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January 2020 | Final EIR Addendum

San Leandro Shoreline Development Project Environmental Impact Report Addendum

for the City of San Leandro

State Clearing House Number:
2013072011

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Final EIR Addendum

Prepared By:

PlaceWorks

1625 Shattuck Avenue, Suite 300

Berkeley, California 94709

510.848.3815

510.848.4315 (f)

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State Clearing House Number: 2013072011

In Association With:

Kittleson & Associates

Environmental Collaborative

Alan Kropp & Associates

Tom Origer & Associates

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In addition to the technical appendices, all documents cited in this report and used in its preparation are hereby incorporated by reference into this report. Copies of documents referenced herein are available for review at the City of San Leandro, 835 East 14th Street, San Leandro, CA 94577.

1. *Introduction*

1.1 BACKGROUND, PURPOSE, AND SCOPE

This document is an Addendum to the Environmental Impact Report (EIR) for the San Leandro Shoreline Development Project (referred to as the "Original Project"), State Clearinghouse (SCH) No. 2013072011, certified on July 15, 2015, which was completed for an integrated master planned development and a public/private partnership between Cal Coast Companies LLC and the City of San Leandro, on approximately 75 acres of the City-owned shoreline.

The Original Project analyzed in the Certified EIR indicated compliance with all Federal, State, and Regional regulations of the time, as well as agency approval of the environmental analysis and impact mitigation program. Components of the Project's original conceptual design were coordinated with 2015 sea level planning requirements of the Bay Conservation and Development Commission (BCDC). At the time of EIR Certification, BCDC required relevant projects to plan for mid-level sea level rise of approximately 36 inches. However, BCDC now requires projects to plan for the upper range of sea level rise, approximately 65 inches. In response, Cal Coast has proposed a series of modifications to the conceptual design which are described in detail below in Section 2, *Project Description*.

This Addendum serves as the environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq*. and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq*.) for proposed modifications to the Original Project, which is referred to in this Addendum as the "Modified Project".

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City of San Leandro is the lead agency because it has the principal responsibility for deciding whether or not to approve the proposed project. This Addendum analyzes the changes to the Original Project, described in detail below in Section 2, *Project Description*.

1.2 ENVIRONMENTAL PROCEDURES

Pursuant to Section 21166 of CEQA and Section 15162 of the CEQA Guidelines, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR or negative declaration shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, that one or more of the following conditions are met:

- Substantial project changes are proposed that 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;
- Substantial changes would occur with respect to the circumstances under which the project is undertaken that require major revisions to 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
- New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified 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 identified 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 proponent declines to adopt the mitigation measures or alternatives.

    d) Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

Where none of the conditions specified in Section 15162 are present, the lead agency must determine whether to prepare an Addendum or whether no further CEQA documentation is required (CEQA Guidelines Section 15162[b]). An Addendum is appropriate where some minor technical changes or additions to the previously certified EIR are necessary, but there are no new or substantially more severe significant impacts (CEQA Guidelines Section 15164).

In accordance with the CEQA Guidelines, the City has determined that an Addendum to the Certified EIR is the appropriate form of environmental review for the Modified Project. This examination includes an analysis of the provisions of Section 21166 of CEQA and Sections 15162 to 15164 of the State CEQA Guidelines and their applicability to the Modified Project. This Addendum relies on the attached environmental analysis, which is based on Appendix G of the 2019 CEQA Guidelines. The checklist includes findings as to the physical environmental impacts of the Modified Project in comparison with the findings from the Certified EIR.

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2. Project Description

2.1 PROJECT SITE LOCATION AND CHARACTERISTICS

2.1.1 REGIONAL LOCATION

The Modified Project is located in the City of San Leandro, in the San Leandro Shoreline Area, in the same location as that for the Original Project, as shown on Figure 3-1, Regional Location, within Chapter 3, *Project Description*, of the Certified EIR. Therefore, within this Addendum, the term "Project site" refers to both the location of the Original Project as well as the Modified Project, because the boundaries of the site have not changed. The San Leandro Shoreline Area encompasses approximately 900 acres of mostly City-owned land situated on the eastern shore of the San Francisco Bay at the western end of Marina Boulevard. This area is commonly referred to as the Shoreline Recreational Area. The Project site includes a total of 75 acres. The Shoreline Recreational Area is south of Oakland International Airport and is accessible via Interstate 880, located 1.2 miles east of the Project site.

2.1.2 SURROUNDING LAND USES

Land uses adjacent to the Project site are described below. As shown in Figure 3-2, Local Context, within Chapter 3, *Project Description*, of the Certified EIR, the San Francisco Bay is located directly west of the Project site.

To the north of the Project site, from west to east, lie the San Francisco Bay and residential uses along Neptune Drive and Marina Boulevard. Residential uses include single-family homes and multi-family residential units within the Mulford Gardens neighborhood. North of the Project site, across an inlet of the San Francisco Bay is East Bay Regional Park District's Oyster Bay Regional Shoreline, Waste Management's Davis Street Transfer Station, the City of San Leandro Water Pollution Control Plant, and Oakland International Airport.

The Marina Golf Course (part of the larger Monarch Bay Golf Club) is located on the eastern portion of the Project site, with residential uses located further east along Aurora Drive, West Avenue 133rd, and West Avenue 134th. Residential uses include single-family homes and multi-family residential units. The existing Mulford-Marina Branch Library is located at the corner of Aurora Drive and Fairway Drive. The new Kaiser Permanente San Leandro Medical Center is located approximately one mile to the east, between Marina Boulevard and Fairway Drive on Merced Street.

To the south of the Project site, west to east, is the San Francisco Bay, a small boat lagoon, the City's Marina Park and Par Course, the Tony Lema Golf Course (part of the larger Monarch Bay Golf Club), the Seagate residential community, and the Marina Faire neighborhood.

Located within the Project site to the west of Monarch Bay Drive is Horatio's Restaurant and The Marina Inn on San Francisco Bay (Marina Inn). No modifications are planned for these buildings; however, the adjacent parking lots would be modified as part of the Modified Project resulting from the proposed road alignment.

2.2 GENERAL PLAN LAND USE DESIGNATION AND ZONING

The City of San Leandro General Plan (adopted in 2016) and Zoning Code provide a policy framework to ensure that future development in the City is consistent with its priorities and goals.

2.2.1.1 GENERAL PLAN DESIGNATION

The land use designations for the Project site are General Commercial, Medium Density Residential, and Parks and Recreation. The General Commercial designation is characterized by commercial uses providing a broader range of goods and services and serving a broader market than the neighborhood commercial areas. The Medium Density Residential designation permits attached housing types, such as townhomes and duplexes, as well as, single family detached homes on standard and smaller lots and clustered or planned unit developments. The Parks and Recreation designation denotes land, which is used for active recreational purposes, including neighborhood, community, and regional parks, golf courses, and the recreational amenities at the San Leandro Marina.

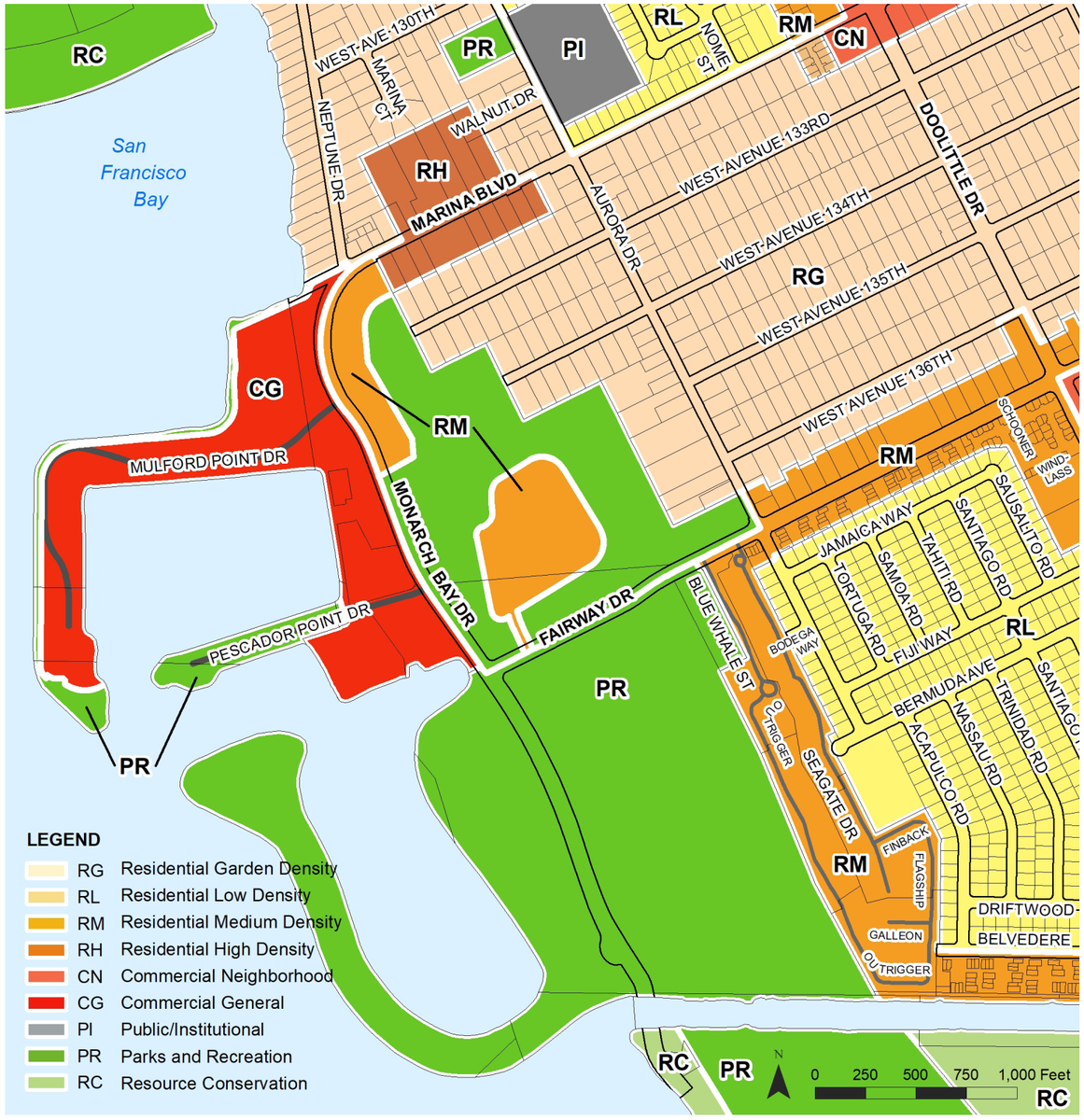
Approval of the Modified Project, as described below, would require a General Plan amendment to designate the site as a combination of General Commercial, Parks and Recreation, Medium Density Residential, and High Density Residential as illustrated on Figure 2-1. In addition, approval of the Modified Project would require a General Plan amendment to expand or alter the geographic area of existing General Plan designations on the Project site.

2.2.1.2 ZONING

The current zoning designation for the Project site is CC (PD) Commercial Community (Planned Development), CR Commercial Recreation, CR (PD) Commercial Recreation (Planned Development) and RM-2000(PD) Multi-Family Residential (<22 du/ac) (Planned Development). Approval of the Modified Project, as described below, would involve a rezoning to reduce the acreage of CC (PD) Commercial Community (Planned Development), increase the acreage of Commercial Recreation (CR) and RM-2000(PD) Multi-Family Residential (<22 du/ac) (Planned Development), as well as add RM-1800(PD) Residential Multi-Family (<24 du/ac)(Planned Development).

Uses allowed within the CC District include cafés, offices, pharmacies, restaurants, retail services, among other similar uses. Hotels require Conditional Use Permit approval in the CC District. Uses allowed within

the CR District include cafés, marine sales and service, park and recreation facilities, full-service restaurants and retail sales, among other similar uses. Uses allowed within the RM District includes multi-family residential, two-family residential, single-family residential, among other similar uses.



Existing General Plan Designations

Proposed General Plan Designations

Source: PlaceWorks, 2020.

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Scale (Feet)

Figure 2-1
Modified Project Proposed General Plan Designation

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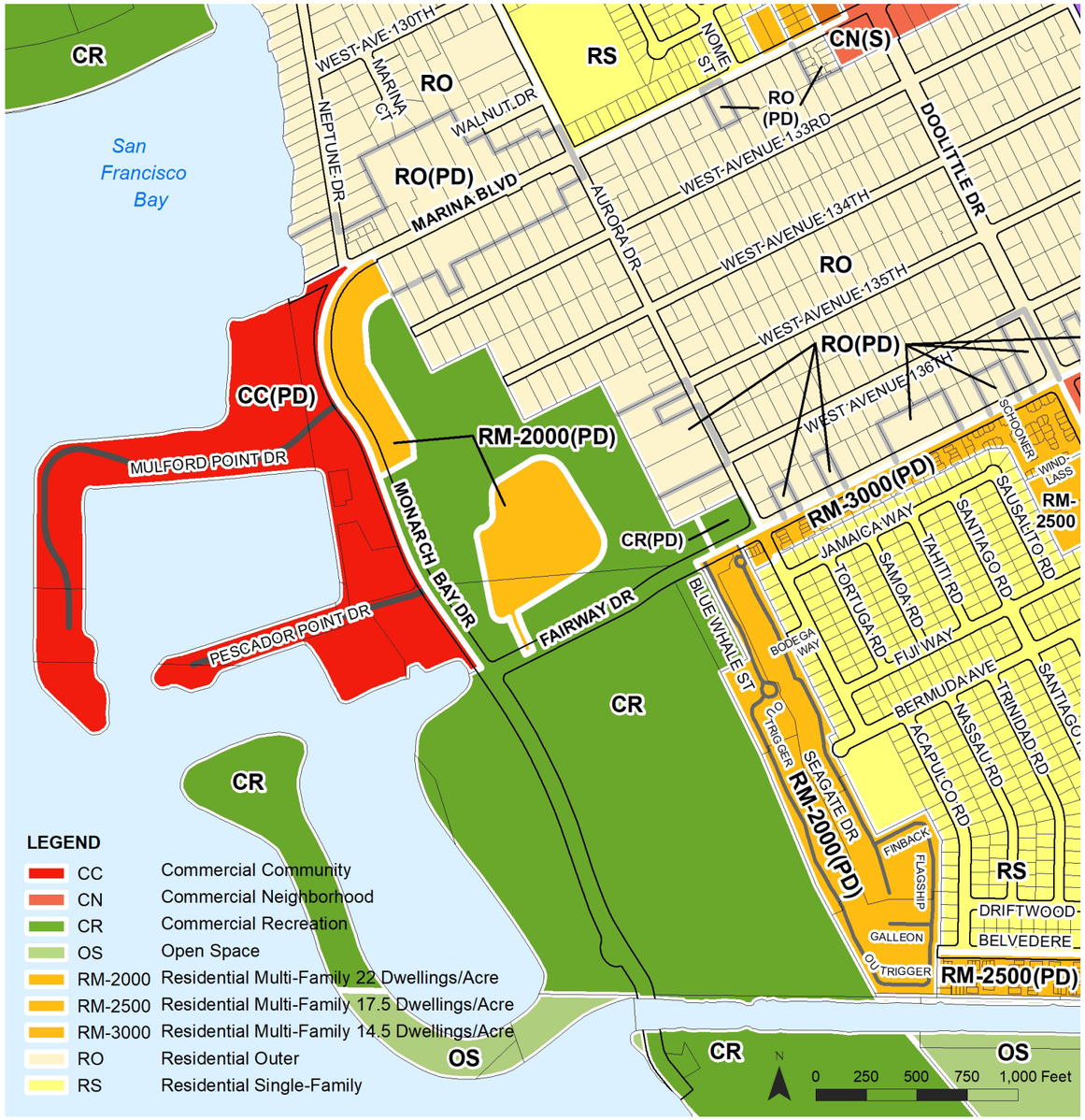
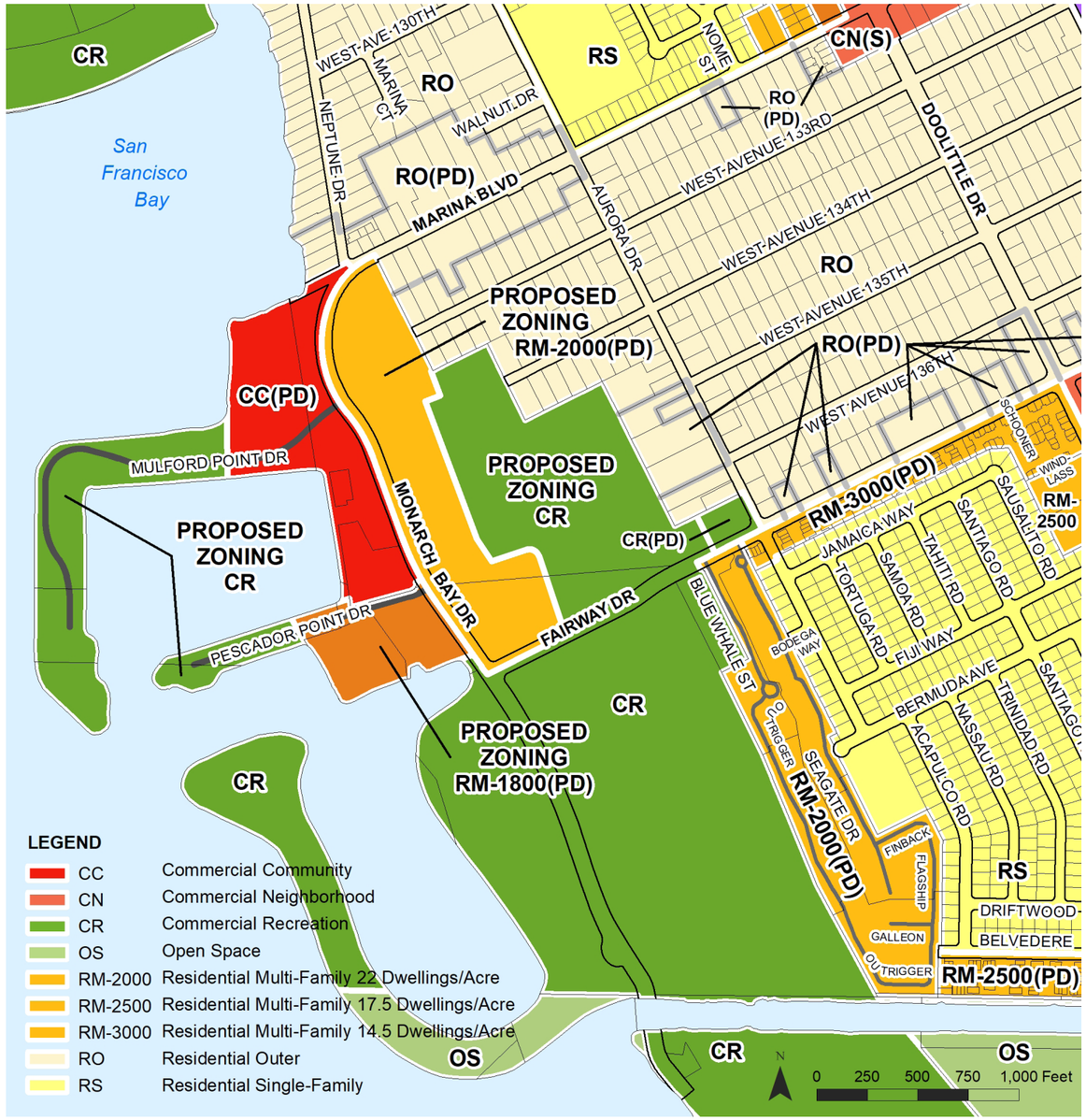


Existing Zoning



Proposed Zoning

Source: PlaceWorks, 2020.

