



# Bay Fair Transit Oriented Development (TOD) Specific Plan

Draft Environmental Impact Report

SCH# 2017032016

*prepared by*

**City of San Leandro**

Community Development Department

835 East 14th Street

San Leandro, California 94577

Contact: Tom Liao, Deputy Community Development Director

*prepared with the assistance of*

**Rincon Consultants, Inc.**

449 15th Street, Suite 303

Oakland, California 94612

**September 2017**

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# Executive Summary

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This document is a Draft Environmental Impact Report (DEIR) analyzing the environmental effects of the proposed Bay Fair Transit Oriented Development (TOD) Specific Plan (proposed Specific Plan). This section summarizes the characteristics of the proposed Specific Plan, alternatives to the proposed Specific Plan that are analyzed in this EIR, and the environmental impacts and mitigation measures associated with the proposed Specific Plan.

## Project Synopsis

### Lead Agency and Contact Person

City of San Leandro  
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San Leandro, California 94577  
Tom Liao, Deputy Community Development Director, (510) 577-6003

### Project Description

The proposed project involves the adoption of the Bay Fair Transit Oriented Development (TOD) Specific Plan (“proposed Specific Plan”). The proposed Specific Plan includes policies and development standards to guide future development in the Specific Plan Area within the City of San Leandro. The proposed Specific Plan is intended to implement the guidance provided in the City’s 2035 General Plan. The 2035 General Plan envisions Bay Fair as a dynamic, walkable, transit-oriented area with a mix of uses – including retail, office, higher density housing, and open space – that leverage their prime location near BART and two major multi-jurisdictional arterial streets (Hesperian Boulevard and East 14th Street). A reasonable and conservative estimate of buildout associated with the General Plan through 2035 would include development of 2,540 housing units and 300,000 square feet of office space, as well as the removal of an estimated 161,000 square feet of retail space.

The proposed Specific Plan has two major components: (1) the long term vision and policy component (Chapters 2 through 4) and (2) the development standards (Chapter 5). The vision and policy component provides the goals and policies related to land use and circulation. The regulatory component would enact development standards and guidelines that apply to all future development projects in the Specific Plan Area. Together, these two components are intended to serve as a comprehensive document for development within the Specific Plan Area. Chapter 7 includes policies related to infrastructure that would serve the Specific Plan Area and Chapter 6 recommends implementing programs and financing options to achieve the Specific Plan goals.

The proposed Specific Plan contains the following Chapters:

- The **Introduction and Context** chapter (Chapter 1) describes the Specific Plan Area conditions and context, the purpose of the document, and the community engagement and plan development process.



- The **Vision and Planning Framework** chapter (Chapter 2) provides the long-term vision and desired outcomes for the Specific Plan Area.
- The **Mobility** chapter (Chapter 3) presents the circulation network and design concepts that are intended to improve connections and enhance walkability along and across existing corridors. Transportation demand management and parking are also addressed in this Chapter.
- The **Land Use and Housing** chapter (Chapter 4) provides policy direction for the range of future land uses envisioned in the Specific Plan Area. The chapter also includes more detailed policies for housing and affordable housing.
- The **Development Standards and Guidelines** chapter (Chapter 5) provides development standards and guidelines that apply to all future private development projects and major rehabilitation projects in the Bay Fair TOD Specific Plan Area, as well as to new publicly funded improvements. The following topics are addressed: building frontages; height limits and transitions; building and site design; open space; and fences and signs.
- The **Infrastructure and Services** chapter (Chapter 6) includes policies for the provision of wet and dry infrastructure as well as services such as police, fire, and waste collection.
- The **Implementation and Financing** chapter (Chapter 7) presents the programs and physical improvements to achieve the Specific Plan’s vision. The chapter lists funding sources to implement the Plan’s programs and improvements.

Additional detail about the proposed Specific Plan is provided in Section 2, *Project Description*.

## Project Objectives

The Bay Fair TOD Specific Plan is intended to achieve the following project objectives and desired outcomes as it is implemented over time:

1. **More Parks and Open Space.** Increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature.
2. **More Walkable Environment.** Improve the pedestrian experience, public space, aesthetics, and design quality throughout the Specific Plan Area to attract visitors, serve residents and promote walking.
3. **Better Mobility and Connectivity.** Improve pedestrian, bicycle, transit, and vehicle connections in the Specific Plan Area through the creation of an interconnected street grid, with a focus on better pedestrian connections between the Bay Fair BART station and the adjacent shopping areas.
4. **Improved Safety and Less Crime.** Improve safety in and around the Specific Plan Area through a range of strategies including increased pedestrian activity; more “eyes on the street;” enhanced and more coordinated policing; better lighting pathways; activation of vacant spaces; and an increased sense of ownership and stewardship by residents, workers, and visitors.
5. **Compatibility with Adjacent Neighborhoods.** Ensure compatibility with the residential neighborhoods adjacent to the Specific Plan Area – including those in unincorporated Alameda County as well as the City of San Leandro – and encourage sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods.

6. **Diversity of Uses.** Support a diverse, sustainable mix of uses including retail, housing, workplaces, and community spaces. Encourage a variety of essential goods and services such as grocery stores, pharmacies, banks, social services, restaurants, and other businesses.
7. **Diverse and Affordable Housing.** Support both market rate and affordable housing, and seek to protect existing residents from involuntary displacement.
8. **Range of Educational Opportunities.** Provide a range of services to provide opportunities for higher education, business incubation, and vocational and employment training programs for all age groups.
9. **Community Facilities.** Provide community facilities necessary to support the level and type of additional growth including schools, community and senior centers, child care centers, and public safety facilities.
10. **Efficient and Shared Parking.** Implement parking management solutions that most efficiently use parking resources, including sharing of public and private parking spaces between different uses and sharing between different use types such as residential, office, and commercial.
11. **BART and Bus Station Improvement.** Support and improve the Bay Fair BART and bus stations as integral amenities for the surrounding neighborhoods, the City, the County, and the region.
12. **Zoning Aligned with Community Vision.** Ensure future zoning is aligned with the community vision, while allowing flexibility to adjust to changing trends and land ownership.
13. **Local and Regional Destination.** Provide excellent public space, outdoor dining, and dynamic retail experiences to create central gathering places that serve local and regional populations.
14. **Infrastructure.** Improve and maintain basic infrastructure such as stormwater management facilities, flood control, and water, sewer, and gas service.
15. **Environmental Sustainability.** Create a sustainable urban environment that incorporates green building features, green infrastructure and ecology, sustainable energy systems, water efficiency and conservation, and sustainable transportation systems.

## Alternatives

As required by Section 15126.6 of the *CEQA Guidelines*, this section of the EIR examines a range of reasonable alternatives to the proposed Specific Plan. The following alternatives are evaluated in this EIR:

- Alternative 1: No Project/ 2035 General Plan Buildout
- Alternative 2: Residential Focus Alternative
- Alternative 3: Office Focus Alternative

The Office Focus Alternative (Alternative 3) would be considered the environmentally superior alternative, as it would reduce impacts related to traffic and utilities, due primarily to the reduction in housing units. However, this alternative would not eliminate the significant and unavoidable impact at the intersection of Hesperian Boulevard and Thornally Drive. No mitigation measures are available to reduce the impact in the available right-of-way without removal of bike lanes. Therefore, the impact to this intersection would remain significant and unavoidable under Alternative 3. In addition, the impact at Hesperian Boulevard south of East 14th Street would remain significant and unavoidable, similar to the proposed Specific Plan. Because of the significant traffic impacts, the significant impacts related to transit operations would also remain under this

Alternative 3. This alternative would generally meet most of the project objectives, but would meet Objective 6 (to provide a diversity of uses) to a lesser degree than the proposed project.

Refer to Section 6, *Alternatives*, for the complete alternatives analysis.

## Areas of Known Controversy

The City identified the following major areas of known controversy for the proposed Specific Plan through the EIR scoping process: traffic congestion, crime, noise, and parking. Responses to the Notice of Preparation of a Draft EIR and input received at the EIR scoping meeting held by the City are summarized in Section 1, *Introduction*.

## Issues to be Resolved

Issues to be resolved include the City's decision makers' choice among the alternatives, and whether or how to mitigate the identified significant effects.

## Issues Not Studied in Detail in the EIR

As detailed in Section 4.15, *Effects Found Not to Be Significant*, there is no substantial evidence that significant impacts would occur related to Agricultural Resources and Mineral Resources. Section 4.15 also addresses other issue areas that are less than significant and not studied in detail in this EIR.

## Summary of Impacts and Mitigation Measures

Table 1 summarizes the environmental impacts of the proposed Specific Plan, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if required). Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per *CEQA Guidelines* Section 15093.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under *CEQA Guidelines* Section 15091.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures.
- **No Impact.** A finding of no impact is made when the analysis concludes that the proposed project would not affect the particular environmental resource or issue.

Table 1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
<b>Aesthetics</b>		
<b>Impact AES-1.</b> The proposed Specific Plan would facilitate increases in the intensity, scale and visibility of development in the Specific Plan Area, and would include changes to circulation patterns and block sizes. However, plan implementation would not significantly block or otherwise adversely affect scenic vistas. Therefore, impacts related to scenic vistas would be less than significant.	None required.	Less than significant without mitigation
<b>Impact AES-2.</b> The proposed Specific Plan would facilitate changes to the visual character of the Specific Plan Area relative to existing conditions, including potentially substantial increases in building height and massing and overall development intensity. However, the proposed policies, planning framework, and development standards and guidelines for future development in the specific plan would improve the visual quality of the environment, and the proposed design review criteria for new development would help ensure visual compatibility with existing development in the Specific Plan Area. Impacts to visual character would be less than significant.	None required.	Less than significant without mitigation
<b>Impact AES-3.</b> Implementation of the proposed Specific Plan would result in new sources of light and glare in and around the project a Specific Plan Area. However, these new sources would not substantially increase the amount of light and glare in the already urbanized Specific Plan Area, and would be regulated by the City's adopted 2035 General Plan, and Municipal Code requirements, and specific plan provisions. This would be a less than significant impact.	None required.	Less than significant without mitigation
<b>Air Quality</b>		
<b>Impact AQ-1.</b> Buildout of the proposed Specific Plan would result in the temporary generation of air pollutants during construction, which would affect local air quality. Compliance with the BAAQMD Basic Construction Mitigation Measures would require future projects within the Specific Plan Area to implement measures to reduce construction emissions. Impacts would be significant but mitigable.	<b>MM AQ-2B-1 Construction Emissions</b> As part of the City's development approval process, the City shall require applicants for future development projects to comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM <sub>10</sub> (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the May 2017 BAAQMD CEQA Guidelines).	Less than significant
<b>Impact AQ-2.</b> The proposed Specific Plan would be consistent with BAAQMD's 2017 Clean Air Plan. This impact would be less than significant.	None required.	Less than significant without mitigation

