desirable destinations, including the two local BART stations. AC Transit provides school bus and paratransit services, and it is a participating transit provider for the regional, All-Nighter bus system, providing “night owl” bus service when BART is not operating. AC Transit buses are equipped with front-loading racks that can hold up to two bicycles. Some of AC Transit’s busiest service corridors pass through San Leandro. Daily ridership on AC Transit buses was 63,000 and ridership annually was 21,242,000 in 2020. Additionally, Bus Rapid Transit (BRT) completed construction in June 2020 which provides East Bay residents with access to bus routes that operate every seven minutes during peak hours along a 9.5-mile corridor from Downtown Oakland to San Leandro BART.

Long-term planning for AC Transit is guided by the AC Transit Strategic Plan adopted in 2019. Strategic initiatives are service quality; infrastructure modernization; employee recruitment, training, and retention; zero emission program; and financial efficiency and revenue maximization (AC Transit 2019).

### **AMTRAK**

Amtrak operates intercity and interstate heavy rail service. Its Capital Corridor and Coast Starlight routes run through San Leandro, but currently no Amtrak stops are within the city. The Capital Corridor route is served by the Oakland Coliseum Station located about two miles northwest of the city limits and adjacent to a BART station. The Coast Starlight route is served by the Oakland Jack London Square Station, seven miles northwest of the San Leandro city limits. The current San Leandro General Plan calls for further exploration of an Amtrak station stop in San Leandro, possibly near the San Leandro BART station near downtown.

### **FLEX SHUTTLE**

The City of San Leandro provides transportation for seniors and people with disabilities through the FLEX Shuttle service. Riders must be residents of San Leandro and must be 60 years of age or older, or at least 18 years of age and East Bay Paratransit certified. FLEX Shuttle requires an annual registration fee of \$20 along with an application which must be renewed by June 30 of each year in

order to continue using the shuttle; however, after the annual fee is paid, the shuttle can be used at no additional charge. The shuttle operates Mondays, Tuesdays, and Thursdays between 8:30 a.m. and 5:30 p.m. and operates two routes. The northern route operates in the northern portion of San Leandro and the southern route operates in the southern half of the city. Each route has 15 stops at various locations.

## **LINKS**

The LINKS program is a free shuttle that provides transportation between the San Leandro BART Station and major employment centers in west San Leandro. The program is funded by a Business Improvement District fee and various grants, including those from the Bay Area Air Quality Management District (BAAQMD). It is managed by the San Leandro Transportation Management Organization and operated by M.V. Transportation. On non-holiday weekdays, shuttles operate every 30 minutes from 5:45 a.m. to 9:45 a.m. and from 3:00 p.m. to 7:00 p.m.

### *Bicycle and Pedestrian Network*

The city has approximately 43.4 miles of existing bikeway facilities. Existing bicycle facilities in San Leandro include shared-use paths (Class I), on-street striped bike lanes and buffered bike lanes (Class II) and on-street signed bike routes (Class III). This plan also recommends bicycle boulevards, an enhanced version of a bicycle route (Class III) and separated bikeways (Class IV). Class I and Class II bike routes connect to the San Leandro downtown BART station, and mostly along Alvarado Street, Fairway Drive, Halcyon Drive, and Spring Lake Drive. San Leandro has nearly 200 miles of roadway, which corresponds to a widespread adjacent pedestrian network. The state of the pedestrian network varies greatly throughout the city. Much of the city is a very walkable and pedestrian friendly environment, composed of small blocks, complete sidewalks, street trees and accessibility features. However, there are areas of the city that are missing sidewalks, street trees, or accessibility features. Bicycle and pedestrian improvements are identified in the City's Bicycle and Pedestrian Master Plan (San Leandro 2018).

### *Bay Trail*

Segments of the Bay Trail are along the San Leandro waterfront between Oakland to the north and San Lorenzo to the south. The Bay Trail facilities are also included on the Alameda Countywide and Regional Bikeway networks. Most of the Bay Trail consists of Class I bike paths with the exception of a short segment of Class III bike route on Neptune Drive between the Oyster Bay Regional Shoreline and Marina Boulevard. Included in the Bay Trail network are path loops around Oyster Bay Regional Shoreline, Mulford Point, and the Small Boat Lagoon in Marina Park. Much of this alignment has paved or unimproved pathways, but most do not meet standards for Class I bike paths. The San Leandro Bay Trail Slough Bridge, completed in 2010, provides a connection for the Bay Trail between San Leandro and Oakland.

### *Goods Movement*

The abundance of industrial and commercial uses in the city has resulted in substantial infrastructure components related to goods movement.

## **RAILROAD CROSSINGS**

San Leandro is served by three major rail lines, linking local industrial areas with the Port of Oakland, other west coast markets, and the rest of the state and nation. Following consolidation of

ownership, the rail lines are under the ownership of the Union Pacific Railroad. Spurs from each railroad provide service to industrial developments in central and west San Leandro. Railroads cross arterial and collector streets at locations within the city, most of which are equipped with warning bells and crossing guards that activate while trains approach and pass the intersections.

### **TRUCK ROUTES**

The city has several established truck routes along 30 roadways. The City of San Leandro provides transportation permits for qualified loads and vehicles to operate safely on the roadways in the city.

## 4.8.2 Regulatory Setting

### **a. Federal Regulations**

The US Department of Transportation (USDOT) provides a number of grant programs, primarily for the construction and upgrading of major highways and transit facilities. Many of these grants are administered by the state and regional governments. Use of federal grant funding also invokes the National Environmental Protection Act in some cases. The Federal Highway Administration (FHWA) sets design standards (such as interchange spacing) for interstate highways, such as I-880. The Federal Railroad Administration within the USDOT establishes safety rules regarding the operation of railroads (e.g., maximum train speeds, maximum allowed highway crossing blockage time).

### **Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) provides comprehensive rights and protections to individuals with disabilities. The goal of the ADA is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency. To implement this goal, the United States Access Board has created accessibility guidelines for public rights-of-way. The guidelines address various issues, including roadway design practices, slope and terrain issues, pedestrian access to streets, sidewalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way. The City of San Leandro works to ensure that people with disabilities have access to City programs, services, activities, and facilities. The ADA Coordinator for the City of San Leandro coordinates the City's efforts to comply with all applicable federal, State, and local laws through implementation of its ADA Transition Plan. The City also has adopted a Reasonable Accommodation Policy. In all of its services, programs, events, activities, facilities, and public meetings, the City will strive to eliminate any barriers that prohibit people with disabilities from full access to facilities.

### **Federal Clean Air Act**

The U.S. EPA is charged with implementing national air quality programs. U.S. EPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA), passed in 1963 by the U.S. Congress and amended several times. The 1970 federal CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 federal CAA amendments represent the latest in a series of federal efforts to regulate air quality in the United States.

## Infrastructure Investment and Jobs Act

In November 2021, the Infrastructure Investment and Jobs Act was passed, which authorized federal funds for public infrastructure projects, including public transit, passenger rail, airports, ports, roads, bridges, climate change mitigation and resiliency, electric vehicle charging stations, clean energy, water infrastructure, and roadway safety. The Infrastructure Investment and Jobs Act aims to modernize transit and continuing the existing transit programs as part of surface transportation reauthorization.

### b. State Regulations

#### California Environmental Quality Act

CEQA generally requires state and local government agencies to inform decision makers and the public about the potential environmental impacts of proposed projects, and to reduce those environmental impacts to the extent feasible. CEQA Guidelines Section 15064.3 describes specific considerations for determining a project's transportation impacts. Generally, VMT is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. The criteria used to analyze transportation impacts are included in Section 4.13.3, *Impact Analysis*.

#### California Senate Bill 743

Senate Bill 743 (SB 743) was signed into law on September 27, 2013 and directed OPR to develop revisions to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts. SB 743 was enacted, in part, as further implementation of California's Climate Action Plan to meet California Global Warming Solutions Act (Assembly Bill [AB] 32) GHG emission reduction targets. SB 743 seeks to reduce criteria air pollutants and GHG emissions in the transportation sector by reducing VMT. SB 743 changed the approach to transportation impact analysis by establishing measures such as VMT, VMT per capita, or automobile trip generation rates as the primary measures of transportation impacts and eliminates the traditionally used measures of auto delay and congestion, such as Level of Service (LOS), and other measures of traffic congestion as a basis for determining significant impacts.

In December 2018, OPR adopted and promulgated its changes to the CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et seq.) in response to SB 743. Section 15064.3 of the CEQA Guidelines contains the operative language for implementing the goals of SB 743 when determining the significance of a project's transportation impacts. There are four key aspects of CEQA Guidelines Section 15064.3 that apply in the case of the project:

1. "[A] project's effect on automobile delay shall not constitute a significant environmental impact" (Section 15064.3[a]).
2. For a land use project like the proposed project, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact... Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact" (Section 15064.3[b][1]).
3. "A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure" (Section 15064.3[b][4]).

4. The terms and conditions of Section 15064.3 apply prospectively and a lead agency “may elect to be governed by the provisions of [15064.3] immediately. Beginning on July 1, 2020, the provisions of [15064.3] shall apply statewide” (Section 15064.3[c]).

### **California Assembly Bill 32, Senate Bill 32, and Senate Bill 375**

The “California Global Warming Solutions Act of 2006” (AB 32) outlines California’s major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020, a reduction of approximately 15 percent below emissions expected under a “business as usual” scenario. On September 8, 2016, the governor signed Senate Bill 32 (SB 32) into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged).

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the state’s ability to reach AB 32 goals by directing the California Air Resources Board (CARB) to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035.

Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO’s Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as “transit priority projects”) can receive incentives to streamline CEQA processing.

Under SB 375, some development and transportation projects assumed as a part of the proposed project may be eligible to use a streamlined version of the environmental review process. Among other criteria, these projects must be consistent with the land use designation, density, intensity, and policies of Plan Bay Area 2050, and fall within the identified criteria for development and transportation projects.

### **Senate Bill 226**

CEQA Streamlining for Infill Projects (SB 226) sets forth a streamlined review process for infill projects and includes performance standards that will be used to determine an infill project’s eligibility for streamlined review. The purpose of SB 226 and updated CEQA Guideline Section 15183.3 is to streamline the environmental review process by “limiting the topics subject to review at the project level where the effects of infill development have been addressed in a planning level decision or by uniformly applicable development policies.” Residential, commercial and retail, public office buildings, transit stations, and schools are eligible for this streamlining provided they: (1) are located in an urban area on a site that has been previously developed or adjoins existing qualified urban uses on at least 75 percent of the site’s perimeter; (2) satisfy the performance standards provided in Appendix M [of CEQA]; and, (3) are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, with some exceptions.

Under SB 226, some development and transportation projects assumed as a part of the proposed Plan may be eligible to use a streamlined version of the environmental review process. Among other criteria, these projects must be consistent with the land use designation, density, intensity, and

policies of Plan Bay Area, and fall within the identified criteria for development and transportation projects.

### **c. Regional and Local Regulations**

#### **Alameda County Transportation Commission**

The Alameda County Transportation Commission (Alameda CTC) coordinates transportation planning efforts throughout Alameda County and programs local, regional, State, and federal funding for project implementation. Additionally, it prepares the Congestion Management Program (CMP), a plan mandated by California law to describe the strategies to address congestion problems on the CMP network, which includes State highways and principal arterials. The Alameda County CMP is a short-range plan that includes a variety of congestion management strategies, programs, and projects designed to meet, and often exceed, the legislative requirements with the goal of further improving the countywide transportation system to better meet the needs of all users. The CMP also supports the 2020 Countywide Transportation Plan, a long-range policy document that guides transportation funding decisions for Alameda County's transportation system over a 25-year horizon. Additionally, the Countywide Transportation Plan serves as Alameda County's input to the Metropolitan Transportation Commission (MTC) in its development of the RTP/SCS. Alameda CTC has initiated several countywide planning efforts, including the Countywide Multimodal Arterial Plan, the Countywide Goods Movement Plan, and the Countywide Transit Plan.

The 2021 Alameda County CMP was adopted in October 2021. As the congestion management agency for Alameda County, Alameda CTC develops and updates the CMP. The program applies strategies to assess, monitor, and improve the performance of the county's multimodal transportation system; address congestion; and ultimately protect the environment with strategies to help reduce GHG emissions. CMP legislation was initially passed in 1991 and last updated in 2001 and is currently in conflict with other regulations like SB 743, the California Environmental Quality Act (CEQA), Complete Streets legislation, and current industry best practices.

Alameda CTC annually monitors jurisdictions to ensure conformance with the implementation of four elements: LOS standards on the CMP network, travel demand management including the required transportation demand management program, the Land Use Analysis Program, and the Capital Improvement Program. While Alameda CTC does not have the authority to approve or deny local land use projects, it may find the local jurisdiction in non-conformance. Alameda CTC reviews land use projects that will cause a net increase of 100 or more p.m. peak hour trips. Projects that Alameda CTC reviews include development projects as well as plans such as specific plans, master plans and general plan amendments. Alameda CTC has not adopted thresholds of significance for CMP land use analysis purposes. Project sponsors should use professional judgment to 1) define a threshold appropriate for the project context; and 2) use this threshold to determine if segments are impacted. Projects should be evaluated for impacts to all modes, including vehicles, transit, bicycles, pedestrians, and other impacts and opportunities (Alameda CTC 2022).

#### **Alameda Countywide Arterial Corridors Plan**

The Alameda Countywide Multimodal Arterial Plan was approved by the Alameda CTC Commission in June 2016 and provides a basis for the integrated management of major arterial corridors and identifies a priority list of short- and long-term improvements and strategies. The Alameda Countywide Multimodal Arterial Plan identifies 21 miles of dedicated transit lane improvements, 82

miles of Rapid Bus improvements, and 39 miles of Enhanced Bus improvements in the county. The plan also proposes vehicle, pedestrian, bicycle, and goods movement network improvements. The plan identifies BRT along East 14<sup>th</sup> Street in San Leandro which was completed in 2020.

### **Metropolitan Transportation Commission and Association of Bay Area Governments: Plan Bay Area 2050**

The MTC serves the nine-county Bay Area as the transportation planning, coordination, and financing agency and the metropolitan planning organization. The Association of Bay Area Governments (ABAG) serves as a regional planning agency for the Bay Area and provides resources for local governments to accommodate growth trends in land use and housing, environmental protection, and disaster resilience to name a few key issue areas.

MTC, ABAG, and cities and counties throughout the Bay Area prepared the current RTP, *Plan Bay Area 2050*, which was adopted by MTC on October 21, 2021. *Plan Bay Area 2050* is an integrated long-range transportation and land use/housing plan intended to support growth in the Bay Area, provide more housing and transportation choices, and reduce transportation-related pollution. It also includes finance strategies to implement the plan.

State and federal law requires the RTP to be updated at least every four years to respond to emerging regional growth issues and reflect new funding forecasts.

### **San Leandro 2035 General Plan**

The Transportation Element of the City's 2035 General Plan addresses the movement of people and goods in and around San Leandro. The updated Element is more balanced in its treatment of each mode of travel (automobile, bicycling, walking, public transit, etc.) and addresses environmental health, equity, greenhouse gas reduction, and the quality of public space around transportation routes. Applicable policies are stated below:

**Policy T-1.1:** Decision Making. Ensure that future land use and development decisions are in balance with the capacity of the City's transportation system and consistent with the City's goal of reducing greenhouse gas emissions.

**Policy T-1.2:** Keeping Pace With Growth. Improve transportation infrastructure at a rate that keeps pace with growth.

**Policy T-1.3:** Mitigation of Development Impacts. Require developers to address the impacts that their projects will have on the City's transportation system. A variety of mitigation measures, including impact fees, street improvements, traffic signal and Intelligent Transportation Systems (ITS) improvements, transportation demand management (TDM) measures, and improvement of non-automobile transportation modes, should be considered

**Policy T-1.4:** Transit Oriented Development. Ensure that properties adjacent to the City's BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.

**Policy T-1.5:** Land Use Strategies. Promote land use concepts that reduce the necessity of driving, encourage public transit use, and reduce trip lengths. These concepts include live-work development, mixed use development, higher densities along public transit corridors, and the provision of commercial service.



**Policy T-1.6:** Siting of Housing and Public Facilities. Consider access to public transportation to be a major factor in the location and siting of future housing and public facilities. Conversely, ensure that community facilities such as libraries, parks, schools, and community, civic, and recreation centers, are served by public transit.

**Policy T-2.6:** Building Design and Site Planning. Ensure that the site planning and design of new development promotes the use of non-auto modes of transportation by including amenities such as sidewalks, bike lockers, and bus shelters.

**Policy T-3.5:** Accommodation of Bicycles and Pedestrians. Require new development to incorporate design features that make walking, bicycling, and other forms of nonmotorized transportation more convenient and attractive. Facilities for bicycles and pedestrians, including secured bicycle parking, clearly marked crosswalks, well-lit streets and sidewalks, landscaping, and street furniture should be provided within new employment areas, shopping destinations, multi-modal transportation facilities, and community facilities.

**Policy T-5.2:** Evaluating Development Impacts. Use vehicle miles traveled (VMT) as the primary metric for evaluating the transportation impacts of new development proposals. Traffic impact studies may also consider the total number of trips generated and the resulting impact on traffic volumes and congestion (e.g., "Level of Service"), but VMT shall provide the primary basis for determining appropriate mitigation measures.

## **Bicycle and Pedestrian Master Plan**

The City's Bicycle and Pedestrian Master Plan was adopted in March 2018. The Bicycle and Pedestrian Master Plan guides the development of facilities to enhance bicycling and walking as a safe enjoyable, efficient, and practical transportation choice for San Leandro residents.

## **Bay Fair Transit Oriented Development (TOD) Specific Plan**

The Bay Fair TOD Specific Plan is a vision, policies, standards, and implementation strategies for the future of the Bay Fair TOD Specific Plan Area. The Bay Fair TOD Specific Plan vision is a sustainable, vibrant, walkable, and safe transit-oriented village with a diversity of land uses serving residents, workers, and visitors. It contains the following goals, accompanied by specific policies:

- **Multiple Transportation Options.** Reduce reliance on the automobile for trips to and from the Bay Fair area through a mix of land uses and safe, convenient connections for pedestrians, bicyclists, and transit users.
- **Active Transportation.** Strongly encourage and require facilities in the Bay Fair area that will promote active transportation options such as walking, cycling, and use of transit.
- **Pedestrian and Bicycle Connectivity.** Provide pedestrian and bicycle connections between and around the Bay Fair BART station, adjacent transit waiting areas, Bayfair Center, and nearby neighborhoods and shopping districts (see San Leandro General Plan 2035 Transportation Chapter Policy t-2.4).
- **New Streets.** As parcels redevelop within the plan area, establish new local street connections to provide alternate routes for shorter trips and improve the efficiency of automobile operations.
- **Shared Parking.** Required automobile parking ratios for development projects should reflect opportunities for shared parking between land uses or between development sites.

