Exhibit A

14143-14273 Washington Avenue Warehouse Project

Draft Initial Study – Mitigated Negative Declaration

prepared by

City of San Leandro
835 East 14th Street
San Leandro, California 94577
510-577-3458
Contact: Binh Nguyen, Associate Planner

prepared with the assistance of

Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

October 2023

RINCON CONSULTANTS, INC.
Environmental Scientists | Planners | Engineers
rinconconsultants.com

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Please visit https://tinyurl.com/WashingtonAppendices for the documents below.

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Initial Study

The City of San Leandro, as the Lead Agency, prepared this Initial Study for the 14143-14273 Washington Avenue Warehouse Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et. seq.), and the regulations and policies of the City of San Leandro, California. The 14143-14273 Washington Avenue Warehouse Project (hereinafter referred to as "proposed project" or "project") would involve construction of a one-story, 52,269 square-foot warehouse structure, including a 5,000 square-feet office, and associated site improvements and landscaping.

1. Project Title

14143-14273 Washington Avenue Warehouse Project

2. Lead Agency Name and Address

City of San Leandro
835 East 14th Street
San Leandro, California 94577
510-577-3458

3. Contact Person and Phone Number

Binh Nguyen, Associate Planner
Office: 510-577-3314
Email: bnguyen@sanleandro.org

4. Project Sponsor's Name and Address

First Industrial Realty Trust
1111 Broadway, Third Floor
Oakland, California 94067
510-851-6769

5. Project Location

The project site is located on the west side of Washington Avenue, south of its intersection with 139th Avenue and north of its intersection with 143rd Avenue in San Leandro, California. The site, which totals 3.45 acres, consists of the following Assessor's Parcel Numbers:

- 77B-1222-3-3
- 77B-1222-4-3
- 77B-1222-5-3
- 77B-1222-6-15
- 77B-1222-6-17
- 77B-1222-6-18

Regional access is available to the site from Interstate 880 (I-880), located 0.6 mile west of the site; I-580, located one mile east of the site; and I-238, located one mile south of the site. Local access to the site is available from Washington Avenue via Halcyon Drive and San Leandro Boulevard. Figure 1 shows the regional location of the project site, and Figure 2 provides an aerial image of the project site in its neighborhood context.

6. General Plan Designation

The City of San Leandro 2035 General Plan designates the project site as Industrial Transition. (IT) According to the City's General Plan, the Industrial Transition designation corresponds to the IT, Industrial Transition District, and is conditionally compatible with the IG, Industrial General, CC, Commercial Community, IL, Industrial limited, and IP, Industrial Park Zoning Districts. IT areas have historically been industrial but have transitioned or may transition in the future to a more diverse mix of uses, including general commercial activities (City of San Leandro 2016a).

7. Zoning

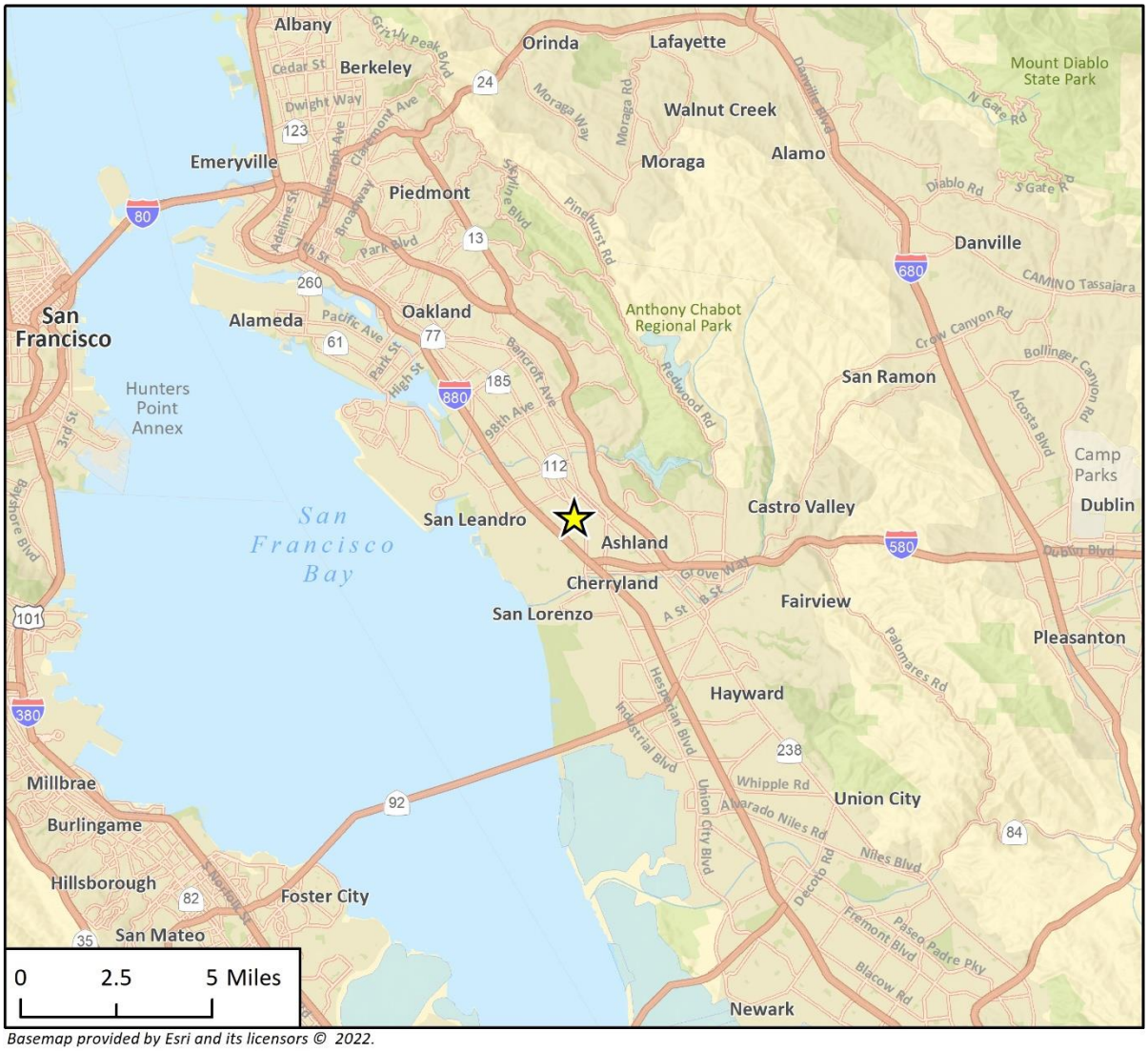
The project site is zoned as Commercial Community (CC)with an Assembly Use (AU)overlay. Pursuant to San Leandro Zoning Code (SLZC) Section 2.08.200, uses permitted in Commercial Community zones include but are not limited to business services and offices. Commercial Community zones require a minimum lot area of 10,000 square feet, a maximum building height of 50 feet, and a maximum floor area ratio (FAR) of 1.0, and a minimum landscaped area of 10 percent, among other requirements. The Assembly Use overlay applied to the project site allows for assembly uses, including but not limited to union halls, social clubs, and youth centers, on a conditional basis. This area was rezone from industrial to commercial in the late 1990s, with the vision that the southern portion of Washington Ave would become a commercial gateway into the City. However, due to the strong economy of the industrial businesses, few commercial developments have occurred.

8. Surrounding Land Uses and Setting

The project site is located within a developed commercial and light industrial area. Surrounding land uses include outdoor landscaping suppliers to the north; commercial, storage, and automobile repair shops to the east; a home supply store to the south; and the City Public Works Department and warehouses to the west. Union Pacific railroad tracks border the site to the west. The nearest residential areas are located approximately 500 feet southwest and 1,000 feet east of the project site.

The project site was previously developed with several structures, including a recreational vehicle rental and storage facility, an ironwork shop, and two single-family residences, both of which were used as part of an ironworks business. However, these structures were destroyed in a structural fire in August 2022, and the site is currently vacant. Demolition of the remaining structures was undertaken by the City under emergency safety permits; therefore, demolition is not part of the proposed project. There are 23 trees on site, and the site is relatively flat with an elevation of approximately 40 feet. Photographs of existing conditions on the project site are shown in Figure 3.

Figure 1 Regional Location



Basemap provided by Esri and its licensors © 2022.

Project Location

N

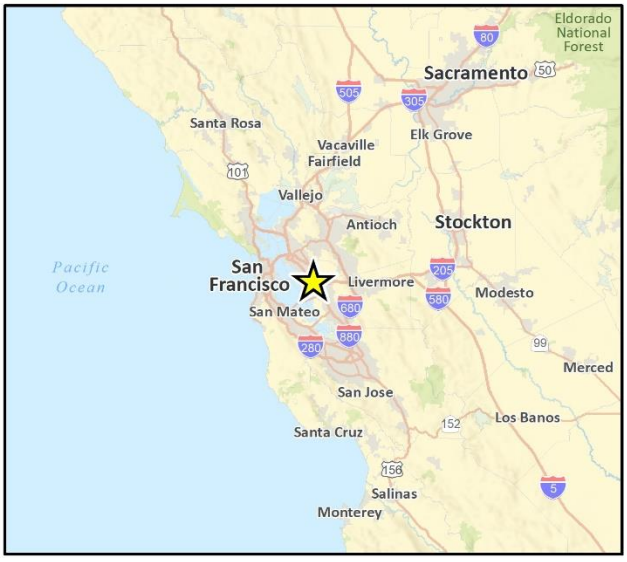


Figure 2 Project Site

Imagery provided by Microsoft Bing and its licensors © 2023.

22-12761 EPS
Fig 2 Project Location

Figure 3 Site Photographs

Photograph 1. Interior of the northern portion of the site looking west from site frontage on Washington Avenue.

Photograph 2. Interior of the southern portion of the site looking south from site frontage on Washington Avenue

Photograph 3. Interior of the central portion of the site looking northwest from site frontage on Washington Avenue

Photograph 4. Interior of the site looking southwest from site frontage on Washington Avenue

9. Project Description

The project is a speculative development construction of a one-story, 52,269 square-foot warehouse structure with 15 truck bays for truck parking, which would include up to 5,000 square feet of office space. The project would also include construction of a surface parking lot with 64 vehicle parking spaces,14 bicycle parking spaces, as well as on-site landscaping. Figure 4 shows the proposed site plan, and Figure 5 shows the proposed elevations from each direction.

The project would require a lot line adjustment (merger) to create a single lot. The project would also require a rezone from Commercial Community, Assembly Use Overlay (CC (AU)) to Industrial General (IG). The proposed warehouse would be 47 feet in height, which would exceed the height limit of 35 feet for IG Districts. Pursuant to SLZC Section 2.12.312, a maximum building height of 50 feet in the IG District may be approved by the Zoning Enforcement Official.

The structure's interior area would consist primarily of warehouse space, with the proposed office space, an electrical room, and a fire pump room located at the northern end of the structure. The west side of the structure would have 15 dock doors for vehicle shipping and receiving access. The structure would be surrounded by 26-foot wide internal drive aisles and parking to the north and south, with vehicle maneuvering space provided to the west. Two drive-in doors would also be provided along the dock doors on the structure's west side. A trash enclosure would be located on the western side of the structure.

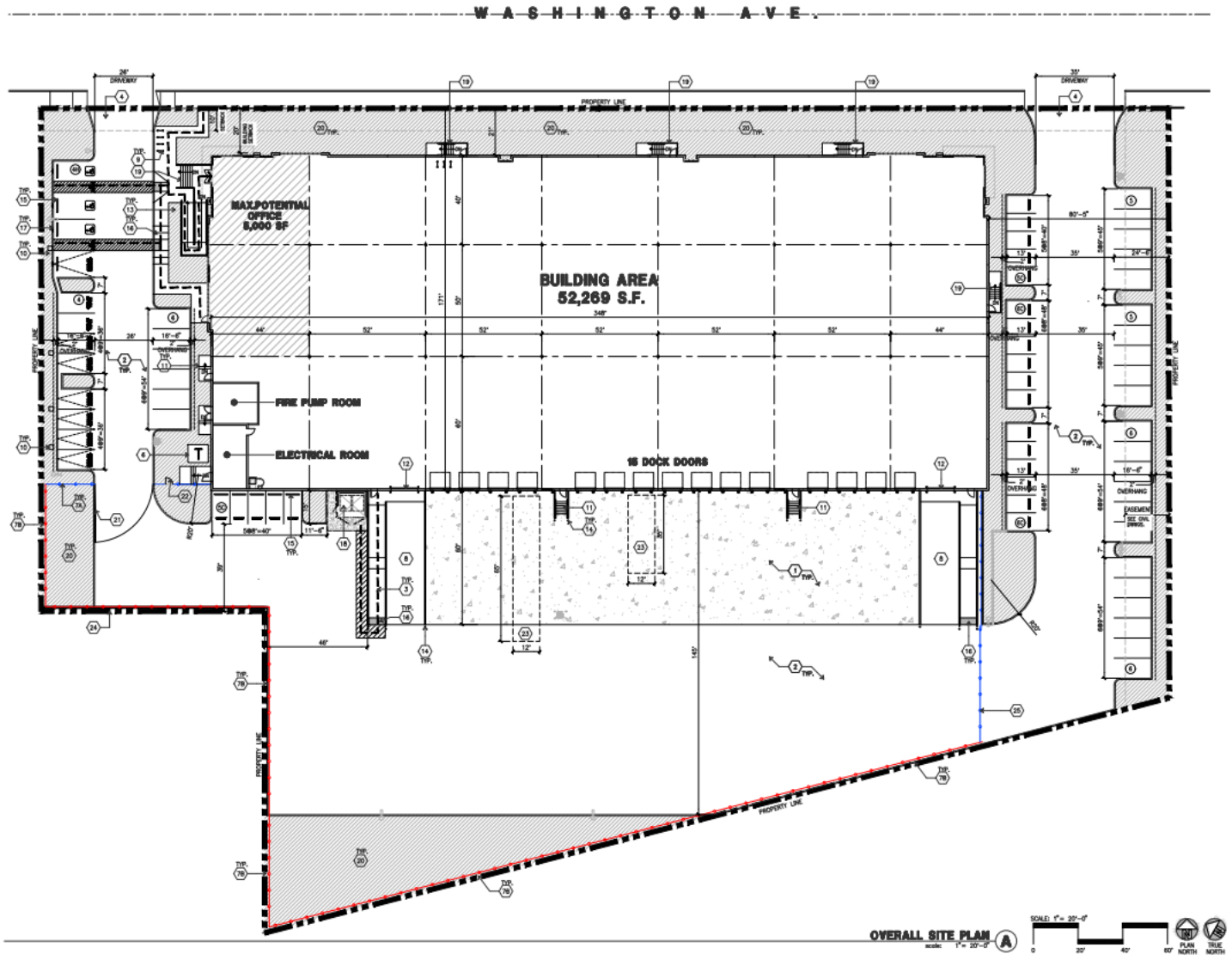
Materials for the exterior of the structure would include concrete painted off-white and beige neutral colors, with wood paneling and windows located on the northern and southern faces of the structure. Windows would be treated with grey glazing and set in black metal trim. Wall-mounted and pole light fixtures would be located on the structure's exterior and in the parking areas to provide nighttime lighting. A final photometric plan would be required at the building permit stage and the project would be conditioned to meet the applicable provisions of SLZC Section 4.08.156, *Lighting.*

Landscaping and Open Space

There are 23 trees on the project site. Demolition and site preparation would include the removal of 10 trees. Of the 10 trees to be removed, eight trees are located within the proposed construction footprint and two trees are located within the proposed parking and driveway areas. Trees to be removed would include coast redwoods, valley oaks, ginkgo, loquat, and Victorian box trees. None of these trees are street trees and thus, would not be subject to SLMC Chapter 5-2 (Appendix A). As part of the proposed site landscaping, the project would involve planting 12 trees along the site's frontage with Washington Avenue and 17 trees within the parking areas of the project site.

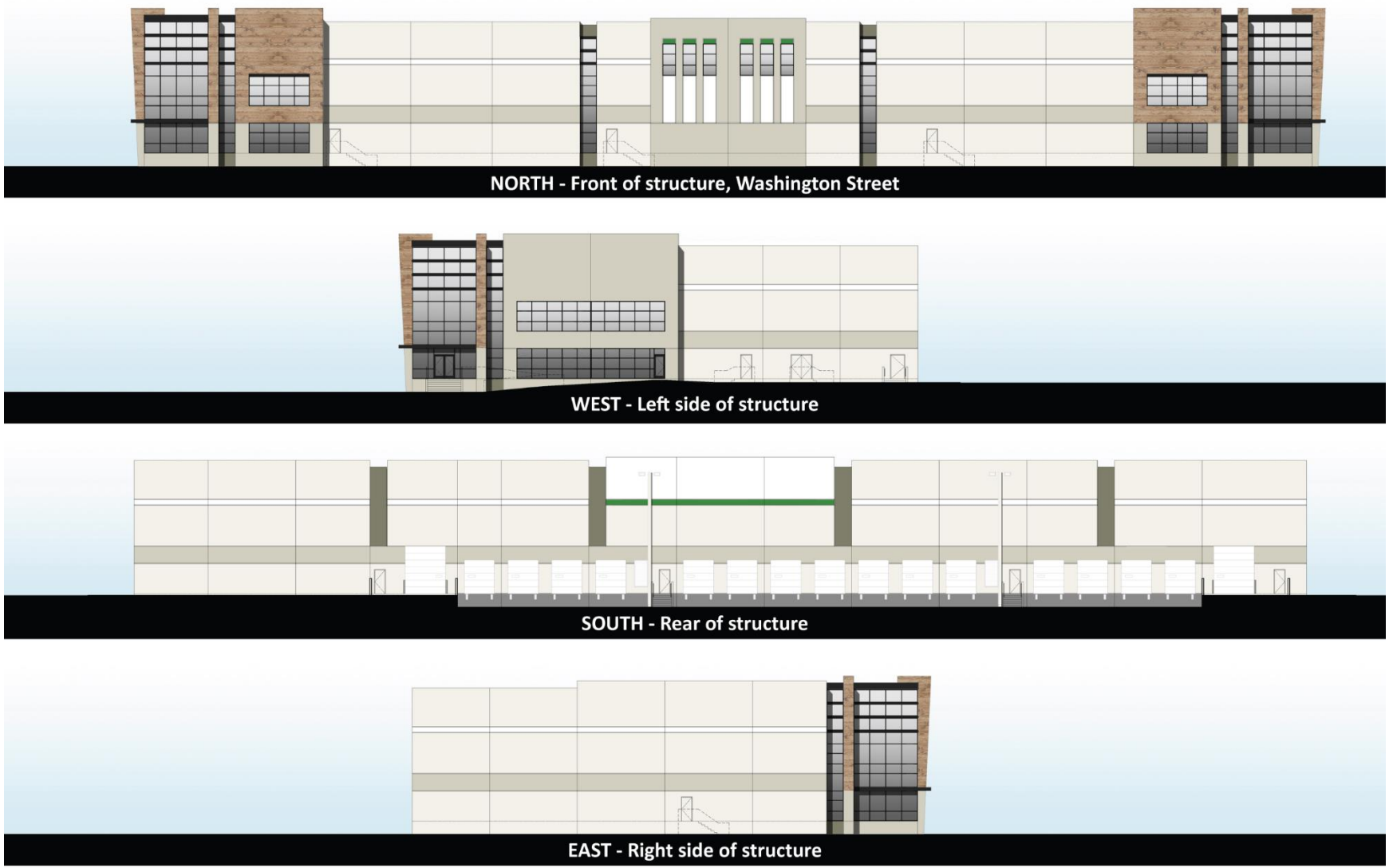
Landscaping for the project would consist of trees, shrubs, grasses, and groundcover plants along the perimeter of the project site, around the proposed warehouse structure, and a maintained area along the western boundary of the project site. Approximately 15 percent of the site's area, or approximately 21,000 square feet, would include landscaping that would comply with the State's Model Water Efficient Landscape Ordinance (MWELO) and bioswales that would help with stormwater treatment.

Figure 4 Proposed Site Plan



Source: First Industrial Realty Trust 2022

Figure 5 Proposed Structure Elevations



Source: HPA Architecture, 07/22/21.

Site Access, Circulation, and Parking

Vehicle access to the project site would be available via two existing two-way driveways on Washington Avenue, located in the southeast and northeast corners of the project site, respectively. Pedestrian access to the project site would be provided via concrete sidewalks along all sides of the proposed structure, except alongside the 15 dock doors. These sidewalks would lead to exterior stairwells and entryways. Pedestrian access to the warehouse would be provided via seven pedestrian doors; three located on the structure's north side, three on the structure's eastern side along Washington Avenue, and one located on the structure's south side. Two doors, separated from the project site driveway by a fence, would provide exterior access to the electrical room and the fire pump room. Pedestrian entrances to the structure would be above grade and accessible via concrete stairways.

The proposed project would be required to provide 49 vehicle parking spaces and 13 bicycle parking spaces pursuant to the SLZC. A total of 64 vehicle parking spaces would be provided and 14 bicycle parking spaces would be provided. Parking provided would exceed the requirement for off street parking and loading for manufacturing and warehouse facilities, located along the northern, southern, and western sides of the proposed warehouse structure. Three accessible parking spaces, seven electric vehicle charging spaces, and one clean air vehicle space would be located on the northern side of the project site. Remaining parking spaces would consist of 31 standard vehicle and 22 compact vehicle spaces. The drive aisle from each driveway on Washington Avenue would allow vehicles to access a paved area in the western portion of the site, which would provide vehicle maneuvering space adjacent to the 15 dock doors. There would be 14 bicycle parking spaces located on the northern end of the proposed warehouse structure.

Table 1 provides a summary of parking to be provided on the project site.

Table 1 Parking Summary

Parking	Number of Stalls
Vehicle	**64**
Standard	31
Compact	22
Accessible	3
Electric Vehicle – regular	7
Clean Air Vehicle	1
Loading space	2
Bicycle	**14**
Short-term	6
Long-term	8

Source: First Industrial Realty Trust 2022

Green Building Features

Construction of the project would incorporate several green building features. The project would utilize energy efficient LED lighting and controls that would exceed the requirements of Title 24 of the California Energy Commission's Building Energy Efficiency Standards, as well as City energy efficiency requirements. Plumbing fixtures used for the proposed project would be high-efficiency fixtures, which would minimize the potential inefficient or wasteful consumption of energy related to water and wastewater. The project would not use natural gas in accordance with City of San Leandro reach codes effective as of January 2023.

Utilities and Public Services

Water would be provided to the project site by the East Bay Municipal Utility District and the applicant was provided a Will Serve Letter from EBMUD on October 7, 2021. Wastewater treatment for the project site would be served by the Oro Loma Sanitary District (OLSD). The City of San Leandro Department of Public Works owns and maintains 175 miles of storm drain conduits throughout the city. The project would continue to connect to the existing storm drain system operated and maintained by the City of San Leandro. Stormwater from the project site drains west to Washington Avenue, where it is collected by storm drains into the City's stormwater system. Electricity would be provided to the project site by East Bay Community Energy (EBCE) via Pacific Gas and Electric Company (PG&E) infrastructure, and the project would occasionally involve use of a 500 horsepower backup generator. Infrastructure capable of supporting electric and telecommunications is present at the project site and in the project vicinity. The project site would be served by existing public services within the city. The Alameda County Fire Department (ACFD) would provide fire protection and emergency medical service to the project site. The San Leandro Police Department (SLPD) would provide law enforcement services to the project site.

10. Site Preparation and Construction

Site preparation would include demolition of paving and other onsite features as well as grading. Construction activities would include construction, paving, and architectural coating. Construction is anticipated to begin in early 2024 and would be completed in spring 2025. Pursuant to Section 4-1.1115 of SLMC, construction would occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 8:00 a.m. and 7:00 p.m. on Saturday and Sunday. Table 2 below describes the estimated site preparation and construction schedule, which is based on data provided in the Air Quality and Greenhouse Gas Emissions Impacts Report prepared by FirstCarbon Solutions (Appendix B).

Table 2 Projected Site Preparation and Construction Timeline

Stage	Start Date	End Date
Demolition	January 2024	February 2024
Site Preparation	February 2024	March 2024
Grading	February 2024	March 2024
Building Construction	February 2024	January 2025
Paving	January 2025	February 2025
Architectural Coating	February 2025	March 2025

11. City of San Leandro Permits and Approvals Required

The following permits and approvals are required from the City of San Leandro prior to project construction:

- Lot Line Adjustment (lot merger)
- Site Plan Review
- Conditional Use Permit
- Building Height Adjustment
- Building Permit
- Rezoning from CC (AU), Commercial Community, Assembly Use Overlay, to Industrial General

12. Other Public Agencies Whose Approval is Required

The proposed project does not require the discretionary approval of any other public agency except for the City of San Leandro.

13. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

No California Native American Tribes have requested notification of new development within San Leandro. On June 7, 2022, the City of San Leandro, pursuant to Public Resources 21080.3.1 and AB 52, sent via email and a certified mail notification letter regarding the proposed project to the following tribes:

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Costanoan Rumsen Carmel Tribe
- Indian Canyon Mutsun Band of Costanoan
- Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- The Ohlone Indian Tribe
- Wuksache Indian Tribe/Eshom Valley Band
- The Confederated Villages of Lisjan Nation
- North Valley Yokuts Tribe

Additional information regarding consultation is included in Environmental Checklist Section 18, *Tribal Cultural Resources.*

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

□	Aesthetics	□	Agriculture and Forestry Resources	■	Air Quality
■	Biological Resources	■	Cultural Resources	□	Energy
■	Geology and Soils	□	Greenhouse Gas Emissions	■	Hazards and Hazardous Materials
□	Hydrology and Water Quality	□	Land Use and Planning	□	Mineral Resources
□	Noise	□	Population and Housing	□	Public Services
□	Recreation	□	Transportation	■	Tribal Cultural Resources
□	Utilities and Service Systems	□	Wildfire	□	Mandatory Findings of Significance

Determination

Based on this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

■ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "less than significant with mitigation incorporated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☒ I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	3 October 2023
Signature	Date
Binh Nguyen	Associate Planner
Printed Name	Title

Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, 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. 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?	□	□	■	□
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	□	□	■	□

Setting

The site is currently vacant but mostly paved. Surrounding land uses include commercial and light industrial structures of one to two stories and outdoor storage of materials. The surrounding landscape includes street trees, landscaped areas around commercial and industrial development, and ruderal vegetation.

The nearest officially designated or eligible State Scenic Highway is Interstate 580 (I-580), which is officially designated as a State Scenic Highway north of San Leandro Creek and eligible for designation south of San Leandro Creek (California Department of Transportation [Caltrans] 2018). The project site is approximately 1.75 miles southeast of the officially designated portion and approximately 1 mile east of the eligible portion at their closest points.

Regulatory Setting

San Leandro 2035 General Plan

The following Land Use Element policy of the San Leandro 2035 General Plan describes the intended aesthetic vision for the Washington corridor.

LAND USE ELEMENT

Policy LU-8.5: Maintain areas in the City that are appropriate for lumberyards, construction suppliers, automotive repair shops, and other commercial uses that are industrial in character or that are typically located in industrial areas. While development standards in these areas should respect the operational characteristics of these uses, they should still promote aesthetic improvements, adequate buffering for nearby uses, traffic safety, and a more positive visual image.

San Leandro Zoning Code

While the project site is currently zoned as Commercial Community, Assembly Use Overlay, the project would involve rezoning the site to Industrial General. San Leandro Zoning Code (SLZC) establishes use and development regulations for industrial districts. These regulations are summarized below in Table 3.

Table 3 Industrial General Development Regulations

Feature	Requirement
Minimum Lot Area	5,000 square feet
Minimum Lot Width	50 feet
Minimum Setback	20 feet (required for structures over 40 feet in height)
Maximum Height	Up to 50 feet with approval by the Zoning Enforcement Official
Maximum Lot Coverage	75%, Floor Area Ratio (FAR) of 1.0
Minimum Site Landscaping	5%

The following section of SLZC would also be applicable to the project.

Section 4.08.156 **Lighting**. Outdoor lighting in a landscaped parking area shall not employ a light source higher than 12 feet. Outdoor parking area lighting shall create no cone of direct illumination greater than 60 degrees from a light source higher than six feet and shall not directly shine onto an adjacent street. Maximum illumination at ground level shall be three foot candles and shall not exceed one-half foot candles in an R district.

Impact Analysis

a. Would the project have a substantial adverse effect on a scenic vista?

A scenic vista is usually defined as a panoramic view from an elevated position or a long-range view from a public vantage point. This can include views of natural features or of the built environment, when architecture and landscaped boulevards offer high-value views of an area considered important to the sense of place.

The San Leandro 2035 General Plan does not formally recognize specific scenic vistas in the city. However, the General Plan does designate scenic views, which the City has identified as aesthetic priorities that contribute to a sense of place. These scenic views include long-range views of the San Francisco Bay to the west and views of hills above I-580 to the east. Due to intervening development and distance, there are no views of the San Francisco Bay from the project site. Intermittent views of the hills above I-580 to the west are visible from the project site; however, these views are to the west from public viewpoints along Washington Avenue and would not be affected by the project, which is on the east side of the street. The proposed warehouse structure would not substantially alter views of these scenic views, the surrounding built environment, or distant scenic features. Therefore, the project would not result in a substantial adverse effect on a scenic vista, and there would be no impact.

NO IMPACT

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

I-580 is a designated State Scenic Highway north of San Leandro Creek and eligible for designation south of San Leandro Creek (Caltrans 2018). Due to intervening development and distance, the project site is not visible from either highway segment. Therefore, implementation of the project would have no effect on scenic resources in view of a State Scenic Highway. There would be no impact.

NO IMPACT

c. Would the project 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?

The project site is a vacant property in an urbanized area, surrounded by automobile repair shops to the north; commercial, storage, and automobile repair shops to the east; a home supply store to the south; and the City Public Works Department and warehouses to the west. Table 4 and Table 5 below show policies and standards from the City's General Plan and the SLZC that govern scenic quality and demonstrates the project's consistency with both.

Table 4 Project Consistency with General Plan and Municipal Code

Policy/Standard	Project Consistency
City of San Leandro 2035 General Plan	
Policy LU-8.5. Maintain areas in the City that are appropriate for lumberyards, construction suppliers, automotive repair shops, and other commercial uses that are industrial in character or that are typically located in industrial areas. While development standards in these areas should respect the operational characteristics of these uses, they should still promote aesthetic improvements, adequate buffering for nearby uses, traffic safety, and a more positive visual image.	**Consistent.** The project would involve construction and operation of a warehouse structure. Existing land uses surrounding the project site include warehouses, automotive repair shops, and home supply stores. Therefore, the proposed warehouse would be consistent with the existing commercial and industrial character of the project site surroundings. Additionally, as described in the *Project Description,* the proposed warehouse's exterior would include concrete painted off-white and beige neutral colors, wood paneling, and metal trim, which would result in aesthetic improvements compared to existing conditions and promote a positive visual image in the project area. Therefore, the project would be consistent with this policy.