Impact	Mitigation Measure(s)	Residual Impact
<p><b>Impact AQ-3.</b> The proposed Specific Plan would not create objectionable odors that would affect neighboring properties. Impacts related to odors would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Biological Resources</b></p>		
<p><b>Impact BIO-1.</b> Implementation of the proposed Specific Plan may result in impacts to special status plant and animal species. Impacts would be significant but mitigable.</p>	<p><b>MM BIO-1(A) Biological Resources Screening and Assessment</b>                      For projects within the Specific Plan Area that may affect sensitive biological resources, the project proponent shall hire a City-approved biologist to perform a preliminary biological resource screening as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a City-approved biologist shall conduct a biological resources assessment (BRA) or similar type of study to document the existing biological resources within the project footprint plus a minimum buffer of 150 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. The BRA shall evaluate the potential for impacts to all biological resources including, but not limited to special status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. Pending the results of the BRA, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, NMFS, CDFW, and/or other local, state, and federal agencies may be required. The following mitigation measures [B-1(b) through B-1(k)] shall be incorporated, only as applicable, into the BRA for projects where specific resources are present or may be present and significantly impacted by the project. Note that specific surveys described in the mitigation measures below may be completed as part of the BRA where suitable habitat is present.</p> <p><b>MM BIO-1(B) Special Status Plant Species Surveys</b>                      If completion of the project-specific BRA determines that special status plant species may occur on-site, surveys for special status plants shall be completed prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species identified in the project-specific BRA. All plant surveys shall be conducted by a City-approved biologist no more than two years between one year and six months before initial ground disturbance. All special status plant species identified on site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System (GPS) unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the</p>	<p>Less than significant.</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>survey results shall be submitted to the implementing agency, and the CDFW and/or USFWS, as appropriate, for review and/or approval.</p> <p><b>MM BIO-1(C) Special Status Plant Species Avoidance, Minimization, and Mitigation</b>                      If federally and/or state listed or CRPR List 1B or 2 species are found during special status plant surveys [pursuant to mitigation measure B-1(b)], then the project shall be re-designed to avoid impacting these plant species, where feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a City-approved biologist, to protect them from harm.</p> <p><b>MM BIO-1(D) Restoration and Monitoring</b>                      If special status plants species cannot be avoided and will be impacted by development under the Specific Plan, all impacts shall be mitigated by the project applicant at a minimum ratio of 2:1 to be determined by the City in coordination with CDFW and USFWS (as applicable) (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. A restoration plan shall be prepared by the project applicant and submitted to the City for review and approval. (Note: if a federally and/or state listed plant species will be impacted, the restoration plan shall be submitted to the USFWS and/or CDFW for review). The restoration plan shall include, at a minimum, the following components:</p> <ul style="list-style-type: none"> <li>▪ Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type).</li> <li>▪ Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved].</li> <li>▪ Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values).</li> <li>▪ Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan).</li> <li>▪ Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule).</li> <li>▪ Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports).</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<ul style="list-style-type: none"> <li>▪ Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type.</li> <li>▪ An adaptive management program and remedial measures to address any shortcomings in meeting success criteria.</li> <li>▪ Notification of completion of compensatory mitigation and agency confirmation.</li> <li>▪ Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).</li> </ul> <p><b>MM BIO-1(E) Endangered/Threatened Species Habitat Assessments and Protocol Surveys</b></p> <p>Specific habitat assessments and survey protocols are established for several federally and state endangered or threatened species. If the results of the BRA determine that suitable habitat may be present for any such species, protocol habitat assessments/surveys shall be completed in accordance with CDFW and/or USFWS protocols prior to issuance of any construction permits. If through consultation with the CDFW and/or USFWS it is determined that protocol habitat assessments/surveys are not required, said consultation shall be documented prior to issuance of any construction permits. Each protocol has different survey and timing requirements. The applicants for each project shall be responsible for ensuring they understand the protocol requirements and shall hire a City-approved biologist to conduct protocol surveys.</p> <p><b>MM BIO-1(F) Endangered/Threatened Species Avoidance and Minimization</b></p> <p>The habitat requirements of endangered and threatened species are highly variable. The potential impacts from any given project implemented under the Specific Plan are likewise highly variable. However, there are several avoidance and minimization measures that can be applied for a variety of species to reduce the potential for impact, with the final goal of no net loss of the species. The following measures may be applied to aquatic and/or terrestrial species. The City shall select from these measures as appropriate and the project applicant shall be responsible for implementing selected measures.</p> <ul style="list-style-type: none"> <li>▪ Ground disturbance shall be limited to the minimum necessary to complete the project. The project limits of disturbance shall be flagged. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance.</li> <li>▪ All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species.</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<ul style="list-style-type: none"> <li>▪ All projects occurring within or adjacent to sensitive habitats that may support federally and/or state listed endangered/threatened species shall have a CDFW- and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are fully implemented.</li> <li>▪ No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS.</li> <li>▪ If at any time during construction of the project an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume.</li> <li>▪ For all projects occurring in areas where endangered/ threatened species may be present and are at risk of entering the project site during construction, exclusion fencing shall be placed along the project boundaries prior to start of construction (including staging and mobilization). The placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of 3 feet above grade and 2 feet below grade and shall be attached to wooden stakes placed at intervals of not more than 5 feet. The fence shall be inspected weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.</li> <li>▪ All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body . Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.</li> <li>▪ No equipment shall be permitted to enter wetted portions of any affected drainage channel.</li> <li>▪ All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access .</li> <li>▪ If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline.</li> </ul>	



Impact	Mitigation Measure(s)	Residual Impact
	<ul style="list-style-type: none"> <li>▪ If water is to be diverted around work sites, a diversion plan shall be submitted (depending upon the species that may be present) to the CDFW, RWQCB, USFWS, and/or NMFS for their review and approval prior to the start of any construction activities (including staging and mobilization). If pumps are used, all intakes shall be completely screened with wire mesh not larger than five millimeters to prevent animals from entering the pump system.</li> <li>▪ At the end of each workday, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.</li> <li>▪ All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.</li> <li>▪ The CDFW/USFWS-approved biologist shall remove invasive aquatic species such as bullfrogs and crayfish from suitable aquatic habitat whenever observed and shall dispatch them in a humane manner and dispose of properly.</li> <li>▪ Considering the potential for projects to impact federal and state listed species and their habitat, the City shall contact the CDFW and USFWS to identify mitigation banks within Alameda County during development of the proposed Specific Plan. Upon implementation of development projects included in the proposed Specific Plan, but on a project-by-project basis, if the results of the BRA determines that impacts to federal and state threatened or endangered species habitat are expected, the applicant shall explore species-appropriate mitigation bank(s) servicing the region for purchase of mitigation credits.</li> </ul> <p><b>MM BIO-1(G) Non-listed Special Status Animal Species Avoidance and Minimization</b></p> <p>Several State Species of Special Concern may be impacted by development facilitated by the Specific Plan. The ecological requirements and potential for impacts is highly variable among these species. Depending on the species identified in the BRA, several of the measures identified under B-1(f) shall be applicable to the project. In addition, the City shall select measures from among the following to be implemented by the project applicant to reduce the potential for impacts to non-listed special status animal species:</p> <ul style="list-style-type: none"> <li>▪ For non-listed special status terrestrial amphibians and reptiles, coverboard surveys shall be completed within three months of the start of construction. The coverboards shall be at least four feet by four feet and constructed of untreated plywood placed flat on the ground. The coverboards shall be checked by a City-approved biologist once per week for each week after placement up until the start of vegetation removal. All non-listed special status and common animals found under the coverboards shall be captured and placed in five-gallon buckets for transportation to relocation sites. All relocation sites shall be reviewed by the City-approved biologist and shall consist of suitable habitat. Relocation sites shall be as close to the capture site as possible but far enough away to ensure the</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>animal(s) is not harmed by construction of the project. Relocation shall occur on the same day as capture. CNDDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed.</p> <ul style="list-style-type: none"> <li>▪ Pre-construction clearance surveys shall be conducted within 14 days of the start of construction (including staging and mobilization). The surveys shall cover the entire disturbance footprint plus a minimum 200-foot buffer, if feasible, and shall identify all special status animal species that may occur on-site. All non-listed special status species shall be relocated from the site either through direct capture or through passive exclusion (e.g., burrowing owl). A report of the pre-construction survey shall be submitted to the City for their review and approval prior to the start of construction.</li> <li>▪ A City-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover special status animal species unearthed by construction activities.</li> <li>▪ Upon completion of the project, a City-approved biologist shall prepare a Final Compliance Report documenting all compliance activities implemented for the project, including the pre-construction survey results. The report shall be submitted to the City within 30 days of completion of the project.</li> <li>▪ If special status bat species may be present and impacted by the project, a City-approved biologist shall conduct, within 30 days of the start of construction, presence/absence surveys for special status bats in consultation with the CDFW where suitable roosting habitat is present. Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. If active roosts are located, exclusion devices such as netting shall be installed to discourage bats from occupying the site. If a roost is determined by a City-approved biologist to be used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultations with the CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a City-approved biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.</li> </ul> <p>For projects that may result in removal of trees or vegetation that may contain a nesting bird, if feasible, construction activities should occur generally between September 16 to January 31 (thus outside of the nesting season). However, if construction activities must occur during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a City-approved biologist no more than 14 days prior to vegetation removal. The surveys shall include</p>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>the entire segment disturbance area plus a 200-foot buffer 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 City-approved biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the 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 City-approved biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. A report of these preconstruction nesting bird surveys shall be submitted by the project applicant to the City to document compliance within 30 days of its completion.</p> <p><b>MM BIO-1(I) Worker Environmental Awareness Program (WEAP)</b>            If potential impacts to special status species are identified by the BRA, prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a City-approved biologist, to aid workers in recognizing special status resources that may occur in the Specific Plan Area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the City to document compliance.</p> <p><b>MM BIO-1(J) Invasive Weed Prevention and Management Program</b>            Prior to start of construction for projects occurring within or adjacent to sensitive habitats, as determined by the BRA, an Invasive Weed Prevention and Management Program shall be developed by a City-approved biologist to prevent invasion of native habitat by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a City-approved biologist and in accordance with the restoration plan. Landscape species shall not include noxious, invasive,</p>	

Impact	Mitigation Measure(s)	Residual Impact
	and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List, and/or California Invasive Plant Council Lists 1, 2, and 4.	
<p><b>Impact BIO-2.</b> Implementation of the proposed Specific Plan would not result in impacts to riparian habitat or other sensitive habitats. This impact would be less than significant.</p>	None required.	Less than significant without mitigation
<p><b>Impact BIO-3.</b> Implementation of the proposed Specific Plan may result in impacts to federally protected wetlands. This impact would be significant but mitigable.</p>	<p><b>MM BIO-2 Jurisdictional Delineation</b>                      If potentially jurisdictional wetlands are identified by the BRA, a City-approved biologist shall complete a jurisdictional delineation. The jurisdictional delineation shall determine the extent of the jurisdiction for CDFW, USACE, and/or RWQCB, and shall be conducted in accordance with the requirement set forth by each agency. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the implementing agency, USACE, RWQCB, and CDFW, as appropriate, for review and approval. If jurisdictional areas are expected to be impacted, then the RWQCB would require a Waste Discharge Requirements (WDRs) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the California Fish and Game Code would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the Clean Water Act would likely be required. Furthermore, a compensatory mitigation program shall be implemented in accordance with Mitigation Measure BIO-1(D) and the measures set forth by the aforementioned regulatory agencies during the permitting process.</p>	Less than significant.
<p><b>Impact BIO-4.</b> Implementation of the proposed Specific Plan may impact the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. This impact would be significant but mitigable.</p>	<p><b>MM BIO-3 Native Amphibian Protection</b>                      If construction within Estudillo Canal is planned in wetted areas a pre-construction survey shall be conducted for native amphibians. This survey shall be conducted by a City-approved biologist and shall document the species and life stages of amphibians found during the survey. If a significant number of non-listed species are found, they will be relocated outside of the work area prior to the start of construction. Wildlife exclusion fencing may be installed under the direction of the approved biologist to prevent wildlife from entering the work area during construction. If listed species are detected, measures BIO-1(f) and BIO-1(l) shall also be implemented.</p>	Less than significant.
<p><b>Impact BIO-5.</b> Implementation of the proposed Specific Plan would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This impact would be less than significant.</p>	None required.	Less than significant without mitigation