- **Continuous, Accessible Walking Routes.** New streets and connections shall have continuous ADA-compliant sidewalks or equivalent provisions, providing access through the area and to building entries, public open spaces, and other key destinations such as ac transit bus stops and the Bay Fair BART station.
- **Pedestrian Connections During Development Phasing.** As new development is phased in, continuous publicly accessible routes shall be constructed in the initial phases from existing streets to destinations internal to the plan area. In some cases, these accessible routes may extend beyond the immediate development to connect to BART, retail, or open space destinations.
- **Pedestrian Access to Transit.** The pedestrian network should be designed to ensure safe, convenient, and direct access to the Bay Fair BART station and to AC transit bus stops.
- **Bicycle Network.** Any new development and new streets in the plan area shall provide bicycle facilities and connections consistent with Figure 3.2, though the exact location and facility design may be adjusted in coordination with the City.

### 4.8.3 Impact Analysis

#### a. Significance Thresholds and Methodology

##### Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, an impact is considered significant if the project would:

1. Conflict with an applicable program, plan, ordinance, or policy establishing measures of effectiveness for the performance of addressing the circulation system including transit, bicycle, and pedestrian facilities.
2. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). For the purposes of this evaluation, this impact would be significant if implementation of the project would not generate home-based VMT per resident or employee at least 15 percent below the baseline planning area average VMT.
3. Result in designs for on-site circulation, access, and parking areas that fail to meet City or industry standard design guidelines.
4. Result in inadequate emergency access to development sites.

##### Methodology

VMT is a measure used in transportation planning, which measures the amount of travel for all vehicles in a geographic region over a given period of time. It is calculated as the sum of the number of miles traveled by each vehicle. For residential and employment land uses, VMT is measured for each person who will occupy or use a project site. VMT per capita is the total annual miles of vehicle travel divided by the total population of the city. VMT per employee is the average amount of personal, non-commercial, vehicle travel made on an average weekday by each resident employee whose employment/work location is within the city.

The VMT analysis methodology utilizes the procedures described in Appendix TRA. The procedures are summarized below:

The VMT analysis is based on residential and office space assumptions associated with amendments to land use designations and zoning districts, including allowable densities, FAR, and building heights as described in Chapter 2, *Project Description*. Travel demand modeling was conducted using the Alameda CTC Countywide Model and SB 743 requirements.

The citywide VMT analysis examines VMT impacts in segments of the city called traffic analysis zones or TAZs, which is typically how traffic analysis is performed. The project includes a total of 4,960 new residential units within 27 selected TAZs in the city that would be impacted by the project and 75,000 square feet of office space within two selected TAZs that are in the BTOD area. Travel forecasts were prepared for both existing 2020 model year and future 2040 cumulative model year conditions. VMT results were extracted at the citywide level based on the efficiency metric, VMT per capita and VMT per employee.

The results were compared to the Alameda CTC Central Planning Area VMT per capita average and VMT per employee average to determine if the additional residential units and office space contribute to a VMT impact under SB 743.

According to the Technical Advisory on Evaluating Transportation Impacts, published by the Governor's Office of Planning and Research in December 2018, a 15 percent reduction in VMT per capita from existing development is "generally achievable" and supportive of State goals to reduce greenhouse gas emissions (OPR 2018). However, State guidance allows localities to set their own VMT standards based on substantial supporting evidence. VMT thresholds are defined using recommendations from the California Office of Planning and Research (OPR) based on their final report, dated December 2018. Cities and counties could opt to develop their own methods, but CEQA impact criteria are generally consistent with OPR recommendations. This CEQA analysis is based on OPR recommendations as the City of San Leandro has not developed its own guidelines. The project's VMT was assessed against the established threshold of 15 percent below the Alameda CTC Central Planning Area average VMT.

#### *COVID-19 Pandemic and Methodology*

On March 4, 2020 the Governor proclaimed a State of Emergency in California as a result of the threat of Coronavirus 2019 (COVID-19). On March 17, 2020 the Alameda County Health Officer issued a Shelter at Home Order for the entire county, including the City of San Leandro. The threat of COVID-19, as well as the subsequent State and County proclamations and orders, have resulted in temporary changes to the existing economic and physical conditions in California and Alameda County regionally. Temporary changes to existing environmental conditions may have reduced vehicle traffic and associated noise and pollutant emissions, and reduced electricity consumption. In addition, the timing and likelihood of cumulative development and regional buildout assumptions may be affected during or after the threat of COVID-19. The magnitude and duration of the State of Emergency and associated State and County orders, or future orders related to the threat of COVID-19 cannot be ascertained. Accordingly, the effect of COVID-19 on baseline and future environmental conditions effects of COVID-19 is currently speculative. CEQA Guidelines Section 15064(d)(3) states that:

An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.

Furthermore, CEQA Guidelines Section 15154 states that:

If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.

It would be speculative for the environmental analysis to assume what changes to baseline or cumulative baseline conditions might occur as a result of COVID-19 or the subsequent State and County proclamations and orders.

The travel forecasting that supports the analysis in this SEIR is derived from the ACTC Countywide model, which has established 2020 and 2040 as the planning horizon years based on ABAG Plan Bay Area 2040. The modeling horizon years are unaffected by the Covid pandemic since no traffic counts were collected during the Covid-19 Pandemic. The VMT analysis utilizes 2020 as the base year and 2040 as the cumulative year, so it is unaffected by any pandemic slowdown.

Therefore, this topic is not discussed further in this analysis.

## **b. Prior Environmental Analysis**

Chapter 4.13 (Transportation and Traffic) of the 2035 General Plan EIR analyzes the 2035 General Plan's consistency with applicable plans that establish measures of effectiveness for the performance of the circulation system; consistency with an applicable congestion management program, including level of service standards; changes in air traffic patterns; increased hazards due to design features of the project; inadequate emergency access; and consistency with plans regarding public transit, bicycle, or pedestrian facilities. The EIR determined that buildout under the 2035 General Plan would not be consistent with applicable plans, including a congestion management program, due to unacceptable level of service standards. Impacts related to air traffic patterns; hazards due to a design feature; inadequate emergency access; and plans regarding public transit, bicycle, or pedestrian facilities would be less than significant. VMT impacts were discussed in the 2035 General Plan EIR; however, guidelines were not yet adopted by the State at the time of the preparation of the EIR. All CEQA Checklist items listed above under the *Methodology and Significance Thresholds* section are addressed in this analysis.

## **c. Project Impacts and Mitigation Measures**

<b>Threshold 1:</b> Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
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**Impact TRA-1 CONSTRUCTION AND OPERATION OF DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT CONFLICT WITH A PROGRAM, PLAN, ORDINANCE, OR POLICY ADDRESSING THE CIRCULATION SYSTEM. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The transportation analysis provided in the 2035 General Plan EIR (pages 4.13-35 through 4.13-64) is based on the version of the Alameda Countywide Model with Plan Bay Area Projections dated May 28, 2015. The zonal detail (traffic analysis zones, or TAZs), street network, and land uses in that analysis were based on the Countywide Model, which had a 2010 base year and 2040 horizon year, with some modifications made to better represent actual 2010 conditions and the General Plan Buildout. The 2035 General Plan EIR (page 4.13-44) concluded that implementation of the 2035 General Plan, in combination with regional growth outside of San Leandro, would result in increased vehicle traffic, which would significantly affect the operations of 12 intersections and seven freeway segments during peak hours based on an analysis of LOS impacts from increased

traffic volumes and roadway density. 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 2035 General Plan would contribute its fair share through development fees for street improvements. The 2035 General Plan EIR included Mitigation Measures TRAF-1A and Mitigation Measure TRAF-1B to reduce impacts to specific intersections and freeway segments; however, findings were determined to be significant and unavoidable since the mitigations were not certain to occur.

The 2035 General Plan EIR also evaluated impacts on Congestion Management Program (CMP) roadways and followed the methodology established by the Alameda CTC, which relied upon impacts to the LOS on the freeway segments (page 4.13-60). The CMP is a plan mandated by California law to describe the strategies to address congestion problems on the CMP network, which includes State highways and principal arterials. The addition of traffic associated with implementation of the 2035 General Plan was determined to not cause any freeway segments to be impacted; therefore, impacts to freeway segments would be considered less than significant. However, the arterial segment analysis determined that there would be a significant volume-to-capacity ratio increase on the northbound segment of Doolittle Drive. The 2035 General Plan EIR included Mitigation Measure TRAF-2A to widen Doolittle Drive to provide an additional travel lane in the northbound direction or provide transit or shuttle service that operates between the city and key locations such as San Leandro and Coliseum BART stations and Oakland International Airport. Since the effectiveness of the shuttle service in reducing the number of trips on Doolittle Drive could not be adequately quantified, the impact was determined to be significant and unavoidable.

Additionally, the 2035 General Plan EIR determined that vehicle trips generated by the 2035 General Plan would cause congestion that reduces transit vehicle operations and impacts would be significant (page 4.13-61). Due to the potential increases in delays associated with impacted intersections, and uncertainty concerning the effectiveness and timing of mitigation measures, the impact of vehicle traffic on mixed flow transit operations remains significant and unavoidable. Impacts to transit capacity, transit access and egress, consistency with transit operators' adopted plans, and future transit service (BART extension to San Jose and ACTC BRT from Oakland to San Leandro BART) was determined to be less than significant.

The 2035 General Plan EIR (page 4.13-70) also determined that implementation of the 2035 General Plan would support and would not conflict with plans, programs and policies regarding bicycle or pedestrian facilities, or decrease the performance and safety of such facilities. Therefore, related impacts from implementation of the 2035 General Plan were determined to be less than significant.

### *Project Construction Impacts*

Construction activities related to development facilitated by the project could create potential conflicts with other roadway, transit, bicycle, and pedestrian users, such as construction related activities resulting in lane, bicycle path, or sidewalk closures along the frontages of individual development projects facilitated by the project, construction vehicles queuing within the public right-of-way waiting entry to the site, construction worker parking in non-designated parking areas, or construction debris on public streets. Construction impacts would be temporary in nature and encroachment permits from Caltrans would be required for facilities under its administration. Construction that would occur within the Caltrans public right-of-way would be subject to Caltrans encroachment permits. Construction could occur along local streets, transit routes, bicycle paths, and sidewalks; however, project applicants for future development would be required to coordinate with the City's Department of Public Works for temporary lane closures to identify appropriate

detours and timing, and to minimize impacts to the overall circulation network (including bicycle and pedestrian facilities). Therefore, with respect to conflicts with circulation system policies related to roadway, transit, bicycle, and pedestrian facilities, construction impacts of the project would be less than significant.

### *Project Operation Impacts*

As described previously, the City of San Leandro used intersection LOS, or vehicle delay or congestion, as the primary measure of traffic impacts from development prior to the passing of SB 743. SB 743 required all local agencies to begin using VMT by July 1, 2020. San Leandro General Plan Policy T-5.2 directed the City to implement new methodologies for evaluating and mitigating transportation impacts based on VMT rather than LOS.

The project would result in an increased number of residents and therefore increased use of the transportation system. The residential units facilitated by the project would be in proximity to commercial services and high-quality transit; therefore, the project would support land development that would generate relatively shorter trips and non-vehicle modes of transportation, including trips by walking, bicycling, and transit. The project would be consistent with efforts by the City and region to promote transit-oriented development and transit use. As discussed below in Impact TRA-2, buildout of the project would reduce VMT per capita by more than 15 percent below the existing central planning area average, which is consistent with City Policy T-1.1 to ensure that future land use and development decisions are in balance with the capacity of the City's transportation system and consistent with the City's goal of reducing GHG emissions, and Policy T-5.2 to use VMT as the primary metric for evaluating the transportation impacts of new development proposals.

As this is a programmatic-level SEIR, specific development projects have not been proposed. Therefore, while the magnitude of the potential development is known, information is not available regarding the location, the design of project access points, and the adequacy of on-site pedestrian circulation; therefore, the site-specific impacts of proposed development projects at each of the opportunity sites on pedestrian, bicycle, and transit facilities cannot be evaluated at this time. To ensure that future developments would not conflict with existing or planned facilities supporting those travel modes, the adequacy of existing facilities would be assessed as part of the development review process. Future development would be evaluated during the development review process to ensure that it would not include design features that would interfere with or obstruct existing plans to improve the circulation network, including transit, roadway, bicycle, and pedestrian facilities. Policy T-1.3 of the Transportation Element would require developers to address potential impacts on the City's transportation system through mitigation including impact fees, street improvements, traffic signals, and TDM measures.

Operation of development facilitated by the project would not interfere with or obstruct the implementation of plans related to the circulation network, such as the ABAG 2050 RTP/SCS, Alameda County CMP, the Alameda Countywide Multimodal Arterial Plan, the 2035 General Plan, the BTOD Specific Plan, and the City's Bicycle and Pedestrian Master Plan. The project would be consistent with the intent and directive of these plans and their individual policies. The project, which would increase allowable development intensity near transit, is intended to work in conjunction with mobility-related plans for a complete streets network, pedestrian and bicycle connectivity (especially connectivity to transit stations), active transportation, and the provision of transportation options for residents and employees.

To achieve the ABAG and MTC sustainable vision for the San Francisco Bay Area, the Plan Bay Area 2050 land use concept plan concentrates most new population and employment growth in and around PDAs. The project would concentrate new housing and office space in the city's three PDAs to increase transit opportunities and reduce dependence on vehicle travel. Table 4.2-2 in Section 4.2, *Greenhouse Gas Emissions*, details the project's consistency with the measures included in Plan Bay Area, including a measure for building a complete streets network.

Policy T-1.4 of the City's 2035 General Plan directs the City to maintain intensity of development near the city's two BART stations and along the East 14<sup>th</sup> Street corridor to maximize the potential for transit use, and Policy T-1.5 to promote land use concepts that reduce the necessity of driving, encourage public transit use, and reduce trip lengths. The project would also align with Policy T-1.6 directs the City to consider access to public transportation to be a major factor in the location and siting of future housing and public facilities.

Ridership may increase on BART with implementation of the project, particularly at San Leandro's two BART stations, but incremental increases in ridership would be considered for regional planning efforts by the appropriate agencies. The project would promote land use development that aligns with BART's adopted 2005 Transit-Oriented Development Policy, which includes goals to increase transit ridership and enhance quality of life at and around BART stations by encouraging and supporting high quality transit-oriented development within walking distance of BART stations and increase transit-oriented development projects on and off BART property through creative planning and development partnerships with local communities.

Similarly, ridership may increase on AC Transit facilities with implementation of the project, and incremental increases in ridership would be considered during updates to short- and long-range planning efforts by AC Transit.

Therefore, with respect to conflicts with circulation system, transit system, bicycle facilities, and pedestrian facilities programs, ordinances, and policies, the impact of the project would be less than significant. No additional mitigation measures would be required.

## **Mitigation Measures**

There would be no impact. Therefore, mitigation is not required.

**Threshold 2:** Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

**Impact TRA-2 THE DEVELOPMENT FACILITATED BY THE PROJECT WOULD RESULT IN CITY VMT PER CAPITA THAT WOULD BE A GREATER REDUCTION THAN 15 PERCENT THAN THE PLANNING AREA AVERAGE PER CAPITA VMT. EMPLOYEE VMT ASSOCIATED WITH THE PROJECT WOULD BE SCREENED OUT DUE TO PROXIMITY TO THE BART STATION. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR analyzed the daily (24-hour) VMT for existing (2015) conditions using the Alameda Countywide Model but did not conclude significance for project impacts, as guidelines were not yet adopted by the State at the time of the preparation of the 2035 General Plan EIR. The VMT analysis conducted for the 2035 General Plan EIR found that VMT per population (residential) and VMT per service population (employment) would decrease under the 2035 General Plan EIR (page 4.13-72).

As explained in the VMT Technical Memorandum provided in Appendix TRA, VMT statistics were calculated for the project and were compared to the Alameda CTC Central Planning Area averages.

The VMT analysis examined the citywide VMT per capita with the project under 2020 and 2040 conditions. The citywide VMT analysis examines VMT impacts at the level of TAZs.

Under SB 743, it is assumed that some types of development can be exempt from a transportation impact analysis due their inherent less than significant impact on VMT. A less than significant impact on VMT may result from a project’s location, size, or the land use of the development. A project only needs to meet one of four screening criteria to “screen out” of the requirement to complete a transportation impact analysis. One of these screening criteria is development near transit stations. A major transit stop is defined as a rail station or the intersection of two or more major bus routes with service every 15 minutes or less during morning and evening commute periods. CEQA Guideline Section 15064.3, subdivision (b)(1), states that lead agencies generally should presume that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) proposed within 0.5-mile of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less than significant impact on VMT (OPR 2018).

The two selected TAZs which include the 75,000 square feet of office space facilitated by the project are both within 0.5-mile of Bay Fair BART station, which is a major transit stop with a 15-minute headway during the morning and afternoon peak commute periods and considered a high-quality transit corridor. Therefore, individual projects with this office space would screen out from further VMT analysis and evaluation under CEQA. Therefore, the proposed office space would have a less than significant VMT impact.

The project’s residential VMT was assessed against the established threshold of 15 percent below the Alameda CTC Central Planning Area average VMT. The project would produce VMT per capita in the city that is lower than 15 percent below the Alameda CTC Central Planning Area average, as shown in Table 4.8-1. In both 2020 and 2040 scenarios, the VMT per capita threshold was 17.51. The VMT per capita for the city under the 2020 with project scenario would be 17.27, and the VMT per capita for the city under the 2040 with project scenario was 16.85. Both outcomes were less than the threshold of 17.51.

**Table 4.8-1 Project VMT Per Capita Compared to Thresholds**

Scenario	VMT	Threshold VMT	Lower than 15 percent below the Alameda CTC Central Planning Area average VMT per capita?
2020 VMT per capita	17.27	17.51	Yes
2040 VMT per capita	16.85	17.51	Yes

Source: Kittelson and Associates 2022. Appendix TRA

Therefore, the project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3 and would result in less than significant impacts related to VMT.

### **Mitigation Measures**

There would be no impact. Therefore, mitigation is not required.



**Threshold 3:** Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

**Impact TRA-3 DEVELOPMENT FACILITATED BY THE PROJECT MAY RESULT IN ROADWAY MODIFICATIONS, WHICH WOULD BE REVIEWED IN ACCORDANCE WITH THE CITY OF SAN LEANDRO STANDARD PLANS. THEREFORE, THE PROJECT WOULD NOT SUBSTANTIALLY INCREASE HAZARDS DUE TO A DESIGN FEATURE (E.G. SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G. FARM EQUIPMENT). IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR determined that development facilitated by the 2035 General Plan would result in construction and modifications of new and existing roadways. The improvements would be designed and reviewed in accordance with the City of San Leandro Standard Plans, which outline the City's standards for design and improvements and are pre-defined standards or specifications for minor land disturbing activities that may preclude the need for the preparation of a detailed plan under specific conditions. For example, the City's Standard Plans dictate the design standards for driveways, curb transitions, wheelchair curb cuts, and grade-crossing construction to minimize hazards between vehicles, pedestrians, and transit or rail. Additionally, the 2035 General Plan contains policies to improve roadway safety for all users and reduce conflicts between pedestrians, bicyclists, and vehicle traffic. Impacts of the 2035 General Plan were determined to be less than significant.