Source: City of San Leandro 2016a;; First Industrial Realty Trust 2022

The project would involve rezoning the project site from Commercial Community, Assembly Use Overlay to Industrial General, and a lot line adjustment to combine all parcels into a single lot. Table 5 below demonstrates that the proposed project would be in compliance with Industrial General standards, specifically those that regulate scale and massing, pursuant to SLZC Section 2.12.300. Compliance with these standards would ensure that the scale and massing of the proposed project would be limited as required by the SLZC, which would affect the visual character of the project consistent with the City's vision for the area and would ensure that the project would be designed to be visually compatible with the surrounding area.

Table 5 Project Consistency with City Zoning Requirements

Feature	Zoning Requirements	Proposed Warehouse Feature[1]
Minimum Lot Area	5,000 square feet	146,000 square feet
Minimum Lot Width	50 feet	300 feet
Minimum Setback	20 feet (required for structures over 40 feet in height)	20 feet
Maximum Height	Up to 50 feet with Zoning Enforcement Official approval	47 feet[2]
Maximum Lot Coverage	75%, Floor Area Ratio (FAR) of up to 1.0	34.7%, FAR of 0.34
Minimum Site Landscaping	5%	15.4%

[1] Feature with all three lots combined

[2] Would require approval from City zoning enforcement official

As shown above, the project would be consistent with applicable San Leandro General Plan policies and standards related to aesthetics. The project would either comply with applicable SLZC standards or receive approval from the City to exceed lighting and building height requirements. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

The project site is in an urban area with moderate levels of existing lighting. Lighting sources around the project site include wall-mounted security lights on adjacent buildings, streetlights on Washington Avenue, and lights from vehicles on Washington Avenue or in surrounding parking lots. The primary source of glare in the area is sunlight reflected off light-colored and reflective building materials and finishes, and metallic and glass surfaces of vehicles parked in parking lots adjacent to or across the street from the project site.

The proposed warehouse structure would include windows on its exteriors, which would be treated with grey glazing to reduce reflectivity. Glare from sunlight generally occurs on the east side of buildings in the morning and west side in the afternoon. The proposed building would be located along the west of Washington Avenue which runs north to south and would likely not create substantial sun reflection to drivers in the morning or afternoon because drivers would not be directly facing the east or west sides of the buildings. Additionally, the north, east, and west sides of the building would be partially blocked by proposed landscaping along the northern, eastern, and western perimeters of the project site. Further, the project would be located in a commercial area with existing sources of light and reflection and would not adversely affect daytime views of the area. The project would be required to comply with applicable provisions of SLZC Section 4.08.156, Lighting, which would be reflected in the conditions of approval. The project site is in an area already developed with commercial and light industrial uses, including existing warehouses, a home supply store, and an outdoor landscaping supplier. Additional nighttime lighting at the project site would be consistent with surrounding land uses. Further, the nearest residences to the project site (approximately 500 feet southwest and 1,000 feet east) are separated by intervening development and privacy fences; therefore, nighttime lighting would not be substantially visible from the nearest residences, and there are no parks or similar recreational or gathering spaces adjacent. The project would not substantially alter conditions in the vicinity. Therefore, impacts related to project light and glare would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	■
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))?	☐	☐	☐	■
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
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?	☐	☐	☐	■

Setting

The project site is located within an urban area of San Leandro. The site was previously developed and is zoned for Commercial Community, Assembly Use Overlay.

The California Department of Conservation (DOC) manages the Farmland Mapping and Monitoring Program to assess and record suitability of land for agricultural purposes. In each county, the land is analyzed for soil and irrigation quality. The highest quality land is designated as Prime Farmland. According to the Alameda County Important Farmland Map prepared by the DOC, the project site and vicinity are designated as Urban and Built-Up Land and the site does not have any identified agriculture or forest land (DOC 2016).

Regulatory Setting

The DOC's Farmland Mapping and Monitoring Program (FMMP) monitors the conversion of the State's farmland to and from agricultural use. County-level data is collected, and a series of maps are prepared that identify eight classifications and uses based on a minimum mapping unit size of 10 acres. The program also produces a biennial report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of State agricultural land and updates the Important Farmland Series Maps every two years. The FMMP is an informational service only and does not constitute State regulation of local land use decisions. Agricultural land is rated according to several variables, including soil quality and irrigation status with Prime Farmland being considered the most optimal for farming practices. Other FMMP designations include Farmland of Local Importance, Grazing Land, and Water.

Land Conservation Act

Better known as the "Williamson Act" (California Administrative Code Section 51200 et seq.), the California Land Conservation Act of 1965 creates a legal arrangement whereby private landowners' contract with local governments to voluntarily restrict land to agricultural and open space uses, protecting it from unnecessary or premature conversion to urban uses. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use rather than potential market value, which saves landowners from 20 percent to 75 percent in property tax liability each year.

Generally, Williamson Act contracts have an initial term of ten years, with renewal occurring automatically each year thereafter. The contracts run with the land and are binding on all succeeding landowners. Land must be in an agricultural preserve to enter into a Williamson Act contract. Agricultural preserves under Williamson Act contract contain at least 100 contiguous acres of agricultural land unless specific findings are made.

Non-renewal initiations are requested either by the landowner or the local government and are often filed in anticipation of converting farmland to other uses. Most contracted land is terminated through non-renewal. Upon the expiration of the contract, the restrictions are removed and the property tax assessment, which had been gradually increasing over the previous nine-year non-renewal period, returns to full market value.

To characterize the environmental baseline for agricultural resources, Important Farmland Maps produced by the DOC were reviewed. Unless otherwise expressed, the future use of "Important Farmland" specifically includes the following definitions provided by the DOC:

- **Prime Farmland:** Land which has the best combination of physical and chemical characteristics for producing crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming standards.
- **Unique Farmland:** Land of lesser quality soils used for the production of specific high economic value crops. It has the special combination of soil quality, location, growing season and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of crops include oranges, olives, avocados, rice, grapes and cut flowers.

- **Farmland of Local Importance:** Land of importance to the local agricultural economy as determined by each county's board of supervisors following recommendations by a local advisory committee.

PRC Section 12220(g) defines forest land as:

> land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

PRC Section 4526 defines timberland as:

> land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

Government Code Section 51104(g) defines a timberland production zone as:

> an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

Impact Analysis

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project site is not designated as, is not adjacent to, and is not proximate to lands classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown by maps prepared by the DOC's Farmland Mapping and Monitoring Program maps (DOC 2016a). The rezone of the project site from Commercial Community, Assembly Use Overlay to Industrial General would not result in the rezone of an agricultural use to a non-agricultural use. The project would only modify the project site; therefore, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by project implementation and no impact would occur.

NO IMPACT

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

The project site and surrounding areas are not subject to Williamson Act contracts (DOC 2016b). The project would only involve construction and modification at the project site, an industrial site. The rezone of the project site from Commercial Community, Assembly Use Overlay to Industrial General would not result in the rezone of an agricultural use or Williamson Act contract land to a non-agricultural use. Therefore, no Williamson Act contracts would be affected by project implementation and no impact would occur.

NO IMPACT

c. Would the project 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))?

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

The project site does not currently provide forest and timber resources and would not be used for forest and timber resources. While some landscaping trees are present on the industrial project site, the site itself is not considered forest or timberland (California Department of Fish and Wildlife 2021). As such, the project would not convert forest or timberland uses, and no impact would occur.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	□	□	■	□
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?	□	■	□	□
c. Expose sensitive receptors to substantial pollutant concentrations?	□	□	■	□
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	□	□	■	□

Information in this section is based on the Air Quality and Greenhouse Gas Emissions Impacts Report prepared for the project by FirstCarbon Solutions in August 2022. This report was peer reviewed by Rincon Consultants in October 2022, and FirstCarbon Solutions prepared a revised report in April 2023. Rincon Consultants also prepared updated air quality modeling in September 2023. The revised Air Quality and Greenhouse Gas Emissions Impacts Report, peer review memorandum, and updated air quality modeling are included as Appendix B.

Overview of Air Pollution

The federal and State Clean Air Acts (CAA) mandate the control and reduction of certain air pollutants. Under these laws, the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for "criteria pollutants" and other pollutants. Some pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere, including carbon monoxide, volatile organic compounds (VOC)/reactive organic gases (ROG),[1] nitrogen oxides (NO_X), particulate matter with diameters of ten microns or less (PM_{10}) and 2.5 microns or less ($PM_{2.5}$), sulfur dioxide, and lead. Other pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between ROG and NO_X. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog).

[1] CARB defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term ROG is used in this IS-MND.

Air pollutant emissions are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories:

- Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat.
- Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products.

Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and can also be divided into two major subcategories:

- On-road sources that may be legally operated on roadways and highways.
- Off-road sources include aircraft, ships, trains, and self-propelled construction equipment.

Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

Toxic Air Contaminants

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about $1/70^{th}$ the diameter of a human hair) and thus is a subset of $PM_{2.5}$. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (CARB 2022).

TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health.

TACs include both organic and inorganic chemical substances. While DPM is a main source, TACs may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. People exposed to toxic air pollutants at sufficient concentrations and durations may have an increased chance of developing cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems (USEPA 2020).

Regulatory Setting

California Clean Air Act

The California CAA, signed into law in 1988, requires all areas of the State to achieve and maintain the CAAQS by the earliest practical date. CARB is the State air pollution control agency and is a part

of CalEPA. CARB is the agency responsible for coordination and oversight of State and local air pollution control programs in California, and for implementing the requirements of the California CAA. CARB overseas local district compliance with federal and California laws, approves local air quality plans, submits the State implementation plans to the U.S. EPA, monitors air quality, determines and updates area designations and maps, and sets emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

Air Quality Standards and Attainment

The project site is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). BAAQMD has jurisdiction over much of the nine-county Bay Area, including Alameda County. As the local air quality management agency, BAAQMD is required to monitor air pollutant levels to ensure that the NAAQS and CAAQS are met and, if they are not met, to develop strategies to meet the standards. Depending on whether the standards are met or exceeded, the SFBAAB is classified as being in "attainment" or "nonattainment." In areas designated as non-attainment for one or more air pollutants, a cumulative air quality impact exists for those air pollutants, and the human health impacts associated with these criteria pollutants, presented in Table 6, are already occurring in that area as part of the environmental baseline condition.

Under state law, air districts are required to prepare a plan for air quality improvement for pollutants for which the district is in non-compliance. The SFBAAB is designated a nonattainment area for the federal 8-hour ozone standard, federal $PM_{2.5}$ annual and 24-hour standards, state 8-hour and 1-hour ozone standards, state PM_{10} annual and 24-hour standards, and the state $PM_{2.5}$ annual standard (BAAQMD 2022). This nonattainment status is a result of several factors, such as mobile sources, wood burning, industrial combustion, and dust, in the SFBAAB.

Table 6 Health Effects Associated with Non-Attainment Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Suspended particulate matter (PM_{10})	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma).[1]
Suspended particulate matter ($PM_{2.5}$)	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma.

Source: United States Environmental Protection Agency 2021

California Low-Emission Vehicle Program

CARB first adopted Low-Emission Vehicle (LEV) program standards in 1990. These first LEV standards ran from 1994 through 2003. LEV II regulations, running from 2004 through 2010, represent continuing progress in emission reductions. As the State's passenger vehicle fleet continues to grow and more sport utility vehicles and pickup trucks are used as passenger cars rather than work vehicles, the more stringent LEV II standards were adopted to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 SIP. In 2012, CARB adopted the LEV III amendments to California's LEV regulations. These amendments, also known as the Advanced Clean Car Program, include more stringent emission standards for model years 2017 through 2025 for both criteria pollutants and greenhouse gas (GHG) emissions for new passenger vehicles.

California On-Road Heavy-Duty Vehicle Program

CARB has adopted standards for emissions from various types of new on-road heavy-duty vehicles. Section 1956.8, Title 13, California Code of Regulations contains California's emission standards for on-road heavy-duty engines and vehicles, and test procedures. CARB has also adopted programs to reduce emissions from in-use heavy-duty vehicles including the Heavy-Duty Diesel Vehicle Idling Reduction Program, the Heavy-Duty Diesel In-Use Compliance Program, the Public Bus Fleet Rule and Engine Standards, and the School Bus Program and others.

Verified Diesel Emission Control Strategies

USEPA and CARB tiered off-road emission standards only apply to new engines and off-road equipment can last several years. CARB has developed Verified Diesel Emission Control Strategies (VDECS), which are devices, systems, or strategies used to achieve the highest level of pollution control from existing off-road vehicles, to help reduce emissions from existing engines. VDECS are designed primarily for the reduction of diesel PM emissions and have been verified by CARB. There are three levels of VDECS, the most effective of which is the Level 3 VDECS. Tier 4 engines are not required to install VDECS because they already meet the emissions standards for lower tiered equipment with installed controls.

California Diesel Risk Reduction Plan

CARB Diesel Risk Reduction Plan has led to the adoption of new state regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles to reduce DPM emissions by about 90 percent overall from year 2000 levels. The projected emission benefits associated with the full implementation of this plan, including federal measures, are reductions in DPM emissions and associated cancer risks of 75 percent by 2010, and 85 percent by 2020.

Tanner Air Toxics Act and Air Toxics Hot Spots Information and Assessment Act

Toxic Air Contaminants (TACs) in California are primarily regulated through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588), also known as the Hot Spots Act. To date, CARB has identified more than 21 TACs and has adopted the USEPA list of Hazardous Air Pollutants (HAPs) as TACs.

Air Quality Management

Because the SFBAAB currently exceeds the federal ozone and $PM_{2.5}$ standards and the state ozone, PM_{10}, and $PM_{2.5}$ standards, BAAQMD is required to implement strategies to reduce pollutant levels to achieve attainment of the NAAQS and CAAQS. BAAQMD adopted the 2017 Clean Air Plan (2017 Plan) as an update to the 2010 Clean Air Plan. The 2017 Plan provides a regional strategy to protect public health and the climate. Consistent with the greenhouse gas (GHG) reduction targets adopted by the state, the 2017 Plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. To fulfill state ozone planning requirements, the 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors (ROG and NO_X) and reduce transport of ozone and its precursors to neighboring air basins. In addition, the 2017 Plan builds upon and enhances BAAQMD's efforts to reduce emissions of fine particulate matter and toxic air contaminants (TAC) (BAAQMD 2017).

Sensitive receptors are facilities or land uses that include members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. According to BAAQMD, sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals and residential areas (BAAQMD 2017). The nearest sensitive receivers are residences approximately 500 feet southwest and 1,000 feet east of the project site.

City of San Leandro General Plan

The current City of San Leandro General Plan contains objectives and policies that minimize air pollutant emissions and reduce population exposed to significant health risk. The following objectives and policies from the City's General Plan are relevant to air quality and apply to the project:

Policy EH-3.3: **Land Use Compatibility.** Discourage new uses with potential adverse air quality impacts, including the mission of toxic air contaminants and fine particulates, near residential neighborhoods, schools, hospitals, nursing homes, and other locations where public health could potentially be affected.

Policy EH-3.4: **Design, Construction, and Operation.** Require new development to be designed and constructed in a way that reduces the potential for future air quality problems, such as odors and the emission of any and all air pollutants. This should be done by:

a) Requiring construction and grading practices that minimize airborne dust and particulate matter;

b) Ensuring that best available control technology is used for operations that could generate air pollutants;

c) Encouraging energy conservation and low-polluting energy sources;

d) Promoting landscaping and tree planting to absorb carbon monoxide and other pollutants;

e) Implementing the complementary strategies to reduce greenhouse gases identified in the Climate Action Plan.

Policy EH-5.4: **Separation from Sensitive Uses.** Provide adequate and safe separation between areas where hazardous materials are present and sensitive uses such as schools, residences, and public facilities. Zoning and other development regulations should include performance standards to avoid safety hazards and achieve compatibility between uses.

Policy LU-10.2: **Off-Site Impacts.** Consider the setting and context of each site when evaluating proposals for development in industrial areas. The potential for impacts on adjacent uses, including the potential for land use conflicts and increased parking demand and truck traffic, should be a key consideration.

Significance Thresholds

The BAAQMD has adopted guidelines for quantifying and determining the significance of air quality emissions in its *California Environmental Quality Act Air Quality Guidelines* (BAAQMD 2022). BAAQMD recommends that lead agencies determine appropriate air quality emissions thresholds of significance based on substantial evidence in the record. BAAQMD's significance thresholds in the updated 2022 *CEQA Air Quality Guidelines* for project operations within the SFBAAB are the most appropriate thresholds for use in determining air quality impacts of the project. BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant air quality impacts.

Table 7 presents the significance thresholds for construction and operational-related criteria air pollutant and precursor emissions used for the purposes of this analysis. These represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB existing air quality conditions. For the purposes of this analysis, the project would result in a significant impact if construction or operational emissions would exceed any of the thresholds shown in Table 7.

Table 7 Criteria Air Pollutant Significance Thresholds

	Construction Thresholds	Operational Thresholds	
Pollutant	Average Daily Emissions (lbs/day)	Average Daily Emissions (lbs/day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO_X	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

OG = reactive organic gases, NO_X = nitrogen oxides, PM_{10} = particulate matter 10 microns in diameter or less, $PM_{2.5}$ = particulate matter 2.5 microns in diameter or less; lbs/day = pounds per day, BAAQMD = Bay Area Air Quality Management District

Source: BAAQMD 2022

BAAQMD maintains rules and regulations to regulate sources of air pollution. Applicable rules and regulations are listed below. Additionally, BAAQMD does not have quantitative thresholds for fugitive dust emissions during construction. Instead, BAAQMD recommends Best Management Practices (BMPs) be implemented to reduce fugitive dust emissions, which are also listed below.

BAAQMD Rules and Regulations

REGULATION 2, RULE 1 (PERMITS–GENERAL REQUIREMENTS)

The BAAQMD regulates new sources of air pollution and the modification and operation of existing sources through the issuances of authorities to construct and permits to operate. Regulation 2, Rule 1 provides an orderly procedure which the project would be required to comply with to receive authorities to construct or permits to operate from the BAAQMD, for new sources of air pollutants, as applicable.

REGULATION 2, RULE 5 (NEW SOURCE REVIEW PERMITTING)

The BAAQMD regulates backup emergency generators, fire pumps, and other sources of TACs through its New Source Review (Regulation 2, Rule 5) permitting process. Although emergency generators are intended to be used only during periods of power outages, monthly testing of each generator is required. BAAQMD limits testing to no more than 50 hours per year. Each emergency generator installed is assumed to meet a minimum of Tier 2 emission standards (before control measures). As part of the permitting process, the BAAQMD limits the excess cancer risk from any facility to no more than 10 per 1-million-population for any permits that are applied for within a 2-year period, and would require any source that would result in an excess cancer risk greater than 1 per 1 million to install Best Available Control Technology for Toxics.

REGULATION 6, RULE 1 (PARTICULATE MATTER–GENERAL REQUIREMENTS)

The BAAQMD regulates PM emissions through Regulation 6 by means of establishing limitations on emission rates, emissions concentrations, and emission visibility and opacity. Regulation 6, Rule 1 provides existing standards for PM emissions that could result during project construction or operation that the project would be required to comply with, as applicable, such as the prohibition of emissions from any source for a period or aggregate periods of more than 3 minutes in any hour which are equal to or greater than 20 percent opacity.

REGULATION 6, RULE 6, (PARTICULATE MATTER–PROHIBITION OF TRACKOUT)

One rule by which the BAAQMD regulates PM includes Regulation 6, Rule 6, which prohibits PM trackout during project construction and operation. Regulation 6, Rule 6 requires the prevention or timely cleanup of trackout of solid materials onto paved public roads outside the boundaries of large bulk material sites, large construction sites, and large disturbed surface sides such as landfills.

REGULATION 8, RULE 3 (ARCHITECTURAL COATINGS)

This rule governs the manufacture, distribution, and sale of architectural coatings and limits the reactive organic gases content in paints and paint solvents. Although this rule does not directly apply to the project, it does dictate the ROG content of paint available for use during the construction.

BAAQMD Best Management Practices for Construction-Related Fugitive Dust Emissions

The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
7. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
8. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.
9. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

In the absence of a qualified Community Risk Reduction Plan,[2] BAAQMD has established the following *Thresholds of Significance* for local community risks and hazards associated with TACs and $PM_{2.5}$ for assessing individual source impacts at a local level. Impacts would be significant if:

- The project would result in an increased cancer risk of > 10 in one million
- The project would result in an increased non-cancer (i.e., Chronic or Acute) risk of > 1.0 Hazard Index
- The project would result in an ambient $PM_{2.5}$ concentration increase of > 0.3 $\mu g/m^3$ annual average

A project would be considered to have a cumulatively considerable impact if the aggregate total of current and proposed TAC sources within a 1,000 feet radius of the project fence-line in addition to the project would exceed the *Cumulative Thresholds of Significance*. Impacts would be significant if:

- The project would result in an increased cancer risk of > 100 in one million
- The project would result in an increased non-cancer (i.e., Chronic or Acute) risk of > 10 Hazard Index
- The project would result in an ambient $PM_{2.5}$ concentration increase of > 0.8 $\mu g/m^3$ annual average

Excess cancer risks are defined as those occurring in excess of or above and beyond those risks that would normally be associated with a location or activity if toxic pollutants were not present. Non-

[2] The goal of a Community Risk Reduction Plan is to bring TAC and $PM_{2.5}$ concentrations for the entire community covered by the Plan down to acceptable levels as identified by the local jurisdiction and approved by the Air District. This approach provides local agencies a proactive alternative to addressing communities with high levels of risk on a project-by-project approach. The Air District has developed detailed guidelines for preparing Community Risk Reduction Plans which can be found on the Air District web site at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/draft_community_risk_reduction_plan_guidelines_may_2010.pdf

carcinogenic health effects are expressed as a hazard index, which is the ratio of expected exposure levels to an acceptable reference exposure level.

BAAQMD defines sensitive receptors as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and those with pre-existing health problems. These facilities include schools, parks, daycare centers and pre-schools, medical care facilities, and residential communities (BAAQMD 2022).

BAAQMD establishes operational screening criteria for criteria air pollutants and precursors. If a project meets the screening criteria outlined in Section 4.1.2 and Table 4-1 of the BAAQMD CEQA Guidelines (BAAQMD 2022), the project would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the emissions thresholds shown in Table 7 above. Although the proposed project would not exceed the size screening level of 452,000 square feet for warehouse projects, the project would include operation of a backup generator, which would be subject to BAAQMD rules and regulations. Therefore, an air quality analysis and quantification of operational project-generated air pollutants is required.

Methodology

The project's construction and operational emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2022.1.1.19. CalEEMod uses project-specific information including the project's land uses, square footage for different uses (e.g., office building, parking lot, and landscaped area), and location, to model a project's construction and operational emissions. Calculations are included at the end of Appendix B.

Construction emissions modeled include emissions generated by construction equipment used on site and emissions generated by vehicle trips associated with construction, such as workers and vendor trips. Project construction was analyzed based on the applicant-provided information regarding the construction schedule and types of construction equipment used. Standardized assumptions were used where project-specific information was unknown. This analysis also includes all applicable regulatory standards the project would be required to comply with. In particular, the project would comply with the 2022 Building Energy Efficiency Standards (Energy Code), CalGreen, the City of San Leandro's General Plan, and BAAQMD's rules and regulations. Specifically, the project would be required to comply with BAAQMD Regulation 8, Rule 3, which limits the quantity of volatile organic compounds in architectural coatings.

Operational emissions modeled include mobile source emissions (i.e., passenger vehicle and truck emissions), and area source emissions. Mobile source emissions are generated by vehicle trips to and from the project site. The project's trip generation rates are provided in the transportation analysis (Appendix C) prepared by Kittelson and Associates. The project trip generation rates were based on the Institute of Transportation Engineers (ITE), *Trip Generation Manual, 10th Edition*. CalEEMod default fleet mixes were adjusted to reflect light-duty and heavy-duty truck activity at the proposed warehouse, and the model considers emissions from idling in addition to vehicle travel. Area source emissions are generated by landscape maintenance equipment, consumer products and architectural coatings. There would be no air quality emissions associated with energy sources since the project would not utilize natural gas.

Emissions that could result in health risks associated with toxic air contaminants were analyzed using the Hotspots Analysis and Reporting Program (HARP2) program. HARP2was used to calculate cancer risk during project construction and assumed a receptor type of an individual resident over two years of construction.

Impact Analysis

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

The California Clean Air Act requires that air districts create a Clean Air Plan that describes how the jurisdiction will meet air quality standards. The most recently adopted applicable air quality plan is BAAQMD's 2017 Plan. As described in the *Air Quality Management* Section, the 2017 Plan updates the most recent Bay Area ozone plan, the 2010 Clean Air Plan. Pursuant to air quality planning requirements, the 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors – ROG and NO_x – and reduce transport of ozone and its precursors to neighboring air basins. The 2017 Plan builds upon and enhances BAAQMD's efforts to reduce emissions of fine particulate matter and TACs. The 2017 Plan does not include control measures that apply directly to individual development projects. Instead, the control strategy includes control measures related to stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super GHG-pollutants. The 2017 Plan focuses on two goals:

- Protect air quality and health at the regional and local scale by attaining all national and state air quality standards and eliminating disparities among Bay Area communities in cancer health risk from TACs
- Protect the climate by reducing Bay Area GHG emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050

Under BAAQMD's methodology, a determination of consistency with the 2017 Plan should demonstrate that a project:

- Supports the primary goals of the air quality plan
- Includes applicable control measures from the air quality plan
- Does not disrupt or hinder implementation of any air quality plan control measures

A project that would not support the 2017 Plan's goals would not be considered consistent with the 2017 Plan. On an individual project basis, consistency with BAAQMD quantitative thresholds is interpreted as demonstrating support for the clean air plan's goals.

The project would include applicable control measures from the 2017 Plan. Applicable control measures such as green building construction, waste diversion, and water conservation would indicate support for the clean air plan goals on an individual project basis. The proposed project would include construction of seven electric vehicle charging stations. Additionally, the project would utilize energy efficient LED lighting and controls that would exceed the requirements of Title 24 of the California Energy Commission's Building Energy Efficiency Standards, as well as City energy efficiency requirements. Plumbing fixtures used for the proposed project would be high-efficiency fixtures, which would minimize the potential inefficient or wasteful consumption of energy related to water and wastewater. The project would not use natural gas in accordance with City of San Leandro reach codes effective as of January 2023. As shown in the response to criteria b and c (see below), the proposed project would not result in exceedances of BAAQMD 2017 thresholds for criteria air pollutants and thus, would not disrupt or hinder implementation of 2017 Plan control measures. Therefore, the proposed project would be consistent with the criteria of the 2017 Clean Air Plan. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

The SFBAAB is designated as a nonattainment area for the NAAQS for ozone and PM 2.5, and the CAAQS of ozone, PM_{10} and $PM_{2.5}$. The following subsections discuss emissions associated with construction and operation of the proposed project.

Construction Emissions

Project construction would generate temporary air pollutant emissions associated with fugitive dust (PM_{10} and $PM_{2.5}$) and exhaust emissions from heavy construction equipment and construction vehicles in addition to ROG emissions that would be released during the drying phase of architectural coating. Table 8 summarizes the estimated maximum daily emissions of pollutants during project construction.

Table 8 Estimated Daily Construction Emissions

	Estimated Maximum Daily Emissions (lbs/day)			
Construction Activity	**ROG**	**NO_X**	**Exhaust PM_{10}**	**Exhaust $PM_{2.5}$**
2024	0.28	3.02	0.03	0.03
2025	0.15	0.92	<0.01	<0.01
BAAQMD Thresholds	**54**	**54**	**82**	**54**
Threshold Exceeded?	No	No	No	No

ROG = reactive organic gases, NO_X = nitrogen oxides, PM_{10} = particulate matter 10 microns in diameter or less, $PM_{2.5}$ = particulate matter 2.5 microns in diameter or less; lbs/day = pounds per day, BAAQMD = Bay Area Air Quality Management District

Notes: All emissions modeling was completed using CalEEMod in accordance with applicant-provided information and data. Emissions presented are the highest of the winter and summer modeled emissions.

See the end of Appendix B for updated model output results.

As shown in Table 8, construction-related emissions would not exceed BAAQMD thresholds. Therefore, project construction would not 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. Impacts would be less than significant.

Fugitive Dust

Site preparation and grading may cause wind-blown dust that could contribute particulate matter into the local atmosphere. BAAQMD does not have quantitative thresholds for fugitive dust emissions during construction. Instead, BAAQMD recommends Best Management Practices (BMPs) be implemented to reduce fugitive dust emissions. The project would include implementation of Mitigation Measure AQ-1, BAAQMD Basic Construction Mitigation Measures. The BAAQMD CEQA Air Quality Guidelines consider construction criteria air pollutant emissions impacts that are below BAAQMD thresholds to be less than significant with the incorporation of BAAQMD BMPs. Impacts would be less than significant with implementation of Mitigation Measure AQ-1.

Operational Emissions

Operation of the project would generate criteria air pollutant emissions associated with area sources (e.g., architectural coatings, consumer products, and landscaping equipment), energy sources (i.e., nonrenewable energy sources) and mobile sources (i.e., vehicle trips and truck trips to

and from the project site). Table 9 summarizes the project's maximum annual operational emissions by emission source and maximum daily operational emissions.

Table 9 Estimated Operational Emissions

	Emissions			
Emissions Source	**ROG**	**NO_x**	**PM_{10}**	**$PM_{2.5}$**
Annual Emissions (tons/year)				
Area	0.27	<0.01	<0.01	<0.01
Energy	<0.01	0.02	<0.01	<0.01
Mobile	<0.01	<0.01	<0.01	<0.01
Total Emissions	**0.27**	**0.02**	**<0.01**	**<0.01**
Significance Threshold	**10**	**10**	**15**	**10**
Threshold Exceeded?	**No**	**No**	**No**	**No**
Daily Emissions (pounds/day)				
Average Daily Emissions	1.49	0.13	0.02	0.01
Significance Threshold (pounds/day)	**54**	**54**	**82**	**54**
Threshold Exceeded?	**No**	**No**	**No**	**No**

ROG = reactive organic gases, NO_X = nitrogen oxides, PM_{10} = particulate matter 10 microns in diameter or less, $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter; lbs/day = pounds per day, BAAQMD = Bay Area Air Quality Management District

Note: The updated emissions modeling was completed using CalEEMod in accordance with applicant-provided information and data. Some numbers may not add up due to rounding. Emissions presented are the highest of the winter and summer modeled emissions. See the end of Appendix B for updated model output results.

As shown in Table 9, operational emissions would not exceed BAAQMD regional thresholds for criteria pollutants. Therefore, project operation would not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is in non-attainment, and impacts would be less than significant.

Mitigation Measure

AQ-1 BAAQMD Best Management Practices for Construction-Related Fugitive Dust Emissions

The project applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

6. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
7. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
8. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.
9. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Certain population groups, such as children, the elderly, and people with health problems, are particularly sensitive to air pollution. Therefore, the majority of sensitive receptor locations are schools, hospitals, and residences. Sensitive receptors in the project vicinity include single- and multi-family residences located 500 feet south of the project site.