Impact	Mitigation Measure(s)	Residual Impact
<p><b>Impact BIO-6.</b> Implementation of the proposed specific plan would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Cultural, Tribal Cultural, and Paleontological Resources</b></p>		
<p><b>Impact CR-1.</b> The Specific Plan Area is not known to contain buildings that are eligible for listing or listed as a historical resource. Nonetheless, development facilitated by the proposed Specific Plan has the potential to impact unknown historical resources and archaeological resources. Impacts would be less than significant with mitigation.</p>	<p><b>MM CR-1 Historical Built-Environment</b></p> <p>At the time of application for discretionary land use permits or subdivisions that involve the demolition or alterations of buildings or structures greater than 50 years old, the project applicant shall retain a historian or architectural historian who meets the Secretary of Interior’s Professional Qualifications Standards to document and evaluate the historical significance of the affected buildings or structures. If such documentation and evaluation indicates that the building or structure qualifies as a significant historical resource, the resource shall be avoided and preserved in place if feasible. If avoidance is not feasible, further documentation or action to reduce impacts on historical resources shall be provided, including but not limited to archival quality photographs, measured drawings, oral histories, interpretive signage, and/or other measures including, potentially, alteration of the resource in accordance with Secretary of the Interior’s standards or relocation of the resource.</p> <p>Historical documentation shall be submitted for review and discretionary approval by the City prior to issuance of any permits for demolition or alteration of structures greater than 50 years old.</p> <p>The City shall site inspect during grading and prior to occupancy clearance to ensure compliance with measures recommended through the historical documentation.</p> <p><b>MM CR-2 Archaeological Resources</b></p> <p>At the time of application for discretionary land use permits or subdivisions that will involve grading, trenching, or other ground disturbance, the project applicant shall retain a qualified archaeologist meeting the Secretary of the Interior (SOI) standards in archaeology to complete a Phase 1 archaeological inventory of the project site. A Phase 1 archaeological inventory shall include an archaeological pedestrian survey of the project site and sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Archival research should include a records search conducted at the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search conducted with the Native American Heritage Commission (NAHC).</p> <p>Prehistoric or historic archaeological remains so identified shall be avoided and preserved in place if where feasible. Where preservation is not feasible, the significance of each resource shall be evaluated for significance and eligibility to the</p>	<p>Less than significant.</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>CRHR. Phase 2 evaluation shall include any necessary archival research to identify significant historical associations as well as mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of a sample of the cultural deposit to characterize the nature of the sites, define the artifact and feature contents, determine horizontal boundaries and depth below surface, and retrieve representative samples of artifacts and other remains.</p> <p>Excavation at Native American sites shall be monitored by a geographically affiliated tribal representative, as agreed upon in any formal consultation proceedings with the geographically affiliated tribe or as indicated by the NAHC. Cultural materials collected from the sites shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. The significance of the sites shall be evaluated according to the criteria of the CRHR. The results of the investigations shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format (1990 or latest edition)" (<a href="http://ohp.parks.ca.gov/pages/1054/files/armr.pdf">http://ohp.parks.ca.gov/pages/1054/files/armr.pdf</a>). Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at an appropriate curation facility. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.</p> <p>If the resources meet CRHR significance standards, the City shall ensure that all feasible recommendations for mitigation of archaeological impacts are incorporated into the final design and permits issued for development. Necessary data recovery excavation shall be carried out by a qualified archaeologist meeting the SOI standards for archaeology according to a research design reviewed and approved by the City prepared in advance of fieldwork and using appropriate archaeological field and laboratory methods consistent with the California Office of Historic Preservation Planning Bulletin 5 (1991), Guidelines for Archaeological Research Design, or the latest edition thereof.</p> <p>As applicable, the final Phase 1 Inventory, Phase 2 Testing and Evaluation, or Phase 3 Data Recovery reports shall be submitted to the City prior to issuance of construction permit. Recommendations contained therein shall be implemented throughout all ground disturbance activities.</p>	
<p><b>Impact CR-2.</b> Ground-disturbing activities associated with development facilitated by the proposed Specific Plan could result in damage to or destruction of paleontological resources. Impacts would be less than significant with mitigation.</p>	<p><b>MM CR-3 Paleontological Resources Assessment</b></p> <p>For projects in the Specific Plan Area that would involve ground disturbance below five feet in undisturbed sediments, the City shall require a paleontological assessment, and avoidance and/or mitigation for potential impacts to paleontological resources. Specific requirements include:</p>	

Impact	Mitigation Measure(s)	Residual Impact
	<ul style="list-style-type: none"> <li>a. Retain a Qualified Paleontologist. Prior to initial ground disturbance, the applicant shall retain a project paleontologist, defined as a paleontologist who meets the SVP standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources. A qualified paleontologist (Principal Paleontologist) is defined by the SVP standards as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, preferably northern California, and who has worked as a paleontological mitigation project supervisor for a least one year (SVP 2010).</li> <li>b. Paleontological Resources Assessment. Prior to any construction activity, a Qualified Professional Paleontologist should prepare a Paleontological Resources Assessment to identify the geologic units that may be impacted by project development, determine the paleontological sensitivity of geologic units within the project site using the Society of Vertebrate Paleontology standards (SVP 2010), assess potential for impacts to paleontological resources from development of the proposed project, and recommend mitigation measures to avoid or mitigate impacts to scientifically significant paleontological resources. The Paleontological Resources Assessment may also require a field survey, but this will need to be determined on a project-by-project basis. If the project paleontologist determines that sediments within a project site are sensitive for potentially significant paleontological resources, the following steps (CR-2c to g) should be taken prior to, during, and after construction activities.</li> <li>c. Paleontological Mitigation and Monitoring Program. Prior to construction activity a qualified paleontologist should prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity for the proposed project. This program should outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration, salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications.</li> <li>d. Paleontological Worker Environmental Awareness Program (WEAP). Prior to the start of construction, the project paleontologist or his or her designee, shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The WEAP shall be fulfilled at the time of a preconstruction meeting at which a qualified paleontologist shall attend. In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. If it is determined that the fossil(s) is(are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>resources.</p> <p>e. Paleontological Resource Construction Monitoring. Ground disturbing construction activities (including grading, trenching, foundation work and other excavations) in undisturbed sediments, below five feet, with high paleontological sensitivity should be monitored on a full-time basis by a qualified paleontological monitor during initial ground disturbance. The Paleontological Mitigation and Monitoring Program shall be supervised by the project paleontologist. Monitoring should be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources. The duration and timing of the monitoring will be determined by the project paleontologist. If the project paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new or unforeseen deeper ground disturbances are required and reduction or suspension would need to be reconsidered by the Supervising Paleontologist. Ground disturbing activity that does not occur in undisturbed sediments with high paleontological sensitivity would not require paleontological monitoring.</p> <p>f. Fossil Salvage. If fossils are discovered, the project paleontologist or paleontological monitor should recover them. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.</p> <p>Once salvaged, significant fossils should be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.</p> <p>g. Final Paleontological Mitigation Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist should prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report should include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.</p>	



City of San Leandro  
 Bay Fair Transit Oriented Development (TOD) Specific Plan

Impact	Mitigation Measure(s)	Residual Impact
<p><b>Impact CR-3.</b> Ground-disturbing activities associated with development under the proposed Specific Plan could result in damage to or destruction of human burials. However, adherence to existing regulations regarding the discovery of human remains would reduce potential impacts to a less than significant level.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact CR-4.</b> Construction associated with individual projects that would as a result from pursuant to implementation of the proposed Specific Plan could involve ground-disturbing activities such as grading and surface excavation, which have the potential to unearth or adversely impact previously unidentified tribal cultural resources. Impacts would be less than significant with mitigation incorporated.</p>	<p><b>MM-CR-4 Unanticipated Discovery of Tribal Cultural Resources</b>            In the event that potential tribal cultural resources are identified during the implementation of the requirements under Mitigation Measure CR-2, the qualified expert performing the cultural resources study, along with the project applicant and the City, will contact California Native American tribe(s) that have expressed interest and begin or continue consultation procedures with that tribe(s). If, as a result of the consultation, the City determines that the resource is a tribal cultural resource and the proposed project will have a potentially significant impact, additional mitigation measures as discussed with the tribe to avoid or reduce impacts to the resource shall be required and implemented where feasible.</p>	<p>Less than significant</p>
<p><b>Geology and Soils</b></p>		
<p><b>Impact GEO-1.</b> The Specific Plan Area is near the Hayward Fault Zone. Therefore, the Specific Plan Area is subject to seismically-induced ground shaking and other seismic hazards, including liquefaction, which could damage structures in the Specific Plan Area and result in loss of property and risk to human health and safety. However, incorporation of state-mandated building standards and compliance with 2035 General Plan policies would ensure impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact GEO-2.</b> With adherence to applicable laws and regulations, the proposed specific plan would not result in substantial soil erosion or the loss of topsoil. Therefore, impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact GEO-3.</b> The Specific Plan Area is located on expansive soils. Proper soils engineering practices would be required to ensure that soil conditions would not result in significant adverse impacts. With required implementation of standard engineering practices, impacts associated with unstable or expansive soils would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact GEO-4.</b> The proposed Specific Plan would not include septic tanks or alternative wastewater disposal systems. No impact would occur.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>

Impact	Mitigation Measure(s)	Residual Impact
<b>Greenhouse Gas Emissions</b>		
<p><b>Impact GHG-1.</b> Specific Plan operational emissions from buildout in the year 2035 would not exceed the efficiency threshold of 2.32 MT CO<sub>2</sub>e per person per year. Therefore, the proposed Specific Plan would not generate GHG emissions that would directly or indirectly have a significant impact on the environment. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact GHG-2.</b> The proposed Specific Plan would be generally consistent with San Leandro’s Climate Action Plan and Plan Bay Area 2040. Therefore, the Specific Plan’s impact related to consistency with plans to address climate change would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<b>Hazards and Hazardous Materials</b>		
<p><b>Impact HAZ-1.</b> Implementation of the proposed Specific Plan would include development of residential or commercial land uses that could involve the use, storage, disposal or transportation of hazardous materials. In addition, upset or accident conditions within the Specific Plan Area could involve the release of hazardous materials into the environment. However, required adherence to existing regulations, programs, and 2035 General Plan policies would ensure that this is a less than significant impact.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact HAZ-2.</b> Implementation of the proposed Specific Plan would not involve facilities that would produce or emit hazardous materials near schools. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact HAZ-3.</b> There are no properties within or around the Specific Plan Area with localized contamination or concentrations of hazardous substances that would affect development in the Specific Plan Area. Therefore, workers or residents in the Specific Plan Area would not be exposed to hazards resulting from development of a hazardous materials site and impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<b>Hydrology and Water Quality</b>		
<p><b>Impact HYD-1.</b> Future development under the Specific Plan would involve intensification of existing development in the Specific Plan Area that could affect water quality of surface waters, alter existing drainage patterns, or increase impervious surfaces. In addition, development under the Specific Plan would involve ground-disturbing activities and the use of heavy machinery that could release materials, including sediments and fuels, which could</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>