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Scale (Feet)

Figure 2-2
Modified Project Proposed Re-Zoning

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2.3 STATEMENT OF OBJECTIVES

The objective of this environmental review process is to demonstrate whether the changes to the Original Project, as described below, represent "major revisions" as described in CEQA Section 21166 that would require preparation of a supplemental EIR or Initial Study/Mitigated Negative Declaration (IS/MND). CEQA Guidelines Section 15162 state that no subsequent EIR shall be prepared unless the lead agency determines that either substantial changes to the project, changes in circumstances of the project, or new information about the project, are revealed. If the analysis identifies the potential for a new environmental impact, this would be considered new information and would require preparation of a supplemental EIR or IS/MND.

2.4 PROJECT CHARACTERISTICS

Pursuant to the CEQA Guidelines Section 15378(a), the Modified Project is considered a "project" subject to environmental review as its implementation is "an activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700." This EIR Addendum compares the construction and operation of the Modified Project with the Original Project described in the Certified EIR, completed in 2015, described in detail in each section of Chapter 3.0, Environmental Analysis.

2.4.1 PROJECT BACKGROUND

This section describes the Project background and the Modified Project.

2.4.1.1 EXISTING SITE

The Project site for the Modified Project includes a total of 75 acres of the Shoreline Recreational Area. The site is generally located along both sides of Monarch Bay Drive between Marina Boulevard and Fairway Drive, with development centered primarily along Monarch Bay Drive. This site consists of two peninsulas, Mulford Point to the north and Pescador Point to the south, that encircle the boat harbor and include existing commercial and recreational facilities. The Project site also includes portions of the existing 9-hole Marina Golf Course and an existing 2,000 square-foot public library building with a related parking lot. There are approximately 1,450 existing parking lot spaces throughout the Project site.

The Shoreline Recreational Area includes three existing commercial enterprises and one partially demolished restaurant/banquet facility. These include the 131-room Marina Inn, opened in 1985; Horatio's Restaurant, completed in 1978; and an El Torito Restaurant, which originally opened as part of

the Tia Maria chain in 1970. The foundation and deck piers of the former Blue Dolphin Restaurant remain on-site.

Boating facilities currently include a 462-slip public boat marina with a separate boat launch and support operations, and two private yacht clubs. Due to physical constraints caused by build-up of silt both in the harbor and the 2-mile federal channel, occupancy of the marina currently stands at less than 30 percent. There are two vehicular entrances to the Shoreline Recreational Area, one at Marina Boulevard (with direct access to Interstate 880), and a secondary access via Fairway Drive.

2.4.1.2 PROJECT COMPONENTS

The Modified San Leandro Shoreline Development Project is proposed as an integrated master planned development and a public/private partnership between the City and Cal Coast Companies LLC, on the Modified Project site as described above. As a part of a public/private partnership, the City of San Leandro and Cal Coast Companies LLC (Cal Coast) propose to redevelop the approximately 75-acre site, which encompasses the San Leandro Marina and surrounding properties, with residential, commercial, and recreational uses. Implementation of the proposed Modified Project would involve the removal of many of the structures on the site including the existing El Torito restaurant building, the Mulford Branch Library building, the San Leandro Yacht Club building, the Spinnaker Yacht Club building, the harbor master's office and fuel pump/dock, public restrooms, and the 462 boat slips. Additionally, the nine-hole marina Golf Course would be reconfigured in order to accommodate proposed residential development on the grounds of the course. The existing Marina Inn building and the Horatio's restaurant building are not part of the proposed Modified Project.

The Conceptual Site Plan for the Original Project described in the 2015 Certified EIR is shown on Figure 3-3, within Chapter 3, *Project Description,* of the Certified EIR.

2.4.1.3 PLANNING PROCESS LEADING TO PROPOSED MODIFIED PROJECT

Components of the Original Project's conceptual design were coordinated with 2015 sea level planning requirements of BCDC. At the time of EIR certification, BCDC required relevant projects to plan for mid-level sea level rise of approximately 36 inches. However, BCDC now requires projects to plan for the upper range of sea level rise, approximately 65 inches. In response, Cal Coast has proposed a series of modifications to the conceptual design which are summarized below and shown on Figure 2-1, Modified Project Conceptual Site Plan.

2.4.2 PROPOSED PROJECT CHANGES

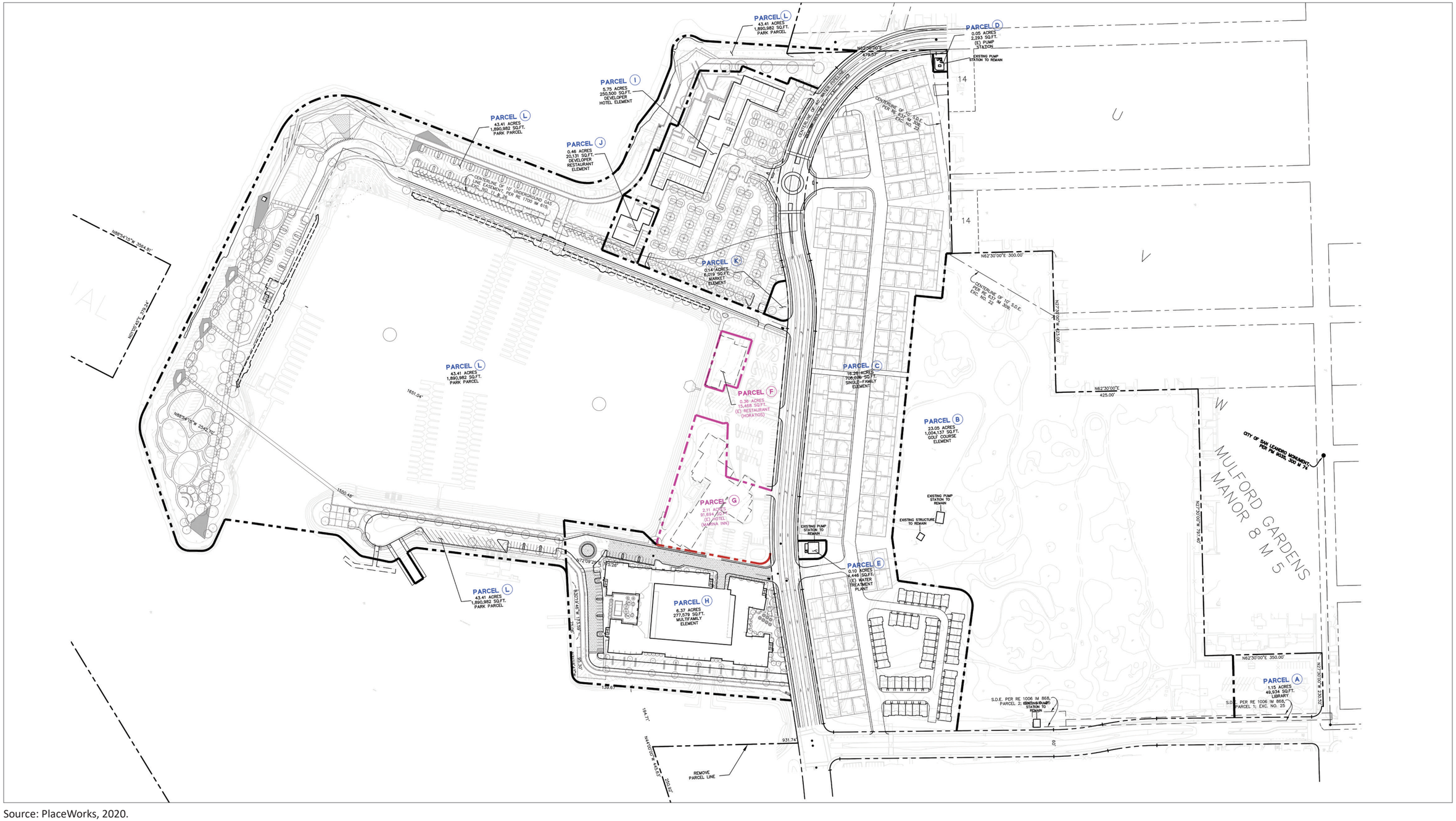
2.4.2.1 DESCRIPTION OF PROPOSED CHANGES

Proposed modifications to the Modified Project analyzed in the 2015 Certified EIR are as follows:

- Eliminating the 150,000 square-foot office campus.
- Shifting the location of the proposed hotel approximately 1,300 feet inland.
- Changing the 15,000 square-foot conference center into a combined banquet/restaurant space and shifting it approximately 275 feet inland.
- Increasing the number of housing units from 354 to 485, including:
    - Eliminating all 61 condominiums.
    - Increasing the number of apartment units from 159 to 285 with integrated structured parking.
    - Decreasing the number of townhomes from 92 to 48.
    - Increasing the number of single-family homes from 42 to 152.
- Eliminating the 8,000 square-foot restaurant at the end of Mulford Point
- Adding a 3000 square-foot food market along Monarch Bay Drive.
- Integrating the 5,000 square-foot restaurant into the hotel.
- Eliminating the three story, 800-space parking structure.
- Increasing public park space from about 3 acres to approximately 9 acres on land made available from the relocated hotel with an additional approximately 9 acres of publically accessible trails, landscaped areas, access drives, and parking lots throughout the project area.
- Decreasing golf course acreage from 32 acres to 23.05 acres.

In addition to the changes to the development plan noted above, the Modified Project will require imported fill to raise the base elevations of portions of the site in order to meet FEMA flood zone and BCDC requirements. It is estimated that approximately 208,000 cubic yards of imported fill will be required resulting in an increase in construction truck trips over what was described in the 2015 Certified EIR. The changes to the development plan and effect of construction trips are the focus of the analysis in this EIR Addendum.

PROJECT DESCRIPTION



Source: PlaceWorks, 2020.

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Scale (Feet)

Figure 2-3
Modified Project Conceptual Site Plan

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2.5.1.1 DESCRIPTION OF PROPOSED MODIFIED PROJECT COMPONENTS

The proposed components of the Modified Project include:

- 200 to 220-room select-service hotel. The select-service hotel would provide amenities to guests including a business center, a fitness room, a laundry facility, market pantry, an indoor and/or outdoor pool and a whirlpool, and small meeting rooms.
    - The proposed parcel size for the hotel is 250,500 square feet, while the gross building would be approximately 150,385 square feet, resulting in a Floor Area Ratio (FAR)[1] of 0.60.
- 485 housing units:
    - 285 Flats: Up to 285 flats would be located at the southern boundary of the Project site off of Pescador Point Drive, and parking for the 285 units would also be provided in an above grade parking structure (max 50 feet in height).
        - The proposed parcel size for the 285 flats is 277,579 square feet, while the gross building square footage would be approximately 325,000 square feet, resulting in a FAR of 1.17 and a density of approximately 45 residential dwelling units per acre.
    - 48 Townhomes: The approximately 48 townhomes would consist of attached and clustered units, approximately two to three stories in height, located at the southern boundary of the Project site, east of Monarch Bay Drive. Parking for the proposed townhomes would be provided through a combination of garages and surface lots (max 36 feet in height).
    - 152 Single-Family Detached Homes: The proposed single-family residential units would be located in the central portion of the Project site, east of Monarch Bay Drive. Parking would be provided through a combination of garages and surface lots (max 36 feet in height).
        - The proposed parcel size of the combined townhomes and single-family detached homes is 706,076 square feet resulting in an aggregate gross density of approximately 12.3 dwelling units per acre.
- Restaurants (totaling approximately 20,000 square feet):
    - Restaurant adjacent to or connected to the hotel: Approximately 5,000 square feet (max 50 feet in height).
    - Two-story restaurant with upstairs banquet facility adjacent to hotel: Approximately 15,000 square feet (max 30 feet in height).

[1] City of San Leandro. 2019. San Leandro Zoning Code, 1-304 Definitions. Available Online at https://qcode.us/codes/sanleandro-zoning/?view=desktop&topic=i-3-1_304. Accessed January 10, 2020.

    - The parcel size for the new two-story restaurant and banquet facility is anticipated to be 20,131 square feet, while the gross building square feet would be approximately 15,000 square feet, resulting in a FAR of 0.75.

- 3,000 square-foot market located at the northwest corner of Mulford Point Drive and Monarch Bay Drive.
    - The proposed parcel size for the market is 6,019 square feet, while the gross building square feet would be approximately 3,000 square feet, resulting in a FAR of 0.50.

Existing public access includes a segment of the Bay Trail, which is a planned 500-mile walking cycling path around the entire San Francisco Bay.[2] The project would result in new public access amenities and provide connections to the Bay Trail. Proposed improvements include:

- Re-designed executive 9-hole golf course
- New approximately 9-acre Monarch Bay Park at the end of Mulford Point Drive
- Public promenade (2 miles in length, with a minimum width of 20 feet)
- Social plaza
- Pedestrian/bicycle bridge across the existing harbor entrance
- Natural shoreline element along the interior borders of the harbor basin
- Boardwalk/lookout pier (existing)
- Kayak storage building adjacent to the boat launch
- Aeration fountain(s) in harbor basin to aid in water circulation
- Marina green
- Picnic areas
- Public restrooms
- A 2,500-square-foot community library/community meeting space on the site of the current library
- New ADA-compliant boat launch
- Public parking for approximately 208 stalls and 16 boat trailer stalls, which includes shared parking for the two-story restaurant and banquet facility (80 spaces)

Decommissioning and demolition work, construction phasing, and required permitting described in the project description of the 2015 Certified EIR would remain applicable to the Modified Project.

[2] Bay Trail. 2020. *Get on the Bay Trail*. Available online at https://baytrail.org/, accessed January 27, 2020.

3. *Environmental Analysis*

As detailed in Section 2.4.2, *Proposed Project Changes*, the Modified Project consists of a variety of changes to the Original Project.

The Modified Project would require an amendment to the General Plan Land Use map to designate the site as a combination of General Commercial, Parks and Recreation, Medium Density Residential, and High Density Residential. In addition, approval of the project would require a General Plan amendment to expand or alter the geographic area of existing General Plan designations on the Project site.[3]

The Modified Project would also require an amendment to the Zoning Map which would involve a rezoning to reduce the acreage of CC (PD) Commercial Community (Planned Development), increase the acreage of Commercial Recreation (CR) and RM-2000(PD) Multi-Family Residential (<22 du/ac) (Planned Development), as well as add RM-1800(PD) Residential Multi-Family (<24 du/ac)(Planned Development).[4]

The following section identifies and analyzes the significant effects on the environment, where "significant effect on the environment" 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. (CEQA Guidelines Section 15382). The proposed changes under the Modified Project are analyzed below.[5]

[3]City of San Leandro, *2035 General Plan*. Available online at: https://www.sanleandro.org/depts/cd/plan/genplan/default.asp, accessed December 9, 2019.

[4]City of San Leandro. 2017. *Zoning Map*. Available online at https://sanleandro.org/documents/Planning/Zoning%20Map%20Effective%2020170419.pdf, accessed January 26, 2020.

[5]California Natural Resources Agency. 2019. *Chapter 3. Guidelines for the Implementation of the California Environmental Quality Act.* Available online at: http://resources.ca.gov/ceqa/docs/2018_CEQA_FINAL_TEXT_122818.pdf, accessed January 13, 2020.

3.1 AESTHETICS

3.1.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Except as provided in Public Resources Code Section 21099, would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Have a substantial adverse effect on a scenic vista?				X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Aesthetics has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, ~~W~~would the project:

a) Have a substantial adverse effect on a scenic vista?
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
c) In non-urbanized areas, s~~S~~ubstantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly

accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

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

Comments:

AES-a

As stated in the Certified EIR, the Original Project would alter the Significant View identified in the San Leandro General Plan, which consists of near-field views of the existing marina, boats, docks, and other marine-related activities through their removal, as well as, mid- to far-field views due to the inclusion of two restaurants and the 200-room hotel on Mulford Point which would obstruct views of the horizon and of the ridgeline of the Santa Cruz Mountains on the San Francisco Peninsula. However, the Certified EIR found that the project would result in a *less than significant* impact to scenic vistas. By eliminating development on Mulford Point, the Modified Project would not affect mid- to far-field views of the Santa Cruz Mountains, and would not result in a new impact or a substantial increase in magnitude of the existing impacts to scenic vistas.

AES-b

As with the Original Project, the Modified Project is not near a scenic highway and would therefore not result in a new impact or a substantial increase in magnitude of an existing impact to scenic highways.