The following four criteria based on BAAQMD health risk and hazard significance thresholds were applied to determine if the proposed project would significantly impact the exposure of sensitive receptors to project emissions (Appendix B). The project would have a significant impact if:

- Construction of the project would generate toxic air contaminants (TACs) that exceed health risk significance thresholds;
- The cumulative health impact would exceed cumulative health risk significance thresholds;
- Operation of the project would result in an exceedance of the health risk significance thresholds;
- A carbon monoxide (CO) hotspot assessment demonstrates that the project would result in a CO hotspot which would exceed ambient air quality standards.

These criteria are discussed in the following subsections.

Project Construction TACs

FirstCarbon Solutions conducted an assessment of potential health impacts to surrounding sensitive receptors resulting from construction TAC emissions, using the methodology described under *Methodology* in this section. The detailed assessment is provided in Appendix B.

Diesel particulate matter (DPM) has been identified by CARB as a carcinogenic substance. Major sources of DPM include off-road construction equipment and heavy-duty trucks used for construction. For the purposes of this analysis, DPM is represented as exhaust emissions of $PM_{2.5.}$ Generation of DPM from construction projects typically occurs in a single area for a short period.

BAAQMD developed a set of guidelines and thresholds for estimating health risks resulting from exposure to TACs at the Maximally Impacted Receptor (MIR). For the proposed project, the MIR includes single family residences located approximately 500 feet southwest of the project site on Monogram Street. Table 10 below summarizes $PM_{2.5}$ exhaust emissions generated during project construction.

Table 10 Estimated Cancer Risks and Chronic Non-Cancer Hazards

	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index[1]	TAC Concentration (micrograms per cubic meter)
Residential MIR	7.29	<0.01	0.02
Significance Threshold	**10**	**1**	**0.3**
Threshold Exceeded?	**No**	**No**	**No**

MIR = Maximally Impacted Receptor

TAC = toxic air contaminants

[1] Chronic non-cancer hazard index was estimated by dividing the annual DPM concentration (as PM2.5 exhaust) by the DPM reference exposure level of 5 micrograms per cubic meter

Threshold source: BAAQMD 2022. See Appendix B for the cancer health risk model output results. This assessment uses outputs from the CalEEMod modeling conducted using a previous model version, which estimated greater construction emissions than the updated CalEEMod outputs attached to the end of Appendix B. Therefore, this cancer risk assessment is more conservative in that is utilizes greater estimated emissions.

As shown above, the proposed project's construction emissions would not exceed applicable BAAQMD significance thresholds. Project construction would not result in significant health impacts to nearby sensitive receptors.

Cumulative Health Risk Assessment

FirstCarbon Solutions conducted a health risk assessment for potential cumulative impacts from TAC sources within 1,000 feet of a project, which was peer-reviewed by Rincon Consultants. The health risk assessment incorporated BAAQMD pre-calculated air pollutant concentrations and associated traffic volumes for analyzing health risks associated with local roadways; BAAQMD pre-estimated cancer risks and $PM_{2.5}$ concentration increases associated with nearby highways (I-880 and SR 185); emissions from permitted stationary sources; and $PM_{2.5}$ concentrations associated with railroad operations at the western boundary of the project. The results of the construction cumulative health risk assessments are shown in Table 11.

Table 11 Summary of Cumulative Health Impacts at MIR during Construction

Emissions Source		Distance from MIR (feet)	Cancer Risk (per million)	Chronic Non-Cancer Hazard Index	TAC Concentration (micrograms per cubic meter)
Proposed Project					
Project construction	Diesel construction equipment	500	7.29	<0.01	0.02
Roadways					
Existing Local Roadway Network		–	15.3	ND	0.04
Freeways					
Existing Freeways		>1,000	20.32	ND	0.33
Stationary Sources					
The Garage Body Shop (ID 11632)	ND	740	ND	ND	ND
Rodgers Trucking (ID 111710)	Gas Dispensing Facility	570	<0.01	0	0
City of San Leandro (ID 106590)	Gas Dispensing Facility	140	0.59	0	0
Rail					
Existing Rail Line		10	12.28	ND	0.02
Cumulative Health Risks					
Cumulative Maximum with project DPM Emissions			**42.01**	**<0.01**	**0.41**
Significance Threshold			**100**	**10**	**0.8**
Threshold Exceeded?			**No**	**No**	**No**

DPM= diesel particulate matter

MIR = Maximally Impacted Receptor

ND = no data

Source: updated emissions modeling is included at the end of Appendix B

As shown above, the cumulative impacts from project construction and existing sources of TACs would be less than BAAQMD cumulative thresholds of significance. Therefore, the proposed project would not be cumulatively considerable or result in a significant health risk impact.

Operational Toxic Air Pollutants

The proposed project would include operation of a warehouse, which would not include land uses that could result in substantial on-site TAC sources during operation such as metal smelting or refining operations. The proposed project would not include use of stationary source equipment (e.g., back-up generators, fire pumps), and any stationary source equipment which would be greater than 50 horsepower that would require permitting through the BAAQMD to be installed and operated. Compliance with mandatory permitting requirements would ensure that permitted source would not have a significant impact related to health risk impacts.

The proposed project would result in approximately 123 daily truck trips (Appendix C), which was incorporated into operational air quality modeling. As described under threshold (b), operational emissions would not exceed applicable thresholds; therefore, vehicle activities associated with project operation are not anticipated to result in a substantial source of TACs.

CO Hotspots

CO emissions from traffic generated by the proposed project are a concern at the local level because congested intersections can result in high, localized concentrations of CO referred to as CO hotspots. BAAQMD recommends comparing a project's attributes with the following screening criteria as a first step to evaluating whether the project would result in the generation of CO concentrations that would substantially contribute to an exceedance of the *Thresholds of Significance*. The project would result in a less than significant impact to localized CO concentrations if:

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

Based on the Traffic Impact Analysis prepared for the proposed project (Appendix C), the intersection with the most vehicles per hour in the vicinity of the project site would be the Washington Avenue and Halcyon Drive intersection during the PM peak hour. Under the Cumulative Plus Project conditions analyzed in the Traffic Impact Analysis, this intersection would experience 5,017 vehicles per hour. The proposed project would generate an estimated 40 total PM peak-hour trips. Therefore, the proposed project would not cause a nearby roadway segment or intersection to exceed 44,000 vehicles per hour. Localized CO emissions would not be significant.

Overall, the proposed project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust and during idling. However, these odors would be intermittent and temporary and would cease upon completion of construction activities, and odors would disperse with distance. Overall, project construction would not generate other emissions, such as those leading to odors, affecting a substantial number of people. Construction-related impacts would be less than significant.

Table 5-4 in the BAAQMD 2022 *CEQA Air Quality Guidelines* provides screening distances for land uses that have the potential to generate substantial odor complaints. The uses in the table include wastewater treatment plants, landfills or transfer stations, refineries, composting facilities, confined animal facilities, food processing facility, smelting plants, and chemical manufacturing facilities (BAAQMD 2022). Warehouse buildings are not included in this list, and operation of the project would not generate other emissions, such as those leading to odors, which would affect a substantial number of people. Furthermore, truck idling at the proposed warehouse would be limited to 5 minutes at any location as required by CARB's Commercial Vehicle Idling Airborne Toxics

Control Measure (CARB 2005), which would minimize generation of odors from trucks at the project site. No operational impacts would occur.

LESS-THAN-SIGNIFICANT IMPACT

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4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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 Wildlife 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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	□	■	□	□
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?	□	□	□	■
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?	□	□	□	■

The analysis in this section is based in part upon a biological resource analysis prepared by FirstCarbon Solutions in April 2022 (Appendix D) and an arborist report prepared by HortScience and Bartlett Consulting in February 2022 (Appendix A). Both of these reports were peer reviewed by Rincon Consultants in October 2022, and a revised biological resources analysis was prepared by FirstCarbon Solutions in April 2023. The revised biological resources analysis and peer review memorandum are included in Appendix D, and the arborist report and peer review memorandum are included in Appendix A.

Setting

The project site is currently vacant but has been previously developed. The site contains ruderal vegetation and 23 trees. The site is in an urbanized area, surrounded by paved parking lots, commercial and industrial buildings, and landscaped areas and trees. The site is approximately 2.5 miles east of the San Francisco Bay, 2.2 miles northwest of San Lorenzo Creek, and 1.5 miles south of San Leandro Creek. The site is relatively flat with an elevation of approximately 40 feet.

Regulatory Setting

Federal and State

Regulatory authority over biological resources is shared by federal, state, and local agencies under a variety of laws, ordinances, regulations, and statutes. Primary authority for biological resources lies with the land use control and planning authority of local jurisdictions (in this instance, the City of San Leandro).

The California Department of Fish and Wildlife (CDFW) is a trustee agency for biological resources throughout the state under CEQA and has direct jurisdiction under the California Fish and Game Code (CFGC). Under the California Endangered Species Act and the federal Endangered Species Act, the CDFW and the U.S. Fish and Wildlife Service (USFWS), respectively, have direct regulatory authority over species formally listed as threatened or endangered (and listed as rare for CDFW). Native and/or migratory bird species are protected under the CFGC Sections 3503, 3503.5, and 3511.

Statutes in the Clean Water Act (CWA), CFGC, and CCR protect wetlands and riparian habitat. The U.S. Army Corps of Engineers (USACE) has regulatory authority over wetlands and waters of the United States under Section 404 of the CWA. The State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs) ensure water quality protection in California pursuant to Section 401 of the CWA and Section 13263 of the Porter-Cologne Water Quality Control Act. The CDFW regulates waters of the State under the CFGC Section 1600 et seq.

Special-status species are those plants and animals: 1) listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS and the National Marine Fisheries Service (NMFS) under the federal Endangered Species Act; 2) listed or proposed for listing as Rare, Threatened, or Endangered by the CDFW under the California Endangered Species Act; 3) recognized as California Species of Special Concern by the CDFW; 4) afforded protection under CFGC; and 5) occurring on Lists 1 and 2 of the CDFW California Rare Plant Rank (CRPR) system.

Local

Chapter 5-2 of SLMC establishes tree preservation requirements that would apply to the project. Section 5-2-205 establishes all street trees within the city as property of the City, and Section 5-2-220 outlines requirements for street tree planting and replacement.

SAN LEANDRO MUNICIPAL CODE SECTION 5-2-220

(a) Upon approval of the Director, any person may undertake privately, or by agreement with a private nursery or tree service, the planting of a street tree provided that the location, species and manner of planting are acceptable to the Director.

(b) The Director shall prepare a list of those tree species which are acceptable for use as street trees. The Director shall also establish such criteria relating to the location and manner of planting such street trees as will protect public safety and public and private improvement.

(c) All new planting of street trees as replacements for street trees existing on the effective date of this Chapter shall conform to the species and planting criteria set forth in subsection (b) of this section.

(d) There may be imposed a condition of approval for all parcel and subdivision maps that the subdivider plant street trees at such locations and in such manner as may be determined by the Director.

Impact Analysis

a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

d. *Would the project 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?*

As described in the *Setting* section above, the project site is in an urbanized area of San Leandro and has been previously developed with structures, surface parking lots, roadways, and limited perimeter landscaping, including trees (Appendix D). Vegetation observed on the project site included shortpod mustard (*Hirschfeldia incana*), ripgut brome (*Bromus diandrus*), fennel (*Foeniculum vulgare*), wild oat (*Avena fatua*), dandelion (*Taraxacum* sp.), bristly ox tongue (*Helminthotheca echioides*), burclover (*Medicago polymorpha*), cheeseweed (*Malva parviflora*), bamboo (subfamily Bambusoideae), stinkwort (*Dittrichia graveolens*), English ivy (*Helix hedera*), prickly lettuce (*Lactuca serriola*) (Appendix D). The project site contains multiple clusters of ornamental trees. Because of the small and disjunct canopy cover, landscaped or hardscaped understory, and the species composition, these clusters of trees do not meet the characteristics of a woodland (Appendix A).

The site does not contain riparian habitat and is not located within a known regional wildlife movement corridor or other sensitive biological area as indicated by the USFWS Critical Habitat

portal (USFWS 2022; Appendix D). Moreover, according to the San Leandro 2035 General Plan EIR, the project site does not contain habitat for species identified as a candidate, sensitive, or special-status species (City of San Leandro 2016b). Based on the developed nature of the area and surroundings and lack of native or riparian habitat located on or adjacent to the site, no federal-or state-listed endangered, threatened, rare, or otherwise sensitive flora or fauna are anticipated to be located within the project site.

Existing trees on and around the parcels within the area could contain bird nests and birds that are protected under the Migratory Bird Treaty Act (MBTA) (Appendix D). Protected birds include all common songbirds, waterfowl, shorebirds, hawks, owls, eagles, ravens, crows, native doves and pigeons, swifts, martins, swallows, and others, including their body parts (feathers, plumes, etc.), nests, and eggs. The trees located on-site and in the immediate vicinity could provide suitable habitat for migratory or resident nesting birds. No signs of bat roosts were observed during the field survey; however, trees on site and many small openings in the existing structures on-site could provide roosting habitat for bats (Appendix D). The proposed project would involve removal of 10 existing trees on the project site. In addition, construction activity associated with the project may affect protected nesting birds or bats in existing trees. Therefore, mitigation measures BIO-1 and BIO-2 are required to reduce potentially significant impacts to a less-than-significant level.

Mitigation Measure

BIO-1 Nesting Bird Avoidance and Minimization Measures

The following avoidance and minimization measures shall be implemented during project construction activities:

- Initial site disturbance should occur outside the general avian nesting season (February 1 through September 15), if feasible.
- If initial site disturbance occurs in a work area within the general avian nesting season indicated above, a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initial disturbances in the work area. The survey shall include the entire area of disturbance area plus a 50-foot buffer (relevant to non-raptor species) and 300-foot buffer (relevant to raptors) around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer should be a minimum of 50 feet for non-raptor bird species and at least 300 feet for raptor species. Larger buffers may be required and/or smaller buffers may be established depending upon the species, status of the nest, and construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.
- If construction activities in a given work area cease for more than 14 days, additional surveys shall be conducted for the work area. If active nests are located, the aforementioned buffer zone measures shall be implemented.

BIO-2 Roosting Bats Avoidance and Minimization Measures

A qualified biologist shall survey trees, vegetation, and existing structures with features capable of supporting roosting bats (both maternity and wintering or hibernation roosts) prior to their removal or demolition. Vegetation and existing structures shall be surveyed for bat roosts or evidence of bat

roosting (e.g., guano, urine staining and scent, dead bats) no more than 14 days before the start of disturbance, including vegetation removal. If active roosts are discovered, a protection zone of no less than 50 feet around the active roost shall be established by the qualified biologist. Disturbance may occur within the once active roosting ceases, as determined by the qualified biologist.

Significance After Mitigation

Implementation of Mitigation Measure BIO-1 would reduce the potential for project construction activities to result in the loss of active bird nests through a pre-construction nesting bird survey and establishment of avoidance buffers around active nests, if present. Implementation of Mitigation Measure BIO-2 would reduce the potential for project construction activities to result in the loss of bat roosts through a pre-construction survey and establishment of avoidance buffers around active roosts, if present. Implementation of these measures would reduce project impacts to special-status plant and wildlife species to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c. Would the project 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?

The National Wetlands Inventory (NWI) was reviewed to determine if wetland and/or non-wetland waters had been previously documented and mapped on or in the vicinity of the project site (USFWS 2020). No such features occur on or adjacent to the project site. As described in *Setting,* the nearest creeks (San Leandro Creek and San Lorenzo Creek) are approximately 1.5 miles and 2.2 miles from the project site, respectively. Construction and operation of the proposed project would not involve or require the direct removal, filling, hydrological interruption, or other means to the bed, bank, channel, or adjacent upland area of any creek or wetland. No impact would occur.

NO IMPACT

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

As described in the Project Description, construction activities associated with the proposed project would result in the removal of ten trees. As shown in the arborist report prepared for the project site, none of these trees are street trees and therefor are not subject to SLMC Chapter 5-2 (Appendix A). Further, the trees are not designated as historic resources and would not be subject to SLMC Chapter 4-26. Therefore, the project would not conflict with policies regarding tree preservation in SLMC. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is not located in an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (City of San Leandro 2016b). Therefore, the project would not conflict with such a plan and no impact would occur.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	□	□	□	■
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	□	■	□	□
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	□	□	■	□

FirstCarbon Solutions prepared a Phase I Cultural Resources Assessment for the proposed project in July 2022, which was peer reviewed by Rincon Consultants in September 2022. A revised Phase I Cultural Resources Assessment was prepared in January 2023. The revised report and the peer review memorandum are included in Appendix CR.

This section provides an analysis of the project's impacts on cultural resources, including historical and archaeological resources, as well as human remains. CEQA requires a lead agency to determine whether a project may have a significant effect on historical resources (Public Resources Code [PRC], Section 21084.1). A historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record, or manuscript a lead agency determines to be historically significant (CEQA Guidelines, Section 15064.5[a] [1-3]).

A resource is considered historically significant in the California Register of Historical Resources if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC, Section 21083.2[a], [b]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Methodology

FirstCarbon Solutions conducted a records search at the Northwest Information Center (NWIC) at Sonoma State University on May 4, 2022, for the project site and 0.5 radius beyond the project boundaries. This records search included a search of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR) the California Historical Landmarks list, the California Points of Historical Interest list, and the California Built Environment Resource Directory for Alameda County.

FirstCarbon Solutions sent a Sacred Lands File (SLF) search request to the native American Heritage Commission (NAHC) on April 27, 2022. A response was received on May 29, 2022, indicating that the SLF search was negative. The NAHC included a list of the following tribes that may have knowledge of tribal cultural resources:

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Costanoan Rumsen Carmel Tribe
- Indian Canyon Mutsun Band of Costanoan
- Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- The Ohlone Indian Tribe
- Wuksache Indian Tribe/Eshom Valley Band
- The Confederated Villages of Lisjan Nation
- North Valley Yokuts Tribe

The City of San Leandro sent tribal consultation request letters to all provided tribal contacts on June 7, 2022. One response was received from the Confederated Villages of Lisjan Nation, which stated the tribe had no further information or comments regarding the proposed project. No other tribal consultation responses were received.

On May 13, 2022, FirstCarbon Solutions archaeologists surveyed the project site to identify unrecorded cultural resources within the project site. The archaeologists surveyed the site in transects spaced at 15-meter intervals when possible. Existing structures within the project site were also evaluated for eligibility for the NRHP and CRHR.

Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

FirstCarbon Solutions completed a review of historical topographic maps and aerial imagery to ascertain the development history of the project site. Historical topographic maps from 1946 to 2018 indicate that the garage and vehicle repair facility that previously occupied the site was built between 1968 and 1980, and that residences located at 14123, 14173, and 14193 Washington Avenue were constructed after 1980 (Appendix E).

The six structures within the project site appeared to be over 45 years in age and had not been previously evaluated for their historical significance. These structures included the garage and vehicle repair facility buildings and single-family residences. However, these structures were destroyed by structural fires. Accordingly, the properties are not eligible for inclusion in the CRHR or NRHP as they are no longer able to convey historical integrity. No additional prehistoric or historic resources were found within the project site (Appendix CR). Therefore, no built environment resources are present that may be impacted by the project. There would be no impact to built environment resources on the project site.

NO IMPACT

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

The NWIC records search identified 14 cultural resources studies conducted within a 0.5-mile radius of the project site, none of which evaluated portions of the project site. The NWIC search identified one previously recorded cultural resource within a 0.5-mile radius of the project site, which did not occur within the project site (Appendix E).

The project site has been disturbed by development and demolition since approximately 1968. Additionally, substantial development surrounds the project site in all directions. The pedestrian survey conducted in May 2022 found evidence of previous disturbance and development, including subsurface sewer and water utility access points. No prehistoric or historic-period archaeological or built environment resources were identified during the efforts; therefore, it was concluded that no resources would be affected by the project (Appendix E).

As the SLF search was returned with negative results, and no prehistoric resources were identified within the project site, the project site is considered to have low archaeological sensitivity. However, it is always possible that unanticipated archaeological deposits and/or human remains could be encountered and damaged during ground-disturbing activities, especially if those activities would occur in less-disturbed areas. Implementation of Mitigation Measure CR-1 would be required.

Mitigation Measures

CR-1 Unanticipated Discovery of Cultural Resources

In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the resource is determined by the qualified archaeologist to be prehistoric, then a Native American representative shall also be contacted to

participate in the evaluation of the resource. If the qualified archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and impacts to the resource cannot be avoided via project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of CCR Guidelines Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the CHRIS, per CCR Guidelines Section 15126.4(b)(3)(C).

Mitigation Measure CR-1 includes procedures for the appropriate handling of unanticipated discoveries of cultural resources. Implementation of Mitigation Measure CR-1 would reduce potential impacts to archeological resources to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

The cultural resources records search did not identify cemeteries or archaeological resources containing human remains within the project site (Appendix E). However, the discovery of human remains is always a possibility during ground disturbing activities, as would be required for development within the site. Human burials outside of dedicated cemeteries often occur in prehistoric archaeological contexts. In addition to being potential archaeological resources, human burials have specific provisions for treatment in California Public Resources Code Section 5097. Additionally, the California Health and Safety Code (Sections 7050.5, 7051, and 7054) has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains, and protects them from disturbance, vandalism, or destruction. Public Resources Code Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and establishes the NAHC as the entity to resolve any related disputes.

If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance may occur until the County coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify a most likely descendant (MLD). The MLD must complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Compliance with Public Resources Code Section 5097.98 and State of California Health and Safety Code Section 7050.5 would ensure that impacts to human remains are less than significant.

LESS-THAN-SIGNIFICANT IMPACT

6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	□	□	■	□
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	□	□	■	□

Electricity is primarily consumed by the built environment for lighting, appliances, heating and cooling systems, and other uses such as industrial processes in addition to being consumed by alternative fuel vehicles. Most of California's electricity is generated in state, with approximately 30 percent imported from the northwest and southwest regions of the United States in 2020 (California Energy Commission [CEC] 2021). In addition, approximately 33 percent of California's electricity supply in 2020 came from renewable energy sources, such as wind, solar photovoltaic, geothermal, and biomass (CEC 2021). In 2018, Senate Bill 100 accelerated the state's Renewable Portfolio Standards Program, codified in the Public Utilities Act, by requiring electricity providers to increase procurement from eligible renewable energy and zero-carbon resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

The smallest scale at which energy consumption information is readily available is the county level. Therefore, energy consumption in Alameda County is used herein to characterize the city's existing consumption of electricity and natural gas. According to the California Energy Commission (CEC), Alameda County consumed approximately 10,247 GWh of electricity in 2020 from residential and non-residential uses (CEC 2022a). San Leandro is served by East Bay Community Energy (EBCE), which supplies electricity to all accounts (residential, business, and municipal) and is delivered through Pacific Gas and Electric (PG&E) infrastructure. EBCE buys power mainly from clean sources like wind, solar, and hydropower. 'BCE's Board of Directors established the goal of purchasing 100 percent clean power for all customers by 2030 (EBCE 2022). Alameda County consumed approximately 367 millions of therms of natural gas in 2019 in both residential and non-residential uses (CEC 2022b).

Petroleum fuels are primarily consumed by on-road vehicles and trucks and off-road equipment in addition to some industrial processes, with California being one of the top petroleum-producing states in the nation (CEC 2021b). Gasoline, which is used by light-duty cars, pickup trucks, and sport utility vehicles, is the most used transportation fuel in California with 12.6 billion gallons sold in 2020 (CEC 2021c). Diesel, which is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles, is the second most used fuel in California with 1.7 billion gallons sold in 2021 (CEC 2021c). Table 12

summarizes the petroleum fuel consumption for Alameda County, in which the project site would be located, as compared to statewide consumption.

Table 12 2020 Annual Gasoline and Diesel Consumption

Fuel Type	Alameda County (millions of gallons)	California (millions of gallons)	Proportion of Statewide Consumption[1]
Gasoline	492	13,818	3.5%
Diesel	53	1,883	2.8%

[1] For reference, the population of Alameda County (1,651,979 persons) is approximately 4.2 percent of the population of California (39,185,605 persons) (California Department of Finance 2022).
Source: CEC 2021c

Energy consumption is directly related to environmental quality in that the consumption of nonrenewable energy resources releases criteria air pollutant and GHG emissions into the atmosphere. The environmental impacts of air pollutant and GHG emissions associated with the project's energy consumption are discussed in detail in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, respectively.

Regulatory Setting

Title 24, California Code of Regulations (CCR)

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

Part 6 (Building Energy Efficiency Standards)

Part 6 of Title 24 contains the 2016 Building Energy Efficiency Standards for new residential and CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The most current standards are the 2019 Title 24 standards. The 2019 Standards focus on four key areas: 1) smart residential photovoltaic systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa);

3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements (CEC 2018). Under the 2019 Standards, nonresidential buildings will be 30 percent more energy-efficient compared to the 2016 Standards. The CEC adopted the 2022 Energy Code on August 11, 2021, and applies starting January 1, 2023. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements, expands solar and battery storage standards, and other stricter requirements.

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

California's green building code, referred to as CALGreen, was developed to provide a consistent approach to green building within the State. CALGreen lays out the minimum requirements for newly constructed residential and nonresidential buildings to reduce GHG emissions through improved efficiency and process improvements. The requirements pertain to energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. It also includes voluntary tiers to further encourage building practices that improve public health, safety, and general welfare by promoting a more sustainable design.

Plan Bay Area 2050

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

San Leandro Municipal Code

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

San Leandro 2021 Climate Action Plan

In July 2021, the City of San Leandro adopted an update to its Climate Action Plan (CAP), a citywide strategy to reduce greenhouse gas emissions (GHG). Chapter 4 of the CAP includes strategies that target energy reduction through energy efficiency and conservation, including prioritizing increasing and installing renewable energy generation systems and energy storage systems on rental homes, multi-family buildings, and affordable housing; reducing automobile dependency and increasing

transit-oriented development; and committing to developing a reach code limiting natural gas use in new construction, or as directed by the State or regional agencies (City of San Leandro 2021).

2035 General Plan

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

Impact Analysis

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

The proposed project would use nonrenewable and renewable resources for construction and operation of the project. The anticipated use of these resources is detailed in the following subsections. Applicant-provided information, the CalEEMod outputs for the air pollutant and GHG emissions modeling (Appendix B), and the vehicle miles traveled (VMT) calculations based on the Traffic Impact Analysis prepared for the project (Appendix C) were used to estimate energy consumption associated with the proposed project.

Construction Energy Demand

The project would require site preparation and grading, including hauling material off-site; building construction; architectural coating; and landscaping and hardscaping. During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site. As shown in Table 13, project construction would require approximately 6,988 gallons of gasoline and approximately 44,931 gallons of diesel fuel. These construction energy estimates are conservative because they assume that the construction equipment used in each phase of construction would operate every day of construction.

Table 13 Proposed Project Construction Energy Usage

	Fuel Consumption (gallons)	
Source	**Gasoline**	**Diesel**
Construction Equipment & Vendor/Hauling Trips	–	45,169
Construction Worker Vehicle Trips	6,988	–

Source: Appendix F

Energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. In addition, construction contractors would be required to comply with the provisions of California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction equipment would be subject to the USEPA Construction Equipment Fuel

Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption. Furthermore, per applicable regulatory requirements such as 2022 CalGreen or its most recent iteration, the project would comply with construction waste management practices to divert a minimum of 65 percent of construction debris. These practices would result in efficient use of energy necessary to construct the project. In the interest of cost-efficiency, construction contractors also would not utilize fuel in a manner that is wasteful or unnecessary. While the proposed project would include some demolition, grading, site preparation and removal of existing infrastructure, there are no other unique site features of project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in other parts of the state. Therefore, the project would not involve the inefficient, wasteful, and unnecessary use of energy during construction, and construction impacts related to energy consumption would be less than significant.

Operational Energy Demand

Operation of the project would contribute to regional energy demand by consuming electricity and gasoline and diesel fuels. Electricity would be used for heating and cooling systems, lighting, appliances, and water and wastewater conveyance, among other purposes. Gasoline and diesel consumption would be associated with vehicle trips generated by customers and employees. Table 14 summarizes estimated operational energy consumption for the proposed project.

Table 14 Estimated Project Annual Operational Energy Consumption

Source	Energy Consumption[1]	
Gasoline	39,599 gallons	4,347 MMBtu
Diesel	109,841 gallons	14,000 MMBtu
Electricity	0.66 GWh	2,254 MMBtu

MMBtu = million metric British thermal units; GWh = gigawatt-hours

[1] Energy consumption is converted to MMBtu for each source

See Appendix F for energy calculation sheets and the updated modeling outputs at the end of Appendix B for CalEEMod output results for electricity usage.

As shown therein, project operation would require approximately 39,599 gallons of gasoline and 109,841 gallons of diesel for transportation fuels, and 0.66 GWh of electricity annually. Vehicle trips associated with future workers, customers, and deliveries would represent the greatest operational use of energy associated with the proposed project.

The project would be required to comply with all standards set in the latest iteration of the California Building Standards Code (California Code of Regulations Title 24), which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources by the built environment during operation. California's CalGreen standards (California Code of Regulations Title 24, Part 11) require implementation of energy-efficient light fixtures and building materials into the design of new construction projects. The City of San Leandro also requires new construction to comply with the California Green Building Standards Code and incorporates requirements to be consistent with the City's greenhouse gas reduction goals. Further, the 2022 Building Energy Efficiency Standards (California Code of Regulations Title 24, Part 6) require newly constructed buildings to meet energy performance standards set by the CEC. These standards are specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. Therefore, it would be expected that building energy consumption associated with the proposed project would not be more inefficient, wasteful, or

unnecessary than for any other similar buildings in the region. Pursuant to CalGreen, all plumbing fixtures used for the proposed project would be high-efficiency fixtures, which would minimize the potential inefficient or wasteful consumption of energy related to water and wastewater.

Project operation would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The City of San Leandro's 2035 General Plan and Climate Action Plan (CAP) include energy conservation and energy efficiency strategies intended to enable the State and the City to achieve GHG reduction and energy conservation goals. As shown in Table 15 and Table 16, the project would be consistent with (and not conflict with nor obstruct) State and local renewable energy and energy efficiency plans.