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Impact	Mitigation Measure(s)	Residual Impact
<p>adversely affect water quality. Operation of potential future development could also result in discharges of wastewater that could be contaminated and affect downstream waters. However, compliance with required permits and existing regulations, and implementation of best management practices contained therein, would ensure that potential water quality impacts would be less than significant.</p>		
<p><b>Impact HYD-2.</b> Construction of future development under the Specific Plan would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. Further, implementation of required low impact development measures and on-site infiltration required under the C.3 provisions of the Alameda County Clean Water Program as well as Compliance with the General Plan goals and policies, the San Leandro Municipal Code, and the Specific Plan strategies, policies, guidelines, and standards could reduce impervious surfaces as compared to existing conditions and increase the potential for groundwater recharge. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>IMPACT HYD-3.</b> Construction of future development under the Specific Plan would not substantially alter the existing drainage pattern of the Specific Plan Area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site. Impacts related to drainage patterns would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>IMPACT HYD-4.</b> Development that could be facilitated by the proposed Specific Plan would place housing and other structures within FEMA-designated flood hazard areas. However, required compliance with City building standards and adopted City policies would reduce potential effects associated with flood events. Development under the proposed Specific Plan would not expose people or structures to other flood hazards such as tsunamis, seiches, or flooding as the result of dam or levee failure. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>

Impact	Mitigation Measure(s)	Residual Impact
<b>Land Use and Planning</b>		
<p><b>Impact LU-1.</b> The proposed Specific Pan would implement and be consistent with the goals and policies of the 2035 General Plan adopted for the purpose of avoiding or mitigating an environmental effect. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<b>Noise</b>		
<p><b>Impact N-1.</b> New development facilitated by the proposed Specific Plan would be required to comply with the City’s land use compatibility guidelines for exposure to ambient noise and with the California Building Code’s standard of 45 dBA CNEL for interior noise in habitable rooms. The impact related to exposing people or generating noise levels in excess of standards would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact N-2.</b> Construction activities associated with implementation of the proposed Specific Plan would intermittently generate high noise levels within and adjacent to the Specific Plan Area. However, buildout of the proposed Specific Plan would be restricted to the City’s allowed daytime hours and would be required to comply with Mitigation Measure NOI-4 in 2035 General Plan EIR to minimize construction noise. Therefore, the impact from construction noise would be significant but mitigable.</p>	<p><b>MM NOI-4 Construction Noise</b>                      The City of San Leandro shall adopt the following measures as Standard Conditions of Approval or Construction Development Standards for new construction in the city. The Standard Conditions of Approval/ Construction Development Standards shall include an exception that states that the Engineering &amp; Transportation Director or his/her designee may waive individual measures upon individual written request from an Applicant after City review.</p> <ul style="list-style-type: none"> <li>▪ Construction activities shall be restricted to the daytime hours of between 7:00 a.m. and 7:00 p.m. on weekdays, or between 8:00 a.m. and 7:00 p.m. on Sunday and Saturday.</li> <li>▪ Prior to the start of construction activities, the construction contractor shall:                             <ul style="list-style-type: none"> <li>□ Maintain and tune all proposed equipment in accordance with the manufacturer’s recommendations to minimize noise emission.</li> <li>□ Inspect all proposed equipment and fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds that are no less effective than as originally equipped by the manufacturer.</li> <li>□ Post a sign, clearly visible at the site, with a contact name and telephone number of the City of San Leandro’s authorized representative to respond in the event of a noise complaint.</li> <li>□ Place stationary construction equipment and material delivery in loading and unloading areas as far as practicable from the residences.</li> <li>□ Limit unnecessary engine idling to the extent feasible.</li> <li>□ Use smart back-up alarms, which automatically adjust the alarm level based on the background noise level, or switch off back-up alarms and replace with</li> </ul> </li> </ul>	<p>Less than significant.</p>

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Impact	Mitigation Measure(s)	Residual Impact
	human spotters. <input type="checkbox"/> Use low-noise emission equipment. <input type="checkbox"/> Limit use of public address systems. <input type="checkbox"/> Minimize grade surface irregularities on construction sites.	
<p><b>Impact N-3.</b> Construction activities associated with implementation of the proposed Specific Plan would intermittently generate groundborne vibration within and adjacent to the Specific Plan Area. However, anticipated vibration levels would not exceed federal transit administration thresholds for disturbance of human activity at sensitive land uses. New non-residential construction also would be subject to a standard condition of approval required by the 2035 General Plan to limit vibration within 50 feet of sensitive receptors. Therefore, the Specific Plan would have a less than significant impact from groundborne vibration.</p>	None required.	Less than significant without mitigation
<p><b>Impact N-4.</b> Buildout of the proposed Specific Plan would generate new vehicle trips in the Specific Plan Area. However, the Specific Plan’s proposed “road diet” on Hesperian Boulevard would reduce its roadway capacity, thereby reducing traffic noise. Although cumulative growth would substantially increase traffic volumes and associated traffic noise on arterial roadways in the Specific Plan Area, the Specific Plan would not considerably contribute to this effect. Therefore, the Specific Pan would have a less than significant impact related to traffic noise.</p>	None required.	Less than significant without mitigation
<p><b>Impact N-5.</b> Operational activities associated with buildout of the Specific Plan would generate noise that may periodically be audible to noise-sensitive receptors near the Specific Plan Area. Noise sources would include stationary equipment, such as rooftop ventilation and heating systems, and delivery and trash hauling trucks. However, operational noise would not exceed ambient noise levels at nearby noise-sensitive receptors. Therefore, operational noise impacts would be less than significant.</p>	None required.	Less than significant without mitigation
<b>Population and Housing</b>		
<p><b>Impact PH-1.</b> Implementation of the proposed Specific Plan may lead to growth within the Specific Plan Area that could add up to 2,540 residential units and an estimated 7,239 residents and 725 jobs to the Specific Plan Area by 2035. However, the proposed Specific Plan would not cause substantial population growth in the City. Impacts would be less than significant.</p>	None required.	Less than significant without mitigation

Impact	Mitigation Measure(s)	Residual Impact
<p><b>Impact PH-2.</b> Implementation of the proposed Specific Plan would not displace substantial numbers of existing housing units or people, necessitating the construction of replacement housing elsewhere. Implementation of the proposed Specific Plan would increase the Specific Plan Area’s housing stock. Impacts resulting from temporary displacement would be reduced with adherence to proposed Specific Plan policies and existing City programs. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Public Services, Schools, and Recreation</b></p>		
<p><b>Impact PS-1.</b> Implementation of the proposed Specific Plan would introduce development intensity and population growth in the Specific Plan Area, generating additional need for Alameda County Fire Department protection services. However, compliance with the City’s 2035 General Plan policies and actions would ensure impacts to fire protection services would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact PS-2.</b> Implementation of the proposed Specific Plan would add new residential and non-residential uses to the Specific Plan Area, generating additional need for the San Leandro Police Department’s protection services. However, with adherence to the City’s 2035 General Plan policies, impacts to police protection services would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact PS-3.</b> Implementation of the proposed Specific Plan would add an estimated 1,778 students to the Specific Plan Area. However, with payment of state-mandated school impact fees, impacts related to public school operating capacity would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact PS-4.</b> Implementation of the proposed Specific Plan would increase the service population of the South Branch Library by as much as 7,239 customers. However, because existing libraries have adequate capacity to serve population increases under the proposed Specific Plan, impacts to the San Leandro library system would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact PS-5.</b> Implementation of the proposed Specific Plan would add an estimated 2,540 residential units and an estimated 7,239 residents to the Specific Plan Area, which would increase use of recreational facilities and contribute to their physical deterioration. Payment of in-lieu public park fees and the establishment of new open space areas within the Specific Plan Area would reduce impacts to a less than significant level.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>

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Impact	Mitigation Measure(s)	Residual Impact
<b>Transportation and Traffic</b>		
<p><b>Impact T-1.</b> Increases in traffic in the Specific Plan Area under cumulative (year 2035) conditions compared to growth anticipated under the existing 2035 General Plan would cause intersection operating conditions to exceed one or more significance thresholds at three signalized study area intersections. Mitigation would reduce impacts at the Hesperian Boulevard/Halcyon Drive/Fairmount Drive and East 14th Street/Fairmont Drive intersections. However, no feasible mitigation measures are available to reduce impacts at the Hesperian Boulevard/Thornally Drive intersection and the East 14th Street/Fairmont Drive intersection is within Caltrans control and the City cannot guarantee implementation of mitigation. Therefore, impacts at these intersections would be significant and unavoidable.</p>	<p><b>MM T-1: Hesperian Boulevard/Halcyon Drive/Fairmont Drive</b>            The City of San Leandro shall implement a signal timing improvement project within the coordinated signal group for the intersection of Hesperian Boulevard and Halcyon Drive. The improvement shall occur when the proposed road diet on Hesperian Boulevard is implemented.</p> <p><b>MM T-2: East 14th Street/Fairmont Drive</b>            The City of San Leandro shall coordinate with Caltrans to implement a signal timing improvement project within the coordinated signal group for the intersection of East 14th Street and Fairmont Drive by funding actual cost. This mitigation measure is to occur when new projects within the Specific Plan Area generate a cumulative total of approximately 350 AM peak hour trips.</p>	<p>Hesperian Boulevard/Halcyon Drive/Fairmount Drive intersection: less than significant</p> <p>Hesperian Boulevard/Thornally Drive intersection: significant and unavoidable</p> <p>East 14th Street/Fairmont Drive intersection: significant and unavoidable</p>
<p><b>Impact T-2.</b> Development facilitated by the proposed Specific Plan would increase traffic on CMP freeway and arterial segments under cumulative (year 2040) conditions. No significant impacts would occur at CMP freeway segments. However, with the proposed Specific Plan, four arterial segments would exceed one or more CMP thresholds. There are no feasible improvements that could be implemented within the available right-of-way of the significantly affected intersections that would reduce impacts. Therefore, impacts at these segments would be significant and unavoidable.</p>	<p>None available.</p>	<p>Significant and unavoidable</p>
<p><b>Impact T-3.</b> The proposed Specific Plan would not conflict with adopted policies, plans, or programs regarding public transit and would not degrade or decrease the performance of the BART system. However, because of the significant increase in vehicle delay at the intersection of Hesperian Boulevard and Thornally Drive as discussed under Impact T-1, buses would also experience significant operational delays approaching this intersection. Therefore, impacts to bus operation would be significant and unavoidable.</p>	<p>None available.</p>	<p>Significant and unavoidable</p>

Impact	Mitigation Measure(s)	Residual Impact
<b>Utilities and Service Systems</b>		
<p><b>Impact UTL-1.</b> Development associated with buildout under the proposed Specific Plan would generate new sources of wastewater, which would flow through the existing Oro Loma Sanitary District (OLSD) conveyance system to the OLSD wastewater treatment plant. The wastewater treatment plant has adequate capacity to serve development associated with the Specific Plan. Local conveyance infrastructure would be upgraded as part of implementation of the proposed Specific Plan and would have capacity to serve new development in the Specific Plan Area. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact UTL-2.</b> Development under the proposed Specific Plan would increase water demand. Existing and projected water supply would be adequate to serve the Specific Plan Area demands beyond 2035 (the horizon year of the Specific Plan) through the year 2040 and existing or planned water conveyance infrastructure is sufficient to deliver projected water supply requirements. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>
<p><b>Impact UTL-3.</b> Implementation of the proposed Specific Plan would generate an increase of approximately 1.1 tons of solid waste per day, or 20 cubic yards per day. However, because landfills that serve San Leandro have adequate capacity to serve development under the proposed Specific Plan, impacts related to solid waste facilities would be less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation</p>



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# 1 Introduction

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This document is an Environmental Impact Report (EIR) that evaluates the potential environmental effects associated with implementation of the Bay Fair Transit Oriented Development (TOD) Specific Plan (“proposed Specific Plan” or “proposed project”).