The project would facilitate higher allowable densities and FAR in specific land use designations and zoning districts, which may require modifications of roadways beyond the potential needs related to development allowable under existing regulations. Development facilitated by the project would adhere to federal, State, and local requirements to ensure that safety standards are met, and improvements to roadways would be reviewed in accordance with the City of San Leandro Standard Plans. The project would facilitate residential uses and office space and would not introduce incompatible uses that would substantially increase hazards. Therefore, impacts would be less than significant.

### **Mitigation Measures**

There would be no impact. Therefore, mitigation is not required.

**Threshold 4:** Would the project result in inadequate emergency access?

**Impact TRA-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN INADEQUATE EMERGENCY ACCESS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR determined that development allowed under the 2035 General Plan would not have any separate or additional impacts that would affect emergency access. Ongoing implementation of the General Plan policies and the City's engineering standards would ensure that adequate emergency access is provided in San Leandro and all roadway improvements necessary to serve development facilitated by the 2035 General Plan would be required to be reviewed by appropriate City staff (such as Fire, Police and/or Building) prior to approval. Therefore, impacts would be less than significant.

Similarly, development facilitated by the project would adhere to the City's engineering standards, and all roadway improvements would be required to be reviewed by appropriate City staff prior to approval to ensure that adequate emergency access is provided. Additionally, development

facilitated by the project would be required to comply with the California Fire Code, such as providing two separated and approved fire apparatus access roads that have a minimum width of 20-feet with turning radii of 25-feet inside and 45-feet outside. As discussed in Section 4.7, *Public Services and Recreation*, development facilitated by the project would be adequately served by the Alameda County Fire Department. Further, as discussed in Section 4.10, *Effects Found Not to be Significant*, development facilitated by the project would not result in significant impacts to evacuation routes or plans. Proposed policies in the Environmental Hazards Element would also increase coordination between safety and law enforcement agencies in the event of an emergency. Development facilitated by the project would not result in inadequate emergency access. Therefore, impacts would be less than significant.

### **Mitigation Measures**

There would be no impact. Therefore, mitigation is not required.

#### **4.8.4 Cumulative Impacts**

The cumulative setting for transportation impacts is the City of San Leandro.

### **Vehicle Miles Traveled**

Given that the total VMT per service population is forecasted to decrease with the project, the additional housing units and changes in land uses being proposed will help the city to decrease VMT generated on a per capita basis over time. According to OPR guidance, a project that is below the VMT impact thresholds and does not therefore have a VMT impact under baseline conditions also would not result in a cumulative impact as long as the project is aligned with long-term State environmental goals, such as reducing greenhouse gas emissions, and relevant plans, such as the ABAG RTP/SCS. Therefore, since the project would generate home-based VMT per capita that is more than 15 percent below the Central Planning Area baseline and reduce total VMT per capita in the city under future (2040) conditions the project would not result in a cumulative VMT impact.

### **Compatibility with Programs, Plans, Ordinances, and Policies Related to Circulation**

Cumulative plans and projects, including the project, would be required to comply with local regulations and policies. The plans' incremental contribution to cumulative impacts would be less than significant.

### **Roadway Safety and Emergency Access**

Roadways constructed as part of the project would be required to comply with City of San Leandro design standards. Modifications to public rights-of-way would be consistent with appropriate regulations and design standards set forth by the respective city's applicable plans, programs, and policies. Similarly, cumulative development would also be required to comply with the respective city's regulations and policies. Trucks necessary to construct cumulative development would utilize truck routes designated by the respective cities and would not conflict with the automobile traffic and bicycle and pedestrian activity along city streets. If cumulative development would redesign city streets in such a way that would significantly impact roadway safety, they would be required by the city to mitigate such impacts. In addition, driveways associated with cumulative development would be constructed in compliance with the California Fire Code and other applicable regulations related

to roadway safety and emergency access. Therefore, cumulative impacts related to roadway safety and emergency vehicle access would be less than significant.

## 4.9 Utilities and Service Systems

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This section evaluates potential significant impacts to utilities and service systems that could result from implementation of the project. The analysis in this section considers the utilities and service systems analysis contained in the 2035 General Plan EIR, supplemented by analysis of potential changes as proposed by the project. Impacts related to energy and natural gas demand are provided in Section 4.3, *Energy*.

### 4.9.1 Setting

#### **a. Water Supply**

Water service to the City of San Leandro is provided by the East Bay Municipal Utility District (EBMUD), a public utility. EBMUD is responsible for service connections and water delivery to most of Alameda County and much of Contra Costa County. San Leandro comprises about 6 percent of the EBMUD's customer base and uses about 5 percent of its water.

Approximately 90 percent of the EBMUD water supply originates from the melting snowpack of the Sierra Nevada. The principal water source is the Mokelumne River watershed, a 575-square mile area located in Alpine, Amador, and Calaveras Counties. Water is stored in reservoirs in the Sierra foothills and is transported by aqueduct to filter plants and reservoirs in the East Bay Hills. The other 10 percent of the EBMUD's water comes from runoff on protected East Bay Area watershed lands. EBMUD also has a contract for water supply intake from the Central Valley Project (CVP) on the Sacramento River. EBMUD relies on CVP deliveries during dry and critically dry periods (EBMUD 2020a).

Requirements to maintain minimum flows to sustain fish and wildlife populations on rivers in the Mokelumne watershed may curtail entitlements in the future. The water is treated at one of six water treatment plants (WTP) before delivery to customers. Water delivered to San Leandro customers is treated at the Orinda or Upper San Leandro filter plants (City of San Leandro 2016b).

Each water district adopts an urban water management plan (UWMP), which is a long-range planning document used to assess current and projected water usage, water supply planning and conservation and recycling efforts. The EBMUD adopted a 2020 UWMP and a 2020 Water Shortage Contingency Plan which determined that under base condition assumptions, EBMUD can meet customer demand out to 2050 during normal years and single dry years; however, during multi-year droughts, even with customer demand reduction measures in place, EBMUD will need to obtain supplemental supplies to meet customer demands (EBMUD 2020b).

EBMUD uses a three year "drought planning sequence" (DPS) to assess the adequacy of its water supply for long-term water resources planning. EBMUD uses a DPS to simulate the effects of a severe, multi-year drought as the basis of EBMUD's long-term water supply planning. New legislation (Senate Bill 606) also now requires the UWMP to include a drought risk assessment that examines water shortage risks for a drought lasting at least five consecutive years (EBMUD 2020b). Table 4.9-1 shows the forecasted normal year and dry year water supplies and demand.

**Table 4.9-1 EBMUD Normal and Dry Year Supply and Demand Comparison 2020-2050**

<b>EBMUD Planning Level of Demand</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>	<b>2040</b>	<b>2045</b>	<b>2050</b>
<b>Normal Year</b>							
Mokelumne Supply (mgd)	>181	>186	>190	>194	>201	>209	>218
Demand (taf)	181	186	190	194	201	209	218
<b>Need for Water (taf)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Single Dry Year</b>							
Mokelumne Supply (mgd)	121	126	129	132	138	144	151
CVP Supplies (mgd)	60	60	60	60	60	60	60
Total Supplies (mgd)	181	186	189	192	198	204	211
Voluntary Rationing (%)	0	0	1	1	2	2	3
<b>Need for Water (taf)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Second Dry Year</b>							
Mokelumne Supply (mgd)	82	86	89	92	98	104	111
CVP Supplies (mgd)	74	74	74	74	74	74	74
Total Supplies (mgd)	156	161	164	167	172	178	185
Mandatory Rationing (%)	13	13	13	14	14	14	15
<b>Need for Water (taf)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Third Dry Year</b>							
Mokelumne Supply (mgd)	141	145	146	145	132	118	105
CVP Supplies (mgd)	12	12	12	12	12	12	12
Total Supplies (mgd)	153	157	158	157	144	130	117
Mandatory Rationing (%)	15	15	15	15	15	15	15
<b>Need for Water – Base Condition (taf)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>28</b>	<b>52</b>	<b>75</b>
<b>Need for Water – High Demand Scenario (taf)</b>	<b>0</b>	<b>0</b>	<b>21</b>	<b>35</b>	<b>60</b>	<b>97</b>	<b>125</b>
<b>Need for Water – Extreme Drought Scenario (taf)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>32</b>	<b>55</b>	<b>84</b>

mgd = million gallons per day  
 taf = thousand acre-feet  
 CVP = Central Valley Project  
 Source: EBMUD 2020b

For the extreme drought scenario, EBMUD bases its CVP allocation on what can and did occur during the most recent drought. In 2015, EMBUD received 25 percent allocation of CVP water supplies. Therefore, for this scenario, EBMUD takes CVP water when Stage 2 of the DMP is triggered and assumes only 25 percent of CVP allocation is received (EBMUD 2020b). Based on the reduced CVP allocation assumption, EBMUD's total available water supply storage is nearly empty at the end of the second year of a drought period and the entire third year of a drought period. Despite the reduced CVP allocation assumption, the extreme drought scenario did not change significantly from the base condition because, although CVP diversions were reduced in years 2 and 3, they were still available throughout the drought period analyzed (EBMUD 2020b).

Average daily water use is lower in coastal areas such as San Leandro compared to inland portions of the EBMUD service area. To meet demand during dry years, EBMUD participates in the Bay Area Regional Reliability Project, manages several major projects involving reliability and process upgrades for water treatment plants and construction of new transmission facilities, and developed a water transfer program to secure dry-year water supplies to meet customer demands. EBMUD is also considering actions to increase available surface water storage, such as exploring several conjunctive use and groundwater banking/exchange programs, considering participation in a planned expansion of the Los Vaqueros Reservoir and/or a regional desalination project. EBMUD has developed a process and policies for monitoring, assessing, and responding to annual water supply availability. EBMUD's Water Supply Availability and Deficiency Policy 9.03 describes its process for evaluating the adequacy of its water supplies every year. Since the early 1980s, EBMUD has completed annual water shortage assessments to help make informed decisions on water supply management (EBMUD 2020b).

In addition to the EBMUD water supply, there are also approximately 800 private wells in San Leandro. Most of these wells are dormant or are used for water quality monitoring, landscape irrigation, and local industry. Domestic consumption is prohibited because of water quality concerns (City of San Leandro 2016b).

## **Water Distribution**

EBMUD distributes its water through a system of pipelines, storage reservoirs, water treatment plants, and pumping plants. Within the EBMUD service area, the water distribution network includes 4,200 miles of pipe, 167 water distribution reservoirs, and 131 water pumping plants. EBMUD's water supply system delivers 325 mgd to its 1.4 million customers and has a capacity of 830 million gallons (EBMUD 2020a, City of San Leandro 2016b).

There are currently no major water storage facilities in San Leandro. Rather, the city is served by nearby facilities in Castro Valley and Oakland, including the Dunsmuir Reservoir just outside the northeastern city limits. Pipelines in San Leandro range from 4 to 36 inches in diameter. EBMUD operates and maintains all water distribution lines within the city and is responsible for all facilities up to the location of the water meter (City of San Leandro 2016b).

## **Water Conservation**

The City of San Leandro and EBMUD have undertaken programs to conserve water and reduce the need for developing new supplies. These programs include public education and information, economic and financial incentives (rate structures), and a variety of "best management practices" such as water-saving plumbing fixtures and drought-tolerant landscaping. The City complies with the

California Building Standards Code and the California Public Code, which identifies water consumption reduction measures in new development (City of San Leandro 2016a).

Additionally, the San Leandro Water Pollution Control Plant (WPCP) and the Oro Loma Sanitary District (OLSD) provide treated and reclaimed water for irrigation and landscaping purposes within the city. The WPCP provides approximately 100 million gallons of recycled water per year to the Monarch Bay Golf Course, and in 2019 the WPCP opened the Recycled Water Station to provide free reclaimed water to San Leandro residents (City of San Leandro 2021a).

## **b. Wastewater Collection and Treatment**

The city's sewer system consists of approximately 130 miles of pipe, ranging from 6 inches to 42 inches in diameter, and 13 remote lift stations. The sewers in the city system range in age from new to over 70 years old. The oldest sewers are located in the northeastern portion of the city from the Oakland city limits to Castro Street roughly between the Southern Pacific Railroad and MacArthur Boulevard. This portion includes the downtown area and the oldest residential areas of the city. The City maintains roughly two thirds of the sewers within the city limits, primarily serving the northern portion of the city. The remainder of the city is served by the OLSD. The sewage from the City-managed sewer system is conveyed to and treated at the City-managed WPCP. The treatment plants directs treated wastewater to an outfall controlled by East Bay Dischargers Authority, a joint powers authority, which discharges treated effluent to the San Francisco Bay. The San Francisco RWQCB established wastewater treatment requirements for the OLSD wastewater treatment plant and the EBDA outfall in an NPDES Permit (Order No. R2-2012-0004), adopted in 2012. The NPDES Order sets a framework for operation of the plant and effluent from the plant (City of San Leandro 2016b).

### **San Leandro Water Pollution Control Plant**

The WPCP serves approximately 50,000 residents, as well as businesses, and treats approximately 5 mgd of wastewater with spikes up to 14 mgd (City of San Leandro 2021a). The WPCP has a maximum capacity of 9.7 mgd (EBMUD 2020a).

Wastewater at the plant receives advanced secondary treatment through an advanced activated sludge process. This is a biological treatment process that results in two byproducts -- treated effluent and biosolids (sludge). Sludge from the plant is rated Class A and is suitable for application as a soil conditioner for non-food agricultural use. The sludge is disposed through land spreading by a private contractor (City of San Leandro 2021a).

### **Oro Loma Sanitary District**

The OLSD and Castro Valley Sanitary District (CVSD) jointly own the OLSD's treatment plant, which has a permitted capacity of 20 mgd and treats an average dry weather flow of 12.4 mgd. OLSD treats wastewater using primary and secondary treatment, where trash and settleable solids are first removed through bar screens, grit chambers and settling tanks, then bacteria converts dissolved organic matter into suspended matter that can be settled out as sludge. The remaining wastewater is disinfected, discharged, then dewatered and hauled away (OLSD 2021a). OLSD owns, operates, and maintains a collection system with 273 miles of sewer pipes and 13 sewage lift stations. The OLSD has had an active sewer system management program since 1988 and has experienced very few overflows and line stoppages. Since the CVSD owns 25 percent of OLSD's treatment plant, it independently transports its sewage to a joint interceptor system located 1.5 miles east of the treatment plant (OLSD 2021b).

### **c. Stormwater**

The City of San Leandro Department of Public Works owns and maintains 175 miles of storm drain conduits throughout the city. The city's storm drain system feeds into a larger system owned and operated by the Alameda County Flood Control and Water Conservation District (ACFCD). This system includes the lower reaches of San Leandro and San Lorenzo Creeks, as well as a number of channels extending into San Leandro neighborhoods west of I-880. The ACFCD's drainage facilities include levees, pump stations, erosion control devices, and culverts. The ACFCD maintains these facilities, including fence repair, vegetation removal, preventive maintenance of pump stations, spill prevention and cleanup, and investigation of inquiries and clean water concerns (City of San Leandro 2016b).

Alameda County is divided into nine flood control zones by the ACFCD. San Leandro is located within Zones 2, 9, and 13. Zone 2 is the largest of the zones with 49 miles of underground pipes and serves the southern portion of San Leandro as well as part of the City of Hayward and unincorporated communities of Alameda County. Zone 9 serves the central portion of San Leandro and has 14 miles of underground pipes. Zone 13 serves the northern portion of the city and includes 13 miles of underground pipes. Creek restoration projects are currently underway in several ACFCD districts (ACFCD 2022). The construction, monitoring, and maintenance of the stormwater infrastructure are a joint effort between ACFCD and the San Leandro Public Works Department (City of San Leandro 2016b).

### **d. Solid Waste**

The City of San Leandro has two distinct service areas for refuse and recycling services: San Leandro Sanitary District and Oro Loma Sanitary District. The two service providers that serve these areas are Alameda County Industries and Waste Management of Alameda County. As shown in Table 4.9-2, the city's solid waste was sent to seven landfills (as of 2019, latest available data): Altamont Landfill Resource Recovery Facility, Fink Road Landfill, North County Landfill and Recycling Center, Potrero Hills Landfill, Recology Hay Road Landfill, Redwood Landfill and Vasco Road Sanitary Landfill. About 81 percent of San Leandro's solid waste was sent to the Altamont Landfill Resource Recovery Facility and the Vasco Road Sanitary Landfill (CalRecycle 2022a).



**Table 4.9-2 Estimated Landfill Capacities and Closure Date**

<b>Landfill Facility</b>	<b>Permitted Capacity (cubic yards)</b>	<b>Remaining Capacity (cubic yards)</b>	<b>Maximum Permitted Throughput (tons per day)</b>	<b>Anticipated Closure Date</b>
Altamont Landfill Resource Recovery Facility	124,400,000	65,400,000	11,150	2070
Fink Road Landfill	14,640,000	7,184,701	2,400	2023
North County Landfill and Recycling Center	41,200,000	35,400,000	825	2048
Potrero Hills Landfill	83,100,000	13,872,000	4,330	2048
Recology Hay Road Landfill	37,000,000	30,433,000	2,400	2077
Redwood Landfill	26,077,000	26,000,000	2,300	2036
Vasco Road Sanitary Landfill	32,970,000	7,379,000	2,518	2022

Source: CalRecycle 2022a

CalRecycle identifies Maximum Permitted Throughput only in Tons/Day, while Maximum Permitted Capacity and Remaining Capacity are only provided in Cubic Yards; therefore, standard conversion factors provided by the EPA (U.S. EPA 2016) are used to provide all figures in both Tons and Cubic Yards. EPA identifies a standard conversion factor for Municipal Solid Waste (MSW) compacted to “Landfill Density” of 1,700 pounds per cubic yard, equating to approximately 0.8 ton per cubic yard of compacted MSW.

Source: United States Environmental Protection Agency (U.S. EPA). 2016. Standard Volume-to-Weight Conversion Factors.

[https://www.epa.gov/sites/production/files/2016-](https://www.epa.gov/sites/production/files/2016-04/documents/volume_to_weight_conversion_factors_memorandum_04192016_508fnl.pdf)

[04/documents/volume\\_to\\_weight\\_conversion\\_factors\\_memorandum\\_04192016\\_508fnl.pdf](https://www.epa.gov/sites/production/files/2016-04/documents/volume_to_weight_conversion_factors_memorandum_04192016_508fnl.pdf) (accessed July 5, 2022).

## **e. Telecommunications**

Telecommunication services including telephone and residential internet services are provided by AT&T and Comcast. Business internet services are provided by Lit San Leandro (City of San Leandro 2021b).

## 4.9.2 Regulatory Setting

The regulatory setting for utilities is provided below, organized by the topics addressed in this section, including water supply, wastewater, stormwater, solid waste, and telecommunications.

### **a. Water Supply**

#### **Federal Regulations**

##### *Clean Water Act*

The federal Clean Water Act, enacted by Congress in 1972 and amended several times since, is the primary federal law that regulates water quality in the United States. It forms the basis for several State and local laws throughout the country. The Clean Water Act established the basic structure for regulating discharges of pollutants into the waters of the United States. The Clean Water Act gave the U.S. Environmental Protection Agency (USEPA) the authority to implement federal pollution control programs, such as setting water quality standards for contaminants in surface water, establishing wastewater and effluent discharge limits for various industry contaminants in surface water, establishing wastewater and effluent discharge limits for various industry categories, and imposing requirements for controlling nonpoint-source pollution. At the federal level, the Clean Water Act is administered by the USEPA and the U.S. Army Corps of Engineers (USACE). At the state and regional levels in California, the act is administered and enforced by the State Water Resource Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCB).