Table 15 Project Consistency with State Renewable Energy and Energy Efficiency Plans

Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
2019 Integrated Energy Policy Report. The 2019 report highlights the implementation of California's innovative policies and the role they have played in establishing a clean energy economy, as well as provides more detail on several key energy policies, including decarbonizing buildings, increasing energy efficiency savings, and integrating more renewable energy into the electricity system.	**Consistent.** The project would be required to comply with San Leandro Municipal Code (SLMC) Chapter 7.5.7, which mandates the implementation of Title 24. Further, electricity would be provided either by PG&E or EBCE, which source some or all their power from renewable sources. Given these features, the project would involve reduced GHG emissions from power, an increase in energy efficiency savings, and integration of more renewable energy into the electricity system. Therefore, the project would not conflict with or obstruct implementation of the 2019 Integrated Energy Policy Report.
California Renewable Portfolio Standard. California's RPS obligates investor-owned utilities, energy service providers, and community choice aggregators to procure 33 percent total retail sales of electricity from renewable energy sources by 2020, 60 percent by 2030, and 100 percent by 2045.	**Consistent.** EBCE and PG&E supply electricity in the city and they are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. EBCE already has an option for residents to source 100 percent renewable energy. Because PCE and PG&E would provide electricity service to the project site, the project would not conflict with or obstruct implementation of the California Renewable Portfolio Standard.
Energy Action Plan. In the October 2005, the CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues, and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the state's ongoing actions in the context of global climate change. The nine major action areas in the EAP include energy efficiency, demand response, renewable energy, electricity adequacy/reliability/infrastructure, electricity market	**Consistent.** Development facilitated by the project would be required to comply with SLMC Chapter 7.5.7, which mandates the implementation of Title 24. Further, electricity would be provided either by PG&E or EBCE, which source some or all their power from renewable sources. Given these features, the project would involve reduced GHG emissions from power, an increase in energy efficiency savings, and integration of more renewable energy into the electricity system. Therefore, the project would not conflict with or obstruct implementation of the EAP.

Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
structure, natural gas supply/demand/infrastructure, transportation fuels supply/demand/infrastructure, research/development/demonstration, and climate change.	
AB 1007: State Alternative Fuels Plans. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality. **Bioenergy Action Plan, EO S-06-06.** The EO establishes the following targets to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels in California by 2010, 40 percent by 2020, and 75 percent by 2050.	**Consistent**. The project would not interfere with or obstruct the production of biofuels in California. Vehicles used by future project site tenants would be fueled by gasoline and diesel fuels blended with ethanol and biodiesel fuels as required by CARB regulations. Therefore, the project would not conflict with or obstruct implementation of the Bioenergy Action Plan or the State Alternative Fuels Plan.
Title 24, CCR – Part 6 (Building Energy Efficiency Standards) and Part 11 (CALGreen). The 2022 Building Energy Efficiency Standards move toward cutting energy use in new homes by more than 50 percent and will require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories and less. The CALGreen Standards establish green building criteria for residential and nonresidential projects. The 2022 Standards include the following: increasing the number of parking spaces that must be prewired for electric vehicle chargers in residential development; requiring all residential development to adhere to the Model Water Efficient Landscape Ordinance; and requiring more appropriate sizing of HVAC ducts.	**Consistent.** The project would be required to comply with SLMC Chapter 7.5.7, which mandates the implementation of Title 24. Therefore, the project would not conflict with or obstruct implementation of the Title 24 standards. The project would also be required to comply with CALGreen standards pursuant to Section 7-5-600 of the SLMC. Therefore, the project would not conflict with or obstruct implementation of CALGreen.

Table 16 Project Consistency with the 2035 General Plan and Climate Action Plan

Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
General Plan Policies	
Goal OSC-8: Energy. Promote the efficient use of energy and the increased use of renewable energy by San Leandro residents and businesses. **Policy OSC-8.2: Planning and Building Practices.** Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency and support the City's greenhouse gas reduction goals.	**Consistent.** The project would be required to comply with SLMC Chapter 7.5.7, which mandates the implementation of Title 24. The project would be required to use efficient lighting and appliances. EBCE and PG&E supply electricity in the city and they are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. EBCE already has an option with 100 percent renewable energy sources, which is the default option for businesses and residences. Because EBCE and PG&E would provide electricity service to the project site, the project would be consistent with the general plan's goals and policies regarding energy efficiency and renewable energy mix.
Climate Action Plan Measures	
Measure RE-1: Encourage San Leandro households and businesses to switch from PG&E electricity supplies to East Bay Community Energy, and commit to defaulting to Renewable 100 tier for 100-percent renewable energy.	**Consistent.** EBCE and PG&E supply electricity in the City and they are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. EBCE already has an option for residents to source 100 percent renewable energy. Because PCE and PG&E would provide electricity service to the project site, the project would not conflict with or obstruct implementation of the City's CAP. The project would be required to comply with SLMC Chapter 7.5.7, which mandates the implementation of Title 24. Therefore, the project would not conflict with or obstruct implementation of the Title 24 standards.

Source: City of San Leandro 2016a, 2021

As shown in Table 15 and Table 16, The project would be consistent with State plans and the City's adopted energy conservation and efficiency strategies contained in the 2035 General Plan, SLMC, and the City's CAP. Therefore, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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?	□	□	■	□
2. Strong seismic ground shaking?	□	□	■	□
3. Seismic-related ground failure, including liquefaction?	□	□	■	□
4. 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 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	□	□	□	■
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	□	■	□	□

Analysis in this section is based in part on the geotechnical investigation prepared for the project by Cornerstone Earth Group in March 2021. The geotechnical investigation is included as Appendix G.

Setting

Active faults are defined by the State of California to be a fault that has surface displacement within the Holocene time (approximately the last 10,000 years). Potentially active faults as defined by the State of California to be a fault that has shown evidence of surface displacement during the Quaternary (last 1.6 million years). Any fault that is sufficiently active describes a fault that has some evidence of Holocene displacement on one or more of its segments or branches. Associated issues with earthquakes include liquefaction, which is the rapid transformation of sediment to a fluid-like state. It occurs when water-saturated, loose to medium dense, relatively clay-free sands and silts are subjected to earthquake ground motion.

The Bay Area contains both active and potentially active faults. Major active faults in the area are the San Andreas, San Gregorio, Hayward, and Calaveras faults. The project site itself is not located within an Earthquake Fault Zone (California Geological Survey [CGS] 2016).

Expansive soils are soils that swell in density and volume as they absorb water and contract as they lose water. Associated problems include cracking and deterioration of roadway surface, as they expand and contract during seasonal wet and dry cycles. The surface soils of the site have been mapped as Clear Lake clay by United States Department of Agriculture Natural Resources Conservation Service (Natural Resources Conservation Service [NRCS] 2018a), which are not known to be expansive.

Regulatory Setting

Alquist-Priolo Earthquake Fault Zoning Act

Following the 1989 Loma Prieta earthquake, the Seismic Hazards Mapping Act (SHMA) was passed by the California legislature in 1990. The SHMA (PRC Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides and amplified ground shaking. It also requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the identified hazard is present and the inclusion of appropriate mitigation to reduce earthquake-related hazards.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 was enacted, in part, to address seismic hazards not included in the Alquist-Priolo Act, including strong ground shaking, landslides, and liquefaction. Under the Alquist-Priolo Act, the State Geologist is responsible for identifying and mapping seismic hazards. CGS Special Publication 117, adopted in 1997 by the State Mining and Geology Board, constitutes guidelines for evaluating seismic hazards other than surface faulting and for recommending mitigation measures as required by PRC Section 2695(a). In accordance with the mapping criteria, the CGS seismic hazard zone maps identifies areas with the potential for a ground shaking event that corresponds to 10 percent probability of exceedance in 50 years.

The purpose of the Seismic Hazards Mapping Act is to reduce the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards. Cities, counties, and state agencies are directed to use seismic hazard zone maps developed by CGS in their

land-use planning and permitting processes. The Seismic Hazards Mapping Act requires site-specific geotechnical investigations prior to permitting most urban development projects in seismic hazard zones.

California Building Code (CBC)

The California Building Code (CBC), Title 24, Part 2, provides building codes and standards for the design and construction of structures in California. The purpose of the CBC is to establish minimum standards to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, and general stability by controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of building and structures. The CBC contains specific requirements for seismic safety, excavation, foundations, retaining walls, soil conditions, and site demolition. It also regulates grading activities, including drainage and erosion control. Chapter 16 of the CBC contains definitions of seismic sources and the procedure used to calculate seismic forces on structures.

The CBC is updated every three years by order of the legislature, with supplements published in intervening years. State law mandates that local governments enforce the CBC. In addition, a city and/or county may establish more restrictive building standards reasonably necessary because of local climatic, geological, or topographical conditions. The 2022 CBC is based on the International Building Code.

City of San Leandro 2035 General Plan

Policy EH-1. **Risk Management.** Minimize risks from geologic, seismic, flood, and climate change-related hazards by ensuring the appropriate location, site planning, and design of new development. The City's development review process, and its engineering and building standards, should ensure that new construction is designed to minimize the potential for damage.

Impact Analysis

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The project site is not within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site (CGS 2016). The nearest known Alquist-Priolo Earthquake Fault Zone is the Hayward Fault zone located approximately one mile east of the site. Direct ground rupture of a known earthquake fault would be unlikely, and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The nearest mapped active fault, the Hayward Fault, is one mile east of the project site (CGS 2016). The United States Geological Survey (USGS) has stated that there is a 72 percent chance of at least one magnitude 6.7 or greater earthquake striking the San Francisco Bay region between 2014 and 2043 (USGS 2016). Therefore, the site could be subjected to at least one moderate to severe

earthquake that would cause strong ground shaking. Project construction would be required to comply with the seismic safety requirements in the International Building Code, the CBC, and the City of San Leandro Building Code. Compliance with such requirements would reduce seismic ground shaking impacts to the maximum extent practicable with current engineering methods. Therefore, impacts related to strong seismic ground shaking would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

c. Would the project 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?

Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface. The project site is identified as having Clear Lake clay, which are defined as poorly-drained and fine-textured (NRCS 2018b). The project site is located in an identified liquefaction zone, according to maps prepared by CGS (CGS 2016).

Most land in San Leandro is underlain by materials that have moderate to very high liquefaction potential. In addition, according to the USGS the project site is in an area that experiences moderate liquefaction susceptibility (USGS 2019). However, the proposed structure would be required to be constructed in compliance with the California Building Code (CBC), which requires structures to be designed and constructed to resist liquefaction potential from seismic-related ground failure.

The geotechnical investigation prepared for the project (Appendix G) analyzed the potential for liquefaction induced settlements, and provided recommendations for the design of the proposed structure's foundation. Recommendations for the proposed structure's foundation include the removal of existing fill, exploration test pits to determine depth of fills prior to grading, subgrade stabilization measures including scarification and drying. Pursuant to SLMC Section 7-5-100, the City of San Leandro adopted the CBC; Section 1803.1.1.3 of the CBC states that the building department of each locality (in this case the San Leandro Building & Safety Division) would need to approve the soil investigation or geotechnical investigation (Appendix G) if it determines that the recommended action is likely to prevent structural damage. As a condition of the building permit, the approved recommended action would be incorporated into project construction. Therefore, pursuant to the SLMC and the CBC, the recommendations included in the geotechnical investigation (Appendix G) would be incorporated into the design of the project and verified by the City prior to issuance of a building permit.

With adherence to SLMC, the CBC, and implementation of recommendations in the design-level geotechnical investigation, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Earthquakes can trigger landslides that may cause injuries and damage many types of structures. Landslides are typically a hazard on or near slopes or hillside areas, rather than on generally level areas, like the project site. The project site is not within an area mapped as having landslides (CGS 2019). Therefore, the project has a low potential for slope instability occurring at the site and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

Project construction, particularly grading and site preparation, could result in erosion and loss of topsoil from the project site. The project developer would be required to follow applicable CBC and SLMC requirements to reduce soil erosion, including SLMC Section 7-12-230, which requires erosion and sedimentation control measures and drainage plans to be prepared by a civil engineer and submitted to the City for approval prior to issuance of a grading permit. Where appropriate, the control measures must include measures including, but not limited to, short-term erosion control planting, waterproof slope covers, stormwater retention basins, and devices to trap, store, and filter sediment during project construction and operation. Compliance with federal, State, and City regulations would reduce impacts related to soil erosion and the loss of topsoil to less than significant levels.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Expansive soils are those that have a potential to undergo significant changes in volume, either shrinking or swelling, due to their composition and moisture content. Periodic shrinking and swelling of expansive soils can cause extensive damage to other structures and roads. According to the NRCS, soil within and around the project site consists of Clear Lake clay. Clear Lake clay is very deep, poorly drained soil formed from mixed rock resources, and are not known to be expansive (NRCS 2018a; 2018b). Therefore, the project would not be located on expansive soil, and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The project site would be served by the municipal sewer system and would not require the installation of an on-site septic tank or alternate wastewater treatment systems. Therefore, no impacts from septic systems or alternative wastewater disposal systems would occur.

NO IMPACT

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in "soil" but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors. It is possible to evaluate the potential for geologic units to contain scientifically important paleontological resources, and therefore evaluate the potential for impacts to those resources and provide mitigation for paleontological resources if they are discovered during construction of a development project.

Rincon evaluated the paleontological sensitivity of the geologic units that underlie the project site to assess the project's potential for significant impacts to scientifically important paleontological resources. The analysis was based on the results of a review of existing information in the scientific literature regarding known fossils within geologic units mapped at the project site. According to the SVP (2010) classification system, geologic units can be assigned a high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources. Following the literature review, a paleontological sensitivity classification was assigned to each geologic unit mapped within the project site. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units. The project site is located in the Coast Ranges geomorphic province, one of the eleven geomorphic provinces of California (California Geological Survey 2002). The Coast Ranges extend along the majority of California's coast from the California-Oregon border to Point Arguello in Santa Barbara County in the south and consist of northwest-trending mountain ranges and valleys. The Coast Ranges are composed of Mesozoic and Cenozoic sedimentary, igneous, and metamorphic strata. The eastern side is characterized by strike-ridges and valleys in the Upper Mesozoic strata. The Coast Ranges province runs parallel to and overlaps the San Andreas Fault in some areas (California Geological Survey 2002). Locally, the project site is on the East Bay Plain which lies between the San Lorenzo Hills to the east and San Francisco Bay to the west.

The region surrounding the project site was mapped by Graymer (2000), who identified a single geologic unit, Holocene alluvial fan and fluvial deposits, underlying the project site. Holocene alluvial fan and fluvial deposits are brown to tan, medium-dense sand that fines upward to sandy or silty clay. Holocene sediments are generally considered too young (i.e., less than 5,000 years old) to preserve paleontological resources (SVP 2010). Therefore, Holocene alluvial fan and fluvial deposits have low paleontological sensitivity.

A geotechnical report conducted for this project encountered 3 feet of artificial fill in each of its test borings, below which they encountered alluvial sediments consisting of sandy clay with interbeds of silty sand down to the maximum observed depth of 40 feet (Appendix GEO). These observations are consistent with the Holocene alluvial fan and fluvial deposits mapped by Graymer (2000).

Ground-disturbing activities for this project will include overall grading of the site and excavations for stormwater catch basins and storm drains. These activities are anticipated to reach up to 12 feet below the current grade. The depth at which these sediments become old enough to preserve paleontological resources (i.e., 5,000 years old; SVP 2010) is unknown. Maguire and Holroyd (2016) report Pleistocene-aged fossils (e.g., mammoth, horse, ground sloth) at depths as shallow as 9 feet below the current surface from sediments mapped as Holocene at the surface in Santa Clara County. Although, this project is in Alameda County rather than Santa Clara County, the data of Maguire and Holroyd (2016) does show the depths at which fossil-bearing sediments can occur in the San Francisco Bay area. Therefore, the 12-foot-deep excavations anticipated for this project may impact sediments that are old enough to contain paleontological resources. As a result, mitigation measure GEO-1 is recommended to ensure that potential impacts to paleontological resources are less than significant by providing training to construction personnel on the appearance of fossils and establishing procedures to be followed in the event that an unanticipated paleontological resource is discovered. These procedures will effectively mitigate impacts to paleontological resources through their recovery, identification, and curation.

GEO-1 Unanticipated Fossil Discovery

PALEONTOLOGICAL WORKER ENVIRONMENTAL AWARENESS PROGRAM

Prior to the start of construction, a Qualified Professional Paleontologist, as defined by SVP (2010), or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel.

UNANTICIPATED DISCOVERY OF PALEONTOLOGICAL RESOURCES

The project developer shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If a potential fossil is discovered during project construction, construction activity within 50 feet of the find shall cease until the discovery is examined by a Qualified Professional Paleontologist. If the find is determined to be significant, the Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources consistent with the SVP (2010) standards.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	□	□	■	□
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	□	□	■	□

FirstCarbon Solutions prepared an Air Quality and Greenhouse Gas Emissions Impacts Report (AQ-GHG Report) in August 2022, which was peer-reviewed by Rincon Consultants in September 2022. FirstCarbon Solutions prepared a revised AQ-GHG Report in April 2023. Rincon Consultants also prepared updated air quality modeling in September 2023. The revised Air Quality and Greenhouse Gas Emissions Impacts Report, peer review memorandum, and updated air quality modeling are included as Appendix B.

Overview of Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. Climate change is the result of numerous, cumulative sources of GHG emissions contributing to the "greenhouse effect," a natural occurrence which takes place in Earth's atmosphere and helps regulate the temperature of the planet. The majority of radiation from the sun hits Earth's surface and warms it. The surface, in turn, radiates heat back towards the atmosphere in the form of infrared radiation. Gases and clouds in the atmosphere trap and prevent some of this heat from escaping into space and re-radiate it in all directions.

GHG emissions occur both naturally and as a result of human activities, such as fossil fuel burning, decomposition of landfill wastes, raising livestock, deforestation, and some agricultural practices. GHGs produced by human activities include carbon dioxide (CO_2), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO_2e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater

than CO_2 on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2022).[3]

The principal climate change gases resulting from human activity that enter and accumulate in the atmosphere are listed below:

- **Carbon Dioxide**. CO_2 enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and chemical reactions (e.g., the manufacture of cement). CO_2 is also removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
- **Methane**. CH_4 is emitted during the production and transport of coal, natural gas, and oil. CH_4 emissions also result from livestock and agricultural practices and the decay of organic waste in municipal solid waste landfills.
- **Nitrous Oxide**. N_2O is emitted during agricultural and industrial activities as well as during combustion of fossil fuels and solid waste.
- **Hydrofluorocarbons (HFC)**. HFCs are one of several high global warming potential (GWP) gases that are not naturally occurring and are generated from industrial processes. HFC (refrigerant) emissions from vehicle air conditioning systems occur due to leakage, losses during recharging, or release from scrapping vehicles at end of their useful life.
- **Perfluorocarbons (PFC)**. PFCs are another high GWP gas that are not naturally occurring and are generated in a variety of industrial processes.
- **Sulfur Hexafluoride (SF_6)**. SF_6 is another high GWP gas that is not naturally occurring and is generated in a variety of industrial processes.

There are uncertainties as to exactly what the climate changes will be in various local areas of the earth. There are also uncertainties associated with the magnitude and timing of other consequences of a warmer planet: sea level rise, spread of certain diseases out of their usual geographic range, the effect on agricultural production, water supply, sustainability of ecosystems, increased strength and frequency of storms, extreme heat events, increased air pollution episodes, and the consequence of these effects on the economy.

Regulatory Setting

California Global Warming Solutions Act of 2006 (Assembly Bill 32, and Senate Bill 32, and Assembly Bill 1279)

The "California Global Warming Solutions Act of 2006," (Assembly Bill [AB] 32), outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHG emissions to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 target of 431 million metric tons (MMT) of carbon dioxide equivalents (CO_2e), which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others

[3] The Intergovernmental Panel on Climate Change's (2022) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change's (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes a GWP of 25.

(CARB 2009). Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since the Scoping Plan's approval.

The CARB approved the 2013 Scoping Plan update in May 2014 (CARB 2014). The update defined the CARB's climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the state's longer term GHG reduction strategies with other state policy priorities, including those for water, waste, natural resources, clean energy, transportation, and land use (CARB 2014).

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 and SB 100 (discussed later). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with statewide per capita goals of six MT CO_2e by 2030 and two MT CO_2e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the state (CARB 2017).

AB 1279, "The California Climate Crisis Act," was passed on September 16, 2022 and declares the State would achieve net zero GHG emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative GHG emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045. CARB's 2022 Scoping Plan for achieving Carbon Neutrality lays out a path to achieve AB 1279 targets and SB 32 (CARB 2022). The actions and outcomes in the 2022 Scoping Plan would achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

City of San Leandro 2035 General Plan

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

Policy T-5.2 **Evaluating Development Impacts.** Use vehicle miles traveled (VMT) as the primary metric for evaluating the transportation impacts of new development proposals. Traffic impact studies may also consider the total number of trips generated and the resulting impact on traffic volumes and congestion (e.g., "Level of Service"), but VMT shall provide the primary basis for determining appropriate mitigation measures.

Goal OSC-7 Promote recycling, water conservation, green building, and other programs which reduce greenhouse gas emissions and create a more sustainable environment.

Policy OSC-7.8 **Green Building.** Promote green building in new construction and remodels.

Goal OSC-8 Promote the efficient use of energy and the increased use of renewable energy by San Leandro residents and businesses.

Policy OSC-8.1 **Conservation and Energy Efficiency.** Strongly advocate for increased energy conservation by San Leandro residents and businesses, and ensure that the City itself is a conservation role model.

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

City of San Leandro Municipal Code

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

Section 7.5.600 of the SLMC requires compliance with the California Green Building Code, Title 24, Part 11, which details requirements for energy conservation and green design. Section 7.5.700 of the SLMC requires compliance with the California Energy Code, Title 24, Part 6, which details requirements for the use of energy-efficient design and technologies as well as provisions for incorporating renewable energy resources into building design.

Significance Thresholds

Individual projects do not generate sufficient GHG emissions to influence climate change directly. However, physical changes caused by a project can contribute incrementally to significant cumulative effects, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means the incremental effects of an individual project are significant when considered in conjunction with the effects of past projects, other current projects, and probable future projects (*CEQA Guidelines* Section 15064[h][1]).

According to *CEQA Guidelines* Section 15183.5(b), projects can tier from a qualified GHG reduction plan, which allows for project-level evaluation of GHG emissions through the comparison of the project's consistency with the GHG reduction policies included in a qualified GHG reduction plan. This approach is considered by the Association of Environmental Professionals (2016) in its white paper, *Beyond Newhall and 2020: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California*, to be the most defensible approach presently available under CEQA to determine the significance of a project's GHG emissions.

The 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans* guidance document contains two approaches for determining significance of GHGs (BAAQMD 2022). The two approaches are as follows:

1. Projects must include, at a minimum, the following project design elements:
   - **Buildings**
     - The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
     - The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
   - **Transportation**
     - Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
       - Residential projects: 15 percent below the existing VMT per capita
       - Office projects: 15 percent below the existing VMT per employee
       - Retail projects: no net increase in existing VMT
     - Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier

2. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

According to the 2022 BAAQMD CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans, a qualified GHG reduction strategy that can enable CEQA streamlining benefits for future land use projects must:

- Quantify GHG emissions, both existing and projected over a specified period, resulting from activities in a defined geographic area
- Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable
- Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated in the geographic area
- Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level
- Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels
- Be adopted in a public process following environmental review

This analysis will evaluate the project in terms of consistency with the San Leandro 2021 Climate Action Plan, a local GHG reduction strategy that contains all of the components required under Criterion 2 above.

Methodology

GHG emissions were modeled under the same assumptions and methodology outlined in Section 3, *Air Quality.* As discussed under *Significance Thresholds* above, projects consistent with a qualified climate action plan (CAP) are assumed to have less-than-significant impacts related to GHG emissions. Therefore, the proposed project's estimated GHG emissions during construction and operation are presented for informational purposes only.

Impact Analysis

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

b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Construction

The proposed project would generate GHG emissions during construction activities, resulting from emission sources such as construction equipment, haul trucks, vendor deliveries, and construction worker vehicles. Although these emissions would be temporary and short-term in nature, they could represent a substantial contribution of GHG emissions. Construction emissions were modeled using CalEEMod. Table 17 below summarizes the annual construction GHG emissions in terms of metric tons (MT) of carbon dioxide equivalents (CO_2e) per year. BAAQMD has not established a quantitative significance threshold for evaluating construction related emissions, but it does recommend quantifying and disclosing construction-generated GHG emissions. The total emissions generated during construction were amortized over 30 years, a typical estimated operational lifetime for a project, and added to the operational emissions.

Table 17 Project Construction GHG Emissions

Construction Year	Total GHG Emissions (MT CO_2e)
2024	365
2025	14.7
Total Construction Emissions	**379.7**
Construction Emissions Amortized over 30 years	**13**

GHG = greenhouse gas

MT CO_2e = metric tons of carbon dioxide equivalent

Totals may not sum due to rounding. Construction emissions are amortized over the 30-year lifetime of the project.

Source: updated modeling outputs are included at the end of Appendix B

Operation

Operational GHG emissions would occur over the life of the project. Sources of operation GHG emissions include passenger vehicle and truck use associated with the project, stationary sources, electricity and power, area sources such as landscaping, water use, and waste generation. Table 18 summarizes estimated annual GHG emissions from the project's operational activities.

Table 18 Project Operational GHG Emissions

GHG Emissions Source	Total GHG Emissions (MT CO_2e per year)
Warehouse	584.5
Office Use	129.2
Parking Lot	44.6
Landscaping	0.6
Amortized Construction Emissions	13
Total Annual Operational Emissions	**772**

GHG = greenhouse gas

MT CO_2e = metric tons of carbon dioxide equivalent

Mobile sources include estimated passenger vehicle and truck use associated with the project.

Totals may not sum due to rounding. Construction emissions are amortized over the 30-year lifetime of the project.

Source: updated modeling outputs are included at the end of Appendix B

The City of San Leandro updated and approved its CAP in July 2021, which outlines strategies for reducing GHG emissions through various activities, including but not limited to water conservation, energy conservation, land use design and orientation, transportation-oriented development, and renewable energy source use. According to the CAP, "The CAP is prepared consistent with CEQA Guidelines for Plans for the Reduction of Greenhouse Gas Emissions (CEQA Guidelines Section 15183.5). Additionally, the CAP meets the criteria from the BAAQMD CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans, as described under *Significance Thresholds.* This allows the 2021 CAP to support and streamline environmental review of GHG emissions related to future development projects within the city." Therefore, a project that would comply with the goals and policies of the City's CAP would have less-than-significant GHG impacts.

Table 19 below compares the project's consistency with the City's CAP. As shown therein, the proposed project would be consistent with the CAP and accordingly would be consistent with an adopted, qualified GHG reduction strategy. Therefore, the proposed project would not generate GHG emissions that would have a significant impact on the environment. Impacts would be less than significant.

Table 19 Project Consistency with the San Leandro CAP

San Leandro CAP Measure	Project Consistency
Building Efficiency (BE)	
BE-1: Electrified retrofits. Incentivize significant building retrofits with fewer or no natural gas appliances to reduce pollution and increase cost savings.	**Not applicable**. The proposed project would include the development of a new light industrial warehouse and would not retrofit existing buildings.
BE-2: Electrified new construction. Commit to developing a reach code limiting natural gas use in new construction, or as directed by the State or regional agencies.	**Consistent**. The City of San Leandro has adopted a reach code limiting natural gas use in new construction, and the project would not include natural gas infrastructure.
Residential Energy Efficiency (RF)	
RF-1: Increase education and outreach for existing energy efficiency financing mechanisms, including theProgram for All-Inclusive Elder Care (PACE) programs and utility programs. Create new financing programs, such as a revolving loan program. **RF-2:** Prioritize City-funded energy retrofit programsin majority people of color census tracts or high energy cost burdened households. **RF-3:** Homeowner energy retrofits. Continue to promote energy efficiency programs and incentivesavailable to residential property owners. **RF-4:** Work with landlords and tenants' groups to increase energy efficiency and decrease energy costsin rental homes, including multi-family properties. Mitigate displacement risk by strengthening tenant protections, including relocation assistance and rightof return for tenants temporarily displaced by housing retrofits. Utilize methods such as the green lease to address the split incentive issue and preventtenants paying for property improvements.	**Not applicable.** The proposed project would include the development of a new light industrial warehouseand would not include residential uses.
Renewable Energy (RE)	
RE-1: East Bay Community Energy participation Encourage San Leandro households and businesses toswitch from PG&E electricity supplies to East Bay Community Energy, and commit to defaulting to Renewable 100 tier for 100 percent renewable energy.	**Consistent**. The project site is located in the East Bay Community Energy service area and tenants would be able to register for this electricity provider.
RE-2: Residential owner-occupied renewable energyPromote greater adoption of renewable energy generation and energy storage systems on owner- occupied new and existing homes. Leverage existing solar financing, tax, and rebate opportunities, and consider new financial incentives as needed.	**Not Applicable**. The proposed project would include the development of a new light industrial warehouse and would not include residential uses.
RE-3: Prioritize increasing and installing renewable energy generation systems and energy storage systems on rental homes, multi-family buildings, and affordable housing.	**Not Applicable**. The proposed project would include the development of a new light industrial warehouse and would not include residential uses.
RE-4: Increase renewable energy generation and energy storage capacity at nonresidential properties.Encourage the use of non-fossil fuel backup generation systems as much as possible.	**Consistent.** The proposed project would be required to comply with SLMC Chapter 7-5, Article 6 Green Building Code, which would require all new development to be consistent with Title 24, including the provision for solar-ready rooftop infrastructure.

San Leandro CAP Measure	Project Consistency
Reducing Auto Dependency (AD)	
AD-1: Traffic calming. Continue to provide the Neighborhood Traffic Calming Program and related efforts to reduce travel speeds and cut through traffic in residential areas.	**Consistent**. The proposed project would not include a roadway that could be used to cut through residential neighborhoods and would facilitate travel to the proposed project driveways.
AD-2: Transit-oriented development. Continue to concentrate multi-family development and pedestrian-oriented mixed-use development within existing [Transit Oriented Development] TOD areas and along major transit corridors.	**Not Applicable**. The proposed project is not a multi-family development or pedestrian-oriented mixed-use development.
AD-3: Infill development. Focus new housing development on underutilized or vacant infill sites on flatter lands and continue to discourage new development in hillside areas.	**Not Applicable**. The proposed project include the development of a new light industrial warehouse and would not include residential uses.
AD-4: Evaluate parking standards. Evaluate parking standards and continue to support shared parking and other efforts to ensure the availability of necessary parking while reducing vehicle miles traveled.	**Consistent**. The proposed project would provide parking consistent with development standards contained in the SLMC.
Active and Alternative Transportation (AT)	
AT-1: Transportation Demand Management (TDM). Require local employers above a certain number of employees to develop programs that promote ride sharing, flextime, telecommuting, and other means to reduce commute trips and congestion, and target 10 percent mode shift.	**Consistent**. Although the number of employees that would be employed by the proposed project is unknown at the time of preparation of this report, the proposed project would comply with any City TDM programs should they apply. In addition, the CAP does not provide a numerical number of employees where a TDM program would be applicable.
AT-2: Bicycle infrastructure. Expand San Leandro's bicycle network and supportive bicycle infrastructure, including funding buildout of the City's bicycle network as identified in the current Bicycle and Pedestrian Master Plan, to meet commute trip, non-commute trip, and recreational needs.	**Consistent**. The proposed project would not inhibit the expansion of the City's bicycle network, because it would be consistent with existing Building Codes and would not prevent the installation of bicycle lanes or infrastructure adjacent to the project site. Additionally, the project would include 14 bicycle parking spaces.
AT-3: Active transportation and micro-mobility. Commit to implementing bikeshare, scooters, and micro-mobility options, and accompanying creative payment options, such as accepting cash deposits foraccess. **AT-4:** Walkability. Improve walkability of all streets and paths in San Leandro, including removing barriersto walking and adding places of rest and shade. Prioritize new infrastructure and modernized curb ramps in majority people of color census tracts andnear assisted living facilities and senior centers. **AT-5:** Public transit. Work collaboratively with AC Transit and BART for abundant, affordable, and accessible public transit through improved servicefrequency, coverage, and quality throughout San Leandro. Support efforts to increase schedule integration. **AT-6:** BART shuttles. Continue LINK and FLEX shuttlebus services connecting BART stations and other major activity centers, including efforts to improve shuttle efficiency and comprehensiveness.	**Not Applicable.** These CAP measures would be the responsibility of the City of San Leandro to implement, rather than individual development projects.