This section discusses (1) an overview of the proposed Specific Plan; (2) the legal basis for preparing a Program EIR pursuant to the California Environmental Quality Act (CEQA) Guidelines; (3) the scope and content of the EIR; (4) the lead, responsible, and trustee agencies; (5) the intended uses of the EIR; and (6) the environmental review process required under CEQA. The proposed project is described in detail in Section 2, *Project Description*.

## 1.1 Specific Plan Background

The Bay Fair TOD Specific Plan Area (“Specific Plan Area”) is at the southeastern edge of the City of San Leandro, adjacent to unincorporated Alameda County. It includes the Bay Fair BART Station, Bayfair Center, and the East 14th Street and Hesperian Boulevard corridors. The proposed Specific Plan includes policies and development standards to guide future development in the Specific Plan Area.

The San Leandro 2035 General Plan (adopted September 2016) designates the Specific Plan Area as “Bay Fair Transit Oriented Development.” According to the 2035 General Plan Land Use Element, the intent of this designation is to “create a new vision for this area, including retail, office, higher density housing, open space, and public land uses. A more urban development form is envisioned, with pedestrian-scaled streets and an orientation toward BART access and transit use.”

Under Government Code Section 65450 et seq., a specific plan implements, and must be consistent with, the governing general plan. However, a specific plan is a separate document from the general plan and contains a greater degree of detail, including functions of zoning, land use regulations, design standards, and capital improvement plans. The proposed Specific Plan would implement the vision for the Specific Plan Area outlined in the San Leandro 2035 General Plan.

Development of the proposed Specific Plan that is the subject of this EIR entailed a process involving the San Leandro City Council, key community stakeholders, City and consultant staff, and the public at large. The public involvement process used to develop the Specific Plan included:

- Establishment of a Citizens Advisory Committee (CAC) consisting of 21 community members appointed by the City Council to guide the preparation of the Specific Plan and provide a broad diversity of perspectives;
- Establishment of a Technical Advisory Committee (TAC) consisting of professionals from local, regional, and State agencies and technical partners to provide technical and feasibility review;
- A series of stakeholder interviews with local stakeholders and stakeholder groups such as homeowners associations, youth, and seniors;
- Two community workshops with City and consultant staff, members of the public, and key stakeholders to discuss a range of issues relevant to the Specific Plan;

- A focus group composed of non-profit and market-rate developers; and,
- Additional outreach activities such as pop-up events, an online survey, and meetings and input from public bodies of the City including the City Council, Planning Commission, Board of Zoning Adjustments, Bicycle Pedestrian Advisory Committee, and the Youth Advisory Commission.

## 1.2 Purpose and Legal Authority

The proposed project – adoption of the Bay Fair TOD Specific Plan – requires the discretionary approval of the San Leandro City Council; therefore, the project is subject to the environmental review requirements of CEQA. In accordance with *CEQA Guidelines* Section 15121 (California Code of Regulations, Title 14), the purpose of this EIR is to serve as an informational document that:

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

This EIR fulfills the requirements for a Program EIR. Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in *CEQA Guidelines* Section 15168, a Program EIR may be prepared on a series of actions that may be characterized as one large project. Use of a Program EIR provides the City (as Lead Agency) with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides the City with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis. Agencies generally prepare Program EIRs for programs or a series of related actions that are linked geographically; are logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program; or are individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways. By its nature, a Program EIR considers the “macro” effects associated with implementing a program (such as a general plan) and does not, and is not intended to, examine the specific environmental effects associated with individual actions that may be undertaken under the guise of the larger program.

Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine what, if any, additional CEQA documentation needs to be prepared. If the Program EIR addresses the program’s effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (*CEQA Guidelines* Section 15168(c)). When a Program EIR is relied on for a subsequent activity, the Lead Agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (*CEQA Guidelines* Section 15168(c)(3)). If a subsequent activity would have significant effects not addressed in the Program EIR, the Lead Agency must prepare a new Initial Study leading to a Negative Declaration (ND), Mitigated Negative Declaration (MND), or project level EIR. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The *CEQA Guidelines* (Section 15168(h)) encourage the use of Program EIRs, citing five advantages:

1. Provision of a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR
2. Focus on cumulative impacts that might be slighted in a case-by-case analysis

3. Avoidance of continual reconsideration of recurring policy issues
4. Consideration of broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them
5. Reduction of paperwork by encouraging the reuse of data (through tiering)

As a “macro” level environmental document, for some impacts, this EIR uses macro level thresholds as compared to the project-level thresholds that might be used for an EIR on a specific development project.

### 1.3 Scope and Content of the EIR

In accordance with the *CEQA Guidelines*, a Notice of Preparation (NOP) of a Draft EIR was circulated to potentially interested parties and agencies on March 3, 2017. The NOP, included as Appendix A, indicated that the following issue areas would be discussed in the EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services, Schools, and Recreation
- Transportation and Traffic
- Utilities and Service Systems

The EIR evaluates potential impacts in each of these areas. Other issue areas are discussed in Section 4.15, *Effects Found Not to be Significant*.

The City received eleven written responses to the NOP regarding the scope and content of the EIR. These responses are included in Appendix A. The City also held an EIR scoping meeting as part of the regularly scheduled Planning Commission meeting on March 16, 2017. Approximately 40 people attended the hearing, 16 of whom provided verbal comments on the scope and content of the EIR. Verbal comments from the scoping meeting attendees and written comments received by the City are summarized in Table 2. Verbal and written comments are addressed, as appropriate, in the analysis contained in the various subsections of Section 4, *Environmental Impact Analysis*.

**Table 2 NOP Comments and EIR Response**

Commenter	Comment/Request	How and Where it was Addressed
<b>Agency Comments</b>		
Alameda County Planning Department	Evaluate both center-line and other Bus Rapid Transit lane configurations in the Specific Plan Area adjacent to unincorporated East 14th Street in Ashland, including any conflicts between the various modal types.  Where any internal new roads/connections between the BART and Mall property are proposed, include an evaluation of potential traffic impacts in the adjacent neighborhoods.	Comments are addressed in Section 4.13, <i>Transportation and Traffic</i> .

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<b>Commenter</b>	<b>Comment/Request</b>	<b>How and Where it was Addressed</b>
Alameda County Transportation Commission	<p>The Congestion Management Program (CMP) Land Use Analysis Project requires a transportation impact analysis for the project since it would generate at least 100 peak hour trips.</p> <p>The Alameda Countywide Travel Demand Model should be used for the CMP Land Use Analysis.</p> <p>The EIR should address potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network, the MTS transit operators, cyclists on the Countywide Bicycle Network, and pedestrians in Pedestrian Specific Plan Areas of Countywide Significance.</p> <p>Mitigation measures should be consistent with Alameda CTC policy and should consider Transportation Demand Management (TDM) measures in conjunction with roadway and transit improvements.</p>	Comments are addressed in Section 4.13, <i>Transportation and Traffic</i> .
East Bay Municipal Utilities District (EBMUD)	<p>A Water Supply Assessment (WSA) is required if the project would demand an amount of water equivalent or greater than the amount of water required by a 500-dwelling-unit project.</p> <p>Project sponsors should be aware of development requirements for any construction that might affect water infrastructure.</p> <p>Recommends that the City and project sponsors coordinate with EBMUD regarding the feasibility of providing recycled water for non-potable uses.</p> <p>Requests the City require project sponsors to comply with water conservation measures.</p>	A WSA was prepared by EBMUD and the results are summarized in Section 4.14, <i>Utilities and Service Systems</i> .
California Department of Transportation (Caltrans)	Transportation Demand Management (TDM) elements should be included in the Plan and encroachment permits may be needed for work in Caltrans right-of-way.	Comments are addressed in Section 4.13, <i>Transportation and Traffic</i> .
<b>Public Written Comments</b>		
Aesthetics	Concerns with high rise buildings.	Comments are addressed in Section 4.1, <i>Aesthetics</i> .
Noise	Concern about noise from trains and ambulances	Comments are addressed in Section 4.10, <i>Noise</i> .
Population and Housing	Concerns about displacement/removal of housing	<p>As discussed in Section 2, <i>Project Description</i>, an objective of the proposed Specific Plan is to “Support housing, both market rate and affordable housing, and seek to protect existing residents from involuntary displacement.”</p> <p>Potential effects related to displacement and removal of housing are addressed in 4.11, <i>Population and Housing</i>.</p>
Recreation	Consider more parks and greenery	As stated in Section 2, <i>Project Description</i> , an objective of the proposed Specific Plan is to increase the amount of parks, green space,

Commenter	Comment/Request	How and Where it was Addressed
		<p>plazas, and other public space that encourages recreation and access to nature.</p> <p>Potential effects related to parks and recreation are addressed in Section 4.12, <i>Public Services, Schools, and Recreation</i>.</p>
Traffic	<p>Potential parking impacts and overflow parking from BART station</p> <p>Traffic congestion</p> <p>Effects to public transportation</p>	Comments are addressed in Section 4.13, <i>Transportation and Traffic</i> .
Water Quality	<p>Recommends that the project include protections for Estudillo Canal, which runs through the Specific Plan Area, and assess potential creek restoration to a more natural channel.</p> <p>Enhance public access to the creek's upper-bank areas.</p> <p>Recommends mitigation measures for creek restoration and potential floodplain impacts.</p>	Comments are addressed in Section 4.8, <i>Hydrology and Water Quality</i> .
<b>Verbal Comments at Scoping Meeting</b>		
Air Quality	Air quality is already poor and will worsen with more traffic	Comments are addressed in Section 4.2, <i>Air Quality</i> .
Cultural Resources	Potential impacts to cultural and historic resources, including Mission-style homes	Comments are addressed in Section, <i>Cultural, Tribal, and Paleontological Resources</i> .
Noise	Noise level from BART already high	Comments are addressed in Section 4.10, <i>Noise</i> .
Population and Housing	Concerns about displacement/removal of housing	<p>As discussed in Section 2, <i>Project Description</i>, an objective of the proposed Specific Plan is to "Support housing, both market rate and affordable housing, and seek to protect existing residents from involuntary displacement."</p> <p>Potential effects related to displacement and removal of housing are addressed in 4.11, <i>Population and Housing</i>.</p>
Public Services	Concern about instability, crime, safety in the area Policing boundaries are unclear in the area (San Leandro Police, County police, BART police)	Comments are addressed in Section 4.12, <i>Public Services, Schools, and Recreation</i> .
Traffic	<p>Current poor traffic conditions worsening</p> <p>BART users parking in neighborhood instead of BART parking lots</p> <p>Concerns about parking and lax parking enforcement</p> <p>Question about shared parking benefits</p> <p>Lack of street cleaning</p> <p>Questions about potential street improvements and concern that fewer lanes would cause more traffic</p> <p>Need a better BART connection</p>	Comments are addressed in Section 4.13, <i>Transportation and Traffic</i> .