## State

### *Sustainable Groundwater Management Act*

In September 2014, Governor Brown signed legislation requiring that California's critical groundwater resources be sustainably managed by local agencies. The Sustainable Groundwater Management Act gives local agencies the power to sustainably manage groundwater and requires groundwater sustainability plans to be developed for medium- and high-priority groundwater basins.

The developed area of San Leandro is within the East Bay Plain Subbasin, which is a part of the Santa Clara Valley Groundwater Basin. EBMUD and the City of Hayward are the two exclusive groundwater sustainability agencies for the East Bay Plain Subbasin, and as such are required to submit a Groundwater Sustainability Plan for management of the subbasin. EBMUD and the City of Hayward released a notice of intent to adopt the East Bay Plain Subbasin Groundwater Sustainability Plan in September 2021 (EBMUD 2021).

### *Senate Bills 610 and 221, Water Supply Assessment and Verification*

Senate Bills (SB) 610 and 221 amended State law, effective January 1, 2002, to improve the link between the information on water supply availability and certain land use decisions made by cities and counties. Both statutes require detailed information regarding water availability to be provided to city and county decision-makers prior to approval of specified large development projects with greater than 500 dwelling units or 500,000 square feet of commercial space. Both statutes also require this detailed information to be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Under SB 610 water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects as defined in Water Code 10912 subject to CEQA. Under SB 221 approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply.

### *California Department of Water Resources*

The California Department of Water Resources is responsible for preparing and updating the California Water Plan, which is a policy document that guides the development and management of State water resources. The plan is updated every five years to reflect changes in resources and urban, agricultural, and environmental water demands. The California Water Plan suggests ways of managing demand and augmenting supply to balance water supply with demand.

### *Urban Water Management Planning Act*

In 1983 the California Legislature enacted the Urban Water Management Planning Act (Water Code Section 10610–10656). The Act states that every urban water supplier that provides water to 3,000 or more customers, or that provides over 3,000 acre-feet annually, should make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry years. The Act requires that urban water suppliers adopt an urban water management plan (UWMP) at least once every five years and submit them to the Department of Water Resources. Noncompliant urban water suppliers are ineligible to receive funding pursuant to Division 24, commencing with Section 78500, or Division 26, commencing with Section 79000, or receive drought assistance from the State until the UWMP is submitted and deemed complete pursuant to the Urban Water Management Planning Act.

### *Senate Bill 7x7 Statewide Water Conservation*

In November 2009 the California State Legislature passed and the Governor approved a comprehensive package of water legislation, including SB 7x7 addressing water conservation. In general SB 7x7 requires a 20 percent reduction in per capita urban water use by 2020, with an interim 10 percent target in 2015. The legislation requires urban water users to develop consistent water use targets and to use those targets in their UWMPs.

### *Porter-Cologne Water Quality Control Act (California Water Code)*

The State of California is authorized to administer Federal or State laws regulating water pollution within the State. The Porter-Cologne Water Quality Control Act (Water Code Section 13000, *et seq.*) includes provisions to address requirements of the Clean Water Act. These provisions include National Pollutant Discharge Elimination System (NPDES) permitting, dredge and fill programs, and civil and administrative penalties. The Porter-Cologne Act is broad in scope and addresses issues relating to the conservation, control, and utilization of the water resources of the State. Additionally, the Porter-Cologne Act states that the quality of all the waters of the State, including groundwater and surface water, must be protected for the use and enjoyment by the people of the State.

In California, the NPDES program is administered by the SWRCB through the Regional Water Quality Control Boards (RWQCB) and requires municipalities to obtain permits that outline programs and activities to control wastewater and stormwater pollution. The federal Clean Water Act prohibits discharges of stormwater from construction projects unless the discharge is in compliance with an NPDES permit. The SWRCB is the permitting authority in California, and adopted an NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities, otherwise known as the Construction General Permit (Order 2009-0009, as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). The Order applies to construction sites that include one or more acre of soil disturbance. Construction activities include clearing, grading, grubbing, excavation, stockpiling, and reconstruction of existing facilities involving removal or replacement. The Construction General Permit requires that the landowner and/or contractor file permit registration documents prior to commencing construction and then pay a fee annually through the duration of construction. These documents include a notice of intent, risk assessment, site map, stormwater pollution prevention plan (SWPPP), and signed certification statement. The SWPPP must include measures to ensure that: all pollutants and their sources are controlled; non-stormwater discharges are identified and eliminated, controlled, or treated; site Best Management Practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges; and BMPs installed to reduce or eliminate pollutants after construction are completed and maintained. The Construction General Permit specifies minimum BMP requirements for stormwater control based on the risk level of the site. The Permit also specifies minimum qualifications for a qualified SWPPP developer and qualified SWPPP practitioner.

## **b. Wastewater**

### **Federal**

#### *Clean Water Act Section 401*

Under Section 401 of the Clean Water Act, the Regional Water Quality Control Boards (RWQCBs) have regulatory authority over actions in waters of the United States and/or the State of California

through the issuance of water quality certifications, which are issued in conjunction with any federal permit (e.g., permits issued by the USACE under Section 404 of the Clean Water Act, described above). Section 401 of the Clean Water Act provides the SWRCB and the RWQCBs with the regulatory authority to waive, certify, or deny any proposed activity that could result in a discharge to surface waters of the State. To waive or certify an activity, these agencies must find that the proposed discharge would comply with State water quality standards, including those protecting beneficial uses and water quality. If these agencies deny the proposed activity, the federal permit cannot be issued. This water quality certification is generally required for projects requiring Section 404 authorization involving the discharge of dredged or fill material to wetlands or other waters of the United States.

#### *Clean Water Act Section 402*

Section 402 of the Clean Water Act requires that all construction sites on an acre or greater of land, as well as municipal, industrial and commercial facilities discharging wastewater or stormwater directly from a point source, such as a pipe, ditch, or channel, into a surface water of the United States must obtain permission under the NPDES permit. All NPDES permits are written to ensure that the surface water receiving discharges will achieve specified water quality standards.

### **State and Regional**

#### *Title 22 of California Code of Regulations*

Title 22 regulates the use of reclaimed wastewater. In most cases only disinfected tertiary water may be used on food crops where the recycled water comes into contact with the edible portion of the crop. Disinfected secondary treatment may be used for food crops where the edible portion is produced below ground and will not come into contact with the secondary effluent. Lesser levels of treatment are required for other types of crops, such as orchards, vineyards, and fiber crops.

The California Department of Public Health sets specific requirements for treated effluent reuse, or recycled water, through Title 22 of the California Code of Regulations. These requirements are primarily set to protect public health. The California Code of Regulations Title 22, Division 4, Chapter 3, Sections 60301 through 60355 are used to regulate recycled wastewater and are administered jointly by the California Department of Public Health and the RWQCBs. Title 22 contains effluent requirements for four levels of wastewater treatment, from un-disinfected secondary recycled water to disinfected tertiary recycled water. Higher levels of treatment have higher effluent standards, allowing for a greater number of uses under Title 22, including irrigation of freeway landscaping, pasture for milk animals, parks and playgrounds, and vineyards and orchards for disinfected tertiary recycled water. Salt concentrations, such as chloride, nitrogen, and sodium, in the effluent are regulated based on the Basin Plan for the San Francisco Bay Basin (SFBRWQCB 2019), which also considers local groundwater quality.

### **Local**

#### *San Leandro 2035 General Plan*

The General Plan's Community Services and Facilities Element includes goals, policies, and actions applicable to wastewater. Policy CSF-6.2 requires future development to pay its fair share of the cost of improving the water, sewer, storm drainage, and other infrastructure systems needed to serve that development. Development impact fees, development agreements, and other

appropriate forms of mitigation should be used to cover the costs of upgrading or expanding public infrastructure. Policy CSF-6.4 directs the City to maintain efficient, environmentally sound, and cost-effective wastewater collection and treatment services in San Leandro. Policy CSF-6.5 maintain adequate capacity at the San Leandro wastewater treatment plant to accommodate projected levels of growth within the service area and directs the City to encourage the Oro Loma Sanitary District to do the same. Policy CSF-6.5 support efforts to maintain and/or improve the high quality of treated effluent at both plants and increase the feasibility and cost-effectiveness of using recycled wastewater for non-potable purposes.

### **c. Stormwater**

#### **Federal**

##### *Clean Water Act Section 402*

Section 402 of the Clean Water Act requires that all construction sites on an acre or greater of land, as well as municipal, industrial and commercial facilities discharging wastewater or stormwater directly from a point source (e.g., pipe, ditch, or channel) into a surface water of the United States must obtain permission under the National Pollutant Discharge Elimination System (NPDES) permit. All NPDES permits are written to ensure that the surface water receiving discharges will achieve specified water quality standards.

According to federal regulations, NPDES permit coverage for stormwater discharges associated with construction activity can be obtained through individual State permits or general permits. Individual permitting involves the submittal of specific data on a single construction project to the appropriate permitting agency that will issue a site-specific NPDES permit to a project. NPDES coverage under a general permit involves the submittal of a Notice of Intent by the regulated construction project that they intend to comply with a general permit to be developed by USEPA or a state with delegated permitting authority.

In California, the NPDES program is administered by the SWRCB through the RWQCBs and requires municipalities to obtain permits that outline programs and activities to control wastewater and stormwater pollution. The Federal Clean Water Act prohibits discharges of stormwater from construction projects unless the discharge is in compliance with an NPDES permit. The SWRCB is the permitting authority in California, and adopted an NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) (Order 2009-0009, as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). Containment and spill cleanup are also encompassed in the Storm Water Pollution Prevention Plan (SWPPP). This includes inspections for spills, a requirement that chemicals be stored in watertight containers with secondary containment to prevent spillage or leakage, procedures for addressing hazardous and non-hazardous spills, including a spill response and implementation procedure, include on-site equipment for cleanup and spills, and spill training for construction personnel.<sup>1</sup>

The order applies to construction sites that include one or more acre of soil disturbance. Regulated construction activities include clearing, grading, grubbing, excavation, stockpiling, and reconstruction of existing facilities involving removal or replacement. The Construction General Permit requires that the landowner and/or contractor file permit registration documents prior to commencing construction and then pay a fee annually through the duration of construction. These documents include a notice of intent, risk assessment, site map, stormwater pollution prevention

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<sup>1</sup> See [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/docs/constpermits/wqo\\_2009\\_0009\\_complete.pdf](https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/constpermits/wqo_2009_0009_complete.pdf)

plan (SWPPP), and signed certification statement. The SWPPP must include measures to ensure that: all pollutants and their sources are controlled; non-stormwater discharges are identified and eliminated, controlled, or treated; site best management practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges; and BMPs installed to reduce or eliminate pollutants after construction are completed and maintained. The Construction General Permit specifies minimum BMP requirements for stormwater control based on the risk level of the site.

## **State**

### *California Green Building Standards Code*

The California Green Building Standards Code (24 CCR, Part 11) includes mandatory measures for residential and nonresidential development. For example, Section 4.106.2 requires residential projects that disturb less than one acre and are not part of a larger common plan of development to manage stormwater drainage during construction through on-site retention basins, filtration systems, and/or compliance with a stormwater management ordinance. Section 5.106.1 requires newly constructed nonresidential projects and additions of less than one acre to prevent the pollution of stormwater runoff from construction through compliance with a local ordinance or implementing BMPs that address soil loss and good housekeeping to manage equipment, materials, and wastes. Section 5.303 sets measures for indoor water use for non-residential development requiring metering devices to conserve water.

## **Local**

### *Municipal Stormwater Permitting Program*

The San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049 (MRP) issues the Waste Discharge Requirements and NPDES Permit for the discharge of stormwater runoff from the municipal separate storm sewer systems (MS4s) of over 70 municipalities, including San Leandro, and local agencies in five Bay Area counties. Under the MRP, permittees are prohibited from non-stormwater discharges into storm drain systems and watercourses. Permitted discharges must not cause or contribute to a violation of any applicable water quality standard for receiving waters. Upon a determination by either the MRP permittee(s) or the RWQCB that discharges are causing or contributing to an exceedance of an applicable water quality standards, the permittee(s) must notify, within no more than 30 days, and thereafter submit a report to the RWQCB. The report must describe controls or best management practices (BMPs) that are currently being implemented, and the current level of implementation, and additional controls or BMPs that will be implemented, and/or an increased level of implementation, to prevent or reduce the discharge of pollutants that are causing or contributing to the exceedance of water quality standards. The MRP also sets forth requirements for monitoring water quality.

The Clean Water Program Provision C.3 provides requirements for all new private or public development and redevelopment projects that create or replace 10,000 square feet of impervious services, and special land use projects that create or replace 5,000 square feet of impervious surfaces (i.e., uncovered parking areas, restaurants, auto service facilities, retail gas outlets). Provision C.3 requires the implementation of stormwater controls such as site design measures, source control measures, and in certain instances low impact development (LID) treatment measures that are hydraulically sized in order to prevent runoff rates from development to increase (Alameda County Clean Water Program 2021). As part of the Clean Water Program, projects that

disturb more than one acre of land must prepare stormwater pollution prevention plans and include monitoring programs to show how the project will comply with post-construction runoff requirements.

#### *City of San Leandro Stormwater Management and Discharge Control Ordinance*

The City of San Leandro manages stormwater and regulates discharge into storm drains through a Storm Water Management and Discharge Control Ordinance. The City adheres to the SWRCB requirements for permitting for specific types of industrial and construction activities, such as obtaining a NPDES permit prior to construction.

### **d. Solid Waste**

#### **Federal**

##### *Title 40 of the Code of Federal Regulations*

Title 40 of the Code of Federal Regulations (CFR), Part 258 (Resource Conservation and Recovery Act RCRA, Subtitle D) contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the federal landfill criteria. The federal regulations address the location, operation, design, groundwater monitoring, and closure of landfills.

#### **State**

##### *California Department of Resources Recycling and Recovery*

California Department of Resources Recycling and Recovery (CalRecycle) oversees, manages, and monitors waste generated in California. CalRecycle provides limited grants and loans to help California cities, counties, businesses, and organizations meet the State waste reduction, reuse, and recycling goals. It also provides funds to clean up solid waste disposal sites and co-disposal sites, including facilities that accept hazardous waste substances and non-hazardous waste. CalRecycle develops, manages, and enforces waste disposal and recycling regulations, including AB 939 and SB 1016, both of which are described below.

##### *Assembly Bill 939*

AB 939 (Public Resources Code 41780) requires cities and counties to prepare integrated waste management plans and to divert 50 percent of solid waste from landfills beginning in calendar year 2000 and each year thereafter. AB 939 also requires cities and counties to prepare Source Reduction and Recycling Elements as part of the integrated waste management plans. These elements are designed to develop recycling services to achieve diversion goals, stimulate local recycling in manufacturing and stimulate the purchase of recycled products.

##### *Assembly Bill 341 – Mandatory Commercial Recycling*

The purpose of AB 341 is to reduce GHG emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in California. AB 341 required all businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units to recycle by July 1, 2012. AB341 also sets a statewide goal of 75 percent waste diversion.

### *Senate Bill 1016*

SB 1016 requires that the 50 percent solid waste diversion requirement established by AB 939 be expressed in pounds per person per day. SB 1016 changed the CalRecycle review process for each municipality's integrated waste management plan. CalRecycle reviews a jurisdiction's source reduction and recycling element and hazardous waste element once every two years.

## **Local**

### *Alameda County Integrated Waste Management Plan: Countywide Element*

The Countywide Integrated Waste Management Plan is a State-mandated plan prepared by the Alameda County Waste Management Authority. The Plan identifies solid waste facilities and wastesheds within Alameda County. It describes the countywide plan for reaching the State-mandated 50 percent recycling goal and the county-mandated 75 percent recycling goal. Waste reduction and disposal facilities in the county that require Solid Waste Facility Permits must conform to policies and siting criteria contained in the Countywide Integrated Waste Management Plan.

### *Alameda County Mandatory Recycling Ordinance*

The Alameda County Mandatory Recycling Ordinance prohibits the disposal of certain readily recyclable materials. It requires multifamily residential properties with five or more units and businesses with four cubic yards or more of weekly garbage service to provide on-site recycling to handle the amount of recyclable materials generated at the location. Phase 1 of the Ordinance became effective July 1, 2012. Phase II of the Ordinance expands the recycling requirement to all businesses and adds discarded food and compostable paper products to list of covered materials. The City plans to participate in Phase II in near future.

### *Alameda County Reusable Bag Ordinance*

The objective of this countywide ordinance is to reduce the use of single-use carryout bags and to promote the use of reusable bags. As of January 1, 2013, grocery stores and other stores in Alameda County that sell packaged food no longer provide single-use plastic carryout bags, nor do they distribute paper bags or reusable bags for free at checkout, pursuant to the Ordinance.

### *San Leandro Green Building Ordinance*

The City's Green Building Ordinance requires a minimum Leadership in Energy & Environmental Design (LEED) rating of "Silver" for construction projects valued at over \$3 million on City-owned facilities. LEED designation is given to buildings that use recycled-content materials, among other qualifications.

### *San Leandro 2035 General Plan*

General Plan Policy OSC-7.1 directs the City to actively promote recycling, composting, and other programs that reduce the amount of solid waste requiring disposal in landfills. Actions under this program direct the City to expand recycling programs for multi-family dwellings and commercial-industrial customers, and to implement construction and demolition debris recycling, e-waste recycling, and green waste and food waste recycling programs. Policy CSF-6.2 requires future development to pay its fair share of the cost of improving the water, sewer, storm drainage, and other infrastructure systems needed to serve that development. Development impact fees,



development agreements, and other appropriate forms of mitigation should be used to cover the costs of upgrading or expanding public infrastructure. Policy CSF-6.3 directs the City to coordinate local infrastructure planning with EBMUD, the Oro Loma Sanitary District, Alameda County, and other service providers to ensure that infrastructure remains adequate to serve existing and planned development.

### **e. Telecommunications**

The California Public Utilities Commission (CPUC) develops and implements policies for the telecommunication industry. The Communications Division is responsible for licensing, registration and the processing tariffs of local exchange carriers, competitive local carriers, and non-dominant interexchange carriers. It is also responsible for registration of wireless service providers and franchising of video service providers. The Division tracks compliance with commission decisions and monitors consumer protection and service issues and Commission reliability standards for safe and adequate service. The Communications Division is responsible for oversight and implementation of the six public purpose Universal Service Programs (CPUC 2021b).

## 4.9.3 Impact Analysis

### **a. Significance Thresholds and Methodology**

#### **Significance Thresholds**

The following thresholds of significance are based on Appendix G to the CEQA Guidelines. For purposes of this SEIR, implementation of the project may have a significant adverse impact if it would do any of the following:

1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects
2. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years
3. Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments
4. Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals
5. Would not comply with federal, state, and local management and reduction statutes and regulations related to solid waste

### **b. Prior Environmental Analysis**

Chapter 4.14 (Utilities and Service Systems) of the 2035 General Plan EIR analyzes the 2035 General Plan's impacts related to water supply, wastewater, solid waste, and stormwater infrastructure. The 2035 General Plan EIR addresses CEQA Guidelines thresholds and found no significant impacts. The 2035 General Plan EIR determined that the 2035 General Plan:

- Would have sufficient water supplies available to serve the proposed project from existing entitlements and resources, and would not require new or expanded entitlements.