San Leandro CAP Measure	Project Consistency
AT-7: Car sharing. Expand car sharing through additional incentives, location of car sharing sites,and education and outreach. **AT-8:** Autonomous vehicles. Explore opportunities to effectively reduce GHG emissions associated with autonomous vehicles.	
Transportation Electrification and Low-Carbon Fuels (TE)	
TE-1: Electric vehicle adoption. Conduct education and outreach to inform members of the public aboutthe availability of EVs, and the economic incentives available to encourage EV adoption. **TE-2:** Increase the availability of publicly accessible EV charging stations at multi-family residential buildings,retail centers, offices, and public facilities.	**Consistent.** The proposed project includes the development of a new warehouse that would be subject to Title 24 requirements mandating EV charging infrastructure.
TE-3: Alternative commercial fuels. Support increasesin community-wide uses of biomethane, biofuels from sustainable sources, and other emerging clean fuel technologies. **TE-4:** Municipal fleet fuel reduction. Further reducefossil fuel use in municipal fleet operations. **TE-5:** EV financing. Support funding mechanisms (e.g., revolving loan fund, grants, public bank finance) to enable low-income truck owner-operators to upgradeto EVs without undue debt burden. **TE-6:** Electric taxis and TNCs. Promote fuel efficiencyand alternative fuels for taxis and Transportation Network Companies (TNCs), including a funding mechanism to support ride sharing drivers to move from fossil-fueled cars to EVs (e.g., require Lyft/Uberto pay for upgrade).	**Not Applicable.** These CAP measures would be the responsibility of the City of San Leandro to implement rather than individual development projects.
Waste Management (WM)	
WM-1: Increased curbside recycling. Increase participation in curbside recycling programs, includingefforts to reduce material contamination and improvements to waste educational programs.	**Consistent**. The proposed project would be required to comply with the City's construction debris and waste recycling ordinance. The proposed project would be provided waste removal services by Oro Loma Sanitary District,which provides recycling services for residential uses.
WM-2: Curbside composting. Expand participation in composting programs, including partnerships with community organizations such as StopWaste and a mandatory curbside composting program for all businesses.	**Consistent**. The Oro Loma Sanitary District would provide Green Waste bins for the proposed project's waste disposal and the proposed project would participate in mandatory composting practices for businesses.
WM-3: Recycling expansion. Continue to promoteprograms for recycling electronic waste and othermaterials that are not accepted in curbside bins.	**Not Applicable**. This CAP measure would be the responsibility of the City of San Leandro to implement, rather than individual development projects.
Waste Reduction and Reuse (WR)	
WR-1: Waste minimization. Explore emerging opportunities for waste minimization, includingmaker spaces, material reuse, and tool-lending libraries.	**Not Applicable**. This CAP measure would be the responsibility of the City of San Leandro to implement, rather than individual development projects.
WR-2: Construction and Demolition waste. Explore opportunities to exceed State requirements for construction and demolition materials by encouraging deconstruction and material reuse.	**Consistent**. The proposed project construction contractor would be required to comply with SLMC Section 3-7 related to constructionwaste and debris recycling.

San Leandro CAP Measure	Project Consistency
WR-3: Commercial food waste reduction. Work with restaurants and other food-processing businesses toreduce food waste.	**Not Applicable.** The proposed project would not include restaurant or food processing land uses.
WR-4: Industrial waste reduction. Work with business leaders and organizations to reduce industrial waste, including packaging materials.	**Consistent.** The City would initiate coordination with the proposed project owners to identify industrial waste reduction goals or programs that would apply and would seek to develop a plan to reduce industrial waste.
WR-5: Styrofoam and single-use plastics reduction.Continue to enforce bans on Styrofoam for food- related businesses and explore opportunities to reduce single-use plastic items. **WR-6:** Local compost. Support programs for locally-produced compost, including programs run by localand regional partners.	**Not Applicable**. This CAP measure would be the responsibility of the City of San Leandro to implement, rather than individual development projects.
Water Efficiency (WE)	
WE-1: Reclaimed water. Expand San Leandro'sreclaimed water system. **WE-2:** Greywater retrofits. Support installation of greywater recycling systems and other systems thatcapture runoff for domestic use and landscaping. **WE-3**: Water-efficient retrofits. Promote water efficiency in existing homes and businesses.	**Not Applicable**. This CAP measure would be the responsibility of the City of San Leandro to implement, rather than individual development projects. **Not Applicable**. This CAP measure would be the responsibility of the City of San Leandro to implement, rather than individual development projects. **Not Applicable**.
WE-4: New Greywater Installations. Continue to require water conservation and green infrastructurestrategies as a condition of approval for major developments.	**Consistent.** The proposed project would include drought landscaping consistent with Title 24 and Cityof San Leandro requirements that would be appropriate for the local climate and contribute to conserving outdoor water use.
Community Consumption (CC)	
CC-1: Environmentally Preferred Purchasing**.** Continue to promote and enforce Environmentally Preferred Purchasing policies for City operations andencourage community businesses to adopt similar policies. **CC-2:** Local Goods and Services. Continue Keep It Local SL campaign efforts and encourage businessesproviding a variety of goods and services to locate inSan Leandro. **CC-3:** Low Carbon Building Materials**.** Work with local, regional, and State partners to expand the awareness of, availability, and cost-effectiveness oflow carbon or carbon-free construction materials.	**Not Applicable.** These CAP measures would be the responsibility of the City of San Leandro to implement, rather than not individual development projects.
CC-4: Carbon Sequestration. Promote increasing soilcarbon and planting high carbon sequestering, climate appropriate species in landscaping projects.	**Consistent.** The proposed project would include landscaping consistent with City of San Leandro requirements that would be appropriate for the local climate and contribute to carbon sequestration on- site.

San Leandro CAP Measure	Project Consistency
Equity and Just Transition (EJ)	
EJ-1: Green Job Training. Maximize opportunities forgreen jobs by supporting workforce training and other economic development activities in a manner that supports labor unions and improved equity. **EJ-2: Workforce Equity.** Prioritize formerly incarcerated individuals, individuals with barriers to employment for green workforce development programs through 'ban the box' and other procurement standards. Perform culturally-sensitivetargeted outreach for these programs. **EJ-3: Just Transition.** Work to replace environmentally harmful industries with green jobs in a manner that benefits the health and well-being of workers from these industries.	**Not Applicable.** These CAP measures would be the responsibility of the City of San Leandro to implement, rather than individual development projects.

Source: City of San Leandro 2021

LESS-THAN-SIGNIFICANT IMPACT

9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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 0.25 mile of an existing or proposed school?	□	□	■	□
d. Be located on a site that is included on a list of hazardous material 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 in 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. 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?	□	□	□	■

Hazards and Hazardous Materials Setting

A Phase I Environmental Site Assessment (ESA) was prepared for the project site by Roux Associates, Inc. (Roux) in November 2021. Rincon Consultants, Inc. peer reviewed this ESA in December 2022. As part of the Phase I ESA, Environmental Data Resources, Inc. (EDR) was contracted to provide a database search of public lists of sites that generate, store, treat, or dispose of hazardous materials or sites for which release or incident has occurred for the project site and surrounding area. Federal, state, and country lists were reviewed as part of the research effort. The Phase I ESA and peer review memorandum are presented in Appendix H.

Methodology

Roux performed two site assessments and a records review to identify Recognized Environmental Conditions (RECs). American Society for Testing Materials(ASTM) International is an international standards organization that develops and publishes voluntary consensus technical standards for a wide range of materials, products, systems, and services (ASTM 2023). ASTM International defines RECs as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to a release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. In addition, Roux evaluated the site for Controlled Recognized Environmental Conditions (cRECs) and Historical Recognized Environmental Conditions (hRECs). cRECs are RECs that have been addressed to the satisfaction of the applicable regulatory authority with hazardous substances allowed to remain in place subject to the implementation of required controls. hRECs are a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority without subjecting the property to any required controls (Appendix H).

Roux contracted with EDR to review databases maintained by local, state, and federal government agencies, and other records available from commercial and online sources. Roux also contacted government agencies, including the United States Environmental Protection Agency, the San Francisco Bay RWQCB, BAAQMD, the Alameda County Public Works Agency, the Alameda County Department of Environmental Health, and the City of San Leandro, for information regarding potential environmental conditions at the site.

No known or suspected RECs or cRECs were identified in connection with the current and historical operations at the project site (Appendix H).

Based on information obtained from the site assessments and records review, the following hRECs are associated with current and historical operations at the project site or adjacent properties (Appendix H):

- **hREC 1: Custom Ironwork Facility.** The building located at 14143-A Washington Avenue within the northeastern portion of the project site was a custom ironworks shop for over 20 years. Miscellaneous paints, cleaners, and lubricating/cutting oils in consumer-sized containers were observed throughout the structure. Given the long-term operation of the ironworks shop and the relatively poor housekeeping of materials within the structure, this facility was determined to pose a potential concern in relation to the project site. Roux completed subsurface investigations, which did not indicate subsurface contamination resulting from the ironworks shop; therefore, this item is considered an hREC.
- **hREC 2: Oil/Water Separator.** Roux observed a belowground oil/water separator located south of the car wash structure in the central portion of the project site. Wastewater from the former

wash station in this structure likely entered a floor drain in the structure and was discharged into the separator prior to being discharged into the municipal sewer system. Waste fluids such as motor vehicle fuels, new and used engine oil, hydraulic oil, coolant, battery acid, and other vehicle fluids may have been discharged into the separator. Subsurface investigations completed by Roux did not indicate subsurface contamination resulting from this former project site use; therefore, this item is considered a hREC.

- **hREC 3: Former Underground Storage Tank (UST) without Regulatory Closure.** Of the four USTs known to have existed on the project site, three received regulatory closure. A 550-gallon waste oil tank located along the southern boundary of the project site was removed under the oversight of the San Leandro Fire Department; subsurface investigations performed by Roux did not indicate subsurface contamination resulting from this UST; therefore, this item is considered an hREC.
- **hREC 4: Former USTs with Regulatory Closure.** Three USTs, including two 1,000-gallon diesel tanks and one 5,000-gallon gasoline tank were removed from the project site in 1991 and 1992. Records indicate that these USTs were removed under the oversight of the San Leandro Fire Department and received regulatory closure from the San Francisco Bay RWQCB in 1997. Subsurface investigations performed by Roux did not indicate subsurface contamination resulting from these USTs; therefore, these items are considered hRECs.

Regulatory Setting

Department of Toxic Substances Control

As a department of CalEPA, the Department of Toxic Substances Control (DTSC) regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the Resource Conservation and Recovery Act (RCRA) and the California Health and Safety Code.

DTSC also administers the California Hazardous Waste Control Law (HWCL) to regulate hazardous wastes. While the HWCL is generally more stringent than RCRA, until the USEPA approves the California program, both state and federal laws apply in California. The HWCL lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

Government Code Section 65962.5 requires the DTSC, the State Department of Health Services, SWRCB, and the California Department of Resources Recycling and Recovery (CalRecycle) compile and annually update lists of hazardous waste sites and land designated as hazardous waste sites throughout the state. The Secretary for Environmental Protection consolidates the information submitted by these agencies and distributes it to each city and county where sites on the lists are located. Before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the site at issue is included.

If any soil is excavated from a site containing hazardous materials, it is considered a hazardous waste if it exceeds specific criteria in Title 22 of the CCR. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed, or if certain other soil disturbing activities would occur. Even if soil or groundwater at a contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be

required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking jurisdiction.

Regional Water Quality Control Board

The Regional Water Quality Control Board (RWQCB) regulates discharges and releases to surface and groundwater in the project area. The RWQCB generally oversees cases involving groundwater contamination. The County of Alameda Department of Environmental Health handles most leaking underground storage tank cases, so the RWQCB may oversee cases involving other groundwater contaminants, i.e., Spills, Leaks, Incidents, and Clean-up cases. In the case of spills at a project site, the responsible party would notify the County of Alameda, RWQCB, or DTSC and a lead would be determined.

RWQCB has established guidelines used to evaluate the potential risk associated with chemicals found in soil or groundwater where a release of hazardous materials has occurred called Environmental Screening Levels (ESLs). ESLs were developed to expedite the identification and evaluation of potential environmental concerns at contaminated sites. ESLs address soil, groundwater, soil gas, and indoor air and cover a range of concerns (e.g., impacts to drinking water, aquatic habitat, and vapor intrusion).

San Leandro Environmental Services Section

The City of San Leandro Environmental Services Section is designated as the City's Certified Unified Program Agency (CUPA), which is overseen by the California Environmental Protection Agency and coordinates the regulation of hazardous materials and hazardous wastes in the City. CUPA ensures the consistent application of statewide standards during administrative, permitting, inspection, and enforcement activities associated with hazardous materials and hazardous wastes. If a business operated at the project site would use and store hazardous materials and generate hazardous wastes, CUPA would require the electronic submittal of chemical and facility information, a Hazardous Materials Business Plan, and hazardous waste generator permits to the California Environmental Reporting System online database. If operations at the project site would include the treatment, storage, and/or disposal of hazardous waste, the City Environmental Services Section would regulate these activities under a tiered permitting system.

CUPA, through the Hazardous Materials Office, regulates USTs containing hazardous materials, including installation, operation and maintenance, temporary closure, and removal and disposal of USTs. Additionally, CUPA holds the responsibility and authority to implement the Aboveground Petroleum Storage Act, which regulates aboveground petroleum storage tanks through administrative requirements, permitting, inspections, and enforcement. Any aboveground or underground storage tanks present at the project site would be managed by the City Environmental Services Section.

The Hazardous Materials Office administers the California Accidental Release Prevention (CalARP) Program, which aims to reduce the likelihood and impact of accidental releases of regulated toxic and flammable substances through administrative and operational procedures, and facility inspections. If the facility located on the project site would be regulated under the CalARP Program, the facility would file a written Risk Management Plan with the City Environmental Services Section.

San Leandro 2035 General Plan

The following Environmental Hazards Element policies of the San Leandro 2035 General Plan reduce potential hazards related to hazardous materials.

ENVIRONMENTAL HAZARDS ELEMENT

Goal EH-5 Protect local residents and workers from the risks associated with hazardous materials.

Policy EH-5.1 **Regulatory Compliance.** Work with the appropriate county, regional, state, and federal agencies to develop and implement programs for hazardous waste reduction, hazardous material facility siting, hazardous waste handling and disposal, public education, and regulatory compliance.

Policy EH-5.2 **Clean-Up of Contaminated Sites.** Ensure that the necessary steps are taken to clean up residual hazardous wastes on any contaminated sites proposed for redevelopment or reuse. Require soil evaluations as needed to ensure that risks are assessed and appropriate remediation is provided.

Policy EH-5.4 **Separation from Sensitive Uses.** Provide adequate and safe separation between areas where hazardous materials are present and sensitive uses such as schools, residences, and public facilities. Zoning and other development regulations should include performance standards to avoid safety hazards and achieve compatibility between uses.

Impact Analysis

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Construction

Project construction may include the temporary transport, storage, use, or disposal of potentially hazardous materials including fuels, lubricating fluids, cleaners, solvents, or contaminated soils. If spilled, these substances could pose a risk to the environment and to human health. However, the transport, storage, use, or disposal of hazardous materials is subject to various federal, state, and local regulations designed to reduce risks associated with hazardous materials, including potential risks associated with upset or accident conditions. Hazardous materials would be required to be transported under U.S. Department of Transportation (USDOT) regulations (USDOT Hazardous Materials Transport Act, 49 Code of Federal Regulations), which stipulate the types of containers, labeling, and other restrictions to be used in the movement of such material on interstate highways. In addition, the use, storage, and disposal of hazardous materials are regulated through the RCRA. DTSC is responsible for implementing the RCRA program, as well as California's own hazardous waste laws. DTSC regulates hazardous waste, cleans up existing contamination, and looks for ways to control and reduce the hazardous waste produced in California. It does this primarily under the authority of RCRA and in accordance with the HWCL (California H&SC Division 20, Chapter 6.5) and

the Hazardous Waste Control Regulations (Title 22, California Code of Regulations, Divisions 4 and 4.5). DTSC also oversees permitting, inspection, compliance, and corrective action programs to ensure that hazardous waste managers follow federal and state requirements and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Compliance with existing regulations would reduce the risk of potential release of hazardous materials during construction. Impacts would be less than significant.

Operation

Commercial warehouse structures typically do not use or store large quantities of hazardous materials other than those typically used for office cleaning, maintenance, and landscaping. If the operation of the proposed project would require handling of hazardous materials, the use, storage, and disposal of hazardous materials would be regulated through the RCRA which is implemented by DTSC. Transport of hazardous materials, during the operation of the proposed project, would be required to be transported under U.S. Department of Transportation (USDOT) regulations (USDOT Hazardous Materials Transport Act, 49 Code of Federal Regulations), which stipulate the types of containers, labeling, and other restrictions to be used in the movement of such material on interstate highways. In the case of spills at a project site, the responsible party would notify the County of Alameda, RWQCB, or DTSC and a lead would be determined. Therefore, project operation would not involve the use, storage, transportation, or disposal of substantial quantities of hazardous materials and would not result in the release of such materials into the environment. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

There are no schools within 0.25 mile of the project site, the closest school is James Monroe Elementary, approximately 0.5 miles southwest of the site, and project operation would not involve the use or storage of hazardous materials. Though potentially hazardous materials, substances, and waste such as fuels, lubricants, solvents, and oils could be used during project construction, the transport, use and storage of hazardous materials would be required to be conducted in accordance with all applicable State and federal laws, such as the Hazardous Materials Transportation Act, RCRA, the California Hazardous Material Management Act, and the CCR, Title 22. The project would have a less than significant impact on hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project be located on a site that is included on a list of hazardous material 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?

In addition to the database review conducted for the Phase I ESA, the following resources were reviewed to determine if hazardous materials may be present at the project site.

- **Department of Toxic Substances Control (DTSC)**
  - Online Cortese List of Hazardous Waste and Substances Sites (DTSC 2022)

- **California State Water Resources Control Board (SWRCB)**
  - Online GeoTracker database search for leaking underground storage tanks (LUST) and other cleanup sites (SWRCB 2022a)
  - Polyfluoroalkyl substances (PFAS) Investigation online Public Map Viewer (SWRCB 2022b)
- **California Department of Conservation Geologic Energy Management Division (CalGEM)**
  - Online Mapping System (CalGEM 2022)
- **U.S. Department of Transportation (USDOT)**
  - National Pipeline Mapping System (NPMS) online Public Map Viewer (USDOT 2022)
- **California Department of Resources Recycling and Recovery (CalRecycle)**
  - Solid Waste Information System (SWIS) (CalRecycle 2019)

DTSC Database Review

A review of the online Cortese List of Hazardous Waste and Substances Sites determined that the project site is not listed as a hazardous waste and substances site. One state response site is within 1,000 feet of the project site; however, the site enacts an annual monitoring program and was certified by DTSC as of October 2006.

SWRCB GeoTracker Database Review

A review of the online GeoTracker database determined that the project site contains a closed Leaking Underground Storage Tank cleanup site, which was closed in 1997. The project site is not listed as a hazardous waste and substances site. There are eight sites listed in the GeoTracker Database within 1,000 feet of the project site; five sites were determined to be completed by SWRCB and their cases were closed, and two are inactive. The remaining site, approximately 600 feet north of the project site, has a cleanup status of "open – site assessment" as of December 2016 (SWRCB 2022a).

PFAS Database Review

Beginning in 2019, the California SWRCB sent assessment requirements to property owners of sites that may be potential sources of PFAS. These sites currently include select landfills, airports, chrome plating facilities, publicly owned treatment works facilities, Department of Defense (DoD) sites, and bulk fuel storage terminals and refineries. According to the SWRCB, "PFAS are a large group of human-made substances that do not occur naturally in the environment and are resistant to heat, water, and oil" (SWRCB 2021). A review conducted on October 24, 2022 of the California Statewide PFAS Investigation online Public Map Viewer indicates that there are no current chrome plating, airport, landfill, publicly owned treatment works, DoD, or bulk fuel storage terminal or refinery PFAS orders at any facilities listed as located on the site or within one-half mile of the project site (SWRCB 2022b).

Well Finder Database Review

A review of the CalGEM Online Mapping System indicates that no oil wells are located on the project site, adjacent properties, or within 0.25 mile of the project site (CalGEM 2022).

Pipeline Database Review

The NPMS online Public Map Viewer indicates that one Pacific Gas and Electric Company-operated natural gas pipeline with an active status is located along Washington Avenue, which is adjacent to the north of the project site. The NPMS Viewer does not depict an accident or incident along the pipeline (USDOT 2022).

Landfill Database Review

The SWIS online database indicates that no landfills are located within one-half mile of the project site (CalRecycle 2019).

Review Summary

The project site is not listed as a DTSC Cortese hazardous material site compiled pursuant to Government Code Section 65962.5. Based on the database research conducted, the project site is not within one-half mile of a facility that could be a potential source of PFAS or a well containing PFOA or PFOS. Additionally, there are no oil wells, landfills, or pipelines with reported instances within 0.25 mile of the site.

While the Leaking Underground Storage Tank cleanup site within the project site is closed, it is possible that residual fuels and contaminants may be present in soils, which would be disturbed during project grading and construction. Release of soil vapors or contaminants would potentially create a hazard to the public or the environment. Mitigation Measure HAZ-1 would be required.

Mitigation Measure

HAZ-1 Preparation of a Soil Management Plan

The project applicant shall retain a qualified environmental consultant (Professional Geologist [PG] or Professional Engineer [PE]), to prepare a Soil Management Plan (SMP) prior to construction. The SMP or equivalent document shall be prepared to address onsite handling and management of impacted soils or other impacted wastes, and to reduce hazards to construction workers and offsite receptors during construction. The plans shall establish remedial measures and/or soil management practices to ensure construction worker safety, the health of future workers and visitors, and the off-site migration of contaminants from the site. These measures and practices may include, but are not limited to:

- Stockpile management including stormwater pollution prevention and the installation of BMPs
- Proper disposal procedures of contaminated materials
- Monitoring and reporting
- A health and safety plan for contractors working at the site that addresses the safety and health hazards of each phase of site construction activities with the requirements and procedures for employee protection

The City shall review and approve the development site plans for prior to ground disturbing or construction activities. Recommendations listed within the SMP shall be implemented as indicated prior to (preparation of the SMP) and during (adherence to the SMP) construction of the proposed project.

Mitigation Measure HAZ-1 would ensure that the disturbance of hazardous materials during ground-disturbing activities would result in a less than significant impact to workers, the public, and the environment. Impacts related to the release of hazardous materials into the environment would be less than significant with mitigation incorporated.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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?

The project site is approximately 3.8 miles east of Oakland International Airport and 3.3 miles north of the Hayward Executive Airport. The project site is not within the noise or safety compatibility zones of Oakland International Airport or Hayward Executive Airport (Alameda County Community Development Agency 2010; Alameda County Airport Land Use Commission 2010). Therefore, the project would not result in a safety hazard or excessive noise for people working in the project area. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Project construction would not require the closure of nearby roads and would not result in the need for detours. Construction activities would be limited to the project site and equipment and vehicles would be stationed within the site. The proposed project would not obstruct existing roadways or require the construction of new roadways or access points. Therefore, the proposed project would not block emergency response or evacuation routes or interfere with adopted emergency response and emergency evacuation plans. No impact would occur.

NO IMPACT

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The project site is in a developed, urbanized area surrounded by commercial development and roadways. No wildlands or densely vegetated areas are located nearby that would represent a significant fire hazard. The project does not fall within a High Fire Hazard Severity Zone or Very High Fire Hazard Severity Zone for wildland fires; the nearest Fire Hazard Severity Zone is 1.2 miles west of the project site (CALFIRE 2006). As discussed further in Section 20, *Wildfire*, the project would not expose people or structures to significant hazards related to wildland fires and there would be no impact.

NO IMPACT

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10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	□	□	■	□
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	□	□	■	□
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 off-site;	□	□	■	□
(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?	□	□	■	□

Setting

The project site is approximately 3.45 acres and generally flat, with an elevation of 40 feet above sea level (Google Earth 2022). There is an existing storm drain system on Washington Avenue. The site is approximately 2.5 miles east of the San Francisco Bay, 2.2 miles northwest of San Lorenzo Creek, and 1.5 miles south of San Leandro Creek. Both creeks flow to the west and terminate in the San Francisco Bay. The City of San Leandro receives approximately 21 inches of rain annually, with rainfall concentrated in the winter months (National Oceanic and Atmospheric Administration 2022).

Regulatory Setting

Clean Water Act

Congress enacted the CWA, formerly the Federal Water Pollution Control Act of 1972, with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the U.S. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and non-point source discharges to surface water. The National Pollutant Discharge Elimination System (NPDES) permit process regulates those discharges (CWA Section 402). NPDES permitting authority is administered by the SWRCB and its nine RWQCBs. The project site is in a watershed administered by the San Francisco Bay RWQCB (San Francisco Bay RWQCB 2022).

California Porter Cologne Water Quality Control Act

The Porter Cologne Water Quality Control Act of 1967 requires the SWRCB and the nine RWQCBs to adopt water quality criteria to protect State waters. These criteria include the identification of beneficial uses, narrative and numerical water quality standards, and implementation procedures. The criteria for state waters in the region are contained in the *Water Quality Objectives* Chapter of the Basin Plan for the San Francisco Bay RWQCB (San Francisco Bay RWQCB 2017). The Water Quality Control Plan, or Basin Plan, protects designated beneficial uses of State waters through the issuance of Waste Discharge Requirements and through the development of total maximum daily loads. Anyone proposing to discharge waste that could affect the quality of the waters of the State must make a report of the waste discharge to the RWQCB or SWRCB, as appropriate, in compliance with Porter-Cologne.

Alameda County Clean Water Program

The City of San Leandro is a member agency of the Alameda County Clean Water Program (ACCWP), which was established in response to federal stormwater NPDES regulations. Pursuant to the ACCWP Stormwater C.3 Technical Guidance (ACCWP 2017), projects that create or replace 10,000 square feet or more of impervious surface must comply with Provision C.3, which requires incorporation of appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address stormwater runoff pollutant discharges and prevent increases in runoff flows. The proposed project would be subject to this provision and would be required to implement appropriate measures.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in

Alameda, Contra Costa, San Mateo, and Santa Clara counties. Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained. In addition, the City would require a Stormwater Treatment Measures and Hydromodifications Management Controls Maintenance Agreement.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

The project would be required to comply with all requirements in the MRP. This permit was reissued the Regional Water Quality Control Board in May 2022.

City of San Leandro Municipal Code

Chapter 3-15 of SLMC regulates discharges into the City's stormwater system. Chapter 3-15 requires implementation of stormwater and erosion best management practices and compliance with the CWA and NPDES permits to eliminate non-stormwater discharges to the municipal separate storm sewer. Further, Chapter 7-12 of SLMC requires development projects to submit erosion and sedimentation control plans and drainage plans to the City for approval prior to project construction.

City of San Leandro 2035 General Plan

The following policies are applicable to the proposed project:

OSC-7.2 **Water Conservation.** Promote the efficient use of existing water supplies through a variety of water conservation measures, including the use of recycled water for landscaping.

OSC-7.3 **Drought Tolerant Landscaping.** Encourage the use of native vegetation and Bay-friendly landscaping and enforce the State Department of Water Resources Model Water Efficient Landscape Ordinance.

Impact Analysis

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Construction

Project construction has the potential to impact water quality through erosion and through debris carried in runoff. Construction would involve heavy equipment that could result in an increase in fuel, oil, and lubricants in stormwater runoff due to leaks or accidental releases. To minimize these impacts, the project would be required to comply with SLMC Chapter 7-12, which details requirements for erosion and sediment control plans, and with SLMC Chapter 3-15, which regulates discharge of materials into curbside gutters, storm sewers, and storm drains. The project would be required to implement BMPs for drainage and erosion control during construction and meet requirements for stormwater and sewer discharge.

In addition, as the project would disturb more than one acre, the project applicant would be required to obtain coverage under the statewide NPDES General Permit for Discharges of Storm Water associated with Construction Activity, Construction General Permit Order 2009-0009 DWQ (Construction General Permit), administered by the State Water Resources Control Board pursuant to Section 402 of the Clean Water Act. Coverage under the NPDES Permit would require implementation of a Stormwater Pollution Prevention Program and various site-specific BMPs to reduce erosion and loss of topsoil during project construction. Compliance with the NPDES permit and BMPs during construction such as straw wattles, silt fencing, concrete washouts, and inlet protection during construction would reduce impacts resulting from loss of topsoil. Construction would require water for dust suppression, but water use would be temporary and would cease upon the completion of construction. The project would not extract groundwater or directly interfere with the groundwater table through construction activities on the site, as ground disturbance would not occur below the water table. Compliance with state and local requirements would reduce impacts to surface and ground water quality to less than significant levels.

Operation

The City of San Leandro overlies the Santa Clara Valley (East Bay Plain) Groundwater Subbasin, which is bounded by San Pablo Bay to the north, the Diablo Range to the east, the San Francisco Bay to the west, and a groundwater divide near the City of Hayward to the south (California's Groundwater 2004). Currently, the project site is almost completely developed with hardscaped surfaces; the project would reduce the amount of impervious surfaces on the site through the inclusion of approximately 18,000 square feet of landscaped areas. These landscaped areas, consisting of planters along the eastern, western, and southern boundaries of the project site, would be bioretention treatment areas that would filter runoff and facilitate groundwater recharge. Remaining water that would not recharge into the groundwater would be released into the City's existing storm drain system via the storm drain on Washington Avenue, which outfalls into the San Francisco Bay. The project would be required to comply with SLMC Chapter 3-15, which requires development to implement permanent stormwater pollution prevention measures that are consistent with the City's NPDES permit. The project applicant would be required to submit a

stormwater management plan that would be subject to City approval prior to issuance of a grading permit.. The project would also comply with the City's C.3 Stormwater Guidelines, which outlines acceptable stormwater controls under the NPDES permit issued by RWQCB. Therefore, project operation would not substantially interfere with groundwater recharge, impact groundwater quality, or impede sustainable groundwater management of the Santa Clara Valley (East Bay Plain) Groundwater Subbasin.