Commenter	Comment/Request	How and Where it was Addressed
	BART pick-up/drop-off causing congestion in neighborhood Effects of autonomous cars on the road Traffic study off feeder streets including Fairmont Drive and Hesperian Boulevard.	

In preparing the EIR, use was made of pertinent City policies and guidelines, certified EIRs and other adopted CEQA documents, and other background documents. A full reference list is contained in Section 7, *References and Preparers*.

The alternatives section of the EIR (Section 6.0) was prepared in accordance with *CEQA Guidelines* Section 15126.6 and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. In addition, the alternatives section identifies the "environmentally superior" alternative among the alternatives assessed. The alternatives evaluated include the CEQA-required "No Project" alternative and two alternative development scenarios for the Specific Plan Area.

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

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

## 1.4 Lead, Responsible, and Trustee Agencies

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

"Responsible Agencies," are other agencies that are responsible for carrying out/implementing a specific component of the proposed Specific Plan or for approving a project (such as an annexation) that implements the goals and policies of the proposed Specific Plan. Section 15381 of the *State CEQA Guidelines* defines a "responsible agency" as:

A public agency which proposes to carry out or approve a project, for which a lead agency is preparing or has prepared an EIR or Negative Declaration. For purposes of CEQA, responsible agencies include all public agencies other than the lead agency that have discretionary approval authority over the project.

There are no responsible agencies for the proposed Specific Plan. However, State, regional and/or local government permits may be required for development under the proposed Specific Plan, whether or not they are explicitly listed below. State and regional agencies that may have jurisdiction over some aspects include (but are not limited to):

- California Department of Fish and Wildlife
- San Francisco Bay Regional Water Quality Control Board
- California Department of Transportation (Caltrans)

Trustee agencies have jurisdiction over certain resources held in trust for the people of California but do not have a legal authority over approving or carrying out the project. *CEQA Guidelines* Section 15386 designates four agencies as trustee agencies: the California Department of Fish and Game with regards to fish and wildlife, native plants designated as rare or endangered, game refuges, and ecological reserves; the State Lands Commission, with regard to state-owned “sovereign” lands, such as the beds of navigable waters and state school lands; the California Department of Parks and Recreation, with regard to units of the state park system; and, the University of California, with regard to sites within the Natural Land and Water Reserves System.

There are no trustee agencies for the proposed Specific Plan.

## 1.5 Intended Uses of the EIR

This EIR is as an informational document for use in the City’s review and consideration of the Bay Fair TOD Specific Plan. It is to be used to facilitate creation of Specific Plan that incorporates environmental considerations and planning principles into a cohesive policy document. The Specific Plan will guide subsequent actions taken by the City in its review of new development projects within the Specific Plan Area and its establishment of new and/or revised programs for the Specific Plan Area. This EIR discloses the possible environmental consequences associated with the proposed Specific Plan. The information and analysis in this EIR will be used by the San Leandro City Council and the general public.

## 1.6 Environmental Review Process

This Draft EIR will be circulated for public review and comment for a minimum of 45 days. A copy of the Draft EIR can be reviewed at the City of San Leandro’s Permit Center during regular business hours, located at 835 East 14th Street, San Leandro, CA 94577 and on the City’s website at: <https://www.sanleandro.org/depts/cd/projects/bftod/default.asp>. Comments may be provided in writing to Tom Liao, Deputy Community Development Director, 835 East 14th Street, San Leandro, CA 94577, or send via email to [tliao@sanleandro.org](mailto:tliao@sanleandro.org) with “Bay Fair TOD Specific Plan Draft EIR” as the subject.

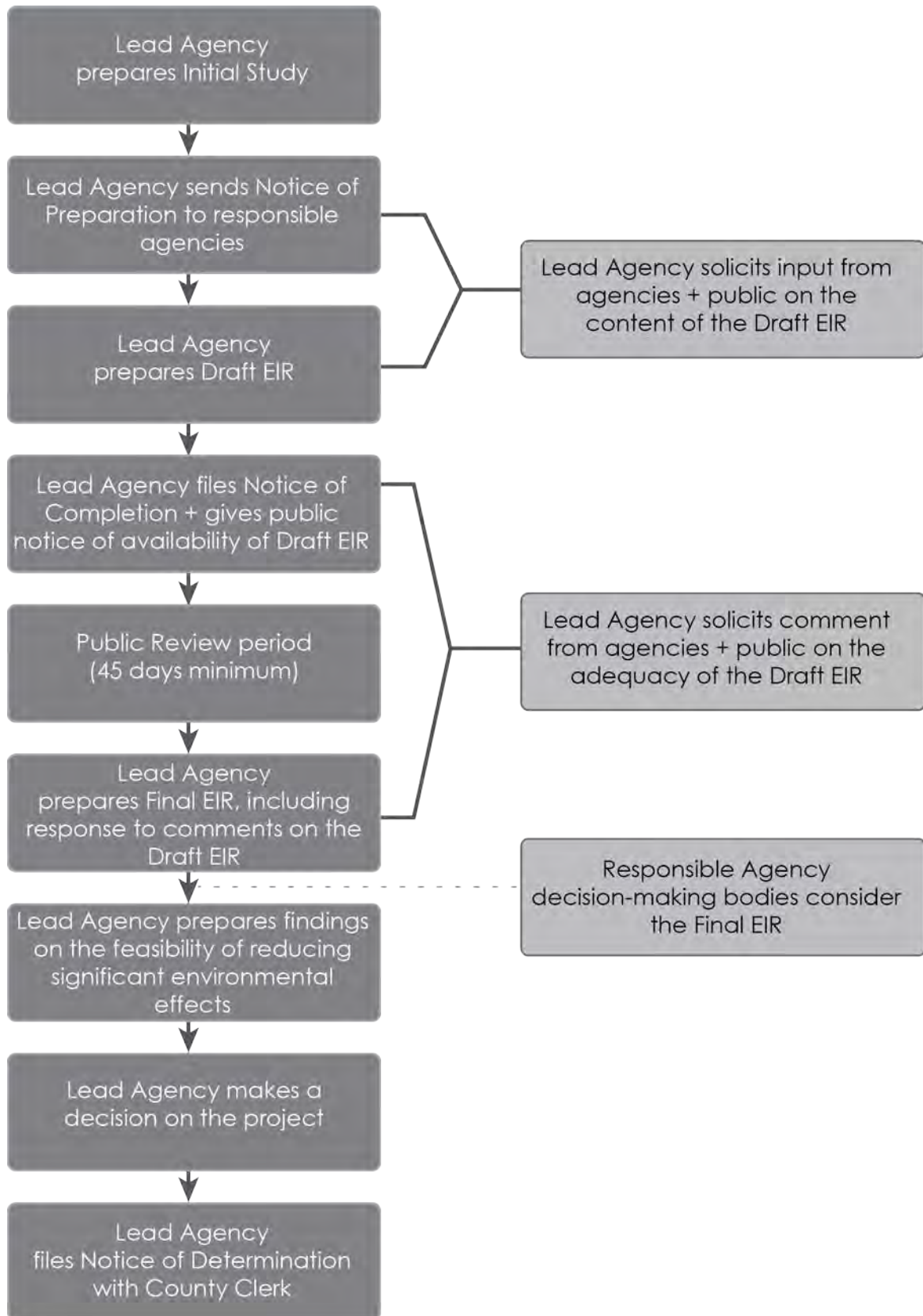
The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP) and Initial Study.** After deciding that an EIR is required, the lead agency (City of San Leandro) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk’s office for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the project could create significant environmental impacts.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct,



- indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion (NOC).** The lead agency must file a NOC with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the NOC in the County Clerk's office for at least 30 days (Public Resources Code Section 21092) and send a copy of the NOC to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of the Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public, and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (Public Resources Code 21091).
  4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
  5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision making body reviewed and considered the information in the Final EIR prior to approving a project (*CEQA Guidelines* Section 15090).
  6. **Lead Agency Project Decision.** The lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
  7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
  8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
  9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30 day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).
-

Figure 1 Environmental Review Process



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## 2 Project Description

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The proposed project involves the adoption of the Bay Fair Transit Oriented Development (TOD) Specific Plan (“proposed Specific Plan”). The proposed Specific Plan includes policies and development standards to guide future development in Specific Plan Area within the City of San Leandro. The proposed Specific Plan is intended to implement the guidance provided in the City’s 2035 General Plan. The 2035 General Plan envisions Bay Fair as a dynamic, walkable, transit-oriented area with a mix of uses – including retail, office, higher density housing, and open space – that leverage their prime location near BART. A reasonable and conservative estimate of buildout associated with the General Plan through 2035 would include development of 2,540 housing units and 300,000 square feet of office space, as well as the removal of an estimated 161,000 square feet of retail space. Information about how the buildout numbers were calculated is provided in subsection 2.3.7.

This section describes the proposed Specific Plan location, characteristics of the Specific Plan Area and potential buildout under the proposed Specific Plan, Specific Plan objectives, and the approvals needed to adopt the proposed Specific Plan. Actual development under the provisions of the Specific Plan would require subsequent approvals and permits including consideration of whether the environmental impacts of the project are addressed in this EIR or whether further environmental review is required under CEQA standards.