- Would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.
- Would not exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board.
- Would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.
- Would not result in the determination by the wastewater treatment provider, which serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.
- Would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs.
- Would comply with federal, State, and local statutes and regulations related to solid waste.
- Would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

The project would accommodate increased residential units and office space, as outlined in Section 2, *Project Description*, which may lead to impacts related to utilities and service systems which were not analyzed in the 2035 General Plan EIR. Therefore, all the CEQA checklist items listed above under the *Methodology and Significance Thresholds* section are addressed in this analysis.

### **c. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

**Impact UTIL-1 DEVELOPMENT FACILITATED BY THE PROJECT MAY REQUIRE THE RELOCATION OR CONSTRUCTION OF NEW OR EXPANDED WATER, WASTEWATER TREATMENT, STORMWATER DRAINAGE, ELECTRIC POWER, NATURAL GAS, AND TELECOMMUNICATIONS FACILITIES WITHIN THE CITY. WHILE NEW CONNECTIONS TO EXISTING UTILITY SERVICE SYSTEMS COULD BE REQUIRED, SUCH CONNECTIONS WOULD NOT RESULT IN DISTURBANCE BEYOND INDIVIDUAL DEVELOPMENT SITES AND ADJACENT INFRASTRUCTURE CORRIDORS AND WOULD NOT RESULT IN SIGNIFICANT ENVIRONMENTAL EFFECTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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### **Water, Wastewater, and Storm Drain Facilities**

The 2035 General Plan EIR concluded that anticipated growth from the 2035 General Plan would not require or result in the construction of new water or wastewater facilities or expansion of existing facilities. The 2035 General Plan EIR noted existing water conservation programs, state and local regulations, and General Plan policies would result in a less than significant impact.

Development facilitated by the project would create additional demand for water in San Leandro. As described in the *Project Description*, the project would facilitate increased densities over what is currently allowed. The project could result in an additional 12,400 residents above the General Plan EIR assumption, as detailed in Section 4.6, *Population and Housing*. As described in Impact UTIL-2 below, project demand would be served by existing and planned EBMUD water supplies, which are

not anticipated to require the relocation or construction of new or expanded treatment or distribution facility improvements.

As noted in Impact UTIL-3 below, existing wastewater treatment facilities have sufficient capacity to treat project generation and would not need to be expanded. Minor infrastructure upgrades to conveyance systems could be needed due to increased demand to meet the demand generated by the additional residents that could be accommodated as a result of the project, particularly in areas with aging water, wastewater, and storm drain infrastructure. As noted in the 2035 General Plan EIR and the 2018 BTOD Specific Plan EIR, the precise sizing of the wastewater conveyance pipes would be determined at the project level and would be subject to the approval of the City to ensure that the system would be adequate. Due to the small scope of these minor infrastructure upgrades and limited ground disturbance, the environmental impacts of these upgrades would not result in significant environmental impacts.

Construction of conveyance pipes would occur within developed areas, such as existing paved rights-of-way, that already contain underground infrastructure for utilities. Installation of upgraded infrastructure would result in ground disturbance. Compliance with existing policies would minimize impacts to sensitive environmental resources including protected biological resources and water bodies in the City's watershed, such as the San Leandro Creek. Projects that involve the disturbance of one acre or more of land would be subject to NPDES construction permit requirements, including preparation of a SWPPP, which includes BMPs to limit the discharge of sediment and non-stormwater discharges from the site. Projects that involve the creation and/or replacement of more than 10,000 square feet of impervious surfaces would trigger the implementation of source control measures and site design measures to address stormwater runoff, as per the C.3 provisions of the Alameda County Clean Water Program. In addition, stormwater treatment measures are required to contain site runoff, using specific numeric sizing criteria based on volume and flow rate, to reduce potential contamination. Therefore, the project would not result in significant environmental effects from construction or relocation of water facilities and impacts would be less than significant.

## **Electricity and Natural Gas**

The 2035 General Plan EIR concluded allowable development with buildout of the General Plan would not result in a substantial increase in natural gas and electrical service demands and would not require new energy supply facilities and transmission.

The project would require connections to existing electrical transmission and distribution systems on site to serve development facilitated by the project. This service would be provided in accordance with the rules and regulations of Pacific Gas and Electric (PG&E) on file with and approved by CPUC. Based on the availability of existing electrical infrastructure, it is not anticipated that the construction of new electrical transmission and distribution lines or other facilities would be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate electrical facilities to serve development as a result of the project and impacts related to electricity would be less than significant.

Development facilitated by the project would connect to existing natural gas infrastructure to meet the needs of housing units and office space. As directed by the City's adopted CAP, the City is committing to developing a reach code limiting natural gas use in new construction, or as directed by the State or regional agencies. The reach codes are scheduled for adoption in late 2022, concurrently with the 2022 Building Standards Code that will go into effect on January 1, 2023. Therefore, no new natural gas lines are anticipated for most future construction. Based on the availability of existing natural gas infrastructure, construction of new natural gas pipelines would

not be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate natural gas facilities to serve the development as a result of the project and impacts related to natural gas would be less than significant.

## **Telecommunications**

The project would require connections to existing utility infrastructure to meet the needs of housing units and office space. Based on the availability of existing telecommunications infrastructure, construction of new telephone and cable lines would not be required, and all sites would be able to connect to existing infrastructure. Development facilitated by the project would be required to adhere to applicable laws and regulations related to the connection to existing telecommunication infrastructure. Therefore, there would be adequate telecommunications facilities to serve the development as a result of the project and impacts related to telecommunications would not be significant.

The proposed policies in the updated Environmental Hazards Element and the proposed Environmental Justice Element would not significantly impact water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

## **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

**Threshold 2:** Would the General Plan Update have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

**Impact UTIL-2 THE PROJECT WOULD RESULT IN A NET INCREASE IN WATER DEMAND. HOWEVER, THIS INCREASE IN DEMAND CAN BE SERVED BY PROJECTED AND REASONABLY AVAILABLE WATER SUPPLIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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The 2035 General Plan EIR concluded that water supplies would be sufficient to serve anticipated growth, based on the 2010 EBMUD UWMP forecast for 2020. The EBMUD identifies a total 2035 water demand forecast of 264 mgd that can be reduced to 194 mgd with the successful implementation of water recycling and conservation programs. Multifamily uses are projected to comprise 52 mgd in 2035 (EBMUD 2020b).

EBMUD's actual consumption in 2020 was 121 gallons per capita per day (gpcd) (EBMUD 2020a). Using this rate, the project's projected 12,400 residents would require 1.5 mgd, or 0.8 percent of the 194 mgd projected water demand for the EBMUD service area. It is likely that the residential population attributed to the project would have a gpcd rate that is less than the average residential rate because the project would only add multifamily housing units, which tend to use substantially less per capita water than single-family housing units (EBMUD 2020b). Therefore, the population increase associated with the project would comprise less than 0.8 percent of the total projected water demand for the EBMUD service area and therefore sufficient water supply would be available under normal year conditions, single-dry year, and second-dry year conditions with implementation of water conservation measures and additional water supplies from the Central Valley Project (CVP), as discussed in the 2020 UWMP. Supplemental water supplies would be needed in the third year of a drought in addition to rationing and obtaining water deliveries from CVP. The 2020 UWMP outlines water supply projects to help supplement a water supply shortage, including pursuing additional water supplies. Therefore, with implementation of existing water conservation programs

and EBMUD's supplemental supply plans, impacts on water supplies would be less than significant (EBMUD 2020b).

As noted in Section 4.6, *Population and Housing*, employment for the additional 75,000 square feet of office in the BTOD Specific Plan area would likely be filled by residents of San Leandro or surrounding cities, who would already be accounted for in the EBMUD forecast projections. In the unlikely scenario that all employees for this office space would be new employees within the EMBUS service district, this analysis estimates the water demand from the development of the proposed office space. EBMUD prepared a water supply assessment for the BTOD Specific Plan, dated July 11, 2017. The water supply assessment calculated a flowrate factor of 0.093 gpd per square foot of new office space (City of San Leandro 2018). The 75,000 square feet of proposed office space would generate approximately 6,975 gpd, or 0.007 mgd of water demand, equal to less than 0.003 percent of the projected water demand of 194 mgd for the EBMUD service area.

Development facilitated by the project would adhere to State and local policies to conserve water during construction and operation in normal, dry, and multiple dry years. Construction water demand would be temporary and therefore would not result in a long-term demand on water supplies. Construction activities that may temporarily increase water demand include concrete batching, dust suppression, and drilling and piling. If water supplies are severely depleted, EBMUD's Board of Directors may declare a water shortage emergency and implement the Drought Management Program (DMP), which is designed to provide guidance to minimize drought impacts on its customers while continuing to meet stream flow release requirements and obligations to water users, putting into effect certain regulations, ordinances, and surcharges to reduce water consumption. Implementation of the DMP would allow EBMUD to meet the needs of future development during a water shortage emergency. With implementation of the DMP and due to the temporary nature of construction water demand, buildout of the project would not result in a significant impact on water supply from EBMUD. In addition, EBMUD will incorporate the increased population and housing forecasts from the project into its future water supply planning efforts, such as future updates to the UWMP, to account for any increased water demand.

The proposed Environmental Hazards Element includes Action EH-2.4.A: Fire Flow Adequacy, which directs the City to require all public water providers to maintain adequate water supply systems and flows to meet fire suppression needs throughout the city including new and existing development. This proposed action may require additional water supply than current conditions. The City would manage water supply needs for fire suppression through cooperation with EBMUD. The EBMUD considers fire flows in projected future water demands within the 2020 UWMP and in planning new and replacement pipelines. In addition, the EBMUD works with new development to identify necessary pipeline improvements to meet fire flow requirements which are paid in full cost by the developer.

Policies in the 2035 General Plan, such as Policy CSF-6.6, Reclaimed Water System, would continue to reduce the need for fresh water demand. Policy CSF-6.6 directs the City to continue the expansion of the reclaimed water system, and the delivery of high quality reclaimed water for landscaping, industrial use, and other non-potable applications as they become financially feasible. The policy also directs the City to employ advanced technology so that reclaimed water can eventually be made available to all households. The BTOD Specific Plan also employs policies for water reduction, such as requiring irrigation of landscaping from reclaimed water, and the use of drought-tolerant plant materials in landscaping.

The policies in the proposed Environmental Justice Element would not significantly impact water supplies. As a result, impacts from the project to water supply would be less than significant.

Under normal year conditions, buildout of the General Plan would not result in insufficient water supplies. In single-dry year and multiple-dry years.

### **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

**Threshold 3:** Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**Impact UTIL-3 THE PROJECT WOULD RESULT IN A NET INCREASE IN WASTEWATER. HOWEVER, THE WASTEWATER TREATMENT PLANTS HAVE ADEQUATE CAPACITY TO SERVE THE PROJECT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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The 2035 General Plan EIR concluded San Leandro sewer collection and wastewater treatment has sufficient excess capacity at the San Leandro Water Pollution Control Plant and the Oro Loma plant to treat additional wastewater as a result of buildout of the General Plan. The 2035 General Plan EIR noted adherence to local municipal code, sewer system management plans, and regional and state wastewater treatment requirements would result in a less than significant impact. The 2035 General Plan EIR conservatively assumed that 90 percent of increased water demand becomes wastewater. Using this same assumption, the project would generate 90 percent of the estimated 1.5 mgd of water calculated in UTIL-2, or 1.35 mgd of wastewater.

### **Oro Loma Sanitation District**

The project would facilitate the development of an estimated 2,815 residential units in the OLSD service area, based on the service area description in Figure 4.14-1 of the 2035 General Plan EIR. These 2,815 residential units represent approximately 57 percent of the project's total residential units. Therefore, it can be assumed that these residential units would generate approximately 57 percent of the project's wastewater impact, equal to 0.77 mgd of wastewater. The project would also facilitate the development of 75,000 square feet of office space in the OLSD service area, which would generate 0.007 mgd of water demand. Using the assumption that 90 percent of increased water demand becomes wastewater, the proposed office space would generate 0.006 mgd of wastewater (the 2018 BTOD Specific Plan EIR assumed wastewater to be 80 percent of water use; 90 percent is the more conservative estimate used by the 2035 General Plan EIR). Together, the residential units and office space would conservatively generate approximately 0.78 mgd of wastewater in the OLSD service area.

The OLSD treatment plant has a permitted capacity of 20 mgd. EBMUD's UWMP estimates that the OLSD treatment plant will treat 13.9 mgd of wastewater by 2035 based on current population and employment forecasts (EBMUD 2020a). The project's contribution of 0.78 mgd would increase the projected 2035 flow to 14.7 mgd. The OLSD treatment plant would have a remaining permitted capacity of 5.3 mgd. Therefore, the project would not result in significant impacts to the treatment capacity of the OLSD.

### **San Leandro Water Pollution Control District**

The project would facilitate the development of an estimated 2,145 residential units in the WPCP service area. These 2,145 residential units represent approximately 43 percent of the project's total

residential units. Therefore, it can be assumed that these residential units would generate 43 percent of the project’s wastewater impact for residential units, equal to 0.58 mgd of wastewater.

The WPCP has a maximum capacity of 9.7 mgd. EBMUD’s UWMP estimates that the WPCP will treat 5.7 mgd of wastewater by 2035 based on current population and employment forecasts (EBMUD 2020). The project’s contribution of 0.58 mgd would increase the projected 2035 flow to 6.3 mgd. The WPCP would have a remaining capacity of 3.4 mgd. Therefore, the project would not result in significant impacts to the treatment capacity of the WPCP.

Additionally, future development facilitated by the project would be required to adhere to 2035 General Plan Policies. Policy CSF-6.1 requires the City to permit new development only when infrastructure and utilities can be provided to that development without diminishing the quality of service provided to the rest of the city. Policy CSF-6.2 requires future development to pay its fair share of the costs to improve water, sewer, storm drainage, and other infrastructure systems needed to serve a particular development. These policies ensure that development is not approved until it can be demonstrated that adequate wastewater collection capacity exists, or until a financial commitment to create such capacity has been secured.

The policies in the proposed Environmental Hazards Element and proposed Environmental Justice Element would not significantly impact the capacity of wastewater treatment facilities. As a result, impacts from the project to wastewater treatment would be less than significant.

### **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

**Threshold 4:** Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

**Threshold 5:** Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**Impact UTIL-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT GENERATE SOLID WASTE IN EXCESS OF STATE OR LOCAL STANDARDS, OR IN EXCESS OF THE CAPACITY OF LOCAL INFRASTRUCTURE. THE PROJECT WOULD NOT IMPAIR THE ATTAINMENT OF SOLID WASTE REDUCTION GOALS AND WOULD COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The 2035 General Plan EIR concluded the City has sufficient landfill capacity to accommodate the additional solid waste generated by an increased residential and employee population. The 2035 General Plan EIR noted policies and actions promoting conservation, recycling, and proper waste disposal would reduce impacts to a less than significant level.

The 2035 General Plan EIR concluded that development facilitated by the 2035 General Plan would comply with federal, State, and local statutes and regulated related to solid waste. The EIR notes the City has complied with State requirements to reduce the volume of solid waste through reuse and recycling and the city’s per capita disposal rate is below the target rate established by CalRecycle. CalRecycle estimates that multi-family residential uses generate an average of four pounds of solid waste per unit per day and that office uses generate 0.006 pounds per square feet per day (CalRecycle 2022b).

As shown in Table 4.9-3, prior to implementation of recycling programs or State mandated diversion requirements, project development would generate an estimated 450 pounds, or 0.23 tons, of solid waste per day from office uses and 19,840 pounds of solid waste, or 9.92 tons, of solid waste per day from residential uses. In accordance with California’s Integrated Waste Management Act of 1989, cities and counties are required to divert 50 percent of all solid wastes from landfills. Therefore, assuming 50 percent of generated waste is diverted, development associated with the project would send an estimated 5.08 tons of solid waste per day to area landfills, equating to approximately 10,145 pounds of solid waste per day.

**Table 4.9-3 Project Solid Waste Generation**

Use	Quantity	Generation Rate	Solid Waste (Pounds/Day)	Solid Waste (Tons/Day)	Solid Waste (Cubic Yards/Day) <sup>1</sup>	Solid Waste (Cubic Yards/Year)
Office	75,000 square feet	6 pounds/1,000 square feet/day	450	0.23	0.45	164.25
Multifamily Residence	4,960 units	4.0 pounds/unit/day	19,840	9.92	19.84	7,241.60
Total			20,290	10.15	20.29	7,405.85
<b>Total With 50% Diversion Rate</b>			<b>10,145</b>	<b>5.08</b>	<b>10.15</b>	<b>3,702.93</b>

<sup>1</sup> Based on the conversion factor described under Table 4.9-1, County-Service Landfill Capacity for “landfill density” Municipal Solid Waste, of approximately 750 to 1,250 pounds per cubic yard, or an average of 1,000 pounds per cubic yard.

Source: CalRecycle 2022b

Most of San Leandro’s solid waste goes to the Altamont Landfill Resource Recovery Facility and the Vasco Road Sanitary Landfill, which have a combined 72,779,000 cubic yards of remaining capacity. Buildout of the project would yield an estimated 3,702.93 cubic yards per year of solid waste that would be disposed of at a landfill. The project would need to operate for approximately 19,654 years before reaching the remaining capacity of the two landfills. However, Vasco Road Sanitary Landfill, which handles approximately 24 percent of the city’s solid waste disposal, is scheduled to cease operations in at the end of 2022. When this landfill is unavailable in the future, it is likely the city’s solid waste volume could be increased at one or more of the other landfills that already serve the city. All other landfills have sufficient capacity to handle the projected solid waste disposal from the project. Therefore, development facilitated by the project would not generate solid waste in excess of the capacity of local solid waste infrastructure.

The proposed policies in the Environmental Hazards Element and proposed Environmental Justice Element would not result in new residents or result in new sources of solid waste. These proposed policies would not significantly impact the capacity of solid waste infrastructure nor impede local management and reduction statutes and regulations related to solid waste. Continued compliance with applicable regulations and the 2035 General Plan goals, policies, and actions, including the City’s General Plan policies OSC-7.1, OSC-7.5, OSC-7.6, OSC-7.8, the City’s Green Building Checklist, and the City’s Green Building Ordinance, San Leandro Municipal Code Chapter 3-19, would ensure the project complies with federal, State, and local statutes and regulations related to solid waste and would lead to increased recycling and waste diversion.

As a result, impacts from the project to solid waste infrastructure and compliance would be less than significant.



## **Mitigation Measures**

Impacts would be less than significant. Therefore, mitigation is not required.

### 4.9.4 Cumulative Impacts

A project's environmental impacts are "cumulatively considerable" if 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" (*CEQA Guidelines* Section 15065[a][3]).