The East Bay Municipal Utility District (EBMUD) would supply water to the project site. Approximately 90 percent of the EBMUD water supply originates from the melting snowpack of the Sierra Nevada. The principal water source is the Mokelumne River watershed, a 575-square mile area located in Alpine, Amador, and Calaveras Counties. Water is stored in reservoirs in the Sierra foothills and is transported by aqueduct to filter plants and reservoirs in the East Bay Hills. The other 10 percent of the EBMUD's water comes from runoff on protected East Bay Area watershed lands. EBMUD also has a contract for water supply intake from the Central Valley Project (CVP) on the Sacramento River. EBMUD relies on CVP deliveries during dry and critically dry periods (EBMUD 2021). The project would not extract groundwater or directly interfere with the groundwater table through operational activities on the site. Because the project would be served by a water utility with enough supply that does not extract groundwater, and the project would not interfere with groundwater recharge, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

c.(ii) Would the project 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iii) Would the project 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 that would 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?

c.(iv) Would the project 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 impede or redirect flood flows?

The nearest creeks to the project site, San Lorenzo Creek and San Leandro Creek, are 2.2 miles and 1.5 miles away from the site, respectively. Existing development between the project site and San Lorenzo and San Leandro Creeks include roadways as well as residential, commercial, and industrial developments. Neither project construction nor operation would alter the course of these creeks or other nearby creeks, streams, or rivers.

The project site was previously developed but is currently vacant and mostly paved. The project is designed to include six drainage management areas that would direct stormwater flows to stormwater drains and landscaped areas. Because the site is currently developed almost entirely with impervious surfaces, the landscaping included in the project would result in a net decrease in

impervious surfaces. The project would result in a net increase of 18,104 square feet of pervious surfaces. Portions of project landscaping, located in the along the western and eastern boundaries of the project site and adjacent to proposed parking areas would serve as bioretention areas to promote filtration and infiltration of stormwater from the project site. Project landscaping would provide 5,622 square feet of stormwater treatment area, which would filter stormwater prior to its discharge into the existing storm drain system or infiltration into groundwater sources. Additionally, the project would be required to incorporate stormwater control measures and NPDES permit requirements to reduce the amount of runoff that would enter the storm drain system compared to existing conditions. Therefore, impacts would be less than significant.

The project would connect to the City's storm drain system, which delivers stormwater and other runoff into local streams and creeks and ultimately to the San Francisco Bay. The project would incorporate stormwater bioretention areas to ensure that post project stormwater runoff would not exceed existing conditions. Therefore, the project would not result in flooding on or off site or substantial erosion or siltation of a creek or river.

LESS-THAN-SIGNIFICANT IMPACT

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, the project site is located in Zone X, which is characterized as an area of minimal flood hazard and having a less than 0.2 percent annual chance to be inundated by flood waters as a result of a storm event (Map #06001C0259G, August 3, 2009) (FEMA 2022). According to the California Governor's Office of Emergency Services (Cal OES) MyHazards online database, the project site is not located in a 100-year floodplain (Cal OES 2015).

The project site is located approximately 2.5 miles east of the San Francisco Bay and is not located in a tsunami or seiche zone, as shown in the Alameda County Tsunami Hazard Areas maps produced by the California Department of Conservation (DOC) (DOC 2021). The nearest body of water that could experience seiche (water level oscillations in an enclosed or partially enclosed body of water) is the San Francisco Bay. No other large bodies of water with the potential to inundate the project site by a seiche are located near the site. Therefore, the proposed project would not result in the risk of release of pollutants due to inundation by a tsunami, seiche, or flooding. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

EBMUD would serve the project site and this agency maintains an Urban Water Management Plan. EBMUD maintains a wastewater treatment plant in Oakland to ensure that water quality standards and goals are met. As discussed above in Criterion a, the project would not interfere with the ability of the City to maintain water quality standards pursuant to EBMUD's Urban Water Management Plan (UWMP) (EBMUD 2021). EBMUD does not rely on groundwater sources. Therefore, project implementation would not conflict with a sustainable groundwater management plan. Moreover, as outlined above in item (a), the proposed grading would be required to comply with applicable provisions of SLMC 7-12, which ensures protection of watercourses and drainages. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	□	□	□	■
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?	□	□	□	■

Setting

As stated in the *Project Description*, the project site has a General Plan land use designation of Industrial Transition and is zoned as Commercial Community. The Industrial Transition designation corresponds to areas that have historically been industrial but have transitioned or may transition in the future to a more diverse mix of uses, including general commercial activities (City of San Leandro 2016a). Commercial Community zones include but are not limited to business services and office uses. Allowable intensity on the project site is up to 1 FAR, and maximum building height is up to 50 feet with City approval.

Impact Analysis

a. Would the project physically divide an established community?

The project would involve redevelopment of an existing site. No new roads, linear infrastructure, or other development features are proposed that would divide an established community or limit movement, travel, or social interaction between established land uses. Project construction would not physically divide an established community; there would be no impact to established communities.

NO IMPACT

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

San Leandro 2035 General Plan

The City's General Plan contains several land use policies with the purpose of avoiding or mitigating an environmental effect. Table 20 shows applicable General Plan land use policies that aim to avoid or mitigate environmental effects and the project's consistency with those policies.

Table 20 Project Consistency with San Leandro 2035 General Plan Land Use Policies

General Plan Policy	Project Consistency
Policy LU 1.14. Construction Impacts. Ensure that construction activities are regulated and monitored in a manner that minimizes the potential for adverse off-site impacts such as noise, dust, erosion, exposure to hazardous materials, and truck traffic.	**Consistent.** The project would comply with existing applicable regulations that would minimize impacts to noise, dust, erosion, and exposure to hazardous materials. As discussed in Section 13, *Noise,* project construction and operation would not exceed noise limits established by the City and would not result in a significant impact. As discussed in Section 3, *Air Quality,* the project would not exceed applicable thresholds for particulate matter and would not result in a significant impact related to dust or air quality. As discussed in Section 10, *Hydrology and Water Quality,* the project would be required to comply with Section 3-15 and Section 7-12 of the SLMC, which outline construction erosion and stormwater best management practices and require the preparation of an erosion and sedimentation control plan. As concluded therein, the project would not result in substantial erosion or runoff. Finally, as discussed in Section 9, *Hazards and Hazardous Materials,* the project would not result in the release of hazardous materials to the environment and would not expose project occupants to substantial hazards and hazardous materials. As a warehouse development, the project would involve truck traffic. As discussed in Section 17, *Transportation,* traffic generated by the project would be consistent with existing commercial and light industrial uses in the project area, and would not result in significant impacts related to VMT.
Policy LU-10.2. Off-Site Impacts. Consider the setting and context of each site evaluating proposals for development in industrial areas. The potential for impacts on adjacent uses, including the potential for land use conflicts and increased parking demand and truck traffic, should be a key consideration.	**Consistent.** The project would involve development of a warehouse structure, which would be consistent with surrounding land uses including automobile repair shops to the north; commercial, storage, and automobile repair shops to the east; a home supply store to the south; and the City Public Works Department and warehouses to the west. Additionally, the project would involve rezoning the site from Commercial Community to Industrial General, which would facilitate project consistency with City zoning. The project would not result in a land use conflict. The project would include 64 parking spaces, which would exceed the 47 parking spaces required by City parking standards. As discussed in Section 17, *Transportation,* traffic generated by the project would be consistent with existing commercial and light industrial uses in the project area, and would not result in significant impacts related to VMT.

Source: City of San Leandro 2016a

As shown above, the project would be consistent with applicable City's General Plan policies that aim to avoid or mitigate environmental effects.

San Leandro Municipal Code

The SLMC contains several regulations that intend to avoid or mitigate environmental effects in the City. Table 21 shows policies that aim to avoid or mitigate environmental effects and the project's consistency with those regulations.

Table 21 Project Consistency with the SLMC

San Leandro Municipal Code	Project Consistency
Section 7-5-600. SLMC Section 7-5-600 adopts the California Green Building Standards Code (CALGreen) as the Green Building Code of San Leandro.	**Consistent.** As described in Section 6, *Energy,* the project would be required to implement the California Green Building Standards Code.
Chapter 5-2. Chapter 5-2 establishes that street trees in San Leandro are property of the City, and outlines requirements for removal and planting of street trees.	**Consistent.** According to the arborist report (Appendix A), the project would not require removal of street trees. As described in the *Project Description,* the project would involve removal of 10 onsite trees, none of which are street trees protected by this ordinance. The project would be consistent with this chapter of SLMC.
Chapter 3-15. Chapter 3-15 of SLMC contains standards and requirements for development projects to avoid non-stormwater discharges into the municipal separate storm sewer. **Chapter 7-12.** Chapter 7-12 contains standards and permit requirements for grading and excavation, and requires preparation of an erosion and sedimentation control plan and drainage plan in order to reduce water quality impacts of stormwater runoff from the site for the life of the project.	**Consistent.** As described in Section 10, *Hydrology and Water Quality,* the project would be required to comply with NPDES permit requirements, C.3 Stormwater Guidelines, and would involve the installation of bioretention areas to treat and direct stormwater flows. The project would also be required to comply with grading and excavation regulations established by the City and obtain appropriate permits prior to project approval. The project would be consistent with these chapters of the SLMC.
Chapter 3-22. Chapter 3-22 outlines Bay-friendly landscaping requirements for projects in San Leandro, which consists of native, low-water use vegetation.	**Consistent.** As described in the *Project Description,* the project would incorporate water efficient landscaping for plantings throughout the project site.

Source: SLMC 2022

As shown above, the project would be consistent with the SLMC and applicable building codes that intend to avoid or mitigate environmental effects.

LESS-THAN-SIGNIFICANT IMPACT

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12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
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?	☐	☐	☐	■
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?	☐	☐	☐	■

Setting

According to mapping completed by the State of California for suitability of use as construction materials, it was determined that no minerals or aggregate resources of statewide importance are located within San Leandro (California Department of Conservation 1996). In addition, there are no natural gas, oil, or geothermal resources identified in or adjacent to San Leandro.

Regulatory Setting

Surface Mining and Reclamation Act of 1975

Pursuant to the mandate of the Surface Mining and Reclamation Act of 1975, the State Mining and Geology Board requires all cities to incorporate into their general plans mapped mineral resources designations approved by the State Mining and Geology Board.

Impact Analysis

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The project site and surrounding properties are part of an urbanized area with no current oil or gas extraction. San Leandro's 2035 General Plan does not identify mineral deposits of regional significance within the city (City of San Leandro 2016a). No mineral resource activities would be altered or displaced by the proposed project. There would be no impact.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project result in:				
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?	☐	☐	■	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
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?	☐	☐	☐	■

Analysis in this section is based in part on a Noise Impact Analysis Report prepared by FirstCarbon Solutions in July 2022, which was peer-reviewed by Rincon Consultants in October 2022. FirstCarbon Solutions prepared a revised Noise Impact Analysis Report in January 2023. The revised report and peer review memorandum is included as Appendix I.

Noise Fundamentals

The unit of measurement used to describe a noise level is the decibel (dB). However, the human ear is not equally sensitive to all frequencies within the sound spectrum. Therefore, a method called "A-weighting" is used to filter noise frequencies that are not audible to the human ear. A-weighting approximates the frequency response of the average young ear when listening to most ordinary everyday sounds. When people make relative judgments of the loudness or annoyance of a sound, their judgments correlate well with the "A-weighted" levels of those sounds. Therefore, the A-weighted noise scale is used for measurements and standards involving the human perception of noise. In this analysis, all noise levels are A-weighted, and the abbreviation "dBA" is understood to identify the A weighted decibel.

Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. A 10 dB increase represents a 10-fold increase in sound intensity, a 20 dB increase is a 100-fold intensity increase, a 30 dB increase is a 1,000-fold intensity increase, etc. Similarly, a doubling of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; a halving of the noise source would result in a 3 dB decrease.

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two equivalent noise sources combined do not sound twice as loud as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA (increase or decrease); that a change of 5 dBA is readily perceptible; and that an increase or decrease of 10 dBA sounds twice (half) as loud (California Department of Transportation [Caltrans] 2013).

Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors has been developed. The noise descriptors used for this analysis are the one-hour equivalent noise level (L_{eq}) and the community noise equivalent level (CNEL).

The L_{eq} is the level of a steady sound that, in a specific time period and at a specific location, has the same A-weighted sound energy as the time-varying sound. For example, $L_{eq(1h)}$ is the equivalent noise level over a 1-hour period and $L_{eq(8h)}$ is the equivalent noise level over an 8-hour period. $L_{eq(1h)}$ is a common metric for limiting nuisance noise, whereas $L_{eq(8h)}$ is a common metric for evaluating construction noise.

The CNEL is a 24-hour equivalent sound level. The CNEL calculation applies an additional 5 dBA penalty to noise occurring during evening hours (between 7:00 p.m. and 10:00 p.m.) and an additional 10 dBA penalty to noise occurring during the night (between 10:00 p.m. and 7:00 a.m.). These increases for certain times are intended to account for the added sensitivity of humans to noise during the evening and night.

Propagation

Sound from a small, localized source (approximating a “point” source) radiates uniformly outward as it travels away from the source in a spherical pattern, known as geometric spreading. The sound level decreases or drops off at a rate of 6 dBA for each doubling of distance.

Traffic noise is not a single, stationary point source of sound. Over some time interval, the movement of vehicles makes the source of the sound appear to emanate from a line (line source) rather than a point. The drop-off rate for a line source is 3 dBA for each doubling of distance.

Vibration

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

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise may result in adverse effects, such as building damage, when the originating vibration spectrum is dominated by frequencies in the upper end of the range

(60 to 200 Hz). Vibration may also damage infrastructure when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (Federal Transit Administration 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2013). When a building is impacted by vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may actually amplify the vibration level due to structural resonances of the floors and walls.

Vibration amplitudes are usually expressed in peak particle velocity (ppv) or RMS vibration velocity. The ppv and RMS velocity are normally described in inches per second (in/sec). The ppv is defined as the maximum instantaneous positive or negative peak of a vibration signal. The Federal Transit Administration established standards for vibration impact assessments These guidelines are published in its Transit Noise and Vibration Impact Assessment Manual and are summarized below in Table 22.

Table 22 Federal Transit Administration Construction Vibration Impact Criteria

Building Category	in./sec. ppv
Reinforced – Concrete, Steel, or Timber (no plaster)	0.5
Engineered Concrete and Masonry (no plaster)	0.3
Non-engineered Timber and Masonry Buildings	0.2
Buildings Extremely Susceptible to Vibration Damage	0.12

Source: Appendix I

Regulatory Setting

California Code of Regulations

The CCR, Title 24, Section 1207.4 requires interior noise levels attributable to exterior sources to be at or below 45 dBA in any habitable room of a development based on the noise metric used in the noise element of the local general plan. All residential windows, exterior doors, and exterior wall assemblies would be required to have sound transmission class ratings that would ensure adequate attenuation of noise at a range of frequencies. The Environmental Hazards Element of the City of San Leandro 2035 General Plan uses a noise metric of CNEL, consistent with the reference level for State noise law. Therefore, interior noise levels of the project would need to be at or below 45 dBA CNEL to be compliant with CCR requirements.

City of San Leandro 2035 General Plan

The Environmental Hazards Element of the General Plan provides goals, policies, and program to assure the appropriateness of new development with the noise environment of San Leandro.

Table 23 shows the General Plan's land use compatibility chart. Applicable goals and policies are as follows:

Goal NOI-1 Ensure that noise associated with the day-to-day activities of San Leandro residents and businesses does not impede the peace and quiet of the community.

EH-7.1 **Noise Compatibility Table.** Ensure that potential noise impacts are considered when new development is proposed. Projects that could significantly increase noise levels should incorporate mitigation measures to reduce such impacts. Apply the standards shown in Chart 7-2 when evaluating applications for future development. Chart 7-2 specifies the maximum noise levels that are normally acceptable, conditionally acceptable, and normally unacceptable for new development.

Table 23 City of San Leandro Noise and Land use Compatibility Guidelines

	Community Noise Exposure (CNEL dBA)			
Land Use Category	**Normally Acceptable**	**Conditionally Acceptable**	**Normally Unacceptable**	**Clearly Unacceptable**
Residential: Low Density, Single-family, Duplex, Mobile Homes	<60	55-70	70-75	75<
Residential: Multi Family	<65	60-70	70-75	75<
Transient lodging (hotels/motels)	<60	60-70	70-80	80<
Schools, Libraries, Churches, Hospitals, Nursing Homes	<70	60-70	70-80	80<
Auditoriums, Concert Halls, Amphitheaters	NA	70>	NA	65<
Playgrounds, Neighborhood Parks	<70	70-80	NA	7.25<
Golf Courses, Riding Stables, Water Recreation, Cemeteries	<75	70-80	NA	80<
Office Buildings, Business Commercial and Professional	<70	67.5-75	75<	NA
Industrial, Manufacturing, Utilities, Agriculture	<75	70-80	75<	NA

Source: City of San Leandro 2016a

City of San Leandro Municipal Code

Chapter 4-1 of the City's Municipal Code provides restrictions and regulations for noise within San Leandro. The noise-related code does not contain numerical noise level limits and is aimed more at prohibiting "disturbing, excessive and offensive noises" so as to abate public nuisances relative to noise. The following section forms the framework for these nuisance-related restrictions.

Section 4-1-110 of SLMC establishes a general prohibition of noise which causes discomfort or annoyance to reasonable persons of normal sensitivity. The factors which should be considered in determining whether a violation of this section exists include but are not limited to the sound level of the objectionable and ambient noise, the proximity of the noise to residential property, and the duration of the noise.

Section 4-1-115 prohibits certain acts related to noise, such as construction-related noise near residential uses outside of the hours of 7 a.m. and 7 p.m. on weekdays and 8 a.m. and 7 p.m. on weekends. Noise within public parks and noise that conflicts with residential uses is also prohibited.

Neither the City of San Leandro nor the County of Alameda has specific and/or quantitative regulatory standards for construction or operational vibration sources. San Leandro Zoning Code Part IV, Article 16, Division 3, Provision 4-1670B, Vibration, requires that no use, activity, or process produce vibrations that are perceptible without instruments by a reasonable person at the property lines of a site. This performance standard applies to all land use classifications in all zoning districts.

Project Noise Setting

Sensitive Receivers

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The San Leandro General Plan Environmental Hazards Element identifies noise-sensitive land uses as residential land uses, schools, and open space and recreation areas (City of San Leandro 2016b). The nearest sensitive receivers are single-family residences located approximately 500 feet southwest of the project site, which are shielded from the project site by an existing 8-foot high wooden sound wall at their east and north side property boundary (Appendix I).

Methodology

Construction Noise

For purposes of this analysis, a significant impact would occur if construction activities would result in a substantial temporary increase in ambient noise levels that exceeds standards established in City's General Plan or noise ordinance. The SLMC has established limits on permissible hours of construction for any construction work or related activity adjacent to or across a street of right-of-way from residential use, except between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 7:00 p.m. on Saturday and Sunday. Noise impacts from construction activities associated with the proposed project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities.

Operational Noise

A significant impact would occur if implementation of the proposed project would result in a substantial increase in traffic noise levels compared to existing noise levels (Federal Highway Administration [FHWA] 2018). The City of San Leandro considers an increase of 3 dBA as a significant adverse impact in ambient noise levels (FHWA 2018; Appendix I). As noted in the characteristics of noise discussion, audible increases in noise levels generally refer to a change of 3 dBA or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. A change of 5 dBA is considered the minimum readily perceptible change to the human ear in outdoor environments. Therefore, for purposes of this analysis, an increase of greater than 3 dBA above existing traffic noise levels would be considered a substantial permanent increase in traffic noise levels.

Traffic noise levels along selected roadway segments in the project vicinity were modeled using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). This model uses site-specific information, such as roadway traffic volumes, roadway active width, source-to-receiver distances, travel speed,

noise source and receiver heights, and the percentages of automobiles, medium trucks, and heavy trucks that the traffic is made up of throughout the day, among other variables. The daily traffic volumes were obtained from the traffic analysis prepared for the project by Kittelson & Associates (Appendix C).

Groundborne Vibration

Groundborne noise is generated when vibrating building components radiate sound, or noise generated by groundborne vibration. In general, if groundborne vibration levels do not exceed levels considered to be perceptible, then groundborne noise levels would not be perceptible in most interior environments. Therefore, this analysis focuses on determining exceedances of groundborne vibration levels.

A significant impact would occur if the project would generate groundborne vibration or groundborne noise levels in excess of established standards. The City of San Leandro has not adopted criteria for groundborne vibration impacts. Therefore, this analysis uses the FTA's vibration impact criteria established in the Transit Noise and Vibration Impact Assessment Manual. These standards are summarized in Table 22.

Impact Analysis

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

Construction Noise

Short-term noise impacts during construction could result from increases in traffic flow on local streets associated with the transport of workers, equipment, and materials to and from the project site. The transport of workers and construction equipment and materials to the project site would incrementally increase noise levels on roads leading to the site. Typically, a doubling of the Average Daily Traffic (ADT) hourly volumes on a roadway segment is required in order to result in an increase of 3 dBA in traffic noise levels, which is the lowest change that can be perceptible to the human ear in outdoor environments. ADT was estimated in the Traffic Impact Analysis, and the roadway segments along the project site have approximate ADT volumes of 15,600 to 17,400 trips (Appendix C). The CalEEMod analysis performed to estimate air quality and GHG emissions impacts estimated that the project would result in approximately 550 construction worker and vendor trips (Appendix F). Therefore, project-related construction trips would not double the hourly or daily traffic volumes along roadway segments in the project vicinity. Short-term intermittent noise from construction trips would not be expected to result in a perceptible increase in hourly- or daily average traffic noise levels in the project vicinity, and short-term construction-related noise impacts associated with the transportation of workers and equipment to the project site would be less than significant.

Short-term construction noise impacts would also be generated during project construction phases. Table 24 lists typical construction equipment noise levels, based on a distance of 50 feet between the equipment and a noise receptor.

Table 24 Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Noise Level at 50 Feet (dBA)
Rollers	85
Bulldozers	85
Tractors	84
Front-End Loaders	80
Backhoe	80
Excavator	85
Graders	85
Air Compressors	80
Dump Truck	84
Concrete Mixer Truck	85
Pickup Truck	55
Scraper	85

dBA = A-weight decibels

Source: Federal Highway Administration 2006.

Project construction would occur over several phases, each of which would involve various construction equipment. The site preparation phase, which includes excavation and grading of the site, typically generates the highest noise levels through the use of earthmoving equipment. Earthmoving equipment includes excavating machinery and compacting equipment, such as bulldozers, draglines, backhoes, front loaders, roller compactors, scrapers, and graders. Construction of the project is expected to require the use of scrapers, bulldozers, water trucks, haul trucks, and pickup trucks.

Based on typical construction equipment, this analysis assumes simultaneous operation of a scraper, a bulldozer, and a vibratory roller. As shown in Table 24, the maximum noise level generated by each scraper is assumed to be 85 dBA L_{max} at 50 feet from this equipment. Each bulldozer would also generate 85 dBA L_{max} at 50 feet. The maximum noise level generated by rollers is approximately 85 dBA L_{max} at 50 feet. Assuming that each piece of construction equipment operates generally near the center of the project site, a conservative noise level during this phase of construction would be 90 dBA L_{max} at a distance of 50 feet from the center of the project site. This would result in an hourly average of 86 dBA L_{eq}.

The nearest sensitive receptors are single-family residences located approximately 500 feet southwest of the project site. Noise would attenuate over this distance at rate of approximately 6 dBA per each doubling of distance; additionally, residences are shielded from the project site by an existing eight-foot sound wall. Assuming minimal shielding from the existing sound wall, maximum construction noise levels would attenuate to below 59 dBA L_{max} at the nearest sensitive receptors (Appendix I). Although there could be intermittent periods of high noise levels, impacts to ambient construction noise at an hourly or daily level would be less than significant. Additionally, the project would be required to comply with the City's noise ordinance which restricts construction activities to the daytime hours of between 7:00 a.m. and 7:00 p.m. on weekdays, or between 8:00 a.m. and 7:00 p.m. on Sunday and Saturday, which would avoid potential impacts to nearby sensitive receptors during nighttime hours.

Therefore, construction noise levels would not result in a substantial temporary increase in ambient noise levels in excess of standards established in the City's General Plan or noise ordinance. Construction impacts would be less than significant.

Operational Noise

Mobile Source Operational Noise

Additional vehicle trips on area roadways generated by the proposed project could result in increases to ambient noise levels. Existing noise levels along adjacent roadway segments were compared to estimated levels of noise generated by additional vehicle trips associated with the project. The model inputs and outputs are provided in Appendix I. Table 25 shows existing traffic noise levels and predicted noise increases at project area roadway segments.

Table 25 Traffic Noise Increase Summary

Roadway Segment	Existing Noise Level (dBA CNEL)	Existing plus Project Estimated Noise Level (dBA CNEL)	Increase over Existing Noise Level (dBA CNEL)
Washington Avenue – San Leandro Boulevard to 139th Avenue	73.6	73.6	<0.1
Washington Avenue – 139th Avenue to 143rd Avenue	72.3	72.3	<0.1
Washington Avenue – 143rd Avenue to Halcyon Drive	72.6	72.6	<0.1

dBA = A-weighted decibel
CNEL = Community Noise Equivalent Level
Source: Appendix I

As shown in Table 25, implementation of the proposed project would result in a negligible increase in traffic noise levels on roadway segments adjacent to the project site where the highest concentration of project trips would occur. This is due to the minimal ADT generated by the project, 329 net new daily trips including approximately 56 truck trips, compared to existing traffic volumes on Washington Avenue (Appendix C). Therefore, impacts related to project-related traffic noise levels would be less than significant.

Stationary Source Operational Noise

The proposed project would generate operational noise associated with truck delivery; loading and unloading activities at commercial loading areas; parking lot activities, which would include people conversing, doors shutting, engine startup, and slow-moving vehicles; and from new exterior mechanical equipment sources, such as proposed rooftop ventilation systems. Potential impacts from these noise sources are discussed below.

TRUCK LOADING ACTIVITIES

Noise would be generated by truck operation activities at the loading docks along the southern, western, and northern sides of the proposed warehouse. The project would generate an estimated 56 daily truck trips (Appendix C). Typical noise levels from truck operation, including but not limited to truck loading and unloading, trucks docking and maneuvering, and truck back-up alarms range from 70 dBA to 80 dBA L_{max} as measured at 50 feet (Appendix I).

The nearest sensitive receptors to the proposed truck loading areas are single-family residences located 500 feet southwest of the project site. The proposed loading docks would be located approximately 650 feet from this closest sensitive receptor. Noise would attenuate over this distance at rate of approximately 6 dBA per each doubling of distance. Additionally, sensitive receptors would also be shielded by the existing 8-foot high sound wall. For a conservative analysis, it is assumed that these activities would occur for a 24-hour period and that the sound wall would provide minimal shielding. Truck operation activities would result in a 24-hour average noise level of 56 dBA L_{dn} as measured at the nearest sensitive receptors. Calculations are included in Appendix I.

As shown in Table 25, existing traffic noise levels along Washington Avenue adjacent to the project site average at least 72 dBA L_{dn}. The nearest residential receptors are located approximately 280 feet from the centerline of Washington Avenue. At this distance, noise levels from traffic on Washington Avenue would attenuate to 58 dBA L_{dn}. Therefore, noise levels from truck operation activities would not exceed existing background noise levels as measured at the nearest residential receptor. Noise levels from truck operation activities would not generate a substantial temporary or permanent increase in ambient noise levels. Project operation noise would not exceed standards established in the City's General Plan or municipal code, and impacts would be less than significant.

PARKING LOT ACTIVITIES

Typical parking lot activities include people conversing, doors shutting, and vehicles idling, which generate noise levels ranging from approximately 60 dBA to 70 dBA L_{max} at a distance of 50 feet (Appendix I). These activities are anticipated to occur sporadically throughout the day, as visitors and staff arrive and leave parking lot areas at the project site.

The nearest noise-sensitive receptor to proposed parking areas are single-family residences located 500 feet southwest of the project site. The proposed parking areas would be located approximately 560 feet from the closest sensitive receptor and would be shielded from the project site by the existing eight-foot high sound wall. It was conservatively assumed that these activities would occur for a 24-hour period and that minimal shielding would be provided by the sound wall. Noise levels generated from typical parking lot activity would result in a 24-hour average noise level of 44 dBA L_{dn} at the nearest sensitive receptors. Calculations are included in Appendix I.

Existing traffic noise from traffic on Washington Avenue would attenuate at a rate of 6 dBA per doubling of distance to be 42 dBA L_{dn} as measured at the nearest residential receptor (Appendix I). Therefore, noise levels from project-related parking lot activity would not exceed existing background noise levels as measured at the nearest residential receptor, and would not generate a substantial temporary or permanent increase in ambient noise levels in the project vicinity. Parking lot activity noise would not exceed noise standards established in the City's General Plan or municipal code, and impacts would be less than significant.

MECHANICAL EQUIPMENT OPERATIONS

At the time of preparation of this analysis, specifications of the proposed rooftop mechanical ventilation systems were not available. A reference noise level of 50 dBA to 60 dBA L_{eq} at a distance of 25 feet was used for commercial rooftop mechanical ventilation equipment (Appendix I).

The nearest sensitive receptors to the proposed rooftop mechanical ventilation equipment are the single-family residences located 500 feet southwest of the project site. It was conservatively assumed that mechanical ventilation equipment would operate over 24 hours and the existing sound wall would provide minimal shielding. Noise levels generated from rooftop mechanical

ventilation equipment would attenuate over this distance at rate of approximately 6 dBA per each doubling of distance and would result in a 24-hour average noise level of 38 dBA L_{dn} at the nearest sensitive receptors. As noted previously under *Truck Loading Activities* and *Parking Lot Activities*, existing traffic noise from traffic on Washington Avenue would attenuate to 58 dBA Ldn as measured at the nearest residential receptor (Appendix I).Calculations are included in Appendix I.

Noise levels from rooftop mechanical ventilation equipment operations would not exceed existing background noise levels as measured at the nearest residential receptor. Therefore, noise levels from mechanical ventilation equipment operations would not generate a substantial temporary or permanent increase in ambient noise levels. Noise would not exceed standards established by the City's General Plan or municipal code, and impacts would be less than significant.

Altogether, construction and operation associated with the proposed project would not result in a substantial increase to ambient noise levels and would not generate noise in excess of standards as established by the 2035 General Plan or SLMC. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction Vibration

The site preparation phase of project construction would involve use of large vibratory rollers, which would produce the greatest groundborne vibration levels during project construction. Large vibratory rollers produce groundborne vibration levels ranging up to 0.201 in/sec ppv at a distance of 25 feet. The nearest receptor to the project site is a lumber store, located 70 feet northwest of the project site. At this distance, groundborne vibration levels would be approximately 0.04 ppv (Appendix I). This would be below the Federal Transit Administration's Construction Vibration Impact Criteria of 0.2 ppv for this type of structure – non-engineered timber and masonry buildings (Table 22). Therefore, project construction activities would not generate groundborne vibration or groundborne noise levels in excess of established standards. Impacts related to construction vibration would be less than significant.