AES-c

The Certified EIR includes a detailed analysis of the impact the Original Project would have to the existing visual character or quality of the site and its surroundings; which was found to be *less than significant*. Since the Original Project was analyzed, the CEQA Significance Criteria now addresses urbanized and non-urbanized sites differently.[6] As the project site is in an urbanized site, the criteria asks whether the project conflicts with applicable zoning and other regulations governing scenic quality. The Certified EIR states that the Original Project would be consistent with the provisions found in the San Leandro General Plan and the San Leandro Zoning Code. These regulations and zoning codes would also apply to the Modified Project, and therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of existing impacts to applicable zoning and other regulations governing scenic quality.

AES-d

As with the Original Project, the Modified Project would create additional sources of light and glare in comparison to existing conditions. Sources of nighttime light include street and parking lighting, lighting illuminated from new buildings, and outdoor security lights resulting in an increase in the total amount of light emanating from the project site. Additionally, new residential uses within the site and adjacent residential properties would be sensitive receptors and would be affected by an increase in light and glare. As with the Original Project, the Modified Project would conform to San Leandro Zoning Code regulations contained in Section 4-1732, Lighting; Section 4-1670, Performance Standards; Section 5-2512, Site Plan Review Standards; Section 4-1676, Airport Safety Zones, and Section 4-1806, Regulations

[6] California Natural Resources Agency, 2019. CEQA: The California Environmental Quality Act. Available online at http://resources.ca.gov/ceqa/docs/2018_CEQA_FINAL_TEXT_122818.pdf. Accessed December 31st, 2019.

for On-Premises Signs. Additionally, CALGreen Section 5.106.8 would be implemented to regulate light pollution through establishing maximum Backlight Uplight and Glare (BUG) rating for light fixtures. As with the Original Project, implementation of these regulations would be assured by the necessary review by City Staff for the Modified Project. Therefore, with implementation of the regulations found in Section 4.1, Aesthetics of the Certified EIR, the Modified Project would not result in a new impact or a substantial increase in magnitude of existing impacts to day or nighttime views in the area.

3.2 AGRICULTURE AND FORESTRY RESOURCES

3.2.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

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

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?					X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?					X
d) Result in the loss of forest land or conversion of forest land to non-forest use?					X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?					X

Comments:

AGR-a, b, d, e.

The Certified EIR concluded that due to the proposed project's location in an urbanized city setting, the project would not have a significant effect on Agriculture and Forestry Resources, an impact analysis was not prepared for the Original Project. The Alameda County Important Farmland map prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation categorize land within the project site as Urban and Built-Up Land.[7] In addition, according to 2020 mapping data from the California Department of Forestry and Fire Protection, the city does not contain any woodland or forestland cover.[8] Finally, the city does not contain land zoned for farmland or timberland production.[9] Consequently, there would be *no impacts* with regard to agriculture and forestry resources under the Original Project or Modified Project.

[7] Department of Conservation. 2016. Alameda County Important Farmland Data Availability. Available online at https://www.conservation.ca.gov/dlrp/fmmp/Pages/Alameda.aspx. Accessed January 7th, 2020.

[8] California Department of Forestry and Fire Protection Fire and Resource Assessment Program. 2020. Land Cover Map. Available Online at https://frap.fire.ca.gov/media/10311/fveg_19_ada.pdf. Accessed on January 7th, 2020.

[9] City of San Leandro. 2017. Zoning Map. Available Online at http://sanleandro.maps.arcgis.com/apps/Minimalist/index.html?appid=75f3802073a4434c97742061ed1836bc. Accessed on January 7th, 2020.

3.3 AIR QUALITY

3.3.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X	
b) 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?				X	
c) Expose sensitive receptors to substantial pollutant concentrations?				X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Air Quality has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

III. AIR QUALITY.

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

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

b) 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 ~~(including releasing emissions which exceed quantitative thresholds for ozone precursors)~~?

c) Expose sensitive receptors to substantial pollutant concentrations?

d) ~~Create objectionable~~ Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?

Comments:

AIR-a.

The Certified EIR concluded that the Original Project was consistent with BAAQMD's Bay Area 2010 Clean Air Plan. At the time of the Certified EIR, the applicable air quality management plan for the San Francisco Bay Area Air Basin (SFBAAB) was the Bay Area 2010 Clean Air Plan. Since certification of the EIR, the BAAQMD has adopted its 2017 Clean Air Plan. The Modified Project would be consistent with the growth assumptions in the 2017 Clean Air Plan and the overall use would be similar to the Original Project, analyzed and discussed in the Certified EIR. Furthermore, as discussed below in AIR-b, operation of the Modified Project would not exceed the BAAQMD regional operation-phase significance thresholds. As discussed in Section 3.14, Population and Housing, while implementation of the Modified Project would result in 359 additional residents that would contribute to direct population growth, it would also result in 616 fewer employees that would contribute to indirect population growth. Thus, the Modified Project would not have the potential to substantially affect housing, employment, and population projections within the San Francisco Bay Area region, which is the basis of the Clean Air Plan projections. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of existing impacts which would conflict with or obstruct implementation of the applicable air quality plan.

AIR-b.

The following describes changes in regional impacts from short-term construction activities and long-term operation of the Modified Project compared to construction and operation of the Original Project.

Regional Construction Impacts: Construction Fugitive Dust

Ground disturbing activities during construction would generate fugitive dust (PM_{10} and $PM_{2.5}$). The amount of dust generated during construction would be highly variable and is dependent on the amount of material being disturbed, the type of material, moisture content, and meteorological conditions. If uncontrolled, PM_{10} and $PM_{2.5}$ levels downwind of actively disturbed areas could possibly exceed State standards. Consequently, BAAQMD considers all impacts related to fugitive dust emissions from construction to be *less than significant* with implementation of BAAQMD's best management practices described in Mitigation Measure AIR-2 of the Certified EIR.

Construction Exhaust Emissions

The Modified Project will require imported fill to raise the base elevations of portions of the site in order to address FEMA flood zone requirements and sea-level rise. It is estimated that approximately 208,000 cubic yards of imported fill and 22,000 cubic yards of export that was not considered for the Original Project would be required, resulting in an increase in construction truck trips over what was described in the 2015 Certified EIR. The additional import and export of soil required under the Modified Project would result in an overall total of 2,576 demolition and 28,750 soil haul truck trips, compared to the 825 demolition truck trips generated under the Original Project. Thus, a quantified analysis of the Modified Project's construction emissions was conducted using CalEEMod Version 2016.3.25, attached as Appendix A, based on information provided by the project applicant. Construction is assumed to last approximately

48 months. Potential construction-related air quality impacts are determined by comparing the average daily criteria air pollutants emissions generated by the Modified Project-related construction activities to the BAAQMD significance thresholds in Table 3-1. Average daily emissions are based on the annual construction emissions divided by the total number of active construction days. As shown in Table 3-1, criteria air pollutant emissions from construction equipment exhaust would not exceed the BAAQMD average daily pounds per day thresholds and impacts from project-related construction activities to the regional air quality would be *less than significant.*

TABLE 3-1 SAN LEANDRO SHORELINE DEVELOPMENT CONSTRUCTION-RELATED CRITERIA AIR POLLUTANT EMISSIONS ESTIMATES

	Criteria Air Pollutants (tons/year)[a]					
Year	ROG	NO_x	Fugitive PM_{10}[b]	Exhaust PM_{10}	Fugitive $PM_{2.5}$[b]	Exhaust $PM_{2.5}$
2020	<1	4	1	<1	<1	<1
2021	<1	6	1	<1	<1	<1
2022	1	7	1	<1	<1	<1
2023	4	7	1	<1	<1	<1
2024	6	3	1	<1	<1	<1
Total Construction Emissions	11	28	5	1	2	1

	Criteria Air Pollutants (average lbs/day)[a]					
	ROG	NO_x	Fugitive PM_{10}[b]	Exhaust PM_{10}	Fugitive $PM_{2.5}$[b]	Exhaust $PM_{2.5}$
Average Daily Construction Emissions all Phases[c]	20.8	53.7	9.7	0.3	2.9	0.3
Net Change from Original Project	7.8	5.7	3.7	-1.7	0.9	-1.7
BAAQMD Average Daily Project-Level Threshold	54	54	BMPs	82	BMPs	54
Exceeds Average Daily Threshold	No	No	NA	No	NA	No

Note: Emissions may not total to 100 percent due to rounding.
BMP: Best Management Practices; NA: not applicable
a. Construction phasing is based on the preliminary information provided by the City. Where specific information regarding Project-related construction activities was not available, construction assumptions were based on CalEEMod defaults, which are based on construction surveys conducted by South Coast Air Quality Management District of construction equipment and phasing for comparable projects.
b. Includes implementation of best management practices for fugitive dust control required by BAAQMD as mitigation, including watering disturbed areas a minimum of two times per day, reducing speed limit to 15 miles per hour on unpaved surfaces, and street sweeping.
c. Average daily emissions are based on the construction emissions divided by the total number of active construction days. The total number of construction days is estimated to be 1,041 days.
Source: CalEEMod 2013.2.2.

Construction emissions associated with the Original Project were found to be *less than significant* with mitigation. The Modified Project includes the development of residential, recreational, and retail uses in the Project Site. Construction of the modified project would generate criteria air pollutants associated with construction equipment exhaust and fugitive dust from demolition, site preparation, grading, building construction, pavement of asphalt and non-asphalt surfaces, and architectural coating over the course of 48 months. As seen on Table 3-1, construction air pollutant emissions would be less than their respective regional significance threshold values. Additionally, as discussed above, incorporation of Mitigation Measure AIR-2, as prescribed in the Certified EIR would be applicable to the Modified Project and would reduce construction-related fugitive dust impacts to *less than significant* levels. Overall, construction of the Modified Project would result in similar regional construction impacts as the Original Project and impacts would remain *less than significant* with incorporation of mitigation. Therefore, the

Modified Project would not result in a new impact or a substantial increase in magnitude of existing impacts with respect to construction-related criteria air pollutant emissions.

Long-Term Operational Impacts

The Original Project would result in a new office building, conference center, library, golf course, hotel, and restaurants and would generate air pollutant emissions from area sources, energy use, and mobile sources. It would also result in new residential uses, including apartments, townhomes, and single-family homes as well as open space parks, parking lots, and parking structures. The Certified EIR determined that the impacts from the implementation of the Original Project would be *less than significant*, as the Original Project would not exceed the BAAQMD thresholds for operations.

The Modified Project would also result in a new library, golf course, hotel, restaurants, apartments, townhomes, and single-family housing but would not include the office building, conference center, or parking structure. In addition, the Modified Project would have more building area than the Original Project. The increase in building square footage could result in generating slightly higher area source emissions (e.g., emissions from paints, household cleaning supplies, landscaping, etc…). However, non-residential land uses generally have higher energy demands than residential uses. Thus, the decrease in non-residential land uses and increase in residential units under the Modified Project is anticipated to result in slight less or similar energy sector emissions. Furthermore, as seen in Appendix D, San Leandro Shoreline Trip Generation Memorandum, the Modified Project would result in 8,375 daily trips and 532 PM peak hour trips, fewer trips than the Original Project's 8,913 daily trips and 1,070 PM peak hour trips. Overall, as mobile source emissions would generate the majority of criteria air pollutants, the decrease in trips would result in a decrease in operation-related emissions. Therefore, this increase in building area would not result in a substantial increase in emissions. The Modified Project would not exceed the regional operation-phase significance thresholds. Therefore, operation of the Modified Project would not result in a new significant impact or a substantial increase in magnitude of existing air quality impacts which would 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.

AIR-c.

Construction Off-Site Community Risk and Hazards

The Modified Project would result in an additional 208,000 cubic yards of imported fill resulting in an increase in construction truck trips [and elevated concentrations of TACs (i.e., diesel particulate matter {DPM}) and $PM_{2.5}$ near sensitive residential land uses. Consequently, a full health risk assessment (HRA) of TACs and $PM_{2.5}$ was completed and is included in Appendix B to the Addendum.

Health risks to off-site residents from construction emissions associated with the Original Project were found to be *less than significant* with mitigation. Diesel particulate matter generated by the Modified Project during construction could potentially result in *significant* localized air quality impacts without implementation of Mitigation Measure AIR-5 which addresses reducing DPM emissions.

> Mitigation Measure AIR-5: The construction contractor shall use equipment that meets the United States Environmental Protection Agency (EPA)-Certified Tier 3 emissions standards for off-road diesel-

powered construction equipment greater than 50 horsepower. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations. Prior to construction, the project engineer shall ensure that all demolition and grading plans clearly show the requirement for EPA Tier 3 or higher emissions standards and Level 3 diesel emissions control for construction equipment over 50 horsepower. During construction, the construction contractor shall maintain a list of all operating equipment in use on the Project Site for verification by the City of San Leandro Building Official or their designee. The construction equipment list shall state the makes, models, and numbers of construction equipment on-site. Equipment shall properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Construction contractors shall also ensure that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with California Air Resources Board's Rule 2449.

Sources evaluated in the HRA include off-road construction equipment and heavy-duty diesel trucks along the truck route. The US EPA AERMOD air dispersion modeling program was used to estimate excess lifetime cancer risks and chronic non-cancer hazard indexes at the nearest sensitive receptors. Results of the analysis are shown in Table 3-2.

TABLE 3-2 CONSTRUCTION RISK SUMMARY

	Project Level Risk			
Receptor	Cancer Risk (per million) [a]		Chronic Hazards	$PM_{2.5}$ [b]
Modified Project - Off-Site Resident	3.2		0.010	0.01
Threshold	10		1.0	0.3 µg/m^3
Exceeds Threshold	**No**		**No**	**No**
	Cancer Risk (per million) [c]			
	Adult	**Child**	**Chronic Hazards**	**$PM_{2.5}$ [d]**
Original Project – Off-site Resident	1.4	7.9	0.050	0.24
Threshold	10	10	1.0	0.3 µg/m^3
Exceeds Threshold	**No**	**No**	**No**	**No**

Note: With incorporation of certified EIR Mitigation Measure AIR-5: Tier 3 engines and Level 3 diesel particulate controls/filters for equipment 50 hp or greater.
a. Incremental cancer risks determined using latest Guidance Manual for Preparation of Health Risk Assessments from the Office of Environmental Health Hazard Assessment (OEHHA, 2015). Per the latest OEHHA guidance, starting with the third trimester, residential risks are calculated for each individual age group (i.e., the third trimester to 0 year age bin, the 0 to 2 years age bin, and the 2 to 9 years age bin), assign proper exposure parameters for each individual age group, sum cancer risks for individual age groups to estimate cancer risk for a 30-year exposure duration.
b. Per discussion with BAAQMD in 2016, only the exhaust $PM_{2.5}$ concentrations are evaluated in the health risk assessment, as fugitive $PM_{2.5}$ impacts are mitigated by Mitigation Measure AIR-2 of the Certified EIR (fugitive dust best management practices).
c. OEHHA updated the incremental cancer risk calculations in 2015, after the Certified EIR analysis was conducted, in which the child and adult scenarios are combined into a single cancer risk determination.
d. In the Certified EIR, the total $PM_{2.5}$ concentrations were included in the health risk assessment (fugitive $PM_{2.5}$ plus exhaust $PM_{2.5}$). Thus, $PM_{2.5}$ concentrations for the original project are higher than the modified project.

The results of the HRA are based on the maximum receptor concentration over a 4-year construction exposure period for off-site receptors, assuming 24-hour outdoor exposure, and averaged over a 70-year lifetime. The health risk values were calculated and are summarized in Table 4. The results indicate that with mitigation, the incremental cancer risk for off-site residents proximate to the site during the construction period is 3.2 per million, which is below the cancer risk threshold of 10 per million. For non-carcinogenic effects, the hazard index identified for each toxicological endpoint totaled less than one for off-site residents. Therefore, chronic non-carcinogenic hazards are within acceptable limits. In addition, $PM_{2.5}$ annual concentrations are below the BAAQMD significance thresholds for off-site residents.

It should be noted that the Certified EIR also included an evaluation of health risks for new on-site residents which may have been present and exposed to emissions from the project's final year of the construction. The calculated health risks for on-site residents were much lower than the calculated risks for off-site residents due to a lower exposure duration (1 year as compared to 4 to 5 years of exposure) and generally being located up-wind of construction activities. Similarly, the potential health risks for the new on-site residents of the multi-family residential development at the south end of the project site are anticipated to be much lower than the risks for off-site residents due to the same circumstances. As health risks to off-site residents do not exceed BAAQMD's thresholds with implementation of Mitigation

Measure AIR-5, impacts to new on-site residents of the Modified Project would also be *less than significant* with mitigation.

As discussed above, incorporation of Mitigation Measure AIR-5, as prescribed in the Certified EIR would be applicable to the Modified Project and would reduce construction-related DPM emission impacts to *less than significant* levels. Overall, construction of the Modified Project would result in similar regional construction impacts as the Original Project and impacts would remain *less than significant* with incorporation of mitigation measures. Therefore, there are no changes or new significant information which would require preparation of a subsequent EIR.

Operation On-Site Community Risk and Hazards

The Certified EIR did not identify significant health risk impacts for on-site receptors from existing off-site emission sources. Additionally, the Certified EIR did not identify a significant health risk impact generated from the proposed residential and commercial uses. The modified project would not introduce new sources of TACs. Therefore, there are no changes or new significant information which would require preparation of a subsequent EIR.

Operation On-Site Community Risk and Hazards

CO Hotspots

The Certified EIR did not identify any significant localized impacts (e.g., CO hotspots) from operation of the Original Project. In 1998, the SFBAAB was designated as in attainment for CO under both the California AAQS and National AAQS and was under a 10-year federal maintenance plan for CO as a result of its re-designation. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant CO impact. As seen in Appendix D, San Leandro Shoreline Trip Generation Memorandum, the Modified Project would generate fewer trips than the Original Project, with a maximum of 8,375daily trips and up to 532 PM peak hour trips. Furthermore, the number of trips would be minimal compared to the aforementioned screening levels. Therefore, the Modified Project would not result in substantial changes requiring major revisions of the Original Project. No changes or new significant information which would require preparation of an EIR are anticipated.

In summary, the Modified Project would not result in a new impact or a substantial increase in magnitude of existing impacts which would expose sensitive receptors to substantial pollutant concentrations.