### **Extensions of Utility Facilities – Water, Wastewater, Stormwater, Electric Power, Natural Gas, and Telecommunications**

Impacts related to the extension of water supply, wastewater, electric power, natural gas, and telecommunications facilities to reasonably foreseeable development are typically generated in the immediate vicinity of a project. Therefore, cumulative impacts of reasonably foreseeable development in the city related to extensions of water supply, wastewater, stormwater, electric power, natural gas, and telecommunications facilities to individual projects sites are already addressed under UTIL-1. As discussed under UTIL-1, impacts to the utility facilities were found to be less than significant. Cumulative impacts of extensions of utility facilities to individual project sites would be less than significant.

### **Water**

The analysis provided under Impact UTL-2 is cumulative in nature and considers water demand associated with the development included under the project, as well as water demands associated with other developments (existing and projected) within EBMUD's service area. Development considered part of the cumulative analysis includes buildout of the City of San Leandro's General Plan and other local General Plans. Under base condition assumptions, EBMUD can meet customer demand out to 2050 during normal years and single dry years; however, during multi-year droughts, even with customer demand reduction measures in place, EBMUD will need to obtain supplemental supplies to meet customer demands. The UMWP includes a Water Shortage Contingency Plan which contains DMP Guidelines that establish the level of water use restrictions EBMUD may implement under varying conditions to meet water demand. In the event of a single dry year or multiple dry year, the DMP would be activated and depending on the water supply status, voluntary or mandatory rationing policies would be implemented. If warranted, the EBMUD would obtain additional water supply via water transfers or request Central Valley Project supplies from the United States Bureau of Reclamation.

Buildout of the project would not result in a significant impact on water supply from EBMUD. EBMUD will incorporate the increased population and housing forecast from the project and General Plan updated from other jurisdictions in its service area into its future water supply planning efforts, such as future updates to the UWMP, to account for the increased water demand.

Therefore, although there would be a significant cumulative impact on water supply based on the need for supplemental water supplies to meet demand in the occurrence of multi-year droughts, the project would not have a cumulatively considerable contribution to a significant cumulative impact regarding water supply services.

## **Wastewater**

The geographic scope for cumulative wastewater impacts includes WPCP and OLSD service territory. Cumulative buildout associated with the 2035 General Plan will continue to increase demands on the existing wastewater treatment and conveyance facilities. According to the 2035 General Plan EIR, buildout associated with the General Plan and future cumulative development within OLSD's service area would not result in significant cumulative impacts such that a new or expanded wastewater treatment plant would be required. The wastewater treatment plants would continue to provide service to the city, including the project, with cumulative growth. Although the project would increase development in the city compared to what was analyzed in the 2035 General Plan EIR, as described, current capacities of the wastewater treatment plants are sufficient to serve growth-related flow anticipated from the project.

WPCP, OLSD, and the City of San Leandro conduct repairs and upgrades to the existing wastewater conveyance system throughout the city on an as-needed basis. Continued implementation of system improvements would ensure sufficient conveyance and treatment capacity to meet cumulative needs. Therefore, potential cumulative impacts associated with water conveyance and treatment would be less than significant. The project would not have a cumulatively considerable contribution to a cumulative impact regarding water conveyance and treatment.

## **Electricity and Natural Gas**

The geographic scope for cumulative electricity and natural gas impacts is the PG&E service area. This geographic scope is appropriate because the local provider, PG&E, is responsible for transmitting electricity and natural gas to all land uses within its service area, including the Draft Housing Opportunity Sites. Development considered part of the cumulative analysis includes buildout of local General Plans.

PG&E is subject to the requirements set forth and/or enforced by the CPUC (CPUC 2021a). The need for electric and natural gas infrastructure would be addressed on a case-by-case basis for each cumulative project, and would be subject to CPUC requirements, similar to those applicable to the project. Therefore, cumulative impacts related to electric power and natural gas transmission facilities would be less than significant. Therefore, the project would not have a cumulatively considerable contribution to a cumulative impact regarding electricity and natural gas.

## **Telecommunication**

The geographic scope for cumulative telecommunications impacts is the telecommunication provider service area. This geographic scope is appropriate because local providers are responsible to provide adequate telecommunication infrastructure to all land uses within its service area, including the project location. Development considered part of the cumulative analysis includes buildout of the City of San Leandro General Plan.

As discussed above under Impact UTIL-1, project implementation requires connections to existing utility infrastructure to meet the needs of site residents and tenants. Cumulative development would increase demand for telecommunications infrastructure in the city. However, cumulative projects would each be required to provide adequate telecommunications infrastructure on a project-by-project basis and would be subject to the same requirements as the project. Therefore, cumulative impacts related to telecommunications infrastructure would be less than significant. The project would not have a cumulatively considerable contribution to a cumulative impact regarding telecommunication services.

## **Solid Waste**

The geographic scope for cumulative solid waste impacts encompasses all areas in the city and Alameda County that contribute solid waste to the landfills listed in Table 4.9-2. The 2035 General Plan EIR concluded that with continued compliance with applicable regulations, cumulative impacts related to solid waste would not be significant.

Although the project would increase development in the city compared to what was analyzed in the 2035 General Plan EIR, as discussed under Impact UTL-4, area landfills have capacity to accommodate additional solid waste and potential impacts of buildout of the project would be less than significant. Cumulatively, other areas which utilize the same landfills as the City of San Leandro would likely also continue to experience growth and associated increases in solid waste generation. State-mandated solid waste diversion rates (for recycling) would continue to minimize the quantity of waste directed to area landfills, and compliance with applicable regulations would maintain or improve upon existing solid waste diversion rates.

Therefore, the project would not have a cumulatively considerable contribution to a significant cumulative impact regarding solid waste services.

## 4.10 Effects Found Not to be Significant

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*CEQA Guidelines* Section 15128 requires an EIR to briefly describe any possible effects that were determined not to be significant and were therefore not discussed in detail in the EIR. The sections below include the checklist questions listed in Appendix G of the *CEQA Guidelines* and a brief discussion of environmental impacts that were determined to be less than significant. The analysis takes into account analysis contained in the 2035 General Plan EIR, supplemented by analysis applicable to the proposed project. The 2035 General Plan EIR concluded that projects facilitated by the 2035 General Plan would not result in significant impacts to Agricultural and Forestry Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Mineral Resources. This SEIR determined that the project would not result in significant impacts beyond those subject areas. Additionally, this SEIR determined that the project would not result in significant impacts to Aesthetics, Tribal Cultural Resources, and Wildfire. Any items not addressed in this section are addressed in Sections 4.1 through 4.9 of the SEIR.

### 4.10.1 Aesthetics

Would the project:

- Have a substantial adverse effect on a scenic vista?
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Based on the Modernization of Transportation Analysis for Transit-Oriented Infill Projects CEQA Statute Section 21099(d), the aesthetic impacts of residential, mixed-use residential, or employment center projects on an infill site within a transit priority area is not considered a significant impact on the environment. The project proposes an increase in the allowable densities, FAR, and building heights land use designations and zoning districts only within San Leandro's three Transit Priority Areas. All parcels located within these three Transit Priority Areas are infill sites, and thus meet the criteria in CEQA Section 21099. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not impact aesthetics. Per CEQA Statute Section 21099(d), impacts to aesthetics by the project would not be significant.

### 4.10.2 Agricultural and Forestry Resources

Would the project:

- 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?
- Conflict with existing zoning for agricultural use, or a Williamson Act contract?

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- 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))?
- Result in the loss of forest land or conversion of forest land to non-forest use?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The 2035 General Plan EIR determined that the 2035 General Plan would not result in impacts to agricultural and forestry resources. The City of San Leandro is a highly urbanized city, and the 2035 General Plan, the 2035 General Plan land use map, and the City's zoning ordinance do not identify any agricultural or forestry resources within the city (City of San Leandro 2016c). In addition, farmland maps prepared by the California Department of Conservation (CDOC) show that San Leandro does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (CDOC 2016).

Because the project would intensify development within San Leandro on parcels already zoned for residential or mixed use development, the project would not impact agricultural or forestry resources. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not impact agricultural or forestry resources. The project would not result in the conversion of farmland to non-agricultural use and would not conflict with agricultural zoning or Williamson Act contracts. Further, the project would not conflict with zoning for or result in the conversion of forestland, timberland, or timberland production areas. There would be no impact.

### 4.10.3 Biological Resources

Would the project:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The 2035 General Plan EIR determined that the 2035 General Plan would not result in significant impacts to biological resources, as projects developed under the 2035 General Plan would adhere to existing federal, State, and regional regulations and policies, as well as compliance with goals and standards in the 2035 General Plan and San Leandro Municipal Code. The 2035 General Plan would not result in substantial adverse effects to special-status species, riparian habitats or other sensitive natural communities, protected wetlands, or wildlife corridors and nursery sites. The 2035 General Plan would not conflict with local policies or ordinances protecting biological resources, and as no conservation plans have been approved in the city, development would not conflict with habitat conservation plans (page 4.3-22).

The project would accommodate increased density, FAR, and building heights in existing developed areas of the city, on sites already zoned for residential or mixed use development. Potential impacts to biological resources from development on these sites was already analyzed in the 2035 General Plan. If greater ground disturbance and construction would be required for utility upgrades to serve additional residences accommodated under the project, all work would be required to comply with federal, State, and local policies and regulations and could require site-specific biological resources studies or tree surveys prior to project approval. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not impact biological resources.

Policy OSC-6.4 and Action OSC-6.4.A of the 2035 General Plan serve to protect the habitat of special-status species and to avoid and mitigate development impacts to areas where special-status species could inhabit, reproduce, and migrate. Goal OSC-5 and Policies OSC-5.1 and 5.2 serve to protect, maintain, and restore San Leandro Creek as a natural resource and require development to mitigate potential impacts to the creek. Therefore, the project would not result in substantial adverse effects to special-status species, riparian habitats, wetlands, wildlife corridors, or nursery sites (City of San Leandro 2016b).

Development in the city would be required to comply with San Leandro Municipal Code sections regarding natural resources. Specifically, Section 4-1-1000 serves to protect monarch butterfly overwintering colonies in the city, and Section 5-1-520 regulates the removal of trees in the city. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources, and there would be no impact. Further, as San Leandro does not contain lands included in an adopted a Habitat Conservation Plan, development would not conflict with a Habitat Conservation Plan and there would be no impact. Project impacts to biological resources would not be substantially greater than impacts concluded in the 2035 General Plan EIR and would be less than significant.

#### 4.10.4 Cultural Resources

Would the project:

- Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- Disturb any human remains, including those interred outside of formal cemeteries?

The 2035 General Plan EIR determined that the 2035 General Plan would not result in significant impacts to cultural resources. Adherence to existing federal and State regulations and policies

pertaining to cultural resources, as well as compliance with policies and standards in the 2035 General Plan and San Leandro Municipal Code, would ensure that the 2035 General Plan would have less than significant impacts. The 2035 General Plan would not result in significant impacts to the significance of a historical or archaeological resource.

The project would accommodate increased density, FAR, and building heights in existing developed areas of the city, on sites already zoned for residential or mixed use development. Potential impacts to cultural resources from development on these sites was already analyzed in the 2035 General Plan. If greater ground disturbance and construction would be required for utility upgrades to serve additional residences accommodated under the project, all work would be required to comply with federal, State, and local policies and regulations and could require additional site-specific studies prior to project approval. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not impact cultural resources.

As described in the 2035 General Plan EIR, development would be required to comply with existing federal, State, and local regulations that protect historic resources. These regulations include but are not limited to the National Historic Preservation Act, guidelines established by the California Register of Historic Resources, and Assembly Bill 52 which intends to protect tribal cultural resources. Development would be required to comply with the California Historical Building Code, which provides standards for preserving and restoring historic resources, and Chapter 4-26 of San Leandro Municipal Code, which regulates the recording, designation, and alteration of historic resources in the city. Compliance with these existing regulations would ensure that development would not adversely affect historic resources. Impacts from development facilitated under the project would not be substantially greater than impacts concluded in the 2035 General Plan EIR. In the event that archaeological resources or human remains are uncovered during development facilitated by the project, existing State and local regulations and procedures would guide the protection of discovered resources. State regulations include Public Resources Code 5097, which details required mitigation if unique archaeological resources are not preserved in place, and Assembly Bill 52, which establishes procedures for notifying and consulting with California Native American tribes who are affiliated with the area of a proposed project. Further, Chapter 4-26 of San Leandro Municipal Code establishes procedures for identifying, designating, and protecting potential archaeological resources. The 2035 General Plan Historic Preservation and Community Design Element contains policies regarding the discovery of archaeological deposits, including Policy CD-1.12 to identify and preserve prehistoric, historic, archaeological, and tribal cultural resources.

Development would be required to comply with existing State and local laws, the above applicable 2035 General Plan policies, and San Leandro Municipal Code. Compliance with these laws and regulations would protect and mitigate disturbance to unrecorded archaeological deposits in San Leandro. Therefore, project impacts to cultural resources would not be substantially greater than impacts concluded by the 2035 General Plan EIR and impacts on cultural resources would be less than significant.

## 4.10.5 Geology and Soils

Would the project:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 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? Refer to Division of Mines and Geology Special Publication 42.
  - Strong seismic ground shaking?
  - Seismic-related ground failure, including liquefaction?
  - Landslides?
- Result in substantial soil erosion or the loss of topsoil?
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- 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?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The 2035 General Plan EIR determined that the 2035 General Plan would not result in significant impacts related to geology and soils (pages 4.5-8 – 4.5-13). The Bay Mud, a fine-grained sedimentary unit that flanks much of South San Francisco Bay, is locally present in the westernmost part of San Leandro according to mapping by the USGS found in the 2035 General Plan EIR (page 4.5-7). These deposits often consist of highly compressible, plastic clay that is moderately to highly compressible, often posing a geological hazard due to consolidated settlement or subsidence. Occurrences of Bay Mud are very limited in extent and most of San Leandro. Most of San Leandro is not located atop unstable geologic materials that are prone to subsidence, lateral spreading, or collapse. The prevailing topography in the City is gentle westward slopes, resulting in low probability of landslides. Expansive soils are located throughout the city; however, the City's municipal code requires the preparation of a geotechnical investigation for development in San Leandro, which would identify soil plasticity and appropriate mitigation measures on a site-by-site basis. Further, because the city is served by existing water and wastewater systems, the 2035 General Plan EIR does not anticipate the use of septic tanks or alternative wastewater disposal systems. In addition, with adherence to General Plan and municipal code policies, as well as applicable federal and State building standards, the 2035 General Plan EIR concluded that there would be no significant impacts to paleontological resources.

The project would accommodate increased density, FAR, and building heights in existing developed areas of the city, on sites already zoned for residential or mixed use development. Potential impacts related to geology and soils from development on these sites were already analyzed in the 2035 General Plan. If greater ground disturbance and construction would be required for utility upgrades to serve additional residences accommodated under the project, all work would be required to



comply with federal, State, and local policies and regulations and could require site-specific studies prior to project approval. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not impact geology, soils, or paleontological resources.

As discussed in the 2035 General Plan EIR, development is subject to regulations included in the California Building Code and San Leandro Municipal Code. These codes generally require any proposed development to prepare a project-specific geotechnical study, which would include recommendations for foundation design and soil improvement and which would mitigate seismic hazards. Development facilitated by the project would also be subject to 2035 General Plan Action EH-1.1A, which requires the preparation and submittal of soil and/or geologic reports for development in areas where geologic risks are known to be present. Compliance with the California Building Code, San Leandro Municipal Code, and the policies of the 2035 General Plan would ensure that the project does not result in substantial adverse effects involving fault rupture, ground shaking, liquefaction, and landslides. Further, compliance with these regulations, preparation of site-specific geotechnical reports, and conformance with recommendations provided therein would ensure that development facilitated by the project would not result in significant impacts related to lateral spreading, subsidence, or collapse, topsoil, or expansive soil. Impacts would not be greater than impacts concluded by the 2035 General Plan EIR. All development would be required to comply with the 2035 General Plan Historic Preservation and Community Design Element policies and actions that would provide for the identification of paleontological deposits prior to actions that may disturb such deposits; the preservation and protection of such deposits; and the evaluation of unanticipated finds made during construction. Therefore, project impacts to geology and soils would not be substantially greater than impacts concluded by the 2035 General Plan EIR and would be less than significant.

#### 4.10.6 Hazards and Hazardous Materials

Would the project:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 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?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 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?
- 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 or excessive noise for people residing or working in the project area?
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The 2035 General Plan EIR determined that the 2035 General Plan would not result in significant impacts related to hazards and hazardous materials. The transport, use, storage, and disposal of hazardous materials and hazardous wastes would be subject to extensive federal, State, and local regulations. These regulations include but are not limited to laws and standards established by the US Environmental Protection Agency, the US Department of Transportation, and the Occupational Safety and Health Administration at the federal level; the California Health and Safety Code, the California Code of Regulations, the California Environmental Protection Agency, the California Department of Toxic Substances Control, and the State Water Resources Control Board at the State level; and the San Francisco Bay Regional Water Quality Control Board, Bay Area Air Quality Management District, the Association of Bay Area Governments, the 2035 General Plan, and SLMC at the local level. The City of San Leandro Environmental Services Section serves as the Certified Unified Program Agency for the City, which regulates the storage, use, treatment, and disposal of hazardous materials in San Leandro in accordance with Senate Bill 1082. Adherence to applicable regulations and standards would ensure that the use, release, or emission of hazardous materials throughout the city does not result in substantial adverse impacts. Adherence with these regulations and standards would also ensure that development located on a hazardous materials site pursuant to Government Code Section 65962.5 would not create a significant hazard to the public.

The 2035 General Plan also concluded that because there are no airports or private airstrips within the City, the General Plan would not result in a safety hazard for people residing or working in the City. Further, the General Plan would not include any changes that would affect the ability of the San Leandro Emergency Operations Center or the Alameda County Office of Emergency Services to implement emergency response plans. The 2035 General Plan EIR concluded that there would be less than significant impacts to wildfire hazards.

The 2035 General Plan Environmental Hazards Element includes policies related to the transport, use, and handling of hazardous materials. Policy EH-5.1 directs the City to develop and implement programs for hazardous waste reduction, hazardous material facility siting, hazardous waste handling and disposal, public education, and regulatory compliance. Policy EH-5.4 directs adequate and safe separation between areas where hazardous materials are present and sensitive uses such as schools, residences, and public facilities. Policy EH-5.7 ensures the safe and proper handling of hazardous building materials, such as friable asbestos and lead based paint (City of San Leandro 2016c).

The project would accommodate increased density, FAR, and building heights in existing developed areas of the city, on sites already zoned for residential or mixed use development. Potential impacts related to hazards and hazardous materials from development on these sites was already analyzed in the 2035 General Plan. If greater ground disturbance and construction would be required for utility upgrades to serve additional residences accommodated under the project, all work would be required to comply with federal, State, and local policies and regulations and could require site-specific studies prior to project approval. Increased use of typical household and office materials associated with construction, cleaning, and maintenance may occur under the project, and compliance with the existing federal, State, and local regulations would reduce the risk of potential release of hazardous materials due to the use, storage, transportation, or disposal of materials. Impacts would not be substantially greater than impacts concluded in the 2035 General Plan EIR.