Operational Vibration

Operation of the project would not include new sources of vibration. Temporary sources of vibration, such as trucks, are not considered sources of groundborne vibration levels as vibration from trucks would not be substantially perceptible at sensitive receivers (Appendix I). Additionally, there are no active sources of groundborne vibration in the project vicinity that would produce perceptible levels of vibration. Therefore, the project would not generate groundborne vibration or groundborne noise levels in excess of established standards and there would be no impact related to operational groundborne vibration.

LESS-THAN-SIGNIFICANT IMPACT

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?

The nearest public airport to the project site is the Oakland International Airport, located approximately 3.3 miles northwest of the project site. According to the airport's noise exposure map, the project site is located outside of the 60 dBA CNEL airport noise contours (Appendix I). While flying aircraft noise is occasionally audible on the project site, aircraft noise associated with nearby airport activity would not expose people residing or working near the project site to excessive noise levels. Therefore, implementation of the project would not expose persons residing or working in the project vicinity to noise levels from airport activity that would be in excess of normally acceptable standards for the proposed land use development, and no impact would occur.

NO IMPACT

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14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	□	□	■	□
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	□	□	□	■

Setting

According to the California Department of Finance (DOF), San Leandro had an estimated population of 87,497 people with 33,223 housing units as of January 2023 (DOF 2022). The average number of persons per household is estimated at 2.75. The City of San Leandro General Plan Environmental Impact Report provides projections for the City's population through the year 2030. The population of San Leandro is projected to be 103,300 by the year 2030 (City of San Leandro 2016b).

Impact Analysis

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project would involve the construction of a warehouse structure; it would not involve the construction of new dwelling units and would therefore not directly induce population growth in the City. The project could facilitate the creation of jobs that could indirectly cause population growth through employee relocations to the project area. According to default occupancy rates established by the United States Green Building Council, general office spaces generate one employee per 250 square feet, and distribution warehouses generate one employee per 2,500 square feet (United States Green Building Council 2008). Applying these employee occupancy rates to the 5,000 square feet of office space and the 52,269 square feet of warehouse space, the project would generate an estimated 41 employees.[4] Considering a conservative, maximum-growth scenario where each employee relocates to San Leandro, the proposed project could generate approximately 113 new residents, based on 41 employees and the average of 2.75 persons per household in San Leandro (DOF 2022). As of January 2023, San Leandro's estimated population is 87,497 (DOF 2022).The population of San Leandro is projected to be 103,300 by 2030, an increase of 15,803 from the

[4] 5,000 square feet of office space divided by 250 square feet per office employee is 20 employees. 52,269 square feet of warehouse space divided by 2,500 square feet per warehouse employee is approximately 21 employees.

current 2023 estimated population.[5] The addition of 113 new residents from the proposed project would constitute less than one percent[6] of the total growth until 2030 and the potential population increase as a result of the proposed project under this scenario would be well within this projected population increase. Therefore, the project would not induce substantial or unplanned growth. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

The project site was previously developed with two single-family residences that were destroyed during a structural fire in 2022; however, these residences were abandoned and unoccupied prior to the fire. Therefore, the project would not displace existing people or housing and no impact would occur.

NO IMPACT

[5] 103,300 (projected population)-87,497(current population) = 15,803
[6] (113/15,803) x 100 = 0.7

15 Public Services

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	1 Fire protection?	☐	☐	■	☐
	2 Police protection?	☐	☐	■	☐
	3 Schools?	☐	■	☐	☐
	4 Parks?	☐	☐	■	☐
	5 Other public facilities?	☐	☐	■	☐

Setting

The Alameda County Fire Department (ACFD) provides fire protection and emergency medical service to San Leandro. ACFD is divided into four branches: Operations, Special Operations, Fire Prevention, and Administrative Support Services (ACFD 2021a). ACFD operates six fire stations in San Leandro (Station Nos. 9 through 13 and 24) (ACFD 2021b). The closest fire station to the project site is ACFD Station No. 12, located 1,500 feet northeast of the project site at 1065 [1]43rd Avenue (ACFD 2021b).

The San Leandro Police Department (SLPD) provides law enforcement services for the city. SLPD has one police station located at San Leandro City Hall at 835 East 14th Street, approximately 1.6 miles north of the project site. As of 2019, SLPD is staffed by 90 sworn personnel and 44 civilian employees (SLPD 2019).

The San Leandro Unified School District (SLUSD) and San Lorenzo Unified School District provide public educational services to San Leandro. SLUSD serves approximately 8,712 students across eight elementary schools, two middle schools, two high schools, and one adult education school (California Department of Education 2022). According to SLUSD's 2020 Developer Fee Justification Study, the district is slightly under capacity, with enrollment availability for 73 additional students. Broken down by grade level, kindergarten through 6th grade facilities are over capacity by 282 students, 7th through 8th grades have an available capacity for 532 students, and 9th through 12th

grade facilities are over capacity by 178 students (SLUSD 2020). San Lorenzo Unified School District, specifically Dayton Elementary School and Corvalis Elementary School, serve a small portion of southwestern San Leandro (San Lorenzo Unified School District 2022).

The City of San Leandro Public Works Department maintains neighborhood parks, special use recreation areas, community parks, and golf courses in the city, totaling 382.8 acres of improved parkland. The City's General Plan Open Space, Parks, and Conservation Element outlines a goal to provide at least 5 acres of improved parkland for every 1,000 residents (City of San Leandro 2016a). As discussed in Section 14, *Population and Housing,* the population of San Leandro is currently estimated at 87,497 people; therefore, the City has approximately 4.37 acres of improved parkland per 1,000 residents.[7]

Regulatory Setting

San Leandro 2035 General Plan

The City of San Leandro's 2035 General Plan Community Services and Facilities Element addresses the provision of community services, including fire protection and police protection. Additionally, the element emphasizes the importance of reducing risk and the effects of disaster prevention and/or preparedness (City of San Leandro 2016a). The following policies found within the element are applicable to fire and police protection services within the City:

Goal CSF-1. Provide and maintain high-quality police, fire, and emergency medical services.

Policy CSF-1.1 Maintain high-quality police and fire protection services through the most efficient and effective possible means. The following minimum level of service standards for police and fire response time (exclusive of dispatch time) shall be maintained: (a) Police Services: 5 minute response time for 90 percent of all Priority One calls; (b) Fire Services: 5 minute response time for first due company for 90 percent of all emergency incidents, excluding freeway responses (3 firefighters including at least one paramedic); 10 minute response time for 90 percent for a full first alarm assignment response (17 firefighters).

Policy CSF-1.5 Require Police and Fire Department review of proposed development plans to ensure that sufficient provisions for emergency access and response are made, fire code requirements are satisfied, and adequate levels of service can be provided.

The Community Services and Facilities Element also addresses parkland, open space, and recreational facilities in and nearby San Leandro. The following policies found within the element are applicable to recreational facilities within the City:

Goal OSC-2 Develop additional parkland in the city to better meet existing needs and to respond to future needs.

Policy OSC-2.1 Achieve the following service standard for parks: (a) At least 5.00 acres of improved parkland per 1,000 residents; (b) A park within one-half mile of each San Leandro resident.

[7] 382.8 acres of improved parkland divided by 87,497 thousand residents in San Leandro is approximately 4.37 acres.

San Leandro Municipal Code

Section 7-5-800 adopts the California Fire Code, which contains regulations for safeguarding life and property from the hazards of fire and explosion; dangerous conditions arising from the storage, handling, and use of hazardous materials; and hazardous conditions in the use of occupancy of buildings. Development within San Leandro would be required to comply with the requirements on the California Fire Code.

Article 8 of Title 7 of the SLMC enables the City Council to require dedication of lands deemed necessary for the purpose of constructing schools necessary to assure the residents of a subdivision have adequate elementary school service as a condition of final map approval for a subdivision.

SLMC Chapter 7-13 establishes the City's park facilities development impact fee which, pursuant to Government Code Section 66001, allows the City to apply fees to new development to pay for new or renovated park facilities. Development in San Leandro is required to pay appropriate park development fees. Further, SLMC Section 7-1-810 requires that as a condition of approval of a tentative map or parcel map, subdivisions are required to offer to dedicate parkland, pay a fee in lieu, or a combination of both (at the option of the City).

Impact Analysis

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

1 Fire protection?

2 Police Protection?

3 Schools?

4 Parks?

5 Other public facilities?

ACFD Fire Station No. 12 is located approximately 0.3-mile northeast of the project site at 1065 143rd Avenue. The project site is located within a developed area already served by ACFD, and the project would not require new or expanded fire facilities. The project would be required to comply with California Fire Code regulations for construction and operation, and would be subject to review by ACFD. The project would also be required to pay an impact fee that would be collected at the time project building permits would be issued to maintain acceptable service ratios and response times. Therefore, impacts to fire protection services would be less than significant.

The SLPD station is located at San Leandro City Hall at 835 East 14th Street, approximately 1.6 miles north of the project site. As discussed in Section 14, *Population and Housing,* the project could add approximately 113 residents to the city in a maximum-growth scenario. However, the project site is in an urban area that is currently served by SLPD, and the growth that could be generated by the project would be well within population projections established by the City's General Plan. The addition of up to 113 residents to the SLPD's service area would not require new or expanded facilities. As the project site is currently served by SLPD, there would not be an increase in response times such that the construction of additional police protection facilities would be required. Impacts to police protection services would be less than significant.

The project would involve the construction of a warehouse structure and would not create additional housing. However, as discussed in Section 14, *Population and Housing,* the project could generate approximately 113 new residents in San Leandro in a conservative, maximum growth scenario wherein all employees would relocate to the region. According to the United States Census Bureau, approximately 20.6 percent of Alameda County's population is school-aged, or 18 years old and younger. Applying this rate to the estimated project population, the project could generate approximately 24 students in the SLUSD or San Lorenzo Unified School District areas (United States Census Bureau 2020). This would represent an incremental increase in student population. In addition, school fees would be paid at the time the building permit is issued to reduce impacts as a result of the proposed project. Pursuant to Section 65995(3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory 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." Thus, payment of the development fees is considered full mitigation for the proposed project's impacts related to schools under CEQA and impacts would be less than significant.

The nearest park to the proposed project is Halcyon Park located approximately 0.4 mile east of the project site. The project would not directly increase the City's population as it does not involve the creation of housing units. However, the project could indirectly result in the addition of up to 113 new residents to the city. As of January 2022, the City of San Leandro had a population of 88,404 people (DOF 2022). As described under *Setting,* the City has approximately 4.33 acres of improved parkland per 1,000 residents. The potential addition of 113 residents would not substantially affect this ratio and would not hinder the City's goal of providing five acres of parkland per 1,000 residents. Additionally, the project applicant would be required to pay City park facilities development impact fees pursuant to SLMC Chapter 7-13, which would support the addition of new parks or renovations to existing parks. Therefore, impacts to parks and recreational facilities would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	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?	□	□	■	□
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?	□	□	■	□

Setting

As discussed in Section 15, *Public Services,* the City of San Leandro Public Works Department maintains approximately 382.8 acres of improved parkland, and that there are approximately 4.33 acres of improved parkland per 1,000 residents. The nearest park to the project site is Halcyon Park, located 0.4 mile east of the project site.

Regulatory Setting

Quimby Act

California Government Code Section 66477, also known as the Quimby Act, was enacted by the California legislature in 1965. The Quimby Act authorizes cities and counties to enact ordinances requiring the dedication of land, or the payment of fees for park and/or recreational facilities in lieu thereof, or both, by developers of residential subdivisions as a condition to the approval of a tentative tract map or parcel map.

See Section 15, *Public Services*, subsection *Regulatory Setting* for additional policies and regulations relevant to recreation.

Impact Analysis

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?

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?

As discussed in Section 14, *Population and Housing*, the project could result in an incremental increase in the City's population and recreation facilities in San Leandro would likely see increased use. In a maximum job-creation scenario, the project would potentially introduce 113 new residents to the city. This potential increase of less than one percent would be well within the General Plan's projected 2030 population of 103,300. Therefore, the project would not introduce a substantial number of new residents to the city and thus, would not contribute to the substantial physical deterioration of facilities or require the provision of new or expanded park facilities. In addition, no recreational facilities are proposed as part of the project. This impact would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	□	□	■	□
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	□	□	■	□
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	□	□	■	□
d. Result in inadequate emergency access?	□	□	■	□

The information and analysis included in this section is based upon the Traffic Impact Analysis report prepared by Kittelson and Associates in May 2022. The report is included as Appendix C.

Setting

The site is located on Washington Avenue, which is locally accessible via San Leandro Boulevard and Halcyon Drive. Regional access is available to the site from I-880, which is approximately 0.6 miles west of the site. The following descriptions are provided for roadways that would provide access to the site and are most likely to serve most of the project's generated vehicle, bicycle, pedestrian and transit traffic.

Existing Roadway Network

- **I-880** is a nine-lane, north-south freeway that connects San Leandro with nearby cities, such as Hayward and Oakland, and regional destinations, such as Fremont and San Jose. It also provides access to the greater freeway network with direct connections to Interstates 80, 580, 980, 238, US Highway 101, and State Routes 92, 237 and 17. The project site is served by the interchange at Washington Avenue. The average daily traffic on I- 880 in the vicinity of Washington Avenue ranges between 190,000 and 237,500 vehicles per day.
- **I-238** is a seven-lane, east-west freeway that serves as a connection between I-880 and I-580. The project site is served by the interchange at Washington Avenue. The average daily traffic on I-238 in the vicinity of Washington Avenue ranges between 162,000 and 102,000 vehicles per day.
- **I-580** is an eight-lane, north-south freeway that connects San Leandro with nearby cities, such as Oakland and Pleasanton, and regional destinations, such as Stockton. It also provides access

to the greater freeway network with direct connections to Interstates 5, 205, 238, 680, 80 and 880, and State Routes 13, 24, and 84. The project site is served by the interchange at Fairmont Drive. The average daily traffic on I-580 in the vicinity of Fairmont Drive ranges between 119,300 and 143,500 vehicles per day.

- **Washington Avenue** is a north-south road with four lanes and extends from Grant Avenue to W Juana Avenue in Downtown San Leandro. Sidewalks are located along the east and west sides of Washington Avenue in the project area, with the exception of the overpass between Springlake Drive to Beatrice Street, where there is a sidewalk only on the west side of the roadway. It is also designated as a through truck route.
- **Halcyon Drive** is a four-lane, east-west residential arterial approximately 0.5 mile southeast of the project site. It spans from Hesperian Drive to Washington Avenue. To the east, Halcyon Drive transitions to Fairmont Drive, and to the west, it transitions to Floresta Boulevard. Halcyon Drive is designated as a local truck route. Sidewalks are provided on both sides of the street in the project area.
- **San Leandro Boulevard** is a north-south arterial approximately 0.5 miles north of the project site. San Leandro Boulevard is a four-lane road with a landscaped median separating the northbound and southbound lanes. It is a designated truck through route. Sidewalks are provided on both sides of the street, and parking is permitted along some segments.

Existing Bicycle Facilities

Bicycle facilities are defined by the following four classes by the California Department of Transportation Highway Design Manual:

- **Class I (Bike Path):** Provides a completely separate facility designed for the exclusive use of bicyclists and pedestrians with crossing points minimized. Bike paths typically serve corridors not served by streets and highways or where wide right of way exists, permitting such facilities to be constructed away from the influence of parallel streets.
- **Class II (Bike Lane):** Provides a restricted right-of-way designated lane for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and cross-flows by pedestrians and motorists permitted. Bike lanes are established along streets in corridors where there is significant bicycle demand, and where there are distinct needs that can be served by them.
- **Class III (Bike Route):** Shared facilities which provide continuity to other bicycle facilities (usually Class II bikeways) or designate preferred routes through high demand corridors.
- **Class IV (Separated Bikeways):** Provides an exclusive right-of-way including a separation required between the separated bikeway and the through vehicular traffic.

There are sections of Class II bikes lanes in the project vicinity. There are marked Class II bike lanes on:

- Washington Avenue between 139th Avenue and 143rd Avenue
- Washington Avenue between Caliente Drive and Springlake Drive
- Floresta Boulevard/Farnsworth Street between Washington Avenue and Purdue Street
- Fremont Avenue between Floresta Boulevard and Alvarado Street
- Halcyon Drive between Olivia Street and Hesperian Boulevard
- San Leandro Boulevard between East 14th Street and Creekside Plaza

- Hesperian Boulevard/Bancroft Avenue between Grace Street and Springlake Drive

There are also several Class III bike routes that provide connections between bike lane facilities. These include:

- Bancroft Avenue between East 14th Street and 146th Avenue
- Alvarado Street between Fremont Avenue and Teagarden Street
- Castro Street between Washington Avenue and East 14th Street
- Sybil Avenue between East 14th Street and Grand Avenue
- 150th Avenue between Hesperian Boulevard and eastern city limits
- Washington Avenue between West Juana Avenue and San Leandro Boulevard

Existing Pedestrian Facilities

At the project site, the main pedestrian facilities are an eight-foot sidewalk (west side) and seven-foot sidewalk (east side) on either side of Washington Avenue along the west side of the project site. There are two at grade railroad crossings (one active, one inactive) located south of the project site. Two signalized intersections (Washington Avenue/139th Avenue and Washington Avenue/143rd Avenue) with marked crosswalks are located within one quarter-mile of the project site.

Existing Transit Facilities

The transit system in the study area includes bus and rail services provided by Alameda-Contra Costa Transit District (AC Transit) and Bay Area Rapid Transit (BART). As presented in Table 26, AC Transit provides three routes in the study area: Line 10, Line 28, and Line 40, which operate on weekdays and weekends. Line 10 runs along on East 14th Street, approximately 0.6 miles east of the project site and connects to the San Leandro BART station. Line 28 runs along Halcyon Drive, approximately 0.6 miles south of the project site and also connects to the San Leandro BART station. Line 40 runs along Bancroft Avenue, approximately 0.7 miles east of the project site and connects to the Bayfair BART station. Both the San Leandro and Bayfair BART stations are less than 2 miles from the project site. The two bus stops nearest the project site are both served by Line 28 and are located along Halcyon Drive/Floresta Boulevard south of the project site. The Washington Avenue/Halcyon Drive stop is about 400 feet from Washington Avenue/Halcyon Drive/Floresta Boulevard (signalized intersection with marked crossings), and the Fremont Avenue/Floresta Boulevard stop is about 600 feet from the Fremont Avenue/Floresta Boulevard intersection. AC Transit lines that serve the project site are shown in Table 26.

Table 26 AC Transit Service near the Project Site

Route	Service Area	Connections	Service Schedule	Times		
				First	Last	Frequency
10	San Leandro, Hayward	San Leandro BART, Bayfair BART, Hayward BART	Weekday	4:58 A.M.	12:39 A.M.	20 minutes
			Weekend	6:20 A.M.	12:28 A.M.	20 minutes
28	San Leandro, Castro Valley, Hayward	San Leandro BART, Castro Valley BART, Bayfair BART, Hayward BART	Weekday	5:45 A.M.	10:37 P.M.	60 minutes
			Weekend	6:00 A.M.	10:54 P.M.	60 minutes
40	Oakland, San Leandro	Bayfair BART, Eastmont Transit Center	Weekday	5:18 A.M.	12:26 P.M.	20 minutes
			Weekend	5:25 A.M.	12:14 P.M.	30 minutes

Source: Appendix C

Regulatory Setting

The determination of significance for project impacts is based on applicable policies, regulations, goals, and guidelines defined by the City of San Leandro, Santa Clara County, the Metropolitan Transportation Commission, and the State.

State Regulations

SENATE BILL 743

On September 27, 2013, SB 743 was signed into law. The legislature found that with the adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the State had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled and thereby contribute to the reduction of greenhouse gas emissions, as required by the California Global Warming Solutions Act of 2006 (AB 32). In December 2018, the Governor's Office of Planning and Research (OPR) finalized new CEQA guidelines (CEQA Guidelines section 15064.3), that identify VMT as the most appropriate criteria to evaluate a project's transportation impacts.

In November 2017, OPR released a technical advisory containing recommendations regarding the assessment of VMT, proposed thresholds of significance, and potential mitigation measures for lead agencies to use while implementing the required changes contained in Senate Bill 743 (SB 743). Also in November 2017, OPR released the proposed text for Section 15064.3, "Determining the Significance of Transportation Impacts," which summarized the criteria for analyzing transportation impacts for land use projects and transportation projects and directs lead agencies to "choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure." OPR recommends that for most instances a per service population threshold should be adopted and that a fifteen percent reduction below that of existing development would be a reasonable threshold.

CALIFORNIA ASSEMBLY BILL 32, SENATE BILL 32, AND SENATE BILL 375

The "California Global Warming Solutions Act of 2006" (AB 32) outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020, a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. On September 8, 2016, the governor signed Senate Bill 32 (SB 32) into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further

reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged).

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the state's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO's Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as "transit priority projects") can receive incentives to streamline CEQA processing.

On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. ABAG was assigned a 19 percent reduction in per capita GHG emissions from passenger vehicles by 2035. SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements. On October 21, 2021, ABAG formally adopted the RTP/SCS titled Plan Bay Area 2050, which meets the requirements of SB 375.

Local Regulations

SAN LEANDRO 2035 GENERAL PLAN TRANSPORTATION ELEMENT

The San Leandro 2035 General Plan Transportation Element establishes the following applicable goals and policies relevant to transportation:

Policy T-1.2 Mitigation of Development Impacts. Require developers to address the impacts that their projects will have on the City's transportation system. A variety of mitigation measures, including impact fees, street improvements, traffic signal and Intelligent Transportation Systems (ITS) improvements, transportation demand management (TDM) measures, and improvement of non-automobile transportation modes, should be considered.

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

Policy T-2.6 Building Design and Site Planning. Ensure that the site planning and design of new development promotes the use of non-auto modes of transportation by including amenities such as sidewalks, bike lockers, and bus shelters.

Policy T-3.5. Accommodation of Bicycles and Pedestrians. Require new development to incorporate design features that make walking, bicycling, and other forms of nonmotorized transportation more convenient and attractive. Facilities for bicycles and pedestrians, including secured bicycle parking, clearly marked crosswalks, well-lit streets and sidewalks, landscaping, and street furniture should be provided within new employment areas, shopping destinations, multi-modal transportation facilities, and community facilities.

Policy T-6.7 Siting of Businesses with Truck Traffic. To the extent feasible, locate businesses projected to generate large amounts of truck traffic away from residential areas. Ingress and egress for such businesses should be designed to minimize the possibility of truck traffic impacting residential streets.

The Transportation Element also establishes a tiered Level of Service (LOS) system. LOS is a measure of the quality or performance of a transportation system based on factors such as travel time, traffic volume, and congestion. LOS is typically evaluated on a scale of "A," corresponding to no congestion and free-flowing traffic, to "F," corresponding to extreme congestion and delays. For planning purposes, LOS D is the minimum acceptable service level for intersections outside of designated Priority Development Areas and LOS E is the minimum acceptable service level for intersections within designated Priority Development Areas.

SCREENING CRITERIA AND THRESHOLDS OF SIGNIFICANCE

Since the City of San Leandro has not adopted VMT impact thresholds of significance, the Alameda County Transportation Commission (ACTC) VMT impact thresholds are used to evaluate VMT impacts. This is generally consistent with OPR's technical advisory, which provided recommended metrics and impact thresholds for residential, office, and retail projects, since they tend to have the greatest influence of land use projects on VMT in California (Appendix C).

Given that the project would be located in an industrial park with primarily industrial uses and other minor supporting uses, it was determined that the employment industrial threshold (VMT per employee below the Central Planning Area average) would be appropriate to apply to the project.

OPR recommends before any VMT analysis is undertaken, the project should undergo screening using the City's screening criteria to determine if it can be expected to cause a less-than-significant impact without conducting a detailed VMT study. OPR and ACTC's suggested screening criteria for projects include projects that:

1. Have less than 110 weekday daily trips;
2. Are served by high-capacity transit stops (15-minute frequency) within a half-mile of the project site; or
3. Are located in areas with below Central Planning Area average VMT per employee.

Impact Analysis

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Trip Generation

Trip generation refers to the process of estimating the amount of vehicular traffic a project would add to the surrounding roadway system. Kittelson and Associates developed estimated project trip generation for the proposed project based on published trip generation rates from the Institute of Transportation Engineers' (ITE) publication *Trip Generation (10th Edition).* Table 27 shows the trips expected to be generated by the proposed project.

Table 27 Project Trip Generation

Vehicle Type	Daily Trips	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Passenger Cars	204	25	3	**28**	3	23	**26**
2 Axle Truck	31	4	0	**4**	0	3	**3**
3 Axle Truck	20	2	0	**2**	0	2	**2**
4+ Axle Truck	74	9	1	**10**	1	8	**9**
Total Project Trips	**329**	**40**	**4**	**44**	**4**	**36**	**40**

Source: Appendix C

Roadways

Pursuant to SB 743 and CEQA Guidelines Section 15064.3, congestion on roadways is not considered a significant impact pursuant to CEQA. Additional congestion as a result of project implementation would not result in significant impacts under CEQA. While SB 743 prohibits the use of level of service or automobile delay in the determination of environmental significance, the City's General Plan Transportation Element has LOS standards that it desires to maintain, as described under *Local Regulations*. For informational purposes, a LOS analysis has been performed in accordance with City standards; this analysis is not used for the purpose of determining impacts under CEQA. According to the City of San Leandro, an adverse effect on intersection operations occurs when the analysis demonstrates that a project would cause an intersection to operate at LOS D or lower outside of Priority Development Areas. The project site is not within a Priority Development Area and would be subject to this threshold.

Table 28 shows the existing LOS of intersections near the project site and the projected LOS of these intersections with the project and other cumulative development in the project area.

Table 28 Project and Cumulative Development Intersection Level of Service

Intersection	Existing LOS		Projected Cumulative LOS		Cumulative plus Project LOS		Impact?
	AM	PM	AM	PM	AM	PM	
Washington Avenue and San Leandro Boulevard	D	D	**F**	**E**	**F**	**E**	No
Washington Avenue and 143rd Avenue	B	A	B	A	B	A	No
Washington Avenue and Halcyon Drive/Floresta Boulevard	**E**	D	**E**	D	**E**	D	No
Washington Avenue and Driveway A[1]	B	C	-	-	C	D	No
Washington Avenue and Driveway B[1]	B	B	-	-	B	B	No

Bold denotes exceeds City standard

[1] refers to the driveway in the southeast corner of the project site.

[2] refers to the driveway in the northwest corner of the project site.

Source: Appendix C

As shown above, the Washington Avenue and San Leandro Boulevard intersection would operate below LOS D during AM and PM peak hours, and the Washington Avenue and Halcyon Drive/ Floresta Boulevard intersection would operate below LOS D during AM peak hours. However, these effects to LOS at these intersections would be projected to occur without implementation of the project, and the project would negligibly contribute to LOS effects at these intersections (Appendix TRA). Therefore, the proposed project would not result in substantially adverse effects related to LOS, and the project would be consistent with the City's General Plan. Impacts would be less than significant.

Public Transit Facilities

The project would generate additional public transit trips on existing transit services near the project site. Because the project would not be expected to substantially increase vehicle traffic or vehicle speed in the existing roadway network around the project site, the project would not result in delays or interruptions to existing transit services. Due to the project's proposed warehouse use, it would be expected to generate negligible transit trips (Appendix C). The project would not include features that would conflict with City of regional plans, policies, or ordinances pertaining to public transit. No significant impacts to transit facilities would occur, and the project would not conflict with the City's General Plan.

Bicycle Facilities

An impact would occur to bicycle facilities if the proposed project were to disrupt existing bicycle facilities or be inconsistent with adopted City standards. There are several bike facilities in the vicinity of the project site, as described under *Existing Bicycle Facilities.* Because the project would not be anticipated to substantially increase vehicle traffic or vehicle speed in the existing roadway network around the project site, the bicycle level of traffic stress would not substantially change as a result of the project. Further, the project would provide one short term bicycle rack and four long term bicycle storage enclosures. The project would not include features that would be hazardous to bicycles, nor would it generate bicycle demand that would exceed the capacity of the area's bicycle network. The project would not conflict with City or regional plans, policies or ordinances pertaining to bicycle facilities or travel (Appendix C). No significant impacts to bicycle facilities would occur.

Pedestrian Facilities

An impact to pedestrian facilities would occur if the project were to disrupt existing pedestrian facilities or be inconsistent with pedestrian system plans, guidelines, or policies. Because the project would not be anticipated to substantially increase vehicle traffic or vehicle speed in the existing roadway network around the project site, the pedestrian facilities in the project site vicinity would not be substantially diminished as a result of the project. The project would include several pedestrian improvements to the site including lighting, internal sidewalks, improved landscaping, and pedestrian amenities. Adequate street lighting would be provided by additional proposed street lighting and internal lighting on the project site. Therefore, no impact to pedestrian facilities would occur.

Table 29 below describes project consistency with applicable policies from the San Leandro General Plan Transportation Element.

Table 29 Project Consistency with General Plan Transportation Element

Policy	Consistency
Policy T-1.2. Mitigation of Development Impacts. Require developers to address the impacts that their projects will have on the City's transportation system. A variety of mitigation measures, including impact fees, street improvements, traffic signal and Intelligent Transportation Systems (ITS) improvements, transportation demand management (TDM) measures, and improvement of non-automobile transportation modes, should be considered.	**Consistent.** The project applicant would be required to pay development impact fees pursuant to Chapter 7-11 of the SLMC.
Policy T-1.10. Reduced Trip Generation. Encourage local employers to develop programs that promote ridesharing, flextime and telecommuting, bicycle use, and other modes of transportation that reduce the number and distance of vehicle trips generated.	**Consistent.** The project would include bicycle parking spaces and would be located near public transit stops, which would encourage alternative modes of transportation. Additionally, as discussed under *Roadways,* the project would not generate a number of trips that would adversely affect the LOS of intersections near the project site.
Policy T-2.6. Building Design and Site Planning. Ensure that the site planning and design of new development promotes the use of non-auto modes of transportation by including amenities such as sidewalks, bike lockers, and bus shelters.	**Consistent**. The project would include 14 bicycle parking spaces and improved sidewalks.
Policy T-3.5. Accommodation of Bicycles and Pedestrians. Require new development to incorporate design features that make walking, bicycling, and other forms of nonmotorized transportation more convenient and attractive. Facilities for bicycles and pedestrians, including secured bicycle parking, clearly marked crosswalks, well-lit streets and sidewalks, landscaping, and street furniture should be provided within new employment areas, shopping destinations, multi-modal transportation facilities, and community facilities.	**Consistent**. The project would include 14 bicycle parking spaces, maintaining existing sidewalks, and exterior lighting to accommodate bicycles and pedestrians.
Policy T-6.7. Siting of Businesses with Truck Traffic. To the extent feasible, locate businesses projected to generate large amounts of truck traffic away from residential areas. Ingress and egress for such businesses should be designed to minimize the possibility of truck traffic impacting residential streets**.**	**Consistent**. As shown in Table 27, the project would generate approximately 125 truck trips per day. The project site would utilize the two existing driveways for ingress and egress, and truck docks would be located at the rear of the warehouse structure, which would minimize truck traffic impacts on Washington Avenue. The rear parking lot and truck docking stations would also be shielded by an existing sound wall.