AIR-d.

The Certified EIR did not identify any substantial odors from the proposed residential and commercial uses. The Modified Project would not introduce new sources of odor onsite and thus would not result in any new impacts or a substantial increase in magnitude of impacts regarding other emissions, such as odors, which would adversely affect a substantial number of people.

3.4 BIOLOGICAL RESOURCES

3.4.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.				X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?					X
c) 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?				X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Biological Resources has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

IV. BIOLOGICAL RESOURCES.
Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
c) Have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Comments:

BIO-a.

As discussed in Chapter 4.3 Biological Resources, of the Certified EIR for the Original Project, construction activities could affect a number of special-status species including the winter roost colony of monarch

butterflies, special-status fish and other aquatic species, and nesting birds which, are protected under State and federal regulations.

The Original Project included 64 townhomes, 42 single family residences, and 28 townhomes within the existing 32-acre golf course. Development for the Original Project avoided the stand of blue gum eucalyptus habitat where the winter roosting colony of monarch butterflies congregate at the eastern edge of the golf course. However, the South Golf Course Residential Component of the Original Project was located directly adjacent to the monarch butterfly habitat, which likely provides important wind buffering functions and could provide nectaring and resting locations for individual butterflies. Although these residences avoided most of the trees, there remained the possibility that construction and/or vegetation management activities by future residences could adversely affect these trees and result in indirect adverse effects on the butterfly colony. Furthermore, monarch butterfly winter roosting habitat could be adversely affected if adequate controls on tree removal and pruning are not implemented. Short-term impacts such as construction-generated fumes and dust could adversely affect roosting butterflies if construction is initiated or performed in close proximity during the overwintering period, generally from October 1 to March 1. The Original Project found that this would be a *significant* impact.

In contrast, the Modified Project includes 152 single family residences and 48 residential townhomes which are pulled closer to Monarch Bay Drive on the west and Fairway Drive to the south, respectively. Although the 152 single family residences and 48 residential townhomes for the Modified Project represent a larger development east of Monarch Bay Drive in comparison to the Original Project, the proposed structures are located approximately 600 feet to the west of the blue gum eucalyptus and pines which are located on the eastern portion of the remaining golf course. Therefore, this would represent a potential avoidance and reduction in impacts to habitat for the winter roosting colony of monarch butterflies.

To reduce the potential impact to the monarch butterfly habitat to *less than significant*, the Original Project Certified EIR included Mitigation Measure BIO-1A detailed in Chapter 4.3, Biological Resources, of the Certified EIR. The Mitigation Measure would also be implemented for the Modified Project, which includes the preparation of a Monarch Butterfly Roosting Habitat Protection Program (MBRHPP). Therefore, with implementation of Mitigation Measure BIO-1A, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts to the winter roost colony of monarch butterflies.

The Original Project included improvements to shoreline areas of tidally influenced open water resulting in potential direct and indirect effects on several special-status fish species. The Modified Project includes similar project-related improvements while removing or relocating most of the development on the portions of land extending into the marina, including removal of the previously proposed pedestrian pier, 8,000 square foot restaurant, the bocce ball courts and aquatic center/dock, and 15,000 square foot conference center, and relocation of the proposed hotel and 5,000 square foot restaurant further inland. The installation of an aeration fountain in the harbor basin to aid in water circulation, modifications to the existing riprap shoreline, removal of the existing pilings, docks and piers in the existing marina, creation of enhanced natural shoreline along the interior of the existing marina, a kayak storage building adjacent to the boat launch, picnic areas, public restrooms, the pedestrian and bicycle bridge across the existing

harbor entrance, the public promenade, and the existing boardwalk and lookout pier would remain a part of the Modified Project. The Original Project found that construction could cause disturbance to aquatic habitat of the bay, requiring drilling and excavation for pier/dock installation and shoreline modification, and suspending silts and other substrate within the construction zone, resulting in a temporary reduction in water quality, or inadvertent injury or loss of individual special-status fish species, if present within the construction zone. These impacts were considered a *significant* impact for the Original Project for which appropriate construction avoidance measures, implemented as part of Mitigation Measure BIO-1B detailed below, were necessary to prevent possible loss of one or more of these species, and appropriate authorizations were required from NOAA Fisheries, USFWS, and/or CDFW where "take" of special-status fish species may occur as a result of the in-water activities of the Original Project. Chapter 4.3, Biological Resources, of the Certified EIR, included Mitigation Measure BIO-1B, which calls for the implementation of adequate controls to reduce the potential in inadvertent loss of special-status fish species and other aquatic species as part of-in water construction activities. The Original Project implemented Mitigation Measure BIO-1B, to address potential in-water construction impacts to special status fish and other aquatic species, resulting in a *less-than significant* impact. Because the Modified Project would remove the proposed conference center and other project components and shift the hotel inland, the new development would likely have a reduced impact from construction-related impacts to special-status fish species. However, there remains the possibility that project related components for the Modified Project, such as the installation of the aeration fountain could still impact special-status fish species. Mitigation Measure BIO-1B would also be required for the Modified Project and would therefore not result in a new impact or a substantial increase in magnitude of the existing impacts to special-status fish species.

The Certified EIR for the Original Project found that tree and vegetation removal, building demolition, and other construction activities during the breeding season could result in the incidental loss of fertile eggs or nestlings or nest abandonment if any active nests are present, and are therefore considered a *significant* impact. Mitigation Measure BIO-1C, required for the Original Project, addressed potential impacts to nesting birds, including raptors during the construction period by requiring preconstruction surveys, scheduling tree removal and building demolition outside of the bird nesting season (which occurs from February 1 to August 31), and other adequate controls, in compliance with the federal Migratory Bird Treaty Act and California Fish and Game Code, resulting in a *less than significant* impact. Mitigation Measure BIO-1C would also be implemented for the Modified Project, and as the Modified Project would not result in a new impact nor a substantial increase in magnitude of impact to nesting birds, the potential impacts would be the same as the Original Project.

BIO-b.

According to the Certified EIR, no riparian or other sensitive natural community types are present on the site of the Original Project. The Modified Project remains on the same site as the Original Project and therefore it would not result in a new impact or a substantial increase in magnitude of existing impacts to riparian habitat or other sensitive natural communities.

BIO-c.

The Certified EIR found that construction of the Original Project would result in direct and indirect effects on jurisdictional wetlands and other waters which include disturbance and modifications to areas in open water and the shoreline of San Francisco Bay and upland areas in the golf course; these were considered

a *significant* impact. Mitigation Measure BIO-3, required for the Original Project, addressed impacts of proposed development to jurisdictional waters by requiring appropriate controls and regulatory authorizations through compensatory mitigation for wetland modifications. As with the Original Project, modifications below the Mean High Water would be subject to permit approval from the U.S. Army Corps of Engineers (ACOE) and San Francisco Bay Regional Water Quality Control Board (RWCQB). Further, water features may be considered jurisdictional wetlands or waters by the ACOE and/or California Department of Fish and Wildlife (CDFW) for the Modified Project. Authorizations from State and federal regulatory agencies may include the ACOE and RWQCB under Section 404 and 401 of the Clean Water Act, and possible CDFW under the Streambed Alteration Agreement program. The 152 single family residences and the 48 townhomes on the existing golf course for the Modified Project constitutes an additional development footprint in comparison to the Original Project and may encroach on existing wetland areas on the golf course, representing a larger impact area. Mitigation Measure BIO-3 would also be implemented for the Modified Project which would ensure that all wetlands which are potentially impacted, newly or previously identified, by the Modified Project would be identified through a jurisdictional wetland delineation verified by the Army Corps. Furthermore, compensatory mitigation through a Wetland Protection and Replacement Program would be implemented, and regulatory agencies with relevant jurisdiction would be required to give approval. With implementation of Mitigation Measure BIO-3, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts to wetlands.

BIO-d.

As with the Original Project, the Modified Project would result in modifications to existing wildlife habitat but would not interfere with existing movement opportunities and use of native wildlife nursery areas. The project site is mostly development with minimal wildlife habitat value, with the exception of the open waters of the marina basin and San Francisco Bay, which would be improved through removal of the existing dock system and creation of enhanced natural shoreline along lower segments of the existing riprap. Existing habitat, including the monarch butterfly roosting habitat at the southeast edge of the golf course would remain unaffected with the Modified Project. Potential adverse impacts on fish and other aquatic species would be avoided through implementation of Mitigation Measures BIO-1 and BIO-3 as described in the Certified EIR. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of any existing impacts to wildlife movement opportunities and use of native wildlife nursery areas.

BIO-e.

The Modified Project would not conflict with any relevant goals and policies in the City of San Leandro General Plan related to protection of biological and wetland resources. Consistency with relevant policies would be achieved through compliance with Mitigation Measures BIO-1A, BIO-1B, BIO-1C, and BIO-3. Furthermore, implementation of Mitigation Measure BIO-5A, Tree Protection and Replacement, and Mitigation Measure BIO-5B, reaffirming implementation of Mitigation Measure BIO-1A, would address potential impacts on regulated trees. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of any existing impacts to any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

BIO-f.

As with the Original Project, the Modified Project would not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plan. No such plans have been adopted encompassing the project vicinity, and no impacts are anticipated.

3.5 CULTURAL RESOURCES

3.5.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?				X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Cultural Resources has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

IV. BIOLOGICAL RESOURCES.
Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to ~~as defined~~ in § 15064.5?
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
~~c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?~~
c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Comments:

CUL-a, b, c.

The overall project area boundaries are unchanged for the Modified Project, therefore, there are no new areas that were not addressed within the Certified EIR. As with the Original Project, there are no

structures listed on the National Register of Historic Places, and existing structures on the project site do not appear to meet the eligibility criteria for inclusion on the California Register. The project site is not an identified prehistoric site and there are no known ethnographic sites within its boundary. The Certified EIR for the Original Project included several mitigation measures in the unlikely event that inadvertent impacts to unknown cultural resources occurred, namely, Mitigation Measures CULT-1, CULT-2, and CULT-4. These mitigation measures would also apply to the Modified Project. Therefore, the Modified Project would not result in a new impact or in a substantial increase in magnitude of existing impacts to cultural resources.

3.6 ENERGY

3.6.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Energy were added since those used for the Certified EIR of the Original Project.

Comments:

ENER-a.

Short-Term Construction

Construction of the Original Project, as well as, the Modified Project would create temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use. It is not anticipated that construction equipment used for the Original Project or Modified Project would be powered by natural gas and no natural gas demand is anticipated during construction. Construction activities associated with the Original Project and Modified Project would require electricity use to power the construction equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during site preparation, grading, trenching, and paving would be gas-powered or diesel-powered, and the later construction phases, such as interior construction and architectural coatings, would require electric-powered equipment. Overall, the use of electricity would be temporary in nature and would fluctuate according to the phase of construction. Additionally, it is anticipated that the

majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy used during construction would come from the transport and use of construction equipment, delivery vehicles, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. Upon completion of project construction, all construction-equipment would cease. Energy consumption during construction (2020 through 2024) was calculated using fuel usage data from EMFAC2017, Version 1.0.2., and OFFROAD2017, Version 1.0.1, and the results are shown in Table 3-3, and attached in Appendix C.

TABLE 3-3 CONSTRUCTION-RELATED FUEL USAGE

	Gas		Diesel		Electricity	
Project Component	VMT	Gallons	VMT	Gallons	VMT	kWh
Construction Worker Commute	11,452,955	386,972	96,367	2,109	240,963	78,838
Construction Vendor Trips	47,144	9,796	1,029,411	133,323	0	0
Construction Truck Haul Trips	328	85	572,505	89,769	0	0
Construction Off-Road Equipment	N/A	36,137	N/A	1,136,829	N/A	0
Total	**11,500,427**	**432,990**	**1,698,283**	**1,362,030**	**240,963**	**78,838**

Source: CalEEMod Version 2016.3.2; EMFAC2017 Version 1.0.2; OFFROAD2017 Version 1.0.1
Notes: VMT=vehicle miles traveled; kWh=kilowatt hour

As the Modified Project would have more building area and soil hauling than the Original Project, it would require more electricity and transportation fuel. However, it is anticipated that the construction contractors would minimize non-essential idling of construction equipment during construction in accordance with Section 2449 of the California Code of Regulations (CCR), Title 13, Division 3, Chapter 9, Article 4.8 and as required under Mitigation Measure AIR-5.[10] In addition, commercial vendor trucks of 10,000 pounds and greater would be subject to Section 2485 of the CCR, Title 13, Division 3, Chapter 10, Article 1, which prohibits non-essential idling to no more than 5 minutes. Such required practices would limit wasteful and unnecessary energy consumption in the Modified Project. Overall, it is expected that construction energy usage associated with the Modified Project would not be any more inefficient, wasteful, or unnecessary than similar projects and impacts would be continue to be *less than significant* with respect to construction-related energy demands.

Long-Term Operation

Building Energy

During operation, energy would be used for heating, cooling, and ventilation of the buildings; water heating; onsite equipment; appliances; indoor, outdoor, and perimeter lighting; and security systems. San Leandro participates in the East Bay Community Energy Community Choice Aggregation (CCA) which

[10] Bay Area Air Quality Management District (BAAQMD). 2017, May. California Environmental Quality Act Air Quality Guidelines.

procures energy which is distributed through existing and new infrastructure from Pacific Gas and Electric (PGE). Natural gas services to the project site would be provided by PGE through connections to existing offsite lines and new onsite infrastructure.

While the Modified Project would have more building area than the Original Project, the Modified Project would result in fewer non-residential uses, which generally have higher energy demand than residential uses. Furthermore, development of the Modified Project would be required to comply with the 2019 Building Energy Efficiency Standards and California Green Building Standards Code (CALGreen), including the installation of PV systems for single family housing. Compliance with these standards would minimize the Modified Project's demand for energy, including energy produced from non-renewable sources in comparison to the Original Project. Because the Modified Project would be consistent with the requirements of these energy-related regulations, building energy is anticipated to be reduced under the Modified Project. The Modified Project would not result in wasteful or unnecessary electricity demands.

Transportation Energy

Both the Original Project and the Modified Project would consume transportation energy during operations from the use of motor vehicles. As seen in Appendix D, San Leandro Shoreline Trip Generation Memorandum, the Modified Project would generate fewer trips than the Original Project, with 8,375 daily trips and 532 PM peak hour trips, compared to the Original Project's 8,913 daily trips and 1,070 PM peak hour trips. Furthermore, the Modified Project would involve the construction of more residential housing in the city and could contribute to reducing the vehicle miles traveled between residential and service needs in addition to jobs. The project site would be within an urbanized area with nearby amenities and public transit options. Thus, it is anticipated that the modified project would have lower overall vehicle miles traveled (VMT) and related transportation energy use compared to the Original Project. Overall, it is expected that operation-related fuel usage associated with the Modified Project would not be any more inefficient, wasteful, or unnecessary than similar development projects.

Taking together both short-term impacts related to energy use during project construction and long-term impacts related to energy use at the project site, the Modified Project would not result in a new impact or in a substantial increase in magnitude of existing impacts resulting in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

ENER-b.

Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan, MTC's/ABAG's Plan Bay Area, and the City's CAP. A consistency analysis with these plans is presented below.

California Renewables Portfolio Standard

The state's electricity grid is transitioning to renewable energy under California's Renewable Energy Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. Electricity production from renewable sources is generally considered carbon neutral. Executive Order S-14-08, signed in November 2008, expanded the state's renewable portfolios standard (RPS) to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB

X1-2). Senate Bill 350 (de Leon) was signed into law September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. Senate Bill 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures. On September 10, 2018, Senate Bill 100 (SB 100) was signed and raised California's RPS requirements to 60 percent by 2030, with interim targets, and 100 percent by 2045. The bill also established a state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under SB 100 the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers such as PGE, which is the utility that would provide all of electricity needs for the Modified Project. Compliance of PGE in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. The Modified Project would comply with the 2019 Building Energy Efficiency Standards (i.e., Title 24, Part 6) and CALGreen (Title 24, Part 11), which provide standards and design requirements focused on energy conservation and sustainability throughout the development of a project. Because the Original Project would have been built in compliance with the 2013 Building Energy Efficiency Standards, the Modified Project would offer an improvement over these standards. Therefore, implementation of the Modified Project would not conflict or obstruct plans for renewable energy and energy efficiency.

City of San Leandro Climate Action Plan
As mentioned in Section 3.8, Greenhouse Gas Emissions, the City of San Leandro adopted the Climate Action Plan (CAP) in 2009 to provide direction for the reduction of community and municipal GHG emissions. The measures identified in the City's CAP represent the City's actions to reduce GHG emissions in the City, including measures to reduce energy consumption. Design features in the Original Project that would reduce project energy consumption include complying with the 2013 Building and Energy Efficiency Standards, improving bike routes and pedestrian crossings, and increasing urban forest canopy. Operation of the Modified Project would be similar to the Original Project and would include the aforementioned features. Furthermore, the Modified Project would be required to comply with the most current 2019 Building Energy Efficiency Standards of the California Public Resources Code, Title 24, Part 6. The Modified Project would not conflict with the City CAP.

Analyzing the Modified Project in terms of consistency with the above three applicable plans adopted for the purpose of reducing GHG emissions concludes that the Modified Project would not result in a new impact or in a substantial increase in magnitude of existing impacts resulting in potentially significant environmental impacts which would conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

3.7 GEOLOGY AND SOILS

3.7.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X	
ii) Strong seismic ground shaking?				X	
iii) Seismic-related ground failure, including liquefaction?				X	
iv) Landslides?				X	
b) Result in substantial soil erosion or the loss of topsoil?				X	
c) 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?				X	
d) 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?				X	

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?					X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Geology and Soils has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

VII. GEOLOGY AND SOILS:
Would the project:

a) ~~Expose people or structures to~~ Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
   i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
   ii. Strong seismic ground shaking?
   iii. Seismic-related ground failure, including liquefaction?
   iv. Landslides?
b) Result in substantial soil erosion or the loss of topsoil?
c) 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?
d) 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?
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Comments:

GEO-a, i, ii, iii, iv.
The location and precise boundary of the Modified Project are the same as those of the Original Project. Since the project site remains outside of any Aquist-Priolo Fault Zones, the risk of surface rupture during an earthquake remains low. The same applies to landslide risk: the Modified Project does not increase landslide risk any more than the Original Project since the boundaries and location of the site have not changed. Because the site topography is generally flat, there is little to no erosion or landslide hazard.