### 2.1 Lead Agency/Project Applicant

City of San Leandro  
 835 East 14th Street  
 San Leandro, California 94577  
**Contact:** Tom Liao, (510) 577-6003

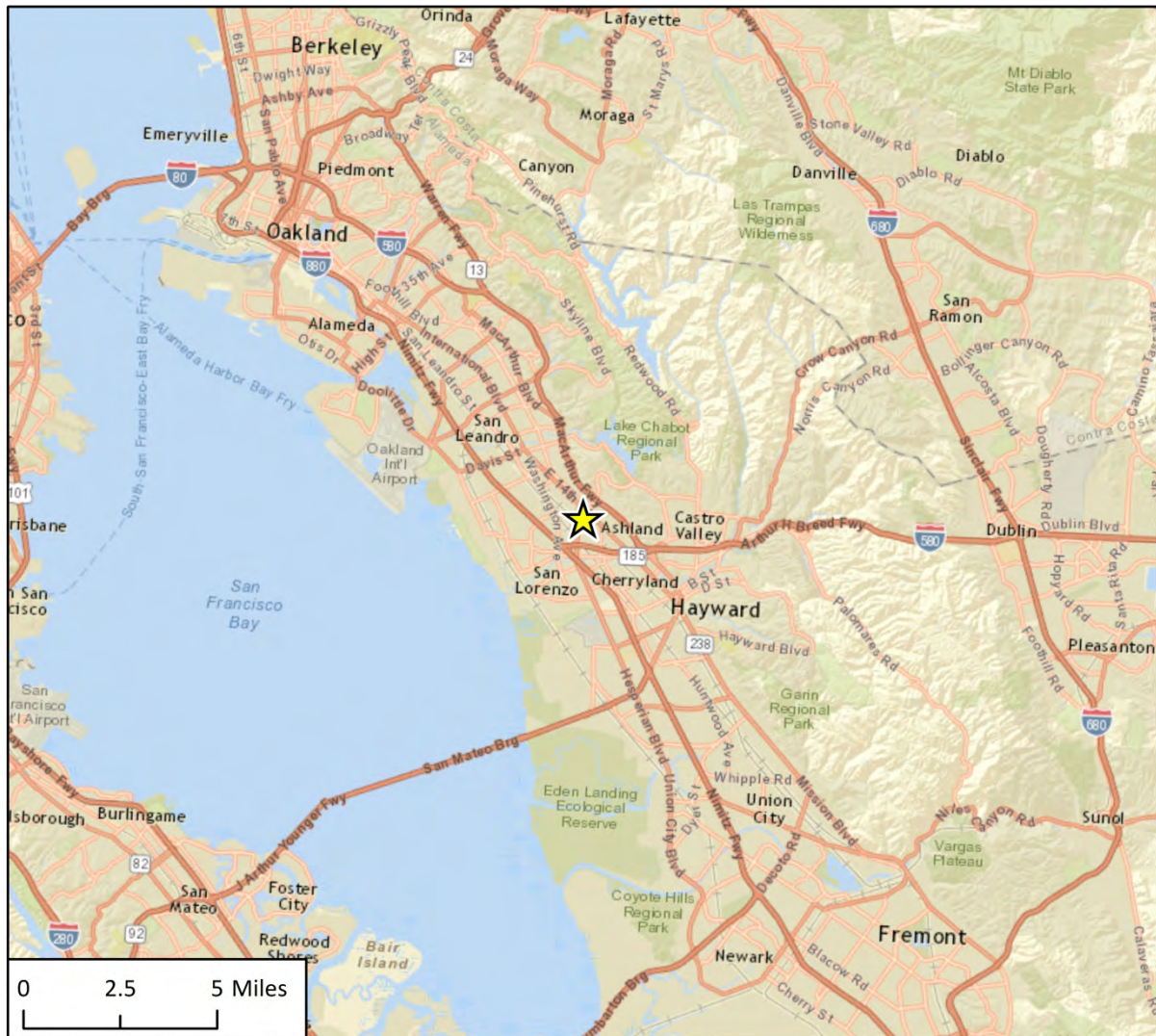
### 2.2 Location and Setting

#### 2.2.1 Specific Plan Area Setting

The Bay Fair TOD Specific Plan Area (“Specific Plan Area”) is at the southeastern edge of the San Leandro, adjacent to unincorporated Alameda County. It includes the Bay Fair BART Station, Bayfair Center, East 14th street and Hesperian Boulevard corridors, and a small number of residential uses. The Specific Plan Area is surrounded in most directions by single-family neighborhoods. Further beyond, the area is near three Interstate freeways (I-580, I-238, and I-880). Figure 2 shows the regional location and Figure 3 shows the Specific Plan Area location.

The Bay Fair TOD Specific Plan Area has a total acreage of 154 acres, with a majority of its land designated towards retail and commercial uses. The remaining portion contains a mix of uses including office, light industrial, and residential. The study area has different sub areas (such as Bay Fair BART Station, Bayfair Center, Fashion Faire Place, and Fairmont Square Shopping Center), which are divided by two intersecting corridors (East 14th Street and Hesperian Boulevard). Figure 4 shows the location of the main subareas and they are further described below.

Figure 2 Regional Location



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★ Project Location

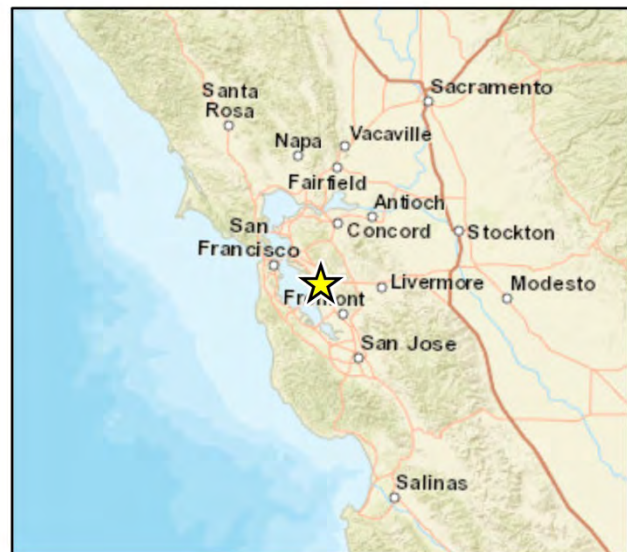


Fig 2 Regional Location

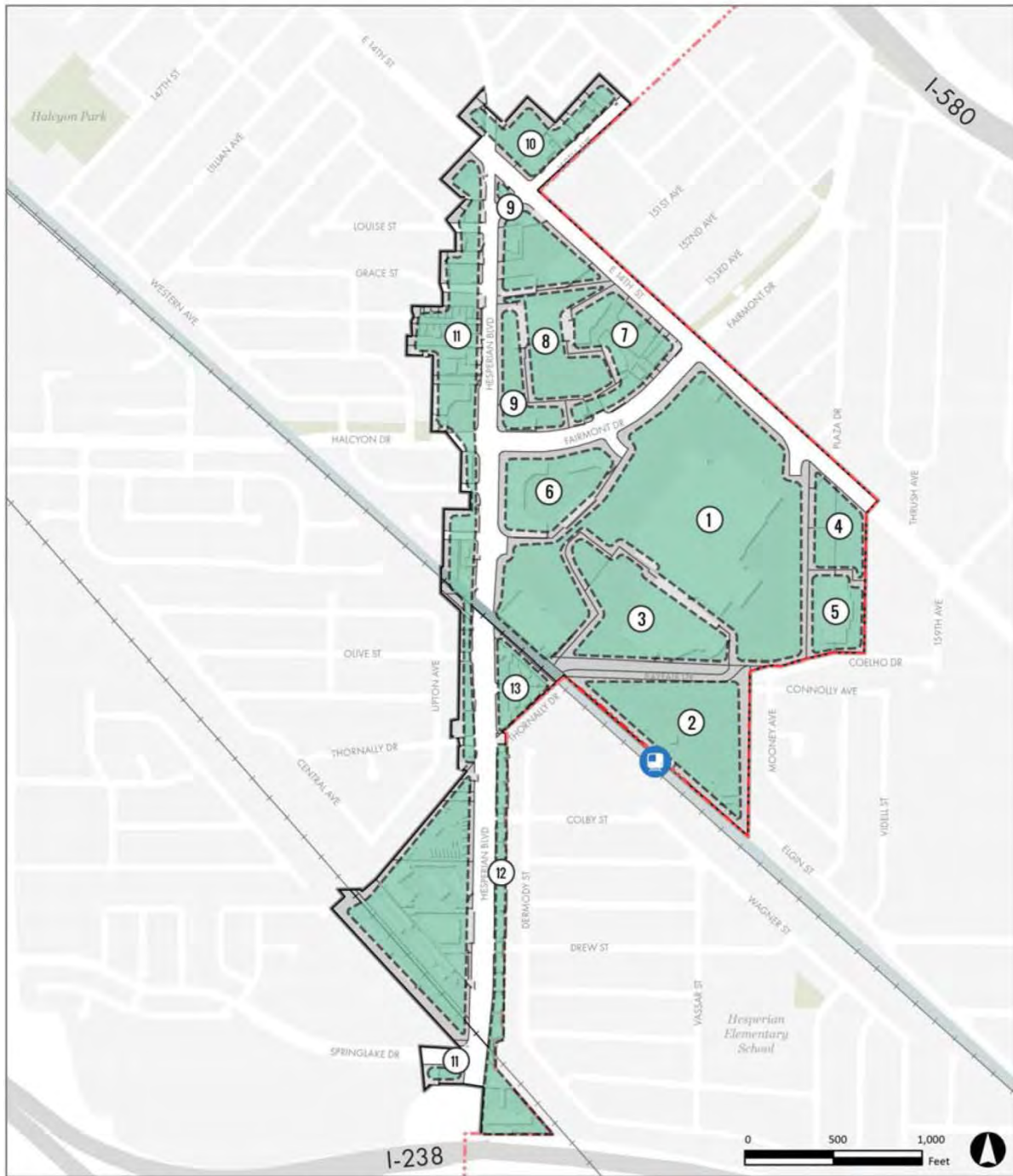


Figure 3 Specific Plan Area Location





Figure 4 Main Subareas within the Specific Plan Area



- |                          |  |
|--------------------------|--|
| 1. Bayfair Center        | 8. Lucky Supermarket Site                |
| 2. Bay Fair BART Station | 9. East 14th and Hesperian North Parcels |
| 3. Target Property       | 10. East 14th and 150th Ave              |
| 4. King Property         | 11. Hesperian Boulevard (West)           |
| 5. Century Theatres      | 12. Hesperian Boulevard (Southeast)      |
| 6. Fasion Faire Place    | 13. Olive Court                          |
| 7. Fairmont Square       |  |

- City Limit
- Bay Fair BART Station
- Project Boundary
- Union Pacific Right of Way

Source: Bay Fair TOD Specific Plan, 2017

1. **Bayfair Center.** Built in 1956, Bayfair Center is one of the oldest malls in the Bay Area. It is the largest parcel in the Specific Plan Area and includes an enclosed mall structure surrounded by surface parking. The mall is accessible from all existing streets including Hesperian Boulevard, East 14th Street, and Fairmont Drive.
2. **Bay Fair Bart Station.** The Bay Fair BART Station was built in 1972 and is one of the primary transfer stations in the BART system connecting the East Bay to cities in the Tri-Valley such as Dublin and Pleasanton. The land surrounding the station is currently used for parking and an Alameda-Contra Costa Transit District (AC Transit) bus station. In the past few years, BART has been developing on nearby properties (San Leandro, Hayward, Union City, and Dublin) to include additional housing and office. The portion of the BART parking lot southwest of the BART tracks is in Alameda County and is not subject to this Specific Plan.
3. **Target Property.** Target is a large a large department store located north of the Bay Fair BART station.
4. **King Property.** The King property is composed of four privately owned parcels adjacent to the southeast corner of the Bayfair Center with frontage on East 14th Street. The land is currently vacant and for sale. The parcel is 3.6 acres in size.
5. **Century Theatres.** Century Theatres is on a 1.79 acre parcel just east of the Bayfair Center. The building was constructed in 2001.
6. **Fashion Faire Place.** Fashion Faire Place is a 2.2 acre shopping center northwest of Bayfair Center.
7. **Fairmont Square.** Many tenants in this shopping center are financial businesses including US Bank, Patelco Credit Union, Chase Bank, and OneMain Financial. Other tenants include TOGO's Sandwiches, the UPS Store, Round Table Pizza, and Vacuum City. Buildings on these parcels are either free standing or small strip mall developments.
8. **Lucky Supermarket Site.** The Lucky Supermarket is the only grocery store in the Specific Plan Area and is located in the Fairmont Square shopping center.
9. **East 14th and Hesperian North Parcels.** Parcels in the northern edge of Fairmont Square consist of a range of uses including a gas station/car wash, medical center, and small strip mall. Ricky's Sports Theatre and Grill is located in this area.
10. **East 14th and 150th Ave.** Parcels on the west side of Hesperian Boulevard range in size and are a combination of office, commercial, and residential uses, including a storage facility and mobile home park.
11. **Hesperian Boulevard (West).** Parcels located on the west side of Hesperian Boulevard range in size and are a combination of office, commercial, and residential uses, including a storage facility and mobile home park in the southwestern area.
12. **Hesperian Boulevard (Southeast).** Parcels located on the southeast side of Hesperian Boulevard range in size and consist mostly of duplex and multi-family residential types, along with some small commercial properties.
13. **Olive Court.** Olive Court is located off of Hesperian Boulevard and consists of six single family homes, a law office, and an insurance office. The single family homes were built in 1950 and are the only single-family residential units in the Specific Plan Area.