Source: City of San Leandro 2016a

The project would be consistent with the San Leandro General Plan Transportation Element. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

As described under *Setting*, *CEQA Guidelines* Section 15064.3 identifies VMT as the most appropriate criteria to evaluate a project's transportation impacts. As described under *Screening Criteria and Thresholds of Significance,* the project must be consistent with ACTC screening criteria in order to assume that VMT impacts would be less than significant.

A project in the Central Planning Area with below-average VMT per employee would be consistent with ACTC VMT screening criterion number three, listed under *Screening Criteria and Thresholds of Significance.* The project site is located in the Central Planning Area, which has an average VMT per employee of 19.2. Therefore, the VMT reduction target for the Central Planning Area is 16.3 VMT per employee (15 percent below 19.2). The project site is located within an ACTC transportation analysis zone with an average VMT per employee of 15.23 (truck trips are considered be a part of the total VMT for the area meaning this VMT analysis addressed the full area over which the project would affect travel behavior in two scenarios, with and without the project [OPR 2018]) (Appendix C). Therefore, the project would be located in an area with below-average VMT per employee in the Central Planning Area and would be consistent with ACTC screening criterion number three. A detailed VMT analysis is not required, and the project can be assumed to have less-than-significant impacts related to VMT.

LESS-THAN-SIGNIFICANT IMPACT

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Vehicle access to the project site would be available via two existing two-way driveways on Washington Avenue, located in the southeast and northeast corners of the project site. A total of 64 vehicle parking spaces would be provided, located along the northern, southern, and western sides of the proposed warehouse structure. Emergency vehicles would be able to enter the project site via either driveway and, if necessary, circulate through the parking lot on the southern side of the proposed warehouse to turn around or exit via the other driveway. Pedestrian access to the project site would be provided via concrete sidewalks along all sides of the proposed structure, except alongside the 15 dock doors. These sidewalks would lead to exterior stairwells and entryways. Pedestrian access to the warehouse would be provided via seven pedestrian doors. The project would not involve geometric design features or incompatible uses that would substantially increase hazards at the project site. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project result in inadequate emergency access?

The project would not require lane or road closures during construction. During operation, emergency access to the project site would be available via the two existing two-way driveways that provide access to Washington Avenue. The parking lot is adjacent to the proposed warehouse and would provide adequate emergency access to the structure. If necessary, emergency vehicles would be able to circulate through the parking lot to make a U-turn or turn through the swing gates to turn around and exit onto Washington Avenue. The project would provide adequate emergency access, and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or 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:				
a. 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	□	■	□	□
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	□	■	□	□

Regulatory Setting

Assembly Bill 52

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 establishes a formal consultation process for California Tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

On June 7, 2022, the City of San Leandro, pursuant to Public Resources 21080.3.1 and AB 52, sent via email and a certified mail notification letter to the following tribes:

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Costanoan Rumsen Carmel Tribe
- Indian Canyon Mutsun Band of Costanoan
- Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- The Ohlone Indian Tribe
- Wuksache Indian Tribe/Eshom Valley Band
- The Confederated Villages of Lisjan Nation
- North Valley Yokuts Tribe

One response was received from the Confederated Villages of Lisjan Nation, which stated the tribe had no further information or comments regarding the proposed project. No other tribal consultation responses were received, and consultation was deemed complete on July 7, 2022.

Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is 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?

As described in Section 5, *Cultural Resources,* neither the cultural resources records search nor Sacred Lands File search identified cultural resources listed on or eligible for listing on the CRHR or a local register within the project site. However, there is always potential to uncover buried archaeological and tribal cultural resources during ground disturbing activities, which could potentially be considered tribal cultural resources eligible for listing in the CRHR or a local register or be considered tribal cultural resources. Should project construction activities encounter and damage or destroy a tribal cultural resource or resources, impacts would be potentially significant. Implementation of Mitigation Measure TCR-1 would be required.

Mitigation Measures

TCR-1 Unanticipated Discovery of Tribal Cultural Resources

In the event that cultural resources of Native American origin are identified during project construction, all earth-disturbing work within 50 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the City, in consultation with local Native American tribes, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s). The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. The plan shall include measures to ensure the find is treated in a manner that respectfully retains, to the degree feasible, the qualities that render the resource of significance to the local Native American group(s). Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery.

Significance After Mitigation

Implementation of Mitigation Measure TCR-1 would minimize impacts to tribal cultural resources encountered during project construction. Impacts would be less than significant with mitigation incorporated.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
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?	☐	☐	■	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	■	☐
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?	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

Setting

Potable Water

Water service to the City of San Leandro is provided by the East Bay Municipal Utility District (EBMUD), a public utility. EBMUD is responsible for service connections and water delivery to most of Alameda County and much of Contra Costa County. San Leandro comprises about 6 percent of the EMBUD's customer base and uses about 5 percent of its water. As discussed in Section 10, *Hydrology and Water Quality,* approximately 90 percent of the EBMUD water supply originates from the Sierra Nevada via the Mokelumne River watershed, with the other 10 percent sourced from

runoff on East Bay Area watershed lands. Water delivered to San Leandro customers is treated at the Orinda or Upper San Leandro water treatment plants (EBMUD 2021).

Each water district adopts an Urban Water Management Plan (UWMP), which is a long-range planning document used to assess current and projected water usage, water supply planning and conservation and recycling efforts. The EBMUD adopted a 2020 UWMP and a 2020 Water Shortage Contingency Plan which determined that under base condition assumptions, EBMUD can meet customer demand out to 2050 during normal years and single dry years; however, during multi-year droughts, even with customer demand reduction measures in place, EBMUD will need to obtain supplemental supplies to meet customer demands (EBMUD 2021). Projections are summarized across the different water supply scenarios through the year 2050 in Table 30.

Table 30 EBMUD Normal and Dry Year Supply and Demand Comparison 2020-2050

EBMUD Planning Level of Demand	2020	2025	2030	2035	2040	2045	2050
Normal Year							
Mokelumne Supply (mgd)	>181	>186	>190	>194	>201	>209	>218
Demand (taf)	181	186	190	194	201	209	218
Need for Water (taf)	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Single Dry Year							
Mokelumne Supply (mgd)	121	126	129	132	138	144	151
CVP Supplies (mgd)	60	60	60	60	60	60	60
Total Supplies (mgd)	181	186	189	192	198	204	211
Voluntary Rationing (%)	0	0	1	1	2	2	3
Need for Water (taf)	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Second Dry Year							
Mokelumne Supply (mgd)	82	86	89	92	98	104	111
CVP Supplies (mgd)	74	74	74	74	74	74	74
Total Supplies (mgd)	156	161	164	167	172	178	185
Mandatory Rationing (%)	13	13	13	14	14	14	15
Need for Water (taf)	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Third Dry Year							
Mokelumne Supply (mgd)	141	145	146	145	132	118	105
CVP Supplies (mgd)	12	12	12	12	12	12	12
Total Supplies (mgd)	153	157	158	157	144	130	117
Mandatory Rationing (%)	15	15	15	15	15	15	15
Need for Water – Base Condition (taf)	0	0	0	0	28	52	75
Need for Water – High Demand Scenario (taf)	**0**	**0**	**21**	**35**	**60**	**97**	**125**
Need for Water – Extreme Drought Scenario (taf)	**0**	**0**	**0**	**13**	**32**	**55**	**84**

mgd = million gallons per day
taf = thousand acre-feet
CVP = Central Valley Project
Source: EBMUD 2021

EBMUD distributes its water through a system of pipelines, storage reservoirs, water treatment plants, and pumping plants Within the EBMUD service area, the water distribution network includes 4,200 miles of pipe, 167 water distribution reservoirs, and 131 water pumping plants. EBMUD's water supply system delivers 325 mgd to its 1.4 million customers and has a capacity of 830 million gallons (EBMUD 2021, City of San Leandro 2016b).

There are currently no major water storage facilities in San Leandro. Rather, the city is served by nearby facilities in Castro Valley and Oakland, including the Dunsmuir Reservoir just outside the northeastern city limits. Pipelines in San Leandro range from 4 to 36 inches in diameter. EBMUD operates and maintains all water distribution lines within the city and is responsible for all facilities up to the location of the water meter (City of San Leandro 2016b).

Wastewater

The city's sewer system consists of approximately 130 miles of pipe, ranging from 6 inches to 42 inches in diameter, and 13 remote lift stations. The City maintains roughly two thirds of the sewers within the city limits, primarily serving the northern portion of the city. The remainder of the city, including the project site, is served by the Oro Loma Sanitary District (OLSD).. The San Francisco RWQCB established wastewater treatment requirements for the OLSD wastewater treatment plant and the EBDA outfall in an NPDES Permit (Order No. R2-2012-0004), adopted in 2012. The NPDES Order sets a framework for operation of the plant and effluent from the plant (City of San Leandro 2016b).

The OLSD serves a population of approximately 141,000, which includes residents and businesses. OLSD and Castro Valley Sanitary District jointly own OLSD's treatment plant, which has a permitted capacity of 20 mgd and treats an average dry weather flow of 12 mgd (OLSD 2022).

Stormwater

The City of San Leandro Department of Public Works owns and maintains 175 miles of storm drain conduits throughout the city. The city's storm drain system feeds into a larger system owned and operated by the Alameda County Flood Control and Water Conservation District. Stormwater from the project site drains west to Washington Avenue, where it is collected by storm drains into the City's stormwater system. Stormwater runoff is collected and disposed of by an integrated system of storm drains, inlets, curbside gutters, catch basins, drainage ditches, and man-made channels. Ultimately, stormwater that enters the City's system drains to the San Francisco Bay (City of San Leandro 2022).

Solid Waste

The City of San Leandro has two distinct service areas for refuse and recycling services: San Leandro Sanitary District and Oro Loma Sanitary District. The two service providers that serve these areas are Alameda County Industries (City's franchisee) and Waste Management of Alameda County (OLSD's franchisee). As of 2019, the City's solid waste was sent to seven landfills, as summarized below in Table 31. About 81 percent of San Leandro's solid waste was sent to the Altamont Landfill Resource Recovery Facility and the Vasco Road Sanitary Landfill (CalRecycle 2019).

Table 31 Estimated Landfill Capacities and Closure Date

Landfill Facility	Permitted Capacity (cubic yards)	Remaining Capacity (cubic yards)	Maximum Permitted Throughput (tons per day)	Anticipated Closure Date
Altamont Landfill Resource Recovery Facility	124,400,000	65,400,000	11,150	2070
Fink Road Landfill	14,640,000	7,184,701	2,400	2023[1]
North County Landfill and Recycling Center	41,200,000	35,400,000	825	2048
Potrero Hills Landfill	83,100,000	13,872,000	4,330	2048
Recology Hay Road Landfill	37,000,000	30,433,000	2,400	2077
Redwood Landfill	26,077,000	26,000,000	2,300	2036
Vasco Road Sanitary Landfill	40,207,100	11,560,000	2,518	2051

CalRecycle identifies Maximum Permitted Throughput only in Tons/Day, while Maximum Permitted Capacity and Remaining Capacity are only provided in Cubic Yards; therefore, standard conversion factors provided by the EPA (U.S. EPA 2016) are used to provide all figures in both Tons and Cubic Yards. EPA identifies a standard conversion factor for Municipal Solid Waste (MSW) compacted to "Landfill Density" of 1,700 pounds per cubic yard, equating to approximately 0.8 ton per cubic yard of compacted MSW.

[1] Fink Road Landfill has an estimated cease operation date of December 1, 2023

Source: United States Environmental Protection Agency 2016

Source: CalRecycle 2019

Other Utilities

Electricity would be provided to the project site by EBCE via Pacific Gas and Electric Company (PG&E) infrastructure. Infrastructure capable of supporting electric and telecommunications is present at the project site and in the project vicinity.

Regulatory Setting

State

CALIFORNIA GREEN BUILDING STANDARDS CODE

In January 2020, the state of California adopted CalGreen that establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. These standards include a mandatory set of guidelines, as well as more rigorous voluntary measures, for new construction projects to achieve specific green building performance levels.

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

ASSEMBLY BILL (AB) 939

The California Integrated Waste Management Act (AB 939, Sher, Chapter 1095, Statutes of 1989 as amended [IWMA]) made all California cities, counties, and approved regional solid waste management agencies responsible for enacting plans and implementing programs to divert 25 percent of their solid waste by 1995 and 50 percent by year 2000. Later legislation mandates the 50

percent diversion requirement be achieved every year. The California Department of Resources Recycling and Recovery (CalRecycle) oversees and provides assistance to local governments as they develop and implement plans to meet the mandates of the IWMA and subsequent legislation.

City of San Leandro

SAN LEANDRO 2035 GENERAL PLAN

The following policies of the City's General Plan are related to the provision of utilities and service systems in San Leandro:

Policy CSF-6.2 **Fair Share Costs.** Require future development to pay its fair share of the cost of improving the water, sewer, storm drainage, and other infrastructure systems needed to serve that development. Development impact fees, development agreements, and other appropriate forms of mitigation should be used to cover the costs of upgrading or expanding public infrastructure.

Policy CSF-6.4 **Wastewater Collection and Treatment.** Maintain efficient, environmentally sound, and cost-effective wastewater collection and treatment services in San Leandro.

Policy CSF-6.5 **Capacity.** Maintain adequate capacity at the San Leandro wastewater treatment plant to accommodate projected levels of growth within the service area and encourage the Oro Loma Sanitary District to do the same. Support efforts to maintain and/or improve the high quality of treated effluent at both plants and increase the feasibility and cost-effectiveness of using recycled wastewater for non-potable purposes.

SAN LEANDRO STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE

The City of San Leandro manages stormwater and regulates discharge into storm drains through a Storm Water Management and Discharge Control Ordinance. The City adheres to the SWRCB requirements for permitting for specific types of industrial and construction activities, such as obtaining a NPDES permit prior to construction.

Impact Analysis

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Water

The project would increase future water demand at the project site. The estimated water usage for project operation would be approximately 252,700 gallons per year. This estimation is based on

water duty factors of 15 gallons per square foot of office space per year and 3.4 gallons per square foot of warehouse space per year (US Energy Information Administration 2017).[8]

252,700 gallons per year equates to less than 0.01 mgd, which would represent less than 0.01 percent of projected EBMUD water supplies across normal, single dry, and multiple dry years. As determined in the EBMUD UWMP, there is adequate water supply available to serve anticipated growth within Alameda County through the year 2050. Additionally, the project applicant was provided a Will Serve Letter from EBMUD on October 7, 2021. EBMUD adopted a 2020 Water Shortage Contingency Plan which aims to protect the water supply in the event of an emergency such as a drought or earthquake, and to implement and enforce regulations and restrictions for managing a water shortage (EBMUD 2020b). Additionally, EBMUD provided water to the project site's land uses prior to their demolition and water infrastructure exists to serve the site. Therefore, the project would represent a negligible net increase in water demand at the project site. The project would not require or result in the relocation or construction of new or expanded water facilities, and the project would have sufficient water supplies available to serve the project during normal, dry, and multiple dry years. Impacts would be less than significant.

Wastewater

Conservatively assuming that the project's sewer flow would be 100 percent of its anticipated water use, the project would generate approximately 252,700 gallons of wastewater per year. The project would be served by OLSD and would have a connection to the OLSD sewer system, which directs wastewater to the treatment plant jointly owned by OLSD and Castro Valley Sanitary District. The treatment plant has a permitted capacity of 20 mgd, and treats an average dry weather flow of 12.4 mgd (OLSD 2022). Therefore, the OLSD treatment plant has approximately 7.6 mgd of remaining capacity.

The 252,700 gallons of wastewater per year generated by the project equates to approximately 0.25 million gallons per year, or less than 0.001 mgd. This daily wastewater generation rate would represent less than 0.01 percent of the OLSD treatment plant's remaining capacity. Additionally, the project applicant would be required to submit a sanitary sewer plan to the District for approval, and obtain an OLSD district permit prior to connecting to the OLSD sewer system. The project would not require or result in the relocation or construction of new or expanded wastewater facilities, and would be served by a wastewater treatment provider with adequate capacity for the project's projected demand. Impacts would be less than significant.

Stormwater

The project would continue to connect to the existing storm drain system operated and maintained by the City of San Leandro. As discussed in Section 10, *Hydrology and Water Quality,* the project would decrease the amount of impervious surfaces at the project site compared to existing conditions, so that the amount of runoff would decrease. The bioretention treatment areas within proposed project landscaping would collect and facilitate recharge of stormwater on the project site. Additionally, the project would also be required to comply with NPDES permit requirements and C.3 Stormwater Guidelines. Impacts would be less than significant.

[8] 15 gallons per square foot of office space per year, multiplied by 5,000 square feet of office space, equals 75,000 gallons per year. 3.4 gallons per square foot of warehouse space per year, multiplied by 52,269 square feet of office space, equals approximately 177,700 gallons per year. 177,700 gallons per year plus 75,000 gallons per year equals approximately 242,700 gallons per year.

Electricity, Natural Gas, and Telecommunications

As discussed in Section 6, *Energy*, the project would not result in the wasteful, inefficient, or unnecessary consumption of energy. In addition, the project would not require the construction of new electric power, natural gas, or telecommunications facilities because it is located in an urban area already served by those utilities and would not require additional capacity.

Therefore, the project would not result in significant environmental impacts due to the construction of new utility facilities. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The proposed project would generate solid waste during construction and operation. During construction, the current CalGreen code would require that 65 percent of construction and demolition debris be diverted. Because the existing structures on the project site were destroyed by a fire, demolition of remaining structures was undertaken by the City under emergency safety permits. Handling of debris and waste generated during construction would be subject to CalGreen requirements and Chapter 3-7 of SLMC, which would require the project applicant to submit a Debris Recycling Statement. This statement would require the applicant to report the estimated volume or weight of construction debris, the amount of debris that was diverted via reuse or recycling, and information regarding the facility the applicant proposed to use to salvage, collect, or receive diverted material. Therefore, the project would not impair the attainment of solid waste reduction goals.

Operation of the project would generate an estimated 775 pounds of solid waste per day. This estimation is based on solid waste generation rates provided by CalRecycle, which estimate that office uses generate 6 pounds of solid waste per 1,000 square feet per day and warehouse uses generate 1.42 pounds per 100 square feet per day (CalRecycle 2015).[9] The generated 775 pounds of solid waste per day would equate to 0.07 tons per day or 142 tons per year.

Solid waste from the project site would be collected by Waste Management of Alameda County and likely sent to the Altamont Landfill Resource Recovery Facility. Table 32 shows the project's estimated solid waste generation and the remaining capacity of these landfills (CalRecycle 2019).

Table 32 Generated Solid Waste and Estimated Landfill Capacity

Project Solid Waste Generation (tons/day)	Permitted Throughput of Altamont (tons/day)	Remaining Capacity of Altamont (cubic yards)
0.07	11,150	65,400,000

Source: CalRecycle 2019

[9] 6 pounds per 1,000 square feet of office space per day, multiplied by 5,000 square feet of office use, is 30 pounds of solid waste generated per day by office uses. 1.42 pounds per 100 square feet of warehouse space per day, multiplied by 52,269 square feet of warehouse use, is approximately 745 pounds per day. 30 pounds plus 745 pounds is approximately 775 pounds of solid waste generated by the project per day.

Project generated waste would be less than 0.01 percent of Altamont Landfill's allowable waste limit and less than 0.01 percent of Altamont Landfill's remaining capacity. The project would be required to comply with City and State plans and policies to reduce solid waste generation, including a requirement to divert at least 50 percent of solid waste and recyclables as required by Assembly Bill 939. The project's incremental increase in solid waste would not adversely affect solid waste facilities. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	■

Setting

According to maps prepared by the California Department of Forestry and Fire Protection (CAL FIRE), most of San Leandro is within a Local Responsibility Area and is not located within a Fire Hazard Severity Zone. However, small portions of the city along its eastern border are classified as Very High Fire Hazard Severity Zones within Local Responsibility Areas (CAL FIRE 2006). The project site is not within a Fire Hazard Severity Zone and is located approximately one mile west of the nearest Very High Fire Hazard Severity Zone.

Impact Analysis

a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

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

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

d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is not in a CAL FIRE designated Very High Fire Hazard Severity Zone and is located approximately 1.2 miles west of the nearest Very High Fire Hazard Severity Zone (CALFIRE 2006). The project site is separated from the nearest Very High Fire Hazard Severity Zone by urban development, which does not facilitate the spread of wildfire. Additionally, the prevailing wind direction in San Leandro is west to east for nine months of the year and from north to south for three months of the year (WeatherSpark 2022); therefore, prevailing winds would blow wildfires away from the project site and from the city.

Project implementation would not impair an adopted emergency response plan or emergency evacuation plan, as discussed in Section 9, *Hazards and Hazardous Materials,* or exacerbate wildfire risks. Further, the project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post fire slope instability, or drainage changes in or near state responsibility areas or lands classified as very high fire severity zones. No impact would occur.

NO IMPACT

21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Does the project:				
a. 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. 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. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	□	■	□	□

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?

As discussed in Section 4, *Biological Resources*, the project would not substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife species population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of a rare or endangered plant or animal. The project could result in potentially significant impacts to nesting birds or roosting bats. Implementation of mitigation measures BIO-1 and BIO-2 would reduce impacts to protected birds and bats to less than significant levels.

As discussed in Section 5, *Cultural Resources*, and Section 7, *Geology and Soils,* no historical, archaeological, or paleontological resources were identified on site. Additionally, as discussed in Section 18, *Tribal Cultural Resources,* there are no known tribal cultural resources within the project site. Nevertheless, it is always possible to encounter cultural, paleontological, or tribal cultural resources during ground disturbing activities. Implementation of mitigation measures CR-1, GEO-1, and TCR-1 would reduce impacts to previously undiscovered cultural, tribal cultural resources, and paleontological resources to less than significant levels by providing a process for evaluating and, as necessary, avoiding impacts to any resources found during construction. Therefore, impacts to important examples of California history or prehistory would be less than significant.

As noted throughout the Initial Study, other potential environmental impacts related to the quality of the environment would be less than significant.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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)?

As described in Sections 1 through 20, the project would not result in significant and unmitigable impacts to the environment with respect to all environmental issues. This is largely because project construction activities would be temporary, and construction and operational activities and would not significantly alter the environmental baseline condition.

As defined in *CEQA Guidelines* Section 15335, "cumulative impacts" refer to two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project when added to other closely related past, present and reasonably foreseeable probable future nearby projects. If a significant cumulative impact is identified, it must then be determined whether the project's contribution to that impact would be cumulatively considerable. Cumulative impacts could occur if the construction of other projects occurred recently, at the same time as the proposed project or is proposed in the near future, and in the same geographic scope, such that the effects of similar impacts of multiple projects combine to create greater levels of impact than would occur at the project-level. For example, if the construction of other projects in the area occurs at the same time as project activities, combined air quality and noise impacts may be greater than at the project-level.

Seven planned development projects are in the vicinity of the project site, which are summarized in Table 33. The exact implementation timing of these projects is not known at this time; therefore, it is conservatively assumed that construction of these planned projects could overlap with construction of the proposed project.

Table 33 Cumulative Development Projects

No.	Project Name	Project Location	Project Components	Status
1	B22-1812	14347 Washington Avenue, 800 feet southeast of project site	Removal of two underground storage tanks (10,000 gallons and 2,000 gallons)	Under consideration by the City
2	B22-1409	14240 Rose Drive, 0.4 mile northeast of project site	Construction of 740 square foot accessory dwelling unit	Under consideration by the City
3	B21-2359	1530 146th Avenue, 0.7 mile northeast of project site	Construction of 800 square foot accessory dwelling unit	Under consideration by the City
4	B21-1360	2483 Washington Avenue, 0.5 mile north of project site	Demolition of shed, reconfiguration of parking lot, and remodeling of commercial structure	Building permits issued
5	B22-1730	2274 Washington Avenue, 0.7 mile north of project site	Residential conversion and renovation	Under consideration by the City
6	B22-1470	2824 Halcyon Drive, 0.5 mile southeast of project site	Construction of 1,678 square foot single family residence	Under consideration by the City
7	B22-1832	854 Portola Drive, 0.5 mile southwest of project site	Trenchless installation of sewer lateral replacement from residence to main line in street	Approved by the City

Source: Cit of San Leandro 2022

Construction impacts are primarily temporary, localized effects. Therefore, the potential for the project to contribute to cumulative impacts would be limited to the infrequent periods of project activities and the following issue areas:

- **Air Quality.** Because the San Francisco Bay Area Air Basin currently exceeds the federal ozone and $PM_{2.5}$ standards and the state ozone, PM_{10}, and $PM_{2.5}$ standards, cumulative air quality impacts currently exist for these pollutants. As discussed in Section 3, *Air Quality*, project construction activities would not generate emissions of air pollutants exceeding BAAQMD significance thresholds, which are intended to assess whether a project's contribution to existing cumulative air quality impacts is considerable. Therefore, the project's contribution to cumulative air quality impacts would not be cumulatively considerable.
- **Biological Resources.** Most cumulative impacts to biological resources occur when a disproportionate number of development projects occur at once and regionally impact a local population of a special status species, riparian habitat, sensitive natural communities, wetlands, or other locally protected biological resources. In this case, all cumulative projects would occur within previously developed areas, and would not be anticipated to result in significant impacts to special status plant and wildlife species or sensitive natural communities. Additionally, the proposed project would be required to implement mitigation measures BIO-1 and BIO-2 to reduce its impacts to biological resources to a less-than-significant level such that project-level impacts would not result in a cumulatively considerable impact to biological resources.
- **Cultural and Tribal Cultural Resources.** Cumulative development in the region would continue to disturb areas with the potential to contain cultural and tribal cultural resources. The cumulative development projects have undergone or would be required to undergo CEQA review, which would determine the extent of potential cultural and tribal cultural resources impacts and mitigate those impacts appropriately. If these cumulative projects would result in impacts to known or unknown cultural or tribal cultural resources, impacts to such resources would be addressed on a case-by-case basis. Given the uncertainty in the extent of impacts

associated with these projects, this analysis conservatively assumes a significant cumulative impact to cultural and tribal cultural resources would occur. Nevertheless, the proposed project would be required to implement mitigation measures CR-1 and TCR-1 to reduce its impacts to cultural and tribal cultural resources to a less-than-significant level such that project-level impacts would not result in a cumulatively considerable contribution to this cumulative impact.

- **Greenhouse Gas Emissions.** GHG emissions and climate change are, by definition, cumulative impacts. As discussed in Section 8, *Greenhouse Gas Emissions*, the adverse environmental impacts of cumulative GHG emissions are already occurring. As a result, cumulative impacts related to GHG emissions are significant. Thus, the issue of climate change involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. As discussed in Section 8, *Greenhouse Gas Emissions*, project emissions would be below the identified threshold of significance and therefore would not be cumulatively considerable.
- **Hazards and Hazardous Materials.** Similar to the proposed project, cumulative projects would be required to comply with regulations applicable to the use, disposal, and transportation of hazardous materials during construction activities, and compliance with applicable regulations would reduce potential cumulative impacts to less-than-significant levels. With respect to the use and accidental release of hazardous materials in the environment at construction, effects are generally limited to site-specific conditions. As part of project approval for the cumulative projects, the City would assess the need for fire protection services, which would inform efforts to improve or expand needed facilities. Cumulative development would comply with emergency access requirements as directed by respective city and fire department regulations. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant.
- **Noise.** Overlapping construction activities associated with cumulative development projects in conjunction with proposed project activities could result in cumulative noise impacts related to a temporary increase in ambient noise levels at the same noise-sensitive receivers located throughout the area, especially during construction activities. However, similar to the proposed project, cumulative development projects would be subject to compliance with the noise level limits established in SLMC Chapter 4-1. Therefore, cumulative construction noise impacts would be less than significant. Although there could be other cumulative projects simultaneously under construction near construction of the proposed project, the potential for construction groundborne vibration and noise impacts is within relatively close distances (e.g., within approximately 25 feet for a vibratory roller). Since no two construction cumulative projects would both be within 25 feet of a given sensitive structure, cumulative groundborne vibration and noise impacts would be less than significant.
- **Public Services.** Cumulative developments would be required to comply with the California Fire Code, Part 9 of the CBC and would follow standards for fire safety such as fire flow requirements for buildings, fire hydrant location and distribution criteria, automated sprinkler systems, and fire-resistant building materials. For these reasons, the cumulative projects would not result in the need to construct new or expand existing fire protection or emergency medical services facilities beyond those anticipated for expected population growth. Therefore, the cumulative impact related to fire protection facilities would be less than significant. Cumulative plans and projects within the service area of the SLPD would be reviewed for impacts on police protection services, would be required to address any potential impacts with mitigation, and would need to provide adequate emergency access for police services with proper signage and lighting. Because demand for law enforcement services is highly dependent on a number of factors that vary substantially by project (clientele, hours of operation, crime prevention measures, etc.), it is unlikely that there would be substantial overlap in demand that would result such that new

facilities are necessary. The cumulative impact related to police protection facilities would be less than significant. Cumulative projects would be required to pay development impact fees towards school operation which, pursuant to Section 65995(3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), are "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." Therefore, the cumulative impact related to school facilities would be less than significant.

- **Transportation.** Overlapping construction schedules associated with cumulative development projects in conjunction with proposed project activities could result in cumulative transportation impacts. Similar to the proposed project, cumulative projects would be required to be consistent with VMT screening criteria or complete a VMT analysis, and also be consistent with LOS standards established by the City's General Plan. The proposed project would not result in significant impacts related to VMT or significant adverse effects related to LOS. Therefore, cumulative transportation impacts would be less than significant.
- **Utilities and Service Systems.** Operation of cumulative development projects in conjunction with proposed project activities could result in cumulative utilities impacts. Similar to the proposed project, cumulative projects would be required to undergo individual environmental review for potential impacts to existing utilities that serve the City of San Leandro. The project would not require or result in the relocation or construction of new or expanded water facilities, and the project would have sufficient water supplies available to serve the project during normal, dry, and multiple dry years. The project would not require or result in the relocation or construction of new or expanded wastewater facilities, and would be served by a wastewater treatment provider with adequate capacity for the project's projected demand. The project would not require the construction of new electric power, natural gas, or telecommunications facilities because it is located in an urban area already served by those utilities and would not require additional capacity. Therefore, cumulative utilities impacts would be less than significant.

Based on this information, the proposed project would not result in a cumulatively considerable contribution to a significant cumulative impact with mitigation incorporated.

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

In general, impacts to human beings are associated with air quality, hazards and hazardous materials, and noise impacts. As discussed in Section 3, *Air Quality,* the project would implement Mitigation Measure AQ-1, which would require implementation of BAAQMD Basic Construction Mitigation Measures related to architectural coatings and construction fugitive dust. As discussed in Section 9, *Hazards and Hazardous Materials*, impacts related to groundwater, vapor, or soil contamination would not be significant as a result of project implementation with Mitigation Measure HAZ-1 and would not have a cumulatively considerable contribution to significant cumulative hazards impacts. As discussed in Section 13, *Noise*, the project would not have significant noise impacts in construction or operation. Therefore, the project would not cause substantial adverse effects on human beings with implementation of applicable mitigation measures.

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