As stated in the Geology and Soils chapter of the Certified EIR, the Project site lies along the eastern margin of San Francisco Bay on the low-lying coastal plain and adjacent filled portions of the bay. While the site is not near enough to any fault lines to be considered at risk of surface rupture according to the Aquist-Priolo fault zone map, it is still proximate to several earthquake faults to the east and west. The Original Project EIR also notes that the western half of the project site, roughly delineated by Monarch Bay Drive, is comprised of filled-in Bay Mud (approximately ten feet thick) over alluvial deposits of sand, silt and clay. The eastern portion of the site, demarcated by where the original coastline began roughly along Monarch Bay Drive, is comprised of the same alluvial deposits but without the additional layer of filled Bay Mud. The relatively thick alluvial deposits on both the eastern and western portions of the project Site could cause amplified ground shaking and liquefaction during an earthquake. The fill over Bay Mud in the western portion of the project Site further increases the risk of severe shaking and liquefaction.

The Modified Project adds an additional 131 housing units over the Original Project, with an associated increase of approximately 359 new residents under the assumption of 2.74 residents per housing unit.[11] Most of this new development in the Modified Project would be located in the western portion of the Project Site comprised of filled Bay Mud over alluvial deposits. Additionally, the Modified Project will require more imported fill to raise the base elevations of portions of the site to meet FEMA flood zone and BCDC requirements. While these modifications would increase the number of people and structures on soil with a high risk of severe shaking or liquefaction, all development on the Project site would necessarily comply with California Building Codes as well as San Leandro permitting codes, which both require additional structural engineering measures for developments on Bay Mud or other loose soils. Other modifications included in the project would not result in any new impacts or a significant increase in existing impacts. The previous determination for the Original Project of significant impacts before mitigation is still valid for the Modified Project, and therefore, the Modified Project would not result in a new impact or in a substantial increase in magnitude of existing impacts with regard to the risk of loss, injury, or death from any of the four geological hazards (i-iv) outlined in the table

GEO-b, c, d, f.
The location and precise boundary of the Modified Project are the same as those of the Original Project. The Modified Project does not increase soil erosion or loss of topsoil any more than the Original Project since the boundaries and location of the site have not changed. Thus, the Modified Project does not

[11] City of San Leandro. 2015. Housing Element, 2015 – 2023. Available online at https://www.sanleandro.org/civicax/filebank/blobdload.aspx?BlobID=23216, accessed January 6th, 2020.

result in any new impacts or a significant increase in existing impacts in terms of soil erosion or loss of topsoil.

The Certified EIR notes that within the project site, lateral spreading could be a risk along the channel margins created by the dredged channels inside and outside of the marina and adjacent fill dikes. This was considered a significant impact in the Original Project and would be mitigated by mitigation measures GEO-3a, b, and c. The Modified Project would implement the same measures, and thus would not have any differential impacts or differential magnitude of existing impacts regarding the risk of lateral spreading, subsidence, liquefaction, or collapse.

As with the Original Project, the Modified Project would implement Mitigation Measure GEO-4, requiring that a geotechnical engineer make specific recommendations to mitigate expansive soils under pavements and structures based on the testing of the in-site fill materials. Since the Modified Project would also implement Mitigation Measure GEO-4, the project would not result in any new impacts or a significant increase in existing impacts related to expansive soils.

The Certified EIR for the Original Project determined that the proposed development would not require the use of septic tanks or alternative wastewater systems, and that all wastewater would be discharged into the existing public sanitary sewer system serviced by the City of San Leandro. This remains the case for the Modified Project, therefore, the Modified Project would not result in any new impacts or a significant increase in existing impacts related to the capacity of soils to adequately support the use of septic tanks.

The Certified EIR found that the project site is not an identified prehistoric site, however, in the event that fossils or fossil-bearing deposits are discovered during construction, the project would implement Mitigation Measure CULT-3 (in the Cultural Resources chapter of the original Certified EIR). Implementing this measure would also ensure that the Modified Project has a *less than significant* impact and, therefore, would not constitute a different impact or a significant increase in impacts compared to the Original Project in terms of significant or unique paleontological and geological resources.

3.8 GREENHOUSE GAS EMISSIONS

3.8.1 IMPACTS ASSOCIATED WITH THE MODIFIEDPROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	

Comments:

GHG-a.

Implementation of the Original Project would result in a new office building, conference center, library, hotel, restaurants, golf course and residential housing. From these additional land uses, the Modified Project would generate up to 8,375 daily trips and 532 PM peak hour trips, as seen in Appendix D, San Leandro Shoreline Trip Generation Memorandum. Operation of the Original Project would result in an increase in water demand, wastewater and solid waste generation, area sources (e.g., consumer cleaning products), and energy usage (i.e., natural gas and electricity) at the project site. The Original Project would generate a net increase of 8,410 $MTCO_2e$ per year compared to existing conditions in 2014 and 225 $MTCO_2e$ of construction emissions per year, amortized over 30 years. Thus, the Certified EIR determined that the impacts from the implementation of the Original Project would be significant and unavoidable, as the Original Project would exceed the BAAQMD bright-line thresholds.

As discussed above, it is anticipated that the Modified Project would operate similarly to the Original Project. The Modified Project would result in an increase in construction GHG emissions above Original Project levels. Amortized over 30 years, the construction of the Modified Project would generate 310 $MTCO_2e$ per year in construction GHG emissions, an increase of 85 MTCO2e per year compared to the Original Project's 225 $MTCO_2e$ construction GHG emissions. This increase would be below the BAAQMD bright-line threshold of 1,100 $MTCO_2e$ for construction GHG emissions. In addition, the Modified Project would result in 8,375 daily trips and 532 PM peak hour trips and would generate fewer trips than the

Original Project. Furthermore, non-residential land uses generally result in higher energy demand than residential uses. Thus, while the Modified Project would increase the number of residential units, because the Modified Project would also reduce the amount of non-residential land uses, it is anticipated that overall energy demand and energy sector emissions would be reduced under the Modified Project compared to the Original Project. Moreover, as the proposed buildings under the Modified Project would be required to comply with the 2019 Building Energy Efficiency standards, new single-family homes and multi-family buildings of three habitable stories or less would generally be required to install photovoltaic systems to offset electricity demand, thereby further reducing operational GHG emissions. Like the Original Project, the Modified Project could generate annual GHG emissions that exceed the BAAQMD GHG bright-line threshold of 1,100 $MTCO_2e$. However, because transportation and energy sector emissions generally constitute the majority of emissions overall, it is anticipated that the Modified Project would result in a decrease in emissions compared to the Original Project. Therefore, the Modified Project would not result in any new or substantially greater impacts related to GHG emissions.

GHG-b.

Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan, MTC's/ABAG's Plan Bay Area, and the City's CAP. A consistency analysis with these plans is presented below.

CARB Scoping Plan

CARB's 2008 Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32, which is 1990 levels by year 2020. Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS), California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the corporate average fuel economy (CAFE) standards, and other early action measures would ensure the state is on target to achieve the GHG emissions reduction goals of AB 32. Similar to the Original Project, the Modified Project's GHG emissions would be reduced through compliance with statewide measures that have been adopted since AB 32 was adopted. Thus, the Modified Project would not conflict with the above statewide strategies identified to implement the CARB Scoping Plan.

MTC'S/ABAG's Plan Bay Area

As stated, the *Plan Bay Area 2040* is the Bay Area's RTP/SCS. To achieve MTC's/ABAG's sustainable vision for the Bay Area, the *Plan Bay Area 2040* land use concept plan for the region concentrates the majority of new population and employment growth in the region in PDAs. PDAs are transit-oriented, infill development opportunity areas within existing communities. An overarching goal of the regional plan is to concentrate development in areas where there are existing services and infrastructure rather than allocate new growth to outlying areas where substantial transportation investments would be necessary to achieve the per capita passenger vehicle, vehicle miles traveled, and associated GHG emissions reductions. The Modified Project site is not within a PDA identified in Plan Bay Area. However, the Modified Project would be an infill development project that would improve the existing facilities along the shoreline and increase residential and non-residential land uses intensity at the Project site. Consequently, similar to the Original Project, the Modified Project is consistent with the overall goals of *Plan Bay Area 2040*, which include concentrating new development in locations where there is existing infrastructure. Therefore, the Modified Project would not conflict with land use concept plan in Plan Bay

Area. Therefore, there are no changes or new significant information which would require preparation of a subsequent EIR.

City of San Leandro Climate Action Plan

Adopted by the City of San Leandro in 2009, the Climate Action Plan (CAP) provides direction for the reduction of community and municipal GHG emissions. The measures identified in the City's CAP represent the City's actions to reduce GHG emissions in the city. Design features in the original project that would reduce project related GHG emissions include compliance with the 2013 Building and Energy Efficiency Standards and improved bike routes and pedestrian and cyclist crossings. Operation of the modified project would be similar to the original project and would include the aforementioned features. Furthermore, the modified project would be required to comply with the most current 2019 Building and Energy Efficiency Standards of the California Public Resources Code, Title 24, Part 6. The modified project would not conflict with the City's CAP. Therefore, the Modified Project would not result in any new or substantially greater impacts which would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases related to GHG emissions.

3.9 HAZARDS AND HAZARDOUS MATERIALS

3.9.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Transportation has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

~~VIII~~ IX. HAZARDS AND HAZARDOUS MATERIALS~~.~~

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
~~f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?~~
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
g) Expose people or structures, either directly or indirectly, 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~~?

Comments:

HAZ a, b, c, d, e, f, g.

The Original Project analyzed in the Certified EIR would result in a *less than significant* impact associated with creating a significant hazard to the public or the environment from the routine transport, use, or disposal of hazardous material, as well as, from the accidental or unforeseen release of hazardous materials into the environment. The Modified Project occurs within the same boundary as the Original Project and would remain in conformance with applicable federal, State, and local laws, policies, and regulations, as described in Section 4.7.1.1, Regulatory Framework of the Certified EIR. Therefore, the Modified Project, which consists of similar project components, would not result in a new impact or a substantial increase in magnitude of the existing impacts associated with the routine transport, use, or disposal of hazardous material, as well as, from the accidental or unforeseen release of hazardous materials into the environment.

The Modified Project remains within two miles of the Oakland International Airport, and is therefore, within the jurisdiction of ALUC's ALUCP, as described in Section 4.7.1.1, Regulatory Framework of the

Certified EIR. Compliance with the ALUCP requirements, as well as, the San Leandro General Plan would ensure that implementation of the project would not result in a safety hazard for people residing or working in the vicinity of the project site. The Modified Project would relocate the existing boat launch ramp on Pescador Point and would continue to provide ACFD with the ability to launch rescue boats from the Project site. Therefore, compliance with the regulations found in the Certified EIR regarding air navigation hazards, would ensure the associated safety hazards for people residing or working in the Modified Project area would be *less than significant*.

The Modified Project would result in changes to current circulation through the site for emergency vehicles, cars, bicycles, and pedestrians, however, these changes would remain consistent with those proposed in the Original Project. As described in Section 4.7.1.1, Regulatory Framework, of the Certified EIR, compliance with applicable federal, State, and local laws and regulations regarding emergency preparedness would ensure future development under the Modified Project would not interfere with an adopted emergency response plan or emergency evacuation plan, such as the Multi-Hazard Mitigation Plan, and, therefore, impacts would remain *less than significant* and the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts.

Furthermore, the Modified Project, consistent with the Original Project, is not located within ¼-mile of an existing or proposed school, is not located on an agency-listed hazardous materials site that could result in a significant hazard to the public or the environment, is not on or in the vicinity of a private airstrip, and is not within an area where wildland fires pose a significant risk of loss, injury, or death. Therefore, there are no additional impacts or increase in the severity of impacts related to hazards and hazardous materials.

3.10 HYDROLOGY AND WATER QUALITY

3.10.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?				X	
c) 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:				X	
i) result in substantial erosion or siltation on- or off-site;				X	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				X	
iii) 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;				X	
iv) impede or redirect flood flows;				X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X	

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Hydrology and Water Quality has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

~~I~~X. HYDROLOGY AND WATER QUALITY.

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
b) Substantially ~~deplete~~ decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin ~~there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)~~?
c) 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:
    i. result in substantial erosion or siltation on- or off-site;
    ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
    iii. 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
    iv. impede or redirect flood flows?
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

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

~~e) 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?~~
~~f) Otherwise substantially degrade water quality?~~
~~g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?~~
~~h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?~~
~~i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?~~
~~j) Inundation by seiche, tsunami, or mudflow?~~

Comments:

HYDRO-a, b.

The Certified EIR concluded that the construction and operational impacts associated with the demolition of existing structures and construction of new structures could result in impacts to water quality and waste discharge attributed to water pollution from soil erosion and increased stormwater runoff. As discussed in the Certified EIR, landside development within the Project area would be required to comply with State and local water quality regulations designed to control erosion and protect water quality during construction. This includes compliance with the requirements of the NPDES General Permit, which requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The Modified Project would be subject to the same construction conditions as those identified in Chapter 4.8, Hydrology and Water Quality, of the Certified EIR and would not require the implementation of additional mitigation measures. Compliance with local and State regulatory requirements and implementation of construction BMPs would minimize discharges during the construction phase of the Modified Project and would not result in the degradation of water quality in receiving waters. Therefore, landside construction related impacts associated with the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts violating any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

The Certified EIR project found that waterside construction and demolition associated with the existing marina, docks, and piers would have the potential to result in temporary water quality impacts. The removal of piers and pilings would result in the temporary re-suspension of sediments and associated increase in turbidity levels and waterside construction activities could release chemicals and hydrocarbons, temporarily degrading water quality. Impacts resulting from turbidity and the release of chemicals and hydrocarbons were found to be a *significant* impact, which were reduced to a *less than significant* impact through the implementation of Mitigation Measure HYDRO-1A and Mitigation Measure HYDRO-1B. The Modified Project would also implement Mitigation Measures HYDRO-1A and HYDRO-1B, and therefore removal of piers and pilings and waterside construction related impacts would not result in a new impact or a substantial increase in magnitude of the existing impacts.

The Certified EIR found that operational impacts associated with the removal of the marina and associated boats, piers, and docks would have a beneficial impact on water quality. However, post-construction operational impacts from landside development of the project could affect drainage patterns and increase the overall amount of impervious surface, thus creating changes to stormwater flows and water quality which would result in a greater potential to introduce pollutants to receiving

waters. Water quality impacts would be reduced to a *less than significant* impact by adhering to regulation such as those outlined by the Alameda County Clean Water Program, specifically the C.3 provisions set by the San Francisco Bay RWQCB. Adherence to City ordinances would also require the preparation of a Stormwater Management Plan (SWMP) which includes BMPs appropriate to control runoff for the Project. Furthermore, the project applicant would need to prepare an Operations and Maintenance (O&M) Plan for post-construction water quality measures, as per Alameda County C.3 provisions, to identify responsibility for maintenance of the stormwater treatment facilities and provide adequate funding to maintain and operate the stormwater improvements, and to comply with SWPPP requirements and San Leandro General Plan policies. As proposed, the Modified Project would remain in compliance with operationally related specifications applicable to those for the Original Project. Therefore, operational impacts associated with the Modified Project would not result in a new impact or a substantial increase in the magnitude of the existing impacts.

As discussed in the Certified EIR for the Original Project, water quality would be improved through the treatment of stormwater on-site and through stormwater pollution reduction through the implementation of source control, site design, and LID measures in compliance with the C.3 provisions for stormwater in Alameda County. In addition, compliance with San Leandro Municipal Code Section 3-15, Stormwater Management and Discharge Control, as described in Chapter 4.8, Hydrology and Water Quality, of the Certified EIR, would further protect water quality during project construction and operation. Because the Modified Project would be in conformity with those specifications relevant to the Original Project, new impacts or any substantial increase in the magnitude of the existing impacts to water quality would be avoided.

HYDRO-c i, ii, iii iv.

The Original Project had the potential to increase impervious surfaces and to divert groundwater to surface waters through requiring short-term construction dewatering due to the shallow groundwater table. Dewatering activities would require obtaining a Waste Discharge Requirements (WDR) permit from the San Francisco Bay RWQCB. The WDR permit requirements would require testing to prevent discharged water from posing a risk to water quality in San Francisco Bay. In the case that pollutant levels are too high, treatment of the collected groundwater would be required prior to discharge to San Francisco Bay or the City's storm drain system. As with the Original Project, the Modified Project would also be subject to SWPPP requirements ensuring that the discharge of construction dewatering would not significantly impact groundwater quality. The proposed residential housing units for the Modified Project, as with those in the Original Project, would be supplied with EBMUD water, which relies on surface water and recycled water rather than groundwater wells, therefore causing no depletion from groundwater well sources. Furthermore, the Modified Project would be consistent with the Original Project through the implementation of Low Impact Development (LID) measures and on-site infiltration, as required under the C.3 provisions of the Alameda County Clean Water Program which will increase the potential for groundwater recharge. Consistency through the use of site design features as per the C.3 provisions and implementation of water use efficiency measures mandated by the Water Conservation Act of 2009 would ensure that groundwater supplies are not depleted, and impacts would be *less than significant*. As proposed, the Modified Project would remain in compliance with groundwater related specifications applicable to those for the Original Project. Therefore, operational impacts associated with the Modified

Project would not result in a new impact or a substantial increase in the magnitude of the existing impacts towards groundwater diversion.

As discussed within the Certified EIR, the Original Project did not involve the alteration of any watercourse, stream, or river. Consistent with the Original Project, construction activities for the Modified Project would involve demolition of existing structures and removal of the 462-slip harbor, grading, excavation, and the construction of buildings, sidewalks, driveways, and parking lows, which could increase the potential for erosion and/or siltation. Implementation of Mitigation Measure HYDRO-1, erosion and sediment control measures as part of the SWPPP, as well as conformance with Chapter 7-12 of the San Leandro Municipal Code requiring project applicants to prepare erosion control and sedimentation control plans for submittal to the City Engineer prior to the start of project construction would reduce impacts from surface runoff resulting in significant erosion or siltation to a *less than significant impact*. Therefore, the demolition and construction phase associated with the Modified Project would not result in a new impact or a substantial increase in the magnitude of the existing impacts to any watercourse, stream, or river.