While there are no airports within the City of San Leandro, there are two airports in the vicinity. The Oakland International Airport is directly northwest of the city's northern border, and Hayward Executive Airport is approximately 1.5 miles south of the city's southern border. The western side of

the Downtown San Leandro Priority Development Area, where the project would accommodate increased density, FAR, and building heights, is in the airport influence area for the Oakland International Airport. The amendments proposed by the project would not include any changes to underlying land uses. Additionally, Policy EH-9.6 of the 2035 General Plan directs the City to regulate land uses within designated airport safety zones, height referral areas, and noise compatibility zones to minimize the possibility of future noise conflicts and accident hazards. Impacts would not be substantially greater related to airport hazards than impacts concluded in the 2035 General Plan EIR.

Further, as discussed in the 2035 General Plan EIR, the San Leandro Emergency Operations Center is responsible for coordinating agency response to disasters or large-scale emergencies in the city. During such an event, the Emergency Operations Center would be assisted by the Alameda County Office of Emergency Services and the Alameda County Fire Department (City of San Leandro 2016c). The addition of residential units and office space accommodated under the project would not result in substantially greater impacts related to emission of hazardous materials near or within one quarter mile of schools, the development of sites included on a list of hazardous materials sites, safety hazards for residents or workers within an airport land use plan, or greater impacts to adopted emergency response or evacuation plans than those impacts concluded by the 2035 General Plan EIR.

As discussed under 4.10.10, *Wildfire*, increased development facilitated by the project would not expose people or structures to significant risk involving wildland fires. Impacts would be less than significant. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not result in impacts related to hazards or hazardous materials. Overall, impacts regarding hazards and hazardous materials would not be greater than impacts concluded in the 2035 General Plan EIR and would be less than significant.

#### 4.10.7 Hydrology and Water Quality

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - result in substantial erosion or siltation on- or off-site;
  - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
  - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
  - impede or redirect flood flows?
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The 2035 General Plan EIR concluded that the 2035 General Plan would not result in significant impacts related to hydrology and water quality. Construction and operation of development associated with the General Plan would be required to comply with federal, State, and local water quality regulations designed to control erosion, stormwater, and groundwater. As most development is anticipated to be infill development, the 2035 General Plan EIR determined that there would be no significant impacts to existing drainage patterns or the course of a stream or river. Compliance with federal, State, and local regulations would ensure that impacts to water quality would be less than significant and that development would not conflict with a water quality control plan or sustainable groundwater management plan. Further, development planned to occur in a flood hazard zone would be required to obtain a permit from the City's Floodplain Administrator and would be subject to various construction standards depending on the flood hazard zone in which the development is located. Compliance with these standards would ensure that development in a flood hazard, tsunami, or seiche zone would not result in a substantial risk of the release of pollutants due to inundation.

The project would accommodate increased density, FAR, and building heights in existing developed areas of the city, on sites already zoned for residential or mixed use development. Potential impacts related to hydrology and water quality from development on these sites were already analyzed in the 2035 General Plan EIR. If greater ground disturbance and construction would be required for utility upgrades to serve additional residences accommodated under the project, all work would be required to comply with federal, State, and local policies and regulations, as described in the 2035 General Plan EIR, that would ensure that impacts to water quality would be less than significant. Operational impacts to hydrology and water quality from increased water use and wastewater discharge would not be substantially greater than as analyzed under the 2035 General Plan EIR with compliance with federal, State, and local policies and regulations. Development accommodated by the project would be served by East Bay Municipal Utility District (EBMUD) and would not require the use of groundwater (City of San Leandro 2016c).

As shown in Figure 4.8-4 of the 2035 General Plan EIR, areas of the city along the San Francisco Bay and along San Leandro Creek experience risk of a 1 Percent Annual Chance Flood Event. Development in these areas would be required to obtain a development permit from the City Floodplain Administrator and construct development in accordance with Chapter 7-9 of San Leandro Municipal Code. Further, residential development that would be facilitated by the project would not typically store large quantities of hazardous materials or pollutants. Therefore, the project would result in less than significant impacts to the risk of pollutants due to project inundation. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not impact hydrology or water quality. Impacts to hydrology and water quality would not be greater than those concluded in the 2035 General Plan EIR and would be less than significant.

#### 4.10.8 Mineral Resources

Would the project:

- Result in the loss of availability of a known mineral resource that would 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 2035 General Plan EIR concluded that the 2035 General Plan would not impact mineral resources, as there are no actively used mineral resources within San Leandro. There are no mining operations within the City of San Leandro, and the city is not known to contain mineral resources. Historically, an aggregate quarry operated east of the city boundary on Lake Chabot Road and closed in the 1980s. While mineral resources are still present, the quarry is unlikely to resume operation due to environmental impacts and permitting requirements (City of San Leandro 2016c). This quarry is outside the City of San Leandro and the Urban Growth Boundary of Alameda County. The project would not interfere with mining operations or the loss of availability of known mineral resources. Consistent with the impacts concluded by the 2035 General Plan EIR, there would be no impact to mineral resources.

#### 4.10.9 Tribal Cultural Resources

Would the project 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:

- 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
- 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 the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

While the 2035 General Plan EIR did not analyze impacts to Tribal Cultural Resources specifically, it determined that the 2035 General Plan would not result in significant impacts to cultural resources. Adherence to existing federal and State regulations and policies pertaining to archaeological resources, as well as compliance with policies and standards in the 2035 General Plan and San Leandro Municipal Code, would ensure that the 2035 General Plan would have less than significant impacts. The 2035 General Plan would not result in significant impacts to the significance of a historical or archaeological resource, and General Plan policies and San Leandro Municipal Code standards would protect tribal cultural resources from adverse effects.

As described in the 2035 General Plan EIR, development facilitated by the project would be required to comply with existing federal, State, and local regulations that protect tribal cultural resources. Development facilitated by the project would also be required to comply with Chapter 4-26 of San Leandro Municipal Code, which regulates the recording, designation, and alteration of archaeological resources in the city.

The project consists of a policy document update, and adoption of project alone would not produce environmental impacts. The project consists of updating the General Plan Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element and General Plan amendments, and no actual development is proposed as part of the update. Further, development facilitated by the project would be required to comply with Assembly Bill (AB) 52 if additional project-specific CEQA compliance is required. AB 52 establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further provides the lead agency with certain mitigation measures that may be considered, if feasible, to avoid or

minimize significant adverse impacts that would alter the significant characteristics of a tribal cultural resource (PRC Section 21084.3). AB 52 also establishes a formal consultation process for California Native American Tribes regarding those resources. The formal consultation process must be completed before a CEQA document can be released if a California Native American Tribe traditionally and culturally affiliated with the geographic area of the proposed project requests consultation from the lead agency (PRC Section 21080.3.1). California Native American Tribes to be included in the process are those that have requested notice of any proposed projects within the jurisdiction of the lead agency.

Because the project includes General Plan amendments, SB 18 is required. SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of general plans (CA Government Code Section 65300).

On November 4, 2021 the city sent 16 letters notifying California Native American tribes on the contact list maintained by the Native American Heritage Commission regarding the proposed General Plan amendments pursuant to SB 18. One tribe contacted the City but did not initiate formal consultation. Therefore, the City concluded its tribal consultation on February 3, 2022.

Compliance with these existing regulations would ensure that development facilitated by the project would not adversely affect tribal cultural resources in San Leandro. Proposed policies included in the updates to the Housing Element and Environmental Hazards Element, and the proposed Environmental Justice Element, would not impact tribal cultural resources. Impacts would be less than significant.

#### 4.10.10 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?
- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The 2035 General Plan EIR concluded that the 2035 General Plan would not 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, and impacts would be less than significant. Wildfire as an impact area was not analyzed in the 2035 General Plan EIR. However, an analysis of wildland fires was included. There are areas along San Leandro's eastern boundary which have moderate to high risk of wildland fire (CALFIRE 2022). Development within this area of moderate to high fire risk would be required to comply with Title 24 of the California Code of Regulations, the San Leandro Fire Code, and abatement of fire-related hazards as outlined by the California Health and Safety Code and the California Fire Plan. Development under the 2035 General Plan would not interfere with evacuation routes or plans.

**Housing Element and General Plan Update**

The project would accommodate increased density, FAR, and building heights in existing developed areas of the city, on sites already zoned for residential or mixed use development that are not located in a very high fire hazard severity zone. Development in the city would be required to conform with the latest fire code, including provisions for emergency access. The increase in population associated with the project would not result in significant impacts to evacuation routes or plans in the event of a wildfire, and proposed policies in the Environmental Hazards Element would increase coordination between safety and law enforcement agencies in the event of an emergency. Policies associated with the Housing Element update and the Environmental Justice Element would not expose people or structures to significant risks associated with wildfire.

The project would not impair emergency response or evacuation plans and would not involve the installation of infrastructure that may exacerbate fire risk or expose people or structures to significant risks associated with wildfire hazards. Consistent with the impacts concluded by the 2035 General Plan EIR, there would be a less than significant impact to risks associated with wildfire.

## 5 Other CEQA Required Discussions

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This section discusses the potential growth-inducing impacts and irreversible environmental impacts associated with the implementation of the project.

### 5.1 Growth Inducement

California Environmental Quality Act (CEQA) Guidelines Section 15126.2(e) requires consideration of growth inducing impacts of a proposed project. Growth inducing impacts are characteristics of a project that could “foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” According to the CEQA Guidelines, such projects include those that would remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant). In addition, as set forth in the CEQA Guidelines, increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Generally, a project may result in growth inducing effects if it involves one of the following:

- The removal of a regulatory obstacle to growth (e.g., an annexation or up-zoning), thus indirectly inducing population and/or employment growth
- Extension of infrastructure (sewer, water, etc.) to an area currently undeveloped and/or lacking adequate infrastructure, thus removing an obstacle to growth

The CEQA Guidelines state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

Therefore, the General Plan Update’s growth inducing effect is considered a significant environmental impact only if one of the above listed effects results in a significant physical effect in one or more of the issue areas analyzed in Section 4 of this Supplemental Environmental Impact Report (SEIR).

#### 5.1.1 Population Growth

As discussed in Section 4.6, *Population and Housing*, while development facilitated by the project would directly generate population growth, this SEIR assumes an additional 2,500 residential units in the Downtown and East 14<sup>th</sup> Street Corridor Priority Development Areas compared to what was analyzed in the 2035 General Plan EIR, and an increase of 2,460 housing units and 75,000 square feet of office space in the Bayfair Transit Oriented Development (BTOD) area over what was assumed in the 2018 BTOD Specific Plan EIR due to the identification of new housing and mixed use opportunity sites in the BTOD area. The purpose of the project is to address the City's fair share of the regional housing need and specific State statutory requirements. As of December 2021, the Association of Bay Area Governments (ABAG) determined a final Regional Housing Needs Assessment (RHNA) allocation of 3,855 units for the City of San Leandro, of which 1,357 must be affordable to lower-income households. To meet the RHNA objectives and provide sufficient capacity for housing development, the project amends land use designations and zoning districts to increase permitted residential densities, floor area ratio (FAR), and building heights in portions of the City’s Priority Development Areas near transit.



Therefore, the project would align with ABAG’s RHNA determination and the State statutory requirements, which are established based on anticipated growth within the city.

As discussed in Section 4.6, *Population and Housing*, the population growth under the project would not exceed the population estimate for San Leandro under the assumptions of the Plan Bay Area 2050 but would exceed the City’s 2035 General Plan Update buildout projection by approximately 12.2 percent.

Although the project would facilitate development beyond the buildout assumption for the 2035 General Plan, the additional units facilitated by the project would address the existing regional housing crisis and meeting the housing needs of the city. Furthermore, the Housing Element Update would first be submitted to the California Department of Housing and Community Development (HCD) for review and approval to ensure that it would adequately address the housing needs and demands of the city. Approval by the HCD would ensure that population and housing growth under the project would not be substantial or unplanned.

The increase in affordable housing units would provide housing opportunities in proximity to jobs for those employed in the city that meet these household income categories. Additional affordable housing units would provide opportunities for a better balance of jobs and housing that reduces regional vehicle miles traveled (VMT) and associated impacts related to transportation, air quality, and greenhouse gas emissions.

The amendments to land use designations and zoning districts would affect areas with existing services and infrastructure and the project does not propose new roads or infrastructure extensions. Therefore, the project would not induce substantial unplanned population growth in the city because capacity would only be increased as necessary to meet State housing law requirements.

### 5.1.2 Economic Growth

Implementation of the project would generate temporary employment opportunities during construction of individual buildings and projects. Because construction workers would be expected to be drawn from the existing regional work force, construction of development facilitated by the project would not be considered growth-inducing.

As discussed in Section 4.6, *Population and Housing*, the employment associated with the 75,000 additional square feet of commercial development would likely be filled by existing residents in the city or neighboring jurisdictions and would not result in substantial population growth. Additional housing units, including those near transit and affordable to lower- and moderate-income households, would provide opportunities for a better balance of jobs and housing that would reduce regional VMT, and associated impacts related to transportation, air quality, and greenhouse gas emissions.

### 5.1.3 Removal of Obstacles to Growth

The city is primarily urbanized and contains developed communities with existing serving infrastructure, including roads, water supply, sewers, and storm drains. The city’s existing roadway network would accommodate development facilitated by the project. In the event that roadway upgrades are required to serve specific future development, such upgrades would likely be minor (e.g., lane reconfiguration or restriping) and are not anticipated to include the construction of new roads. Although new residential development facilitated by the project may require minor utility upgrades or expansion (e.g., water line connections, site drainage design) on a project-by-project

basis, such upgrades would be intended to accommodate the growth within the city and would not induce growth outside of the city. As discussed in Section 4.9, *Utilities and Service Systems*, it would be unlikely that such upgrades would result in new areas of disturbance. Furthermore, existing wastewater treatment plants serving the city have adequate capacity to treat project-generated sewage and the treatment requirements of the Water Pollution Control Plant (WPCP) treatment facility and Oro Loma Sanitary District (OLSD) treatment plant would not be exceeded; therefore, the project would not necessitate construction of a new wastewater treatment facility. Generally, the project is specifically intended to concentrate new housing development in areas already served by infrastructure to ensure that infrastructure is utilized efficiently and in a manner that reduces the environmental impacts of development.

Concentrating development in the urbanized areas of the city where existing transportation centers occur would generally avoid impacts to sensitive environmental conditions, such as agricultural, biological, and mineral resources, and minimize impacts since new development built to current standards would generally improve some existing conditions, such storm water runoff, surface water quality and reduce the potential for substantial seismic damage. The project would not result in unplanned growth, but rather would ensure that projected growth is accommodated. The project is anticipated to satisfy the anticipated population growth in the region in an efficient manner consistent with State, regional, and City policies. Therefore, the project would aim to efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality.

## 5.2 Irreversible Environmental Effects

CEQA Guidelines Section 15126.2(d) requires a discussion of any significant irreversible environmental changes that would be caused by the proposed project. Specifically, Section 15126.2(d) states:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The project involves the wasteful use of resources.

Resources that would be consumed as a result of construction and operation of development under the project include water, electricity, natural gas, and fossil fuels. However, as discussed in Section 4.9, *Utilities and Services Systems*, and in 4.3, *Energy*, of this SEIR, the amount and rate of

consumption of these resources would not result in significant environmental impacts related to the unnecessary, inefficient, or wasteful use of resources.

Construction activities related to development would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobile and construction equipment. However, as discussed 4.3, *Energy*, use of such resources by construction activities associated with residential and office space development under the project would not be unusual as compared to other construction projects and would not substantially affect the availability of such resources.

With respect to operational activities, compliance with all applicable energy and building codes would ensure that natural resources are conserved or recycled to the maximum extent feasible. New development under the project would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings), the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations), and the San Leandro Building Code (Title 7, Chapter 7-5 of the San Leandro Municipal Code). The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. This Code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances and provides guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls, and ceilings. The Code emphasizes saving energy at peak periods and seasons and improving the quality of installation of energy efficiency measures. Additionally, the City contracts with East Bay Community Energy (EBCE) for 100 percent renewable energy.

The California Green Building Standards Code sets targets for energy efficiency; water consumption; dual plumbing systems for potable and recyclable water; diversion of construction waste from landfills; and use of environmentally sensitive materials in construction and design, including ecofriendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels. New construction facilitated by the project would be required to comply with the California Green Building Standards Code. Additionally, it is anticipated that the City will adopt a reach code limiting natural gas use in new construction, or as directed by the State or regional agencies, as directed by the City's CAP. While consumption of natural resources in the city would increase with implementation of the project due to development and associated population increases, it is also likely that in response to greenhouse gas reduction mandates, new technologies or systems will emerge, or will become more cost-effective or user-friendly, that will further reduce the city's reliance upon nonrenewable natural resources. Therefore, the project would not occur in a wasteful or inefficient manner use of natural resources.

## 6 Alternatives

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As required by *CEQA Guidelines* Section 15126.6, this SEIR examines a range of reasonable alternatives to the proposed project that would attain most of the basic project objectives but would avoid or substantially lessen the significant adverse impacts.

The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. The State CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines, § 15126.6(d)).

In defining “feasibility,” CEQA Guidelines Section 15126.6(f) (1) states, in part:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

As described in Section 2.0, *Project Description*, the project objectives are as follows:

- Bring the City’s General Plan and Zoning Code into conformance with recently enacted State law.
- Identify housing sites with a collective capacity to meet the City’s RHNA for 6<sup>th</sup> Cycle Housing Element planning period of 2023-2031, with buffer capacity.
- Locate most housing sites in existing urban areas, near transit and commercial services.
- Update land use designation and zoning district development standards in Priority Development Areas to support the vision of the City’s General Plan and provide sufficient capacity to meet the City’s RHNA.
- Revise Natural Hazards Element to comply with recently enacted State law.
- Adopt an Environmental Justice Element to comply with recently enacted State law.

Chapter 6 (Alternatives) of the 2035 General Plan EIR analyzed two alternatives to the project including the No Project Alternative and a Reduced Industrial Development Alternative. The 2035 General Plan EIR determined that the Reduced Industrial Development Alternative would be considered the environmentally superior alternative because it would reduce impacts to air quality, hazards and hazardous materials, and utilities and service systems in comparison to the 2035 General Plan, but that it would not meet the project objectives of job generation and industry retention in San Leandro.

This SEIR analyzes two alternatives, including the CEQA-required “no project” alternative, which would involve no changes to the adopted 2035 General Plan:

- Alternative 1: No Project/Adopted 2035 General Plan
- Alternative 2: Downtown Emphasis Alternative

The *CEQA Guidelines* (Section 15126.6[e][2]) require that the alternatives discussion include an analysis of a “No Project” Alternative, which is Alternative 1. Alternative 2 was chosen due to its ability to achieve the project objectives and reduce or avoid environmental impacts of the project. There were no alternatives that were considered but rejected as infeasible without further analysis. Table 6-1 provides a summary comparison of the development characteristics of the project and each of the alternatives considered. Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Sections 6.1 and 6.2.