During operation of the Modified Project, erosion and siltation impacts would be avoided through implementation of C.3 requirements and LID measures to address stormwater runoff. Because the Modified Project, as with the Original Project, would replace or create more than 10,000 square feet of impervious surface, post-construction stormwater treatment is required as stated in Chapter 4.8, Hydrology and Water Quality, of the Certified EIR. The General Plan goals and policies relevant to the Original Project would also be implemented to ensure that stormwater runoff is adequately handled and would not contribute to on-site or off-site erosion. In conformity with the *less than significant* finding for erosion and siltation impacts during the operation phase of the Original Project, the Modified Project would implement the same specifications, and would therefore, not result in a new impact or a substantial increase in the magnitude of the existing impacts.

As discussed in the Certified EIR, the Original Project required the construction of an adequately sized storm drainage system to convey on-site stormwater runoff to existing storm drain facilities due to the increase in stormwater runoff from the increase in impervious surfaces. On-site systems would require City and ACFCD review for C.3 provision verification and that downstream drainage system capacity would not be exceeded. Furthermore, the City of San Leandro would verify that on-site and off-site drainage facilities can accommodate increased stormwater flows and the applicant would be required to pay for improvements to the storm drain system necessary to accommodate increased flows. Implementation of C.3 provisions, LID design, and General Plan goals and policies would minimize increases in peak flows and encourage development that would not exceed the capacity of existing or proposed storm drain systems. Therefore, because the Modified Project would implement those specifications applicable to the Original Project, it would not result in a new impact or a substantial increase in the magnitude of existing impacts to storm drain system capacities.

As discussed in the Certified EIR, the majority of the Original Project was outside of the 100-year floodplain with the exception of the area south of Pescador Point Drive, designated as Zone VE – coastal flood hazard subject to wave velocity, as well as the residential area of the project, east of Monarch Bay Drive, designated Zone AE with a base flood elevation (BFE) of 10 feet above mean sea level (msl). The

Certified EIR stated that FEMA is currently revising the Flood Insurance Rate Maps (FIRMs) for all nine counties surrounding San Francisco Bay, and that the area south of Pescador Point Drive would no longer be within the 100-year floodplain, however, according to the current FEMA FIRM maps, a portion of the area south of Pescador Point Drive remains within Zone AE with a BFE of 12 feet msl. However, as described in the Project Description for the Modified Project, the would be outside of the flood zones due to increased base elevation heights and, therefore, would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.

As there are no streams or flood control channels within the project boundaries, construction of the project would not impede or redirect flood flows, which as described above, are primarily associated with coastal flooding associated with wave velocity. Therefore, the Modified Project would not result in a new impact or a substantial increase in the magnitude of existing impacts which would 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 affect any of the four hydrological hazards (i-iv) outlined in the table.

HYDRO-d

According to the Certified EIR, since the project site is in a flat, coastal area, there is no potential for impacts due to mudflows. Since the Certified EIR was prepared, the CEQA significance criteria has been revised to replace the mudflow with release of pollutants due to project inundation. Because the base elevation of all sections of the project site where development is planned will be outside of areas subject to flooding due to sea level rise, inundation would not occur. As with the Original Project, the risk of flooding remains very low within the City of San Leandro, however, the Modified Project remains within the tsunami inundation zone, as mapped by ABAG. Therefore, the standards, precautions, and warning systems for the Original Project would also apply for the Modified Project. The Original Project found a *less than significant* impact from seiches because there are no large bodies of water within San Leandro, and the long distances of shallow water in San Francisco Bay would minimize waves generated by a seiche. Because the Modified Project site is within the same project area, the finding remains valid. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts to flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

HYDRO-e

The Modified Project would be in compliance with the San Francisco Bay Regional Water Quality Control Board (RWQCB) Water Quality Control Plan for San Francisco Bay Basin which describes the water quality that must be maintained to support beneficial uses of the State waters, and provides programs, projects, and other actions necessary to achieve the standards established in the Basin Plan.[12] The Modified Project would remain in compliance with the Bay Protection and Toxic Cleanup Program for which the San Francisco Bay RWQCB initiated the Regional Monitoring Program (RMP), which includes water quality monitoring near the project site.[13] Furthermore, the Modified Project would adhere to local regulations

[12] San Francisco Bay RWQCB, 2018. San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan). Available online at https://www.waterboards.ca.gov/sanfranciscobay/basin_planning.html, accessed January 24th, 2020.

[13] Bay Protection and Toxic Cleanup Program. 2017. Available online at https://www.waterboards.ca.gov/water_issues/programs/bptcp/, accessed January 6th, 2020.

governing water quality pursuant to those identified by the Alameda County Flood Control and Water Conservation District and the Alameda County Clean Water Program. [14][15] Lastly, policies and ordinances governing water quality, as described in the Certified EIR, from the San Leandro General Plan and the San Leandro Municipal Code would also apply to the Modified Project. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts to the implementation of a water quality control plan or a sustainable groundwater management plan.

[14] Alameda County Flood Control and Water Conservation District. 2017. Available online at https://acfloodcontrol.org/, accessed January 5th, 2020.

[15] Alameda County Clean Water Program. 2017. Available online at https://www.cleanwaterprogram.org/, accessed January 5th, 2020.

3.11 LAND USE AND PLANNING

3.11.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Physically divide an established community?				X	
b) 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?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Land Use and Planning has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

XI. LAND USE AND PLANNING.
Would the project:

a) Physically divide an established community?
b) Cause a significant environmental impact due to a conflict with any ~~applicable~~ land use plan, policy, or ~~regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance)~~ adopted for the purpose of avoiding or mitigating an environmental effect?
~~c) Conflict with any applicable habitat conservation plan or natural community conservation plan?~~

Comments:

LAND-a, b.

Typically, projects with the potential to divide an established community include the construction of major highways or roadways, construction of storm channels, closing bridges or roadways, or construction of utility transmission lines. Evaluated against this criterion, the Original Project was not found to physically divide an established community. The Modified Project does not include any new features that would physically divide an established community. Compared to the Original Project, the

Modified Project would increase the total number of housing units on the site by 131 units (from 354 in the Original Project to 485 in the Modified Project), but there is no evidence to suggest that the increase in housing units, or other proposed amendments having to do with the re-location or omission of certain commercial developments within the project, would physically divide an established community. Even with the proposed modifications, the extension of infrastructure and City services to the new development, in combination with the provision of new public amenities at the Marina and community-serving uses adequate to serve the magnitude of the increased intensity, would still serve to seamlessly incorporate the Modified Project into the existing communities without dividing them. No new components of the Modified Project would change the impact conclusions in the Certified EIR. As described in the revised Project Description, revisions to the site's General Plan and Zoning Designations are necessary to allow the revised project, which would require a General Plan Land Use Map and Zoning amendments for the revised project to conform to the General Plan and Zoning maps. The Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts in terms of physically dividing an established community.

The Original Project was found not to conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, provided the Original Project implement mitigation measure TRAF-16, which requires provision of a Class II bike path on Monarch Bay Drive between Neptune Drive and Fairway Drive identified as a priority in the San Leandro Bicycle and Pedestrian Master Plan.

The Modified Project eliminates the 150,000 square-foot office campus. Because of this modification, the Modified Project no longer contributes directly to Goal 7 in the San Leandro General Plan, which is to develop a strong and healthy industrial and office employment base in the community. However, the Modified Project still supports all other goals and policies in the San Leandro General Plan outlined in Table 4-9-1 of the Certified project EIR. Further, office development is occurring in other parts of San Leandro, particularly the City's industrial areas. The loss of the 150,000 square-foot office campus in this project therefore does not constitute a significant loss in employment growth for the City of San Leandro.

The Modified Project would still implement mitigating measure TRAF-16 as well as all other aesthetic and design requirements necessary to comply with existing plans and policies. None of the proposed modifications to the project preclude or omit these mitigating measures or requirements. Thus, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts in terms of consistency with any land use plan, policy, or regulation adopted for the purpose of mitigating an environmental effect.

3.12 MINERAL RESOURCES

3.12.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) 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?					X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?					X

Comments:

The Certified EIR concluded that due to the proposed project's location in an urbanized city setting, the project would not have a significant effect on mineral resources, and therefore an impact analysis was not prepared for the Original Project. The project site is mapped in Mineral Resource Zone 1 (MRZ-1) by the California Geological Survey, indicating that there is little likelihood that significant mineral resources are present.[16] Because the site has been developed and is not considered suitable for protection or conservation, there would be no impacts to mineral resources. Consequently, there would be no impacts with regard to mineral resources under the Original Project or Modified Project.

[16] California Geological Survey (CGS). 1996. Generalized Mineral Land Classification Map of the South San Francisco Bay Production-Consumption Region. Available Online at ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_96-03/OFR_96-03_Plate1.pdf. Accessed January 7, 2020.

3.13 NOISE

3.13.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project result in:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) 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?				X	
b) Generation of excessive groundborne vibration or groundborne noise levels?				X	
c) 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?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Noise has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

XIII. NOISE.
Would the project:

a) ~~Exposure of persons to or g~~ 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?
b) ~~Exposure of persons to or g~~ Generation of excessive groundborne vibration or groundborne noise levels?
~~c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?~~

c) 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?

~~d) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?~~

Comments:

NOISE-a. Construction Equipment

The Certified EIR for the Original Project t identified a *significant* impact related to construction noise. However, this impact was reduced to *less than significant* with implementation of Mitigation Measure NOISE-4 from the Certified EIR. Construction of the individual components of the Original Project were found to temporarily increase the ambient noise environment in the vicinity of each individual site and, because activities associated with any individual development may occur near noise-sensitive receptors, and depending on the project type, noise may occur for prolonged periods of time. The Modified Project would not introduce substantially louder or different equipment than for the Original Project, and the duration of the construction would remain approximately the same (four years). Furthermore, Mitigation Measures NOISE-1A and NOISE-1B, which include measures to avoid exceeding noise standards established in the General Plan and/or the applicable standards of other agencies, and Mitigation Measure NOISE-4, which includes measures to avoid substantial temporary or periodic increases in ambient noise levels in the vicinity of the project site above existing levels, would be required for the Modified Project. Therefore, no changes or new information would result in new impacts or a substantial increase in magnitude of the original project's impacts to noise from construction equipment in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies . The Modified Project would be required to comply with the City's Municipal Code restrictions for construction activities outside the hours of 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.

Construction Vehicles

The Certified EIR for the Original Project did not identify any significant impacts associated with temporary construction-related trips. Under the Original Project a total of 825 haul trips due to demolition was estimated. The Modified Project would require additional haul trips for the import of soil and additional demolition haul trips for a total of 31,326 trips, or a net increase of 30,501 total haul trips. Under the Modified Project, the trips would be spread out over 6 different phases: Phase 0 through Phase 4 and during demolition. Each phase would result in between 6 to 176 daily haul trips, and a maximum of 279 daily haul trips would occur during overlap of Phase 3 and Phase 4 for an anticipated period of 21 work-days. All haul truck trips would occur during daytime hours. In addition, a maximum of 1,664 daily worker and vendor trips would occur during overlap of paving, building construction, and architectural coating phases. These maximum worker and vendor trips would not overlap with Phase 3 and Phase 4 soil haul. When compared to the 2016 General Plan Update (City of San Leandro 2016) average daily traffic (ADT) volume of 7,000 on Marina Boulevard – Neptune Drive to Doolittle Avenue (the main access road from the highway to the site), the addition of up to 279 daily haul trips would result in a noise increase of less than 0.2 dBA L_{dn}. The addition of up to 1,664 worker and vendor trips would result in a noise increase of approximately 0.9 dBA L_{dn}. Noise increases are estimated by using the formula 10*LOG (future

volume/existing volume). Traffic noise increases greater than 3.0 dBA L_{dn} that would result in an exterior ambient noise level greater than 60 dBA L_{dn} at a residential use would constitute a significant adverse impact. Since the traffic noise increase during the period of maximum soil haul trips and during the period of maximum construction worker and vendor trips would be below 3.0 dBA , the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts associated with construction haul trips in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Traffic-Related Noise

In the Certified EIR for the Original Project, operational traffic noise was found to be *significant and unavoidable*. Marina Boulevard west of Aurora Drive would experience a noise increase greater than 3 dBA L_{dn} for all three traffic scenarios due to Original Project traffic and the resulting ambient noise level would be greater than 60 dBA L_{dn}, exceeding the City's exterior noise level for residential uses. As discussed in the transportation section of this EIR Addendum, the Modified Project would result in a net decrease of 538 project-related daily trips compared to the Original Project. Furthermore, Mitigation Measure NOISE-3, which includes measures to minimize an increase in ambient noise levels in the vicinity of the project site above levels existing without the project, would be implemented for the Modified Project, as with the Original Project. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the Original Project's impacts from traffic-related noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Stationary Noise

In the Certified EIR for the Original Project, stationary noise impacts associated with HVAC systems, proposed outdoor activities and events associated with the hotel, landscaping, maintenance, and recreational activities were not found to exceed the City's noise standards. Noise from outdoor activities would be regulated by Chapter 4-1 of the City's Municipal Code. Stationary noise sources such as those related to outdoor amenities and mechanical equipment (e.g., HVAC) associated with the relocated hotel would be approximately 500 feet from the nearest existing sensitive receptors (residences). At this distance, noise from HVAC or outdoor conversations associated with outdoor hotel amenities would attenuate to levels below the existing noise environment and remain *less than significant*. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the Original Projects impacts from stationary noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

NOISE-b.

The Certified EIR for the Original Project found that short-term construction vibration impacts were *significant and unavoidable*. These short-term construction vibration impacts were identified to potentially cause architectural damage if construction techniques such as pile driving, rock blasting and the use of vibratory rollers occurred in close proximity to existing buildings and structures. Even after implementation of Mitigation Measure NOISE-2, which includes measures to avoid excessive groundborne vibration or groundborne noise levels vibration, impacts were found to remain *significant and unavoidable*. The Modified Project proposes several changes as identified in Section 2.4.2, Proposed

Project Changes. Changes include the relocation of the proposed hotel approximately 1,300 feet inland and an increase in single-family homes along the northeastern portion of the project site. However, the Modified Project would not result in a significant change in construction equipment mix. The Certified EIR analyzed impacts due to potential pile driving, rock blasting and vibratory rollers within close proximity of surrounding sensitive receptors. Since the overall project construction boundary has not changed and no new types of developments are being proposed under the Modified Project, the Modified Project would not result in new significant impacts. Impacts would be similar to those analyzed in the Certified EIR and the requirement of Mitigation Measure NOISE-2 would remain.

NOISE-c.

The Certified EIR for the Original Project did not identify any private airstrips in the proximity of the project site. The location of the project site itself has not changed and no new private airstrips have been built since the Certified EIR in the proximity of the Modified Project.

The Certified EIR identified the project to be within the Oakland International Airport's influence area and exposed to noise from aircraft. However, no portions of the project site were found to be located within the 65 dBA CNEL noise contour and the only areas within the 60 dBA CNEL noise contour in the Original Project were the proposed restaurant and parking lot on Mulford Point, which were removed as part of the Modified Project. There are no new or updated noise contours showing that the Modified Project's proposed uses would be within 60 dBA CNEL noise contour. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the Original Project's impacts to areas within proximity to a private airstrip, an airport land use plan, or within two miles of a public airport.

3.14 POPULATION AND HOUSING

3.14.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) 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)?				X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Population and Housing has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

XIV. POPULATION AND HOUSING
Would the project:

a) 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)?
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
~~c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?~~

Comments:

POP-a.

The Original Project was estimated to generate 354 housing units and approximately 970 new residents under the assumption of 2.74 residents per housing unit. Using the same assumption, the Modified Project is estimated to generate approximately 1,329 residents from 458 housing units: a net increase of 131 housing units and 359 new residents compared to the Original Project estimate.

The net effect of the Modified Project in terms of *direct* population growth is approximately 359 additional residents over the Original Project. However, the net effect of the Modified Project in terms of *indirect* population growth is 616 fewer employees (due to elimination of the office park and restaurant) compared to the Original Project. Together, these results show that the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts in terms of direct or indirect population growth.

POP-b.

In terms of displacing current residents or housing units on the project site, the Modified Project would have the same effect as the originally proposed project of displacing 16-20 people living on 10 boats in the harbor on the project site. The same analysis applied to the Original Project, of available housing in San Leandro plus the additional housing resulting from the project, can be applied to the Modified Project. The Modified Project would thus not result in a new impact or a substantial increase in magnitude of the existing impacts in terms of displacement of housing and people.

3.15 PUBLIC SERVICES

3.15.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a)	Fire protection?				X	
b)	Police protection?				X	
c)	Schools?				X	
d)	Parks?				X	
e)	Other public facilities?				X	

Comments:

PUB-a.

The Original Project was determined in the Certified EIR to have a *less than significant* impact in terms of requiring additional fire services. This is in part because the two nearby fire stations that would service the project site had been replaced within the last twelve years when the Certified EIR was written (now 17 years as of 2020), and because Policy 45.05 of the San Leandro General Plan calls for the fire department to review proposed development plans to ensure that there is adequate emergency access, Fire Code requirements are satisfied, and that adequate levels of service can be maintained with implementation of the project. This policy is implemented through the development review process. Like the Original Project, this review is also required of the Modified Project, so the Modified Project would not result in any new impacts or a substantial increase in impacts in terms of fire protection services upon approval by ACFD through the development review process.

PUB-b.

The San Leandro Police Department (SLPD) provides police services within the San Leandro city limits and the sphere of influence. The SLPD is located at 901 East 14th Street. Since the time the Certified EIR was completed, the San Leandro City Council approved a capital expenditure to renovate the existing police building and City's south offices within the Civic Center (where City Hall and the police station are

located) to expand police operations services in order to reduce overcrowding and keep up with demands for services from a growing San Leandro population. Construction began in early 2019 and is anticipated to be completed in late 2020.

As was the case for the Original Project, the addition of retail space and recreation opportunities included as a part of the project would increase the visitor population within the project site, resulting in an increase in demand for police services. However, as required by Policy CSF-1.5 of the most recent San Leandro General Plan, the SLPD would be required to review the development plans for the Modified Project to ensure that adequate levels of service can be provided. Additionally, the Modified Project's addition of approximately 359 residents (over the original project's addition of 970 new residents) would not result in the need for new or physically altered police protection facilities beyond those renovations currently underway and thus does not constitute a new impact or a substantial increase in impacts compared to the Original Project.

PUB-c.

As described in the original Certified EIR, California Education Code Section 17620 allows school districts to levy fees against new construction projects, which would generate students that would use district school facilities. The most current developer school impact fees are levied by the San Leandro Unified School District (SLUSD) at the rate of $3.79 per square foot for residential construction and $0.61 per square foot for commercial/industrial construction.[17] Due to the additional increased residential component of the Modified Project, the developer school impact fees would be greater than those required for the Original Project. 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." Since these conditions remain the same for the Modified Project, the Modified Project would result in no new impacts or a substantial increase in magnitude of existing impacts compared to the Original Project in terms of requiring new or modified school facilities.

PUB-d.

As noted in Section 3.14 of this checklist, the Modified Project would add 359 additional residents compared to the Original Project. The Modified Project also adds an additional 6+ acres of park space compared to the Original Project, with an additional approximately 9 acres of publicly accessible trails, landscaped areas, access drives, and parking lots throughout the project area, although it reduces the golf course acreage from 32 acres in the Original Project to approximately 23.05 acres in the Modified Project. Because the golf course is a commercial use where users pay to play, and because the reduction in golf course acreage does not reduce the ability of users to play 9 holes of golf, the 12-acre reduction in golf course area does not constitute a reduction in public park space. Therefore, the addition of 6+ acres of public park space (and other public amenities) translates to a neutral effect when combined with the addition of approximately 359 additional residents in the Modified Project over the Original Project.

[17] San Leandro Unified School District. 2020. SLUSD Developer Fee Information. Available online at https://www.sanleandro.k12.ca.us/Page/10278, accessed January 24th, 2020.

PUB-e.

For other public services, the Modified Project has the same provisions for demolishing and reconstructing the Mulford-Marina library branch. Like the Original Project, the new facility would be approximately 2,500 square feet in size and would include a community meeting space constituting approximately 500 square feet of additional space compared to the existing library. Since these provisions are the same for the Modified Project as they were for the Original Project, the Modified Project would therefore not introduce new impacts or increase impacts associated with other public services compared to the Original Project.

3.16 RECREATION

3.16.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	
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?				X	

Comments:

REC-a.

The assessment of population and housing in Section 3.14 of this checklist showed that the Modified Project would result in 359 additional residents compared to the Original Project. The Modified Project also adds an additional 6+ acres of park space compared to the Original Project, although it reduces the golf course acreage from 32 acres in the Original Project to approximately 23.05 acres in the Modified Project. Because the golf course is a commercial use where users pay to play, and because the reduction in golf course acreage does not reduce the ability of users to play 9 holes of golf, the 12-acre reduction in golf course area does not constitute a reduction in public park space. Therefore, the addition of 6+ acres of public park space (and other public amenities) translates to a neutral effect when combined with the addition of approximately 359 additional residents in the Modified Project over the Original Project.

REC-b.

The conversion of an existing parking lot to accommodate a 9-acre community park on Mulford Point represents an increase of 6+ acres of new park space in the Modified Project. The passive use park was analyzed as part of the Modified Project and compliance with relevant policies, ordinances, and best management practices from the San Leandro General Plan, as well as any relevant permits, would be required for its construction to ensure that there would be no adverse impacts resulting from its construction or operation. Therefore, the Modified Project would thus not result in a new impact or a

substantial increase in magnitude of the existing impacts in terms of introducing new recreational facilities or expanding existing recreational facilities in a way that could harm the environment.

3.17 TRANSPORTATION

3.17.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	
d) Result in inadequate emergency access?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Transportation has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

XVII. TRANSPORTATION~~/TRAFFIC.~~
Would the project:

a) Conflict with a~~n applicable~~ program plan, ordinance or policy ~~establishing measures of effectiveness for the performance of~~ addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? ~~taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?~~

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)~~(1)~~? ~~Conflict with an applicable congestion management program, including, but not limited to~~

~~level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?~~

~~c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?~~

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

d) Result in inadequate emergency access?

~~f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?~~

Comments:

Modified Project – Trip Generation

An updated trip generation analysis was conducted for the Modified Project. These results are described below and compared to the trip generation analysis completed previously for the Original Project. The Certified EIR for the Original Project assumed the following land uses and resulting trips shown in Table 3-4. These trips were computed based on equations provided in ITE Trip Generation Manual 9th Edition, published November 2012. Appropriate reductions were made based on the methodology developed by the National Cooperative Highway Research Program (NCHRP), as described in the ITE Trip Generation Handbook 2nd Edition, June 2004, to account for mixed-use, internalization and pass-by, and approved by City staff in 2014. Table 3-4 provides the Certified EIR project trips, before and after trip reductions. Detailed trip reduction calculations and worksheets are provided in an attachment of Appendix D.

After trip reduction, the Certified EIR project trips and percent reductions trips are:

- Daily = 8,913 vehicle trips (7% reduction)
- AM peak hour = 1,047 vehicle trips (2% reduction)
- PM peak hour = 1,070 vehicle trips (5% reduction)
- Saturday midday = 1,046 vehicles trips (5% reduction)

The resulting trips for the Modified Project were computed using the updated equations provided in ITE Trip Generation 10th Edition, published September 2017, and are shown in Table 3-5 below. Trip reductions were assumed to account for mixed use residential-retail, internalization and pass-by. The trip reductions were computed using National Cooperative Highway Research Program (NCHRP), as described in the ITE Trip Generation Handbook 3rd Edition, September 2017. Table 3-5 provides the Modified Project trips, before and after trip reductions. Detailed trip reduction calculations and worksheets are provided in an attachment of Appendix D.

After trip reduction, the Modified Project trips and percent reductions are:

- Daily = 8,375 vehicle trips (13% reduction)
- AM peak hour = 518 vehicle trips (5% reduction)
- PM peak hour = 532 vehicle trips (30% reduction)
- Saturday midday = 772 vehicles trips (16% reduction)

TABLE 3-4: CERTIFIED EIR PROJECT TRIP GENERATION

TRIP GENERATION	AMOUNT		SOURCE	TRIPS GENERATED									
Land Use Category				Weekday	AM Peak Hour			PM Peak Hour			Saturday		
					In	Out	Total	In	Out	Total	In	Out	Total
Certified EIR Project													
Office	150.0	KSF	ITE (710)	1,787	233	32	265	33	164	197	35	30	65
Café	8.0	KSF	ITE (932)	1,017	47	39	86	47	32	79	60	53	113
Restaurant - Quality	13.0	KSF	ITE (931)	1,169	6	5	11	65	32	97	83	58	141
Conference Center	15.0	KSF	n/a	1,500	281	50	331	50	281	331	281	50	331
Hotel	200	Rooms	ITE (310)	1,417	63	43	106	61	59	120	80	62	142
Apartment	159	Units	ITE (220)	1,087	16	66	82	68	37	105	42	42	84
Townhome/Condo	153	Units	ITE (230)	931	12	61	73	57	28	85	47	40	87
Single-Family Detached	42	Units	ITE (210)	473	10	29	39	30	18	48	25	21	46
Golf Course *	32	Acres	ITE (430)	161	5	2	7	3	6	10	9	12	20
Park/Open Space	14.48	Acres	ITE (411)	27	36	29	65	29	22	51	33	33	66
Total Project Trips				**9,569**	**709**	**356**	**1,065**	**443**	**679**	**1,123**	**695**	**401**	**1,095**
Trip Reductions				*-656*	*-9*	*-8*	*-18*	*-26*	*-25*	*-53*	*-24*	*-24*	*-49*
New External Trips				**8,913**	**700**	**348**	**1,047**	**417**	**654**	**1,070**	**671**	**377**	**1,046**

Kittelson and Associates, Inc, 2014, from Table 4.13-12 of the DEIR (Dec 2014)

Source:

Trip Generation computed per ITE Trip Generation 9th Edition, using equations

Trip reductions computed per ITE Trip Generation Handbook 2nd Edition, June 2004

*Note: Golf course was not included in Table 4.13-12 of the DEIR (Dec 2014), but provided here for comparison

TABLE 3-5: MODIFIED PROJECT TRIP GENERATION

TRIP GENERATION	AMOUNT		SOURCE	TRIPS GENERATED									
Land Use Category				Weekday	AM Peak Hour			PM Peak Hour			Saturday		
					In	Out	Total	In	Out	Total	In	Out	Total
Modified Project													
Office	0.0	KSF	ITE (710)	0	0	0	0	0	0	0	0	0	0
Café	0.0	KSF	ITE (932)	0	0	0	0	0	0	0	0	0	0
Restaurant - Quality	20.0	KSF	ITE (931)	1,677	8	7	15	105	51	156	126	88	214
Conference Center	0.0	KSF	n/a	0	0	0	0	0	0	0	0	0	0
Hotel	220	Rooms	ITE (310)	2,057	62	43	105	71	68	139	87	69	156
Apartment	285	Units	ITE (221)	1,552	25	71	96	74	47	121	62	64	126
Townhome	48	Units	ITE (220)	322	6	18	24	20	11	31	10	10	19
Single-Family Detached	152	Units	ITE (210)	1,528	28	85	113	96	56	152	79	67	146
Food Market	3.0	KSF	ITE (851)	2,287	94	94	188	75	72	147	119	119	237
Golf Course	23.05	Acres	ITE (430)	86	3	1	4	2	4	6	6	8	15
Park/Open Space	9.0	Acres	ITE (411)	94	1	0	1	1	0	1	2	1	3
Total Project Trips				**9,603**	**227**	**319**	**546**	**444**	**309**	**754**	**491**	**426**	**916**
Trip Reductions				*-1,228*	*-12*	*-16*	*-28*	*-131*	*-91*	*-222*	*-77*	*-67*	*-144*
Revised Project Trips				**8,375**	**215**	**303**	**518**	**313**	**218**	**532**	**414**	**359**	**772**

Kittelson and Associates, Inc, 2020
Source:
Trip Generation computed per ITE Trip Generation 10th Edition, using equations
Trip reductions computed per ITE Trip Generation Handbook 3rd Edition, September 2017

Based on the revised land uses for the Modified Project, the change in trips compared to the certified EIR project are shown below. With the revised mix of land uses and accounting for trip reductions associated with retail and residential, the net new trips are lower than the Certified EIR project, during all time periods, as follows:

- Daily trips = -538 vehicle trips (6% lower compared to the Certified EIR)
- AM trips = -529 vehicle trips (51% lower compared to the Certified EIR)
- PM trips = -538 vehicle trips (50% lower compared to the Certified EIR)
- Saturday trips = -274 vehicle trips (27% lower compared to the Certified EIR)

Based on the trip generation analysis, the Modified Project would generate fewer trips compared to the Original Project during all time periods. Contributing factors to a larger trip reduction for the Modified Project as compared to the Original Project may include the removal of the office, and the increase in housing and restaurant together with the addition of the food market, which increased the PM and Saturday trip reduction for internalizing the trips, as well as the possibility that the 3rd Edition Handbook may have higher trip reduction percentages than the prior 1st Edition. Based on this net reduction in trips, it is likely that the transportation impacts from the Modified Project will be lower than in the Certified EIR. Furthermore, it is likely the same Certified EIR mitigations will still apply, though without further detailed analysis, it is undetermined which of those mitigations would no longer be necessary. However, for the purpose of this Addendum, the assumption is that all mitigation measures shall continue to be required of and implemented for the Modified Project. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts due to project trip generation.

TRAF-a.
Circulation and Roadway System

The Certified EIR for the Original Project referenced the San Leandro General Plan which contains level of service (LOS) standards for intersection operations at both signalized intersections and unsignalized intersections, for which the minimum acceptable level of service is LOS D for streets and intersections, unless otherwise indicated in the Transportation Element. The performance of the intersections and freeway locations which were analyzed as part of the Original Project was assessed for the period before the opening of the Original Project but after the completion of currently planned or underway construction improvements and developments (Baseline Conditions) and for future planning years 2020 and 2035 (Near-Term Cumulative Conditions and Long-Term Cumulative Conditions).

For the Original Project, the Alameda Countywide Travel Demand Model was used to forecast traffic volumes for both background No Project and plus Project scenarios of all study conditions. The information was used to calculate the LOS and identify potential impacts at the Analysis Intersections based on the City's significance thresholds. The LOS results were summarized within the tables found in Chapter 4.13 Transportation, of the Certified EIR, and calculations were provided in Appendix H, of the Certified EIR for the Original Project. For the Original Project, Mitigation Measures were implemented to reduce impacts to circulation to a *less than significant* level, however, it was found that some impacts would remain *significant and unavoidable*. The Modified Project would generate fewer trips compared to the Original Project during all time periods, and based on this net reduction in trips, it is likely that the

transportation impacts from the Modified Project will be similar or lower than in the Certified EIR. However, it is likely the same Certified EIR mitigations will still apply, though without further detailed analysis, it is undetermined which of those mitigations would no longer be necessary. For the purpose of this Addendum, the assumption is that all mitigation measures shall continue to be required of and implemented for the Modified Project. Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts which would conflict with a program, plan, ordinance, or policy addressing the circulation system or roadway.

Bicycle and Pedestrian Facilities and Public Transit

The Certified EIR found that the Original Project was expected to generate a 2.7 percent rail and ferry mode share and a 2.4 percent bus mode share. The associated number of trips are detailed in Table 4.13-21 in Chapter 4.13 Transportation, of the Certified EIR. For the Original Project, an assessment was made to determine if vehicle trips generated by the Project would cause congestion that reduces transit vehicle operations. The Original Project would cause increases in delays at the following intersections for transit vehicle operations: Aurora Drive and Marina Boulevard (#10), Marina Boulevard and Merced Street (#12), Marina Boulevard and I-880 southbound off ramp (#14), and Monarch Bay Drive and Mulford Point Drive (#19) intersections, which would adversely impact the transit operations of AC Transit Line S, 34 and 35 (AC Transit busses 34 and 35 replaced Transit busses 75 and 89 respectively, which were previously used in the Certified EIR). Mitigation Measure TRAF-2C was implemented to reduce the impacts to *less than significant* by designing roundabouts to accommodate AC Transit busses which would improve transit travel times through the intersections impacted by the Modified Project.

The Certified EIR for the Original Project concluded that other impacts to transit, roadway, bicycle and pedestrian facilities were *less than significant.* These findings would also apply for the Modified Project, and therefore, with the implementation of Mitigation Measure TRAF-2C, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts which would conflict with a program, plan, ordinance, or policy addressing transit, bicycle, and pedestrian facilities.

TRAF-b.

The updated 2019 CEQA Guidelines Checklist for Transportation has been amended to include changes to the way that transportation impacts are analyzed pursuant to Senate Bill (SB) 743. The amended CEQA Guidelines for Transportation provide an alternative to LOS for evaluating transportation impacts and recommend analysis methodology and thresholds. SB 743 did not change the discretion that lead agencies have to select methodology or define their own significance thresholds; however, the Governor's Office of Planning and Research (OPR) has recommended potential metrics to measure transportation impacts that include, but are not limited to, "vehicle miles traveled (VMT), VMT per capita, automobile trip generation rates, or automobile trips generated."[18][19] OPR selected VMT as the preferred

[18] Governor's Office of Planning and Research. 2020. Available online at http://opr.ca.gov/ceqa/updates/sb-743/, accessed January 22, 2020.

[19] California Legislative Information. 2013. Available online at http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743, accessed January 22, 2020.

metric with July 1st, 2020 as the statewide implementation date. Agencies may opt-in use of new metrics prior to that date.[20]

The City has not formally adopted a significance criterion, however, given that the trip generation analysis for the Modified Project would generate less trips than the Original Project, the VMT for the Modified Project would likely be lower than that for the Original Project. Based on this net reduction in trips and reduction in VMT, it is likely that the Modified Project will generate the same or less impacts than were disclosed in the Certified EIR. Furthermore, it is likely the same Certified EIR mitigations will still apply, though without further detailed analysis, it is undetermined which of those mitigations would no longer be necessary. However, for the purpose of this Addendum, the assumption is that all mitigation measures shall continue to be required of and implemented for the Modified Project.Therefore, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts putting it in conflict or inconsistency with CEQA Guidelines section 15064.3, subdivision (b).

TRAF-c.

The Certified EIR found that the Original Project would have *no impact* from hazards from incompatible uses. This would remain for the Modified Project. However, the Certified EIR found that the location of the proposed northern driveway of the North Golf Course Residential component of the Original Project presents a potential sight distance challenge for cars pulling out of the driveway and would constitute a *significant* impact. Implementation of Mitigation Measure TRAF-4A would reduce this impact to *less than significant* by removing the North Golf Course northern driveway from the project plans. This Mitigation Measure would also be implemented for the Modified Project. The Certified EIR also found that the proposed southern driveway of the North Golf Course Residential component would potentially result in a design hazard due to its location in relation to the proposed Monarch Bay Drive and Mulford Point Drive intersection. Implementation of Mitigation Measure TRAF-4B in coordination with TRAF-1D would reduce this impact to *less than significant* by moving the Southern Driveway of the North Golf Course residential component to the north, to form a standard four-legged intersection. These Mitigation Measures would also be implemented for the Modified Project. Furthermore, no new design features for the Modified Project would substantially increase hazards as compared to those noted for the Original Project. Therefore, with the implementation of these Mitigation Measures, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts as they relate to increased hazards due to a geometric design feature or incompatible uses.

TRAF-d.