**Table 6-1 Comparison of Alternatives’ Proposed Allowable Density by Zoning District**

Zoning District	Current Maximum Density per Acre (du/a)	Project (Change from Current du/a)	Alternative 1: No Project/Adopted 2035 General Plan	Alternative 2: Downtown Emphasis Alternative (Change from Current du/a)
DA-1	100	125 (increase of 25 du/a)	100	150 (increase of 50 du/a)
DA-2	40	85 (increase of 45 du/a)	40	85 (increase of 45du/a)
		within General Plan Downtown MU: 100 (increase of 85 du/a)		within General Plan Downtown MU: 150 (increase of 110 du/a)
		within General Plan Transit-Oriented MU: 125 (increase of 85 du/a)		within General Plan Transit-Oriented MU: 150 (increase of 110 du/acre)
DA-3	60	100 (increase of 40 du/a)	60	100 (increase of 40 du/a)
		within General Plan Transit-Oriented MU: 125 (increase of 65 du/a)		within General Plan Transit-Oriented MU: 150 (increase of 90 du/a)
DA-4	100	125 (increase of 25 du/a)	100	150 (increase of 50 du/a)
DA-6	N/A	N/A	N/A	N/A
SA-1, SA-2, SA-3	35	85 (increase of 50 du/a)	35	35 (no change)

DA = Downtown Area  
 SA = South Area  
 MU = Mixed-Use land use category  
 du/acre = dwelling units per acre

## 6.1 Alternative 1: No Project/Adopted 2035 General Plan

The *CEQA Guidelines* (Section 15126.6[e][2]) require that the alternatives discussion include an analysis of a “No Project” Alternative. Pursuant to CEQA, the “No Project” Alternative refers to the analysis of existing conditions and what would reasonably be expected to occur in the foreseeable future if the proposed plans were not approved. This is based on current plans and consistent with available infrastructure information. The “No Project” Alternative typically will proceed along one of two lines: (1) when a plan or project is a revision of an existing regulatory plan or policy, the “No Project” Alternative will be continuation of the existing plan or policy; or (2) if a plan or project is a development project on identifiable property, the “No Project” Alternative is the circumstance under which a project does not proceed. Thus, in the case of this programmatic SEIR, the “No Project” Alternative would be a No Plans Alternative that represents the continuation of existing zoning and General Plan designations throughout San Leandro. Full buildout under those existing designations is assumed to occur under this alternative. Typical development assumptions are included in the analysis of this alternative, including compliance with applicable regulations or typical City-required measures. Additionally, this alternative would not include the proposed policies of the Housing Element update and the Environmental Hazards Element update and would not include the proposed policies of the Environmental Justice Element.

### 6.1.1 Description

Alternative 1, the No Project Alternative/Adopted 2035 General Plan, assumes that the current policies and land use and zoning designations would not change from the City’s adopted 2035 General Plan. Changes to the Land Use Element, land use designations, and zoning code to allow for an increase in allowable in the Downtown Mixed Use District land use designations, Transit Oriented Mixed Use District land use designations, and increase in allowable Floor Area Ratio (FAR) in the Corridor Mixed Use District would not occur.

### 6.1.2 Impact Analysis

#### a. Air Quality

The 2035 General Plan EIR determined that buildout of the 2035 General Plan would result in an increase of construction exhaust emissions that could impact sensitive receptors in an amount that would exceed the BAAQMD thresholds, and air quality impacts would be significant (pages 4.2-40 and 42). Although impacts would be reduced by Mitigation Measures AQ-2B-1 and AQ-2B-2, air quality impacts from individual development projects would be significant and unavoidable.

Construction periods for individual development projects under the No Project Alternative would be shorter than with implementation of the Housing Element and General Plan Update project, and operational impacts from vehicle travel would be less due to fewer trips. However, the No Project Alternative would still have an impact level similar to the Housing Element and General Plan Update project, which would be significant and unavoidable.

The No Project Alternative would not meet project objectives, such as the implementation of the Environmental Justice Element, which includes proposed policies to address air quality concerns. This alternative would not increase allowable development in the city’s transit-oriented areas, which could increase the need to develop housing in areas that are not transit-focused or are

further away from employment, thus potentially increasing impacts to air quality in the region. Overall, the No Project Alternative would result in a similar impact to air quality as the project, and impacts would be significant and unavoidable.

### **b. Greenhouse Gas Emissions**

The 2035 General Plan EIR determined that 2035 General Plan buildout plans would conflict with an applicable plan, policy, or regulation adopted to reduce GHG emissions due to CARB not yet drafting a plan to achieve statewide GHG emissions goals established in Executive Order S-03-05 and that impacts would be significant and unavoidable (page 4.6-36).

A lower level of development intensity would occur under the No Project Alternative, consistent with current zoning, compared to the project. Localized GHG emissions from construction of new development, and from long-term operational impacts, such as energy use, maintenance, and vehicle transportation, would be lower than buildout of the project. Similar to the project, this alternative would continue to follow 2035 General Plan GHG-reduction goals, as well as other regional, State, and local regulations.

However, this alternative would not increase allowable development in the city's transit-oriented areas, which could increase the need to develop housing in areas that are not transit-focused or are further away from employment, thus potentially increasing regional GHG emissions. Overall, the No Project Alternative would result in a similar impact related to GHG emissions compared to the project, and impacts would be less than significant.

### **c. Energy**

Although the 2035 General Plan EIR did not include a dedicated Energy chapter, the analyses of vehicle trips and energy conservation are applicable to energy impacts. The analysis concluded that emissions from on-road transportation would decrease by 2035 due to reduced VMT per capita with implementation of the 2035 General Plan and the 2035 General Plan would be consistent with the City's adopted CAP and regional plans to reduce energy use. The project would reduce VMT per capita compared to the No Project Alternative and increase development intensity in transit-oriented development areas. However, the No Project Alternative would use less energy for development construction and operation-related uses. Therefore, the No Project Alternative would have an overall impact level similar to the project, and impacts would be less than significant.

### **d. Land Use and Planning**

The 2035 General Plan EIR determined that buildout of the 2035 General Plan would not result in an established community being physically divided or conflict with applicable plans, policies, or regulations or habitat conservation and natural community preservation plans. However, the No Project Alternative would not help achieve the City's 2023-2031 RHNA and the City would not have a certified Housing Element, which would conflict with State and regional plans and policies, and reduce the City's ability to receive grant funding. However, conflict with these plans and policies would not result in environmental effects. Therefore, this alternative would have a similar impact to land use and planning to the project, and impacts would be less than significant.

### **e. Noise**

The No Project Alternative would continue to plan development under the 2035 General Plan buildout, resulting in less intensive development and decreased level of noise from less construction

and operation compared to the Housing Element and General Plan Update project. As a result, the No Project Alternative would result in less temporary construction-related noise from grading and development construction than the project. Ambient noise impacts from increased roadway noise for the 2035 General Plan was determined to be significant and unavoidable in the 2035 General Plan EIR. Similarly, the project would result in greater levels of ambient noise levels due off-site increases in traffic volumes compared to the No Project Alternative. Therefore, the No Project Alternative would result in fewer noise-related impacts than the project, and impacts would be less than significant.

#### **f. Population and Housing**

The No Project Alternative would continue the adopted 2015-2023 Housing Element and buildout of the 2035 General Plan, resulting in fewer new residents than buildout of the project. While neither the No Project Alternative nor the project would result in unplanned substantial population growth or displace residents or housing, and impacts for both scenarios would be less than significant, the No Project Alternative would not accommodate the City's most recent RHNA as required by State law, help the City meet regional housing needs, or enact new Housing Element policies that would strengthen tenant protections, promote fair housing across neighborhoods, or support the development of various housing types appropriate for all income levels. Therefore, the No Project Alternative would be similar to the project, and impacts would be less than significant.

#### **g. Public Services and Recreation**

The 2035 General Plan EIR determined that buildout of the 2035 General Plan would not result in the need for new or physically altered to the San Leandro Police Department (SLPD) facilities, fire protection facilities, schools, parks and recreational facilities, or libraries.

Development under the No Project Alternative would incrementally increase population to a level that would impact the SLPD, schools, parks, and libraries. However, new or expanded facilities needed to meet service goals in each of these areas would be mitigated by tax or fee payments incorporated with each resource, and that potential environmental impacts would be analyzed and mitigated to the extent feasible at the time of their proposal. Impacts from the No Project Alternative would be similar to those of the project, and impacts would be less than significant.

#### **h. Transportation**

The No Project Alternative would have a smaller increase in overall trips than the project. The VMT analysis conducted for the 2035 General Plan EIR found that VMT per population and VMT per service population would decrease under the 2035 General Plan EIR. While the overall 2040 residential VMT would be less than the project, per capita VMT would be about the same under both the project and the No Project Alternative. The No Project Alternative would not conflict with any transportation plans or policies and would not substantially increase hazards due to a geometric design feature or incompatible use. Based on this analysis, the No Project Alternative would result in a similar impact on transportation and traffic and impacts would be less than significant.

#### **i. Utilities and Service Systems**

The 2035 General Plan EIR determined that buildout of the 2035 General Plan would not result in the construction of new or expanded water, wastewater, storm drainage, electrical power or natural gas, telecommunications, or solid waste facilities. While buildout of the No Project Alternative could result in additional service connections and/or improvements associated with utilities and service



systems, such connections would not result in disturbance beyond individual development sites and adjacent infrastructure corridors and substantial environmental impacts would be limited. The No Project Alternative would result in a similar level of impact as the project, and impacts would be less than significant.

### No Project Alternative Summary

The No Project Alternative would result in equal levels of impacts as the project in all issue areas except noise, which would result in a reduced impact compared to the project. The No Project Alternative would not achieve project objectives as it would not amend the allowable densities, FAR, and building heights in land use designations and zoning districts in the city’s PDAs, which would not accommodate the City’s State-mandated RHNA. The No Project Alternative would not implement the Housing Element update and the Environmental Hazards Element update and would not implement the proposed policies of the Environmental Justice Element, and the City would not be in compliance with State law.

## 6.2 Alternative 2: Downtown Emphasis Alternative

### 6.2.1 Description

Alternative 2 would intensify development in Downtown San Leandro and decrease intensity in other areas as compared to the project. This alternative would increase the maximum allowable densities in the Downtown Priority Development Area and provide no change to maximum allowable densities or maximum allowable building heights in the East 14<sup>th</sup> Street Priority Development Area.

The proposed allowable density of the Downtown Mixed Use land use designation would increase from 100 du/acre to 150 du/acre. Proposed maximum densities in the Downtown Area zoning districts would increase correspondingly, as shown in Table 6-2.

**Table 6-2 Alternative 2 Allowable Density by Zoning District Compared to the Project**

Zoning District	Current Maximum Density (du/a)	Project Maximum Density (du/a)	Alternative 2 Maximum Density (du/a)
DA-1	100	125	150
DA-2	40	85; Within the General Plan Downtown Mixed Use land use category: 125	85; Within the General Plan Downtown Mixed Use land use category: 150
		Within the General Plan Transit-Oriented Mixed Use land use category: 125	Within the General Plan Transit-Oriented Mixed Use land use category: 150
DA-3	60	100; Within the General Plan Transit-Oriented Mixed Use land use category: 125	100; Within the General Plan Transit-Oriented Mixed Use land use category: 150
DA-4	100	125	150
DA-6	N/A	N/A	N/A
SA-1, SA-2, SA-3	35	85	35

DA = Downtown Area; SA = South Area

Additionally, the maximum height limit would be eliminated in the DA-2 zoning district and no change would occur in the SA-1, SA-2, and SA-3 zoning districts as described in detail below in Table 6-3. This change would be necessary to accommodate the increased maximum density in the DA-2 zoning district.

**Table 6-3 Alternative 2 Changes to Maximum Allowable Building Heights Compared to the Project**

Zoning District	Current Maximum Height (feet)	Project Maximum Height (feet)	Alternative 2 Maximum Height (feet)
DA-2	50	65	No Maximum
DA-6	75	No Maximum	No Maximum
SA-1, SA-2, SA-3	50	65	50

DA = Downtown Area; SA = South Area

Alternative 2 would assume the same number of residential units and square feet of office space in the BTOD area as the project (2,460 housing units and 75,000 square feet of office space over what was assumed in the 2017 BTOD Specific Plan EIR). The total development capacity assumption for Alternative 2 would be the same as the project (a net increase of 4,960 residential units and 75,000 square feet of office space), but all residential units assumed in the SA zoning districts that are assumed in the project would be redistributed to the DA zoning districts.

## 6.2.2 Impact Analysis

### a. Air Quality

Since Alternative 2 would concentrate development near the city’s two BART stations, the City’s per capita VMT would be reduced compared to the project; therefore, air quality impacts associated with vehicle emissions would be less than the project. As with the project, Alternative 2 would be consistent with the 2017 Clean Air Plan and VMT would not exceed the projected population increase per BAAQMD guidelines. However, temporary construction for implementation of the development under Alternative 2 would increase air pollutant emissions in Downtown due to increased construction periods and potentially heavier construction equipment required to construct larger individual projects, which would potentially increase impacts from TACs to sensitive receptors. Like the project, Alternative 2 would adhere to Mitigation Measures AQ-2B-2 to mitigate potential air quality impacts associated with construction, but this impact would remain significant and unavoidable. Overall, impacts to air quality would be similar to the project.

### b. Greenhouse Gas Emissions

Alternative 2 would intensify development to increase maximum allowable densities, similar to the proposed project. However, unlike the project, Alternative 2 buildout would be concentrated in Downtown San Leandro, creating higher density around the Downtown BART station, which would promote mode choice to transit-related modes and would reduce the VMT per capita to a greater degree than for the project. Therefore, long-term operational GHG emissions from future buildout of this alternative would be less than the project. Temporary construction in Downtown for implementation of the development under Alternative 2 would increase GHG emissions compared to the project but would reduce GHG emissions in the SA zoning districts. Overall, Alternative 2

would reduce impacts to GHG emissions compared to the project, and impacts would be less than significant.

### **c. Energy**

Development facilitated by Alternative 2 would reduce VMT per capita and long-term operational GHG emission in comparison to the project. However, more energy may be required to utilize potentially heavier construction equipment for increased amounts of construction time. This alternative would be consistent with the City's adopted CAP and regional plans to reduce energy use. Overall, Alternative 2 would have a less than significant impact, similar to the project.

### **d. Land Use and Planning**

Similar to the project, Alternative 2 would not alter connectivity with adjacent areas or divide established communities, as it would encourage infill development within designated urban service areas. Under Alternative 2, development would be consistent with the General Plan goals and policies identified in Section 4.4, *Land Use and Planning*, as development under Alternative 2 would encourage housing development, development of infill sites, and mixed-use development. Alternative 2 would not introduce new land uses and would be consistent with local and regional plans to intensify residential development near transit. As such, Alternative 2 would have a less than significant impact, similar to the project.

### **e. Noise**

Alternative 2 would result in increased construction periods and potentially heavier construction equipment required to construct larger individual projects compared to the project, which may increase noise and vibration exposure near sensitive uses such as residences, schools, and historic structures. Impacts may be reduced through the mitigation measures identified in the 2035 General Plan EIR and the City's Standard Condition of Approval, but it is uncertain whether impacts would be reduced to a less than significant level. Construction-related noise would be greater than the project.

Long-term operational impacts from roadway vehicle noise would be less than the project due to the increase in mode split and decrease in VMT per capita. Overall, impacts related noise would be similar to the project, and would remain significant and unavoidable.

### **f. Population and Housing**

Buildout under Alternative 2 would result in the same overall development capacity as the project but would concentrate development in Downtown San Leandro. Alternative 2 would also accommodate the City's RHNA, update the City's Housing Element, and would not result in substantial unplanned population growth or displace substantial numbers of residents or housing, since it would enact the same housing policies as the project. Therefore, Alternative 2 would result in a less than significant impact to population and housing, similar to the project.

### **g. Public Services and Recreation**

Buildout under Alternative 2 would be similar to the project, and would result in reduction of service ratios for police or fire stations in that area and increased use of school, library, and park and recreation facilities. However, similar to the project, these impacts would be mitigated by 2035 General Plan policies and payment of required development impact fees at the time of development

of individual projects. Therefore, Alternative 2 would result in a less than significant impact, similar to the project.

#### **h. Transportation**

Alternative 2 would increase public transit use compared to the project due to the concentration of new residents located near the Downtown BART station, which would reduce VMT per capita. Emergency access would not be impacted by development under Alternative 2. As a result, Alternative 2 impacts to transportation and traffic would be reduced compared to the project and would be less than significant.

#### **i. Utilities and Service Systems**

Development under Alternative 2 would result in an increase in demand for water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications facilities at a similar level as the project. Similar to the project, the remaining facilities may require connections, but would not result in disturbance beyond individual development site, adjacent infrastructure corridors, or significant environmental effects. Therefore, Alternative 2 would have a similar impact compared to the project.

### **Alternative 2 Summary**

Alternative 2 would result in equal levels of impacts as the project in all issue areas except noise and transportation, which would result in a reduced impact compared to the project. Alternative 2 would achieve project objectives as it would amend the allowable densities, FAR, and building heights in land use designations and zoning districts in two of the city's PDAs, which would accommodate the City's State-mandated RHNA. Alternative 2 would implement the Housing Element update and the Environmental Hazards Element update and would implement the proposed policies of the Environmental Justice Element, and the City would be in compliance with State law.

## **6.3 Environmentally Superior Alternative**

CEQA requires identification of the environmentally superior alternative among the alternatives to the proposed project. The environmentally superior alternative must be an alternative that reduces some of the project's environmental impacts, regardless of the financial costs associated. Identification of the environmentally superior alternative is an informational procedure and the alternative identified as the environmentally superior alternative may not be that which best meets the goals or needs of the project. Table 6-4 indicates whether each alternative's environmental impact is greater than, less than, or similar to the proposed project for each issue area studied. Based on the alternatives analysis provided above, Alternative 2 would be the environmentally superior alternative.

Alternative 2 would reduce two impacts compared to the project. Because Alternative 2 would concentrate development in the San Leandro Downtown area, impacts related to GHG emissions and transportation would be reduced compared to the project.

None of the alternatives analyzed would reduce the significant and unavoidable impacts related to air quality and noise to below a level of significance.

**Table 6-4 Impact Comparison of Alternatives**

<b>Issue</b>	<b>Proposed Project Impact Classification</b>	<b>Alternative 1: No Project/Adopted 2035 General Plan</b>	<b>Alternative 2: Downtown Emphasis Alternative</b>
Air Quality	SU	Equal to project	Equal to project
Greenhouse Gas Emissions	LTS	Equal to project	Less than project
Energy	LTS	Equal to project	Equal to project
Land Use and Planning	LTS	Equal to project	Equal to project
Noise	SU	Less than project	Equal to project
Population and Housing	LTS	Equal to project	Equal to project
Public Services and Recreation	LTS	Equal to project	Equal to project
Transportation	LTS	Equal to project	Less than project
Utilities and Service Systems	LTS	Equal to project	Equal to project

LTS = Less than Significant  
 SU = Significant and Unavoidable

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**Other CEQA Related Discussions**

## 7.2 List of Preparers

This EIR was prepared by the City of San Leandro, with the assistance of Rincon Consultants, Inc. Consultant staff involved in the preparation of the SEIR are listed below.

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