The Certified EIR found that the Original Project concept design is required to comply with all City roadway and access standards as well as other requirements in the California Fire Code and California Vehicle Code. As with the Original Project, the Modified Project is well-served by public streets and access to the project site from Fairway Drive and Monarch Bay Drive remains the same. Therefore, due to the same roadway access and based on the concept plan, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts as they relate to emergency access.

[20] California Department of Transportation. 2020. Available online at https://dot.ca.gov/programs/transportation-planning/office-of-smart-mobility-climate-change/sb-743, accessed January 22, 2020.

3.18 TRIBAL CULTURAL RESOURCES

3.18.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

a) 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:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
i) 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				X	
ii) 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Tribal Cultural Resources were added since those used for the Certified EIR of the Original Project.

Comments:

TRIB-i, ii.

The 2015 Certified EIR was prepared before the 2019 updated CEQA checklist addition of analysis on Tribal Cultural Resources. However, criteria a) was addressed in Chapter 4.4, Cultural Resources for the Original Project, as described in the Certified EIR, and was reduced to a *less than significant* impact through implementation of Mitigation Measure CULT-1. As with the Original Project, no known

archeological resources, ethnographic sites or Native American remains are located on the project site. However, there remains the possibility that these are present. Therefore, Mitigation Measure CULT-2 to avoid impacts to archaeological resources and Mitigation Measure CULT-4 to avoid impacts to human remains would be implemented for the Modified Project, as with the Original Project. Therefore, with the implementation of mitigation measures prescribed in the Certified EIR, the Modified Project would not result in a new impact or a substantial increase in magnitude of the existing impacts as they relate to Tribal Cultural Resources.

Pursuant to Senate Bill 18 and with consideration to Assembly Bill 52, the Native American Heritage Commission (NAHC) was consulted by the City of San Leandro and a list of Native American Tribes was sent to the City by the NAHC on November 15th, 2019. The City of San Leandro has performed their due diligence by contacting each of the Tribes on the list to notify them of the project. The City has not received a request for consultation from any of the contacted Native American Tribes.

3.19 UTILITIES AND SERVICE SYSTEMS

3.19.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) 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?				X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X	
c) 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?				X	
d) 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?				X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Utilities and Service System has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

XIX. UTILITIES AND SERVICE SYSTEMS.
Would the project:

~~a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?~~

a) Require or result in the relocation or construction of new or expanded water~~, or~~ wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities ~~or expansion of existing facilities~~, the construction or relocation of which could cause significant environmental effects?

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

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry ~~years from existing entitlements and resources, or are new or expanded entitlements needed~~?

c) 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?

d) 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? ~~Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?~~

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Comments:

UTIL-a, b, c, d, e.

This section analyzes the differential impacts on utility systems that may arise from the Modified Project compared to the Original Project. Compared to the impacts found in the Original Project, the addition of 131 housing units and the reconfiguration of other uses on the site may require minor modifications or additions to existing water, wastewater treatment/storm drainage, electric power, natural gas or telecommunications facilities at the project site that are different than those required for the Original Project site plan. This includes extensions and/or additions to water pipes and gas lines, electrical transformers and service drops, and sewer service laterals installed to provide utility services to structures proposed by the Modified Project. However, the additional residential units and proposed modifications would not require additional *major* facilities like additional pump stations for the sewage system, utility mains, or electrical substations. This is primarily because the project site has been previously developed and already includes significant utility infrastructure. Furthermore, with the removal of the buildings on Mulford Point, as well as the office park, and given that the increased residential development is approximate to the originally planned residential areas, the provision of

infrastructure would be reduced in non-residential areas and slight modified in residential areas. Currently, the project site is serviced by an 8-inch domestic water main running under Monarch Bay Drive, which intersects a 12-inch water main running down Fairway Drive, an 8-inch main running under Neptune Drive and a 6-inch main running under Marina Boulevard. An 8-inch service line exists under Mulford Point Drive and a 6-inch service line exists under Pescador Point Drive. The existing library facility is serviced by a 6-inch line under Aurora Drive. The project site's existing gas, electricity, and wastewater infrastructure is similarly developed and described in detail in section 4.14 of the original Certified EIR.

One notable difference between the Original Project and the Modified Project in terms of wastewater facilities is the "Blue Dolphin" lift station at the west end of Mulford Point Drive (just northeast of the former Blue Dolphin Restaurant): the Original Project would have needed to replace this lift station with a station of greater pumping and storage capacity to accommodate the proposed hotel in this location. The Modified Project instead locates the hotel at the northwest corner of Mulford Point Drive and Monarch bay Drive, which is served by a gravity sewer system consisting of 6-inch and 8-inch pipes located under Mulford Point Drive and Pescador Point Drive, and near Monarch Bay Drive. This system currently serves Horatio's restaurant, El Torito restaurant, the San Leandro Yacht Club, Marina Inn, and the Spinnaker Yacht Club. This system may need minor upgrades to accommodate the new hotel, but these upgrades/additions would be equivalent in terms of scope and impacts to upgrading the "Blue Dolphin" lift station.

The Certified EIR for the Original Project notes that although creation of new or extended water distribution pipes or wastewater pipes or lift stations/capacities could create short-term construction-related environmental effects (e.g. noise, dust, traffic, temporary service interruption, etc.); most of the work would be in existing public rights-of-way or facilities, and would be subject to compliance with applicable regulations and standard conditions for sewer construction projects, including City permits/review for construction within public rights-of-way (e.g., grading permits, private development review, encroachment permits, etc.). This consideration would also apply to the creation of new or extended electrical service drops and/or gas lines, which would have similar requirements to comply with applicable regulations and standard conditions for utility construction projects, including City permits/review for construction within public rights-of-way. These regulations and conditions would require new construction to include best management practices that require construction activities to minimize dust generation by watering the construction area, limit construction noise to daytime hours to limit exposure to sensitive receptors and use modern equipment to limit emissions. In addition, San Leandro General Plan policies regarding infrastructure and development impacts, as discussed below, would further ensure any potential adverse physical effects of these activities would remain *less than significant* for the Modified Project and, therefore, the Modified Project would not result in different impacts or a substantial increase in existing impacts in terms of expanding or extending utilities on the project site through the minimization measures reflected above.

The Certified EIR found in Impact UTIL-1, that the water demand associated with the project would be served with available and planned water supplies provided by EBMUD.[21] Using the same formula used in the Certified EIR to calculate water demand resulting from the project, the Modified Project (with an

[21] City of San Leandro Shoreline Development Project Water Supply Assessment. Attachment A: Water Usage Analysis. May 13, 2014.

increase of 131 residential units) is estimated to generate a net water demand of 123,974 gallons per day (gpd), which is an increase of 8,174 gpd over the Original Project (115,800 gpd) (See Appendix E for the Modified Project water demand calculation). The EBMUD's 2040 Demand Study for the Water Supply Management Program 2040 includes a reference to future development within the San Leandro Marina, described as "San Leandro Marina: mix of water-oriented uses, particularly in uses which will accommodate airport-related travelers (hotels, restaurants, and conference/meeting facilities)."[22] Due to the fact that development within the San Leandro Marina has been addressed within the 2040 Demand Study, and that the description is consistent with that of the Modified Project, it is concluded that the approximately 7% increase in water demand resulting from the Modified Project does not constitute a substantial increase in water demand according to EBMUD's 2040 water demand projections.

As mentioned in the original Certified EIR, EBMUD's 2040 water demand forecasts take into account water supply projections for normal, dry, and multiple dry years, and contain policies for water recycling and conservation to further reduce water demand during dry years. In addition, General Plan Policy OSC-7.4 requires that water conservation measures are a condition of approval for major developments, which is implemented through the City's Development Review process. Thus, the Modified Project, which would be subject to the City's Development Review process, would not result in different impacts or a substantial increase in existing impacts in terms of adequate water supply servicing demand arising from project development.

The original Certified EIR detailed the existing wastewater infrastructure on the Project site and determined that the Original Project would generate approximately 100,000 to 115,800 gallons per day (gpd) of wastewater, using the conservative assumption that 100% of all water supplied to the Project site would be output as wastewater. With the projected increase in water demand described above, the Modified Project would generate an additional 8,174 gpd of wastewater. This increase remains well below the excess permitted capacity at the San Leandro Water Pollution Control Plant (SLWPCP). In addition, in 2011 the City began a project to upgrade the treatment plant to expand operational options, improve efficiency, add redundancy, and improve reliability. This project was completed in May 2016.

Additionally, like the Original Project, the Modified Project would continue to be provided with wastewater collection and treatment services from the City of San Leandro's Water Pollution Control Division using existing wastewater infrastructure at the Project site with minor expansions, upgrades to existing pump stations, and other minor modifications as needed to accommodate the increased demand for these facilities arising from Project development.

With continued compliance with applicable regulations listed below (also listed under UTIL-4 of the Certified project EIR), and taking into account the expected increase in wastewater generated by the Modified Project over the Original Project, projected wastewater generated from the Modified Project would still not exceed the wastewater treatment requirements or capacity of the San Leandro Water Pollution Control Plant, or the San Francisco RWQCB's applicable treatment requirements in Order No. R2-2012-0004 (NPDES No. CA0037869). Therefore, the wastewater treatment requirements of the San

[22] East Bay Municipal Utility District. 2020. *Appendix C.* Available online at https://www.ebmud.com/water/about-your-water/water-supply/water-supply-management-program-2040/, accessed January 25, 2020.

Francisco RWQCB would not be exceeded due to buildout of the Project, resulting in a *less than significant* impact.

Applicable Regulations:

- San Francisco RWQCB NPDES Permit (Order No. R2-2012-0004) for SLWPCP
- SWRCB Order No. 2006-0003-DWQ for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems
- SWRCB Order No. WQ 2008-0002-EXEC revising SWRCB Order No. 2006-0003-DWQ
- City of San Leandro Sewer System Management Plan
- City of San Leandro Municipal Code, Section 7-9-505, Floodplain Management - Standards for Utilities
- City of San Leandro General Plan – Infrastructure Policies 52-01 (Development Impacts); 52-02 (Fair Share Costs); 52-03 (Coordination); 52-04 (Wastewater Collection and Treatment); and 52-05 (Capacity).

The Certified EIR estimated that the Original Project would produce between 822 and 993 new jobs to the project site and approximately 970 new residents. Using the 2012 San Leandro per capita generation rates of 6.6 pounds per day (ppd) for residents and 14.9 ppd for employees, the total solid waste generated by the project's residents and workers combined would be between 18,650 and 21,198 ppd. As discussed in Section 4.11 of this addendum, the Modified Project would generate (using the same assumptions) 377 new jobs (a reduction of 616 from the Original Project) and 1329 new residents (an increase of 359 from the Original Project). Using the same solid waste generation rates used in the Certified project EIR, the Modified Project would produce 14,389 pounds of solid waste per day from the combined residential and worker populations. This constitutes a total reduction in the estimated solid waste produced by the Modified Project compared to the Original Project. Thus, the Modified Project would not result in a new impact or a substantial increase of impacts in terms of solid waste generation.

Additionally, as discussed in the Certified EIR, the City of San Leandro has complied with State requirements to reduce the volume of solid waste through recycling and reuse of solid waste. The City's per capita disposal rate is below the target rate established by CalRecycle. The City has established a Green Building Checklist to ensure compliance with mandatory CALGreen measures. The checklist must be submitted with and incorporated into the development plan sets, and any items that are marked on the checklist must then be referenced and detailed in the plans.

The General Plan includes goals, policies, actions and strategies that promote recycling, conservation, and help ensure adequate waste collection and disposal facilities are available for the residents and workers of San Leandro. Together these policies and actions help to ensure that implementation of the Modified Project is consistent with statutes and regulations related to solid waste.

Therefore, in accordance with the applicable regulations listed below (also under Util-9 in Section 4.14.3 of the Certified EIR), development of the Modified Project would comply with applicable statutes and regulations and would not result in a new impact or substantial increase of impacts concerning compliance with existing federal, state, and local statutes and regulations concerning solid waste.

Applicable Regulations:

- California Integrated Waste Management Act
- Global Warming Solutions Act of 2006, Scoping Plan
- CAL Green Building Code
- City of San Leandro Green Building Checklist
- City of San Leandro Municipal Code, Chapter 3-19, The City's Green Building Ordinance
- City of San Leandro General Plan – Policies 27-01 (Recycling) and 27-05 (Conservation Practices).

3.20 WILDFIRE

3.20.1 IMPACTS ASSOCIATED WITH THE MODIFIED PROJECT

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?					X
b) 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?					X
c) 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?					X
d) 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?					X

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Wildfire were added since those used for the Certified EIR of the Original Project.

Comments:

WILD-a, b, c, d.

The Original Project EIR was completed in 2015, before assessment of wildfire risk was required as part of all project EIRs. Because this addendum does not have a baseline determination from the original EIR to compare with the Modified Project, it evaluates the Modified Project based on the thresholds of significance outlined in the most recent CEQA guidelines, rather than evaluating the Modified Project against the determination found in the Original Project.

The State of California's Department of Forestry and Fire Protection (CAL FIRE) ranks areas within all "state-responsibility zones"—unincorporated areas in California for which the State is responsible for fire protection—by moderate, severe, and very severe fire hazard risk. This ranking system is based on fuels (vegetation type and densities), terrain (fires spread faster over steeper topography), weather (e.g. wind and precipitation), and other relevant factors. Areas in State Responsibility Zones tend to be at higher risk for wildfire since they are most often in areas with wildland-urban interface—areas on the fringes of urban development containing significant development (e.g. houses) adjacent to wild vegetation. These areas often have higher winds than urban areas due to the lack of nearby tall buildings, as well as steeper topography, which both contribute to increased fire hazard risk.

The most recent (2019) CEQA Guidelines state that the project must be evaluated using the criteria in the above table "If (the project is) located in or near state responsibility areas or lands classified as very high fire hazard severity zones." As stated in the Original Project EIR, the project site lies along the eastern margin of San Francisco Bay on the low-lying coastal plain and adjacent filled portions of the bay. The Project site is surrounded by urbanized San Leandro to the east and the San Francisco Bay to the west. Areas of high or very high fire risk in San Leandro are confined to the City's eastern hillsides on the City's easternmost edge, approximately 3.5 miles east of the project site, which is located on San Leandro's westernmost edge adjacent to the Bay. The Modified Project site is far from any Wildland-Urban Interface zones or fire hazard severity zones that are "high" or "very high" in or near San Leandro. This is true of both the Original Project and the Modified Project, which doesn't not change the boundaries or location of the Project site. Therefore, the Modified Project is determined to have *no impact* in terms of Wildfire risk.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issues	Substantial Change in Project Requiring Major EIR/MND Revisions	Substantial Change in Circumstances Requiring Major EIR/MND Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of a Subsequent EIR/MND	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	

Background:

2019 Appendix G Threshold

The CEQA Checklist Guidelines for Mandatory Findings of Significance has been updated since those used for the Certified EIR of the Original Project. The changes are detailed below:

XXI~~X~~. MANDATORY FINDINGS OF SIGNIFICANCE.

Would the project:

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community,

substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

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

Comments:

MAN-a.

Based on the preceding discussion and the Certified EIR, it has been determined that the Modified Project is consistent with the analysis of the Certified EIR. Implementation of the Modified Project would not result in a new impact or a substantial increase in magnitude of any impact related to the degradation of the environment, reduction in the habitat of a fish or wildlife species, causation of a fish or wildlife population to drop below self-sustaining levels, elimination of a plant or animal community, substantial reduction of the number or restriction of the range of a rare or endangered plant or animal or elimination of important examples of the major periods of California history or prehistory.

MAN-b.

According to the Certified EIR, the Original Project would have resulted in a *less than significant* impact related to cumulative impacts, with exception to the *significant and unavoidable* impacts from GHG Emissions. Impacts of the Original Project would have been mitigated to *less than significant* levels through Mitigation Measures AIR-2 and AIR-5 for cumulative Air Quality impacts, BIO-1A, BIO-1B, BIO-1C, BIO-3, BIO-5A, and BIO-5B for cumulative Biological Resources impacts, and GHG-1A through GHG-1F for cumulative impacts related to energy generation and conservation from Utilities and Services Systems impacts. Mitigation Measures GHG-1A through GHG-1F for cumulative GHG emissions impacts were implemented, however the impacts remained *significant and unavoidable*. Therefore, the Original Project would not have been expected to contribute to significant cumulative impacts, with exception to GHG Emissions. The Modified Project would also have *less than significant* impacts with the incorporation of the aforementioned mitigation measures found within the Certified EIR for the Original Project, with exception to those cumulative impacts found from GHG Emissions. Therefore, the Modified Project would not contribute to significant cumulative impacts, in exceedance of those identified in the Certified EIR of the Original Project, when considered along with other impacts or other reasonably foreseeable projects or when considered with the overall buildout under the City's General Plan. Therefore, implementation of the Modified Project would not result in a new impact or a substantial increase in magnitude of the impact related to cumulative impacts.

MAN-c.

As discussed in the approved Certified EIR, the Original Project would have resulted in *significant and unavoidable* impacts to GHG Emissions, Transportation, and Noise that could not be mitigated to a *less than significant* level. As discussed in the GHG Emissions, Transportation, and Noise sections of this Addendum, the Modified Project would not result in a new significant and unavoidable impact that was

not previously addressed within the Certified EIR for the Original Project. Therefore, implementation of the Modified Project would not result in a new impact or a substantial increase in magnitude of the impact related to environmental effects that would cause substantial adverse effects on human being, either directly or indirectly.

4. *List of Preparers*

City of San Leandro

Avalon Schultz, Principal Planner

Katie Bowman, Economic Development Manager

PlaceWorks

Steve Noack, Principal

Sean Anayah, Associate

Allison Giffin, Project Planner

Nicole Vermillion, Associate Principal, Air Quality and Greenhouse Gas Emissions

Josh Carman, Senior Associate, Noise, Vibration & Acoustics

John Vang, Senior Associate, Engineer

Steve Bush, Senior Associate, Engineer

Izzy Garcia, Project Planner, Noise and Vibration

Kristie Nguyen, Project Scientist

SubConsultant

Damian Stefanakis, Principal Planner, Kittelson & Associates, Inc.

Technical Appendices Available Online at:
https://www.sanleandro.org/shoreline