## 2.2.2 Regulatory Setting

### 2035 General Plan

The City's 2035 General Plan was adopted in September 2016 and is the over-arching policy document guiding the City's future development. The 2035 General Plan Elements include: Land Use (Chapter 3); Transportation (Chapter 4); Economic Development (Chapter 5); Open Space, Conservation, and Parks (Chapter 6); Environmental Hazards (Chapter 7); Historic Preservation and Community Design (Chapter 8); Community Services and Facilities (Chapter 9); and Housing (Chapter 10). These elements contain goals, policies, and actions that apply to all land within the City limits.

The 2035 General Plan establishes a land use designation of Bay Fair Transit-Oriented Development (B-TOD) for the entirety of the Bay Fair TOD Specific Plan Area, deferring to the Specific Plan process to establish the details of land use, design, and development for the area. According to the Land Use Element of the 2035 General Plan, the intent for the B-TOD designation is "to create a new vision for this area, including retail, office, higher density housing, open space, and public land uses. A more urban development form is envisioned, with pedestrian-scaled streets and an orientation toward BART access and transit use." Policy LU-8.10 (Bay Fair Area) and Actions LU-8.10.A through LU-8.10.C in the Land Use Element provide guidance for the B-TOD area:

**Policy LU-8.10: Bay Fair Area.** Transform the area around the Bay Fair BART station, including Bayfair Center, other shopping centers, and properties along Hesperian, East 14th, and other major arterials, into a dynamic new transit oriented development area. Future development in this area should reposition Bayfair Center to reflect current trends in retailing; add a mix of higher-density residential, office, and other commercial uses; maximize the potential for BART use; and minimize dependence on autos for daily trips.

**Action LU-8.10.A: Bay Fair Station Transit Village.** Complete the Bay Fair BART Transit Village Specific Plan now underway. The Plan should outline a vision for the area's future development, include standards and guidelines for future development, and present a strategy for achieving desired end results. Following its adoption, undertake rezoning and capital improvements to facilitate implementation.

**Action LU-8.10.B: East 14th Street Streetscape Improvements.** Work collaboratively with Alameda County to improve East 14th Street in the Bay Fair area to make the area more attractive, distinctive, and friendly to pedestrians, bicyclists, and transit users.

**Action LU-8.10.C: Bay Fair BART Connections.** Improve the pedestrian and bicycle connection between the Bay Fair BART Station, adjacent transit waiting areas, Bayfair Center, and nearby neighborhoods and shopping districts.

The 2035 General Plan set a maximum Floor Area Ratio (FAR) of 3.0 for the B-TOD designation.

Under Government Code Section 65450 et seq., a specific plan implements and must be consistent with the governing general plan. However, a specific plan is a separate document from the general plan and contains a greater degree of detail, including functions of zoning, land use regulations, design standards, and capital improvement plans.

### San Leandro Zoning Code

The City's Zoning Code identifies specific zoning districts within the city and development standards that apply to each district. The B-TOD land use was formed through the City's recent 2035 General

Plan update and establishes which uses are desirable. The proposed Specific Plan will recommend the creation of a B-TOD zoning district with permitted uses as described in below in subsection 2.3.3 and in Chapter 4, “Land Use and Housing” of the Specific Plan.

## Downtown San Leandro TOD Strategy

Adopted in 2007, the Downtown San Leandro Downtown Transit-Oriented Development Strategy provides a vision, land use framework, proposed circulation system, design guidelines and principles, and implementation actions to guide downtown development beyond 2030. The TOD Strategy was part of the basis for Downtown’s designation by ABAG/MTC as a regional PDA, and recent major development projects downtown have begun to realize the Strategy’s vision. The Downtown Strategy is a helpful precedent from another area of the City that is pursuing transit-oriented development.

## East 14th Street Plans

The City of San Leandro and Alameda County, respectively, have established plans for the segments of the East 14th Corridor that are adjacent to the Specific Plan Area, extending for several miles in either direction. Alameda County’s Ashland and Cherryland Business District Specific Plan (adopted 2015) covers the East 14th corridor as it continues southeast from the Specific Plan Area. San Leandro’s East 14th Street South Area Development Strategy (adopted 2004) provides design guidance for the portion of the East 14th corridor between Bay Fair and Downtown San Leandro. Many of the concepts in both plans – such as transitions to adjacent residential neighborhoods, corridor design and land use strategies, transportation and street facilities, and streetscape concepts – may be relevant to the portions of East 14th Street within the Specific Plan Area.

## 2.3 Specific Plan Components

### 2.3.1 Overview

The proposed Specific Plan has two major components: (1) the long term vision and policy component (Chapters 2 through 4) and (2) the development standards (Chapter 5). The vision and policy component provides the goals and policies related to land use and circulation. The regulatory component would enact development standards and guidelines that apply to all future development projects in the Specific Plan Area. Together, these two components are intended to serve as a comprehensive document for development within the Specific Plan Area. Chapter 6 recommends implementing programs and financing options to achieve the Specific Plan goals.

The Specific Plan contains the following Chapters:

- The **Introduction and Context** chapter (Chapter 1) describes the Specific Plan Area conditions and context, the purpose of the document, and the community engagement and plan development process.
- The **Vision and Planning Framework** chapter (Chapter 2) provides the long-term vision and desired outcomes for the Specific Plan Area.
- The **Mobility** chapter (Chapter 3) presents the circulation network and design concepts that are intended to improve connections and enhance walkability along and across existing corridors. Transportation demand management and parking are also addressed in this Chapter.

- The **Land Use and Housing** chapter (Chapter 4) provides policy direction for the range of future land uses envisioned in the Specific Plan Area. The chapter also includes more detailed policies for housing and affordable housing.
- The **Development Standards and Guidelines** chapter (Chapter 5) provides development standards and guidelines that apply to all future private development projects and major rehabilitation projects in the Bay Fair TOD Specific Plan Area, as well as to new publicly funded improvements. The following topics are addressed: building frontages; height limits and transitions; building and site design; open space; and fences and signs.
- The **Infrastructure and Services** chapter (Chapter 6) includes policies for the provision of wet and dry infrastructure as well as services such as police, fire, and waste collection.
- The **Implementation and Financing** chapter (Chapter 7) presents the programs and physical improvements to achieve the Specific Plan’s vision. The chapter lists funding sources to implement the Plan’s programs and improvements.

### 2.3.2 Land Use Concept

As described in Specific Plan Chapter 4, Land Use and Housing, the proposed Specific Plan would involve changing the current zoning for all parcels in the Specific Plan Area to a single Bay Fair TOD Zoning District (B-TOD). The B-TOD zoning district would encompass and apply equally across the entire Specific Plan Area and would allow and support a broad range of compatible, transit-oriented land uses in the Specific Plan Area while remaining flexible about their exact location.

The policies in the Land Use and Housing chapter provide guidance about the intended mix and focus of land uses in the Specific Area while detailed design standards and guidelines for the B-TOD zone are included in Chapter 5, “Development Standards and Guidelines” of the proposed Specific Plan. Policy 1 defines the permitted uses, conditionally permitted uses, uses requiring administrative review, and temporary uses requiring administrative review within the Specific Plan Area, and Policy 2 is to “encourage a rich mix of land uses including housing, office, retail, services, community facilities, maker space, research and development, lodging, and other diverse uses.” In accordance with Policy 13, the following uses would not be allowed in the Specific Plan Area: new single family residential, auto service/sales, drive-through businesses, low intensity commercial (e.g., equipment service/sales, storage), and industrial (e.g., warehouses, trucking, recycling, hazardous materials).

The Land Use and Housing Chapter also contains policies intended to promote a range of housing options and affordability levels to mitigate the risk of displacement for existing residences in and around the Specific Plan Area.

### 2.3.3 Transportation and Circulation

Specific Plan Chapter 3, Mobility, includes network and design concepts intended to improve connections and enhance walkability along and across existing corridors such as Fairmont Drive, Hesperian Boulevard, and East 14th Street, while providing new multi-modal connections throughout the Specific Plan Area. The chapter also encourages proactive transportation demand management, efficient parking strategies, and well-designed public frontages and sidewalks to increase the overall functionality and livability of the Bay Fair area.

Concepts and improvements related to all transit modes are as follows:

### 2.3.3.1 *Street Network*

The proposed Specific Plan includes policies to provide new connections throughout the area, integrating with the existing network while providing new and improved routes for pedestrians, cyclists, transit, and vehicles.

#### **Street Connections**

New connections consistent with Figure 5 would be established as part of any future development or significant rehabilitation in the Specific Plan Area.

#### **Improvements to Existing Arterial and Collector Streets**

East 14th Street, Hesperian Boulevard, and Fairmont Drive would be improved in order to improve their multi-modal performance and safety, consistent with the following design recommendations:

- **East 14th Street.** The design recommendations for East 14th Street are intended to prioritize transit circulation, given the high level of transit activity and the street's designation as one of AC Transit's Major Corridors. Pedestrian accommodations are also prioritized to ensure safe access to transit.
- **Hesperian Boulevard.** The design recommendations for Hesperian Boulevard are intended to provide improved facilities for bicyclists and pedestrians with increased separation from automobile traffic and transit vehicles. The Specific Plan recommends reducing the number of through lanes in each direction from three to two to provide space for bike lanes and planting zones.
- **Fairmont Drive.** The design recommendations for Fairmont Drive are intended to provide improved facilities for bicyclists and pedestrians with increased separation from automobile traffic. The Specific Plan recommends reducing the number of through lanes in each direction from three to two to provide space for bike lanes and planting zones.

#### **Private Parking**

The Private Parking section of Chapter 3 includes parking requirements for private development projects within the Specific Plan Area (Table 3.3 in Chapter 3 of the Specific Plan) and lists measures that would qualify for reductions in the automobile parking requirements with approval from the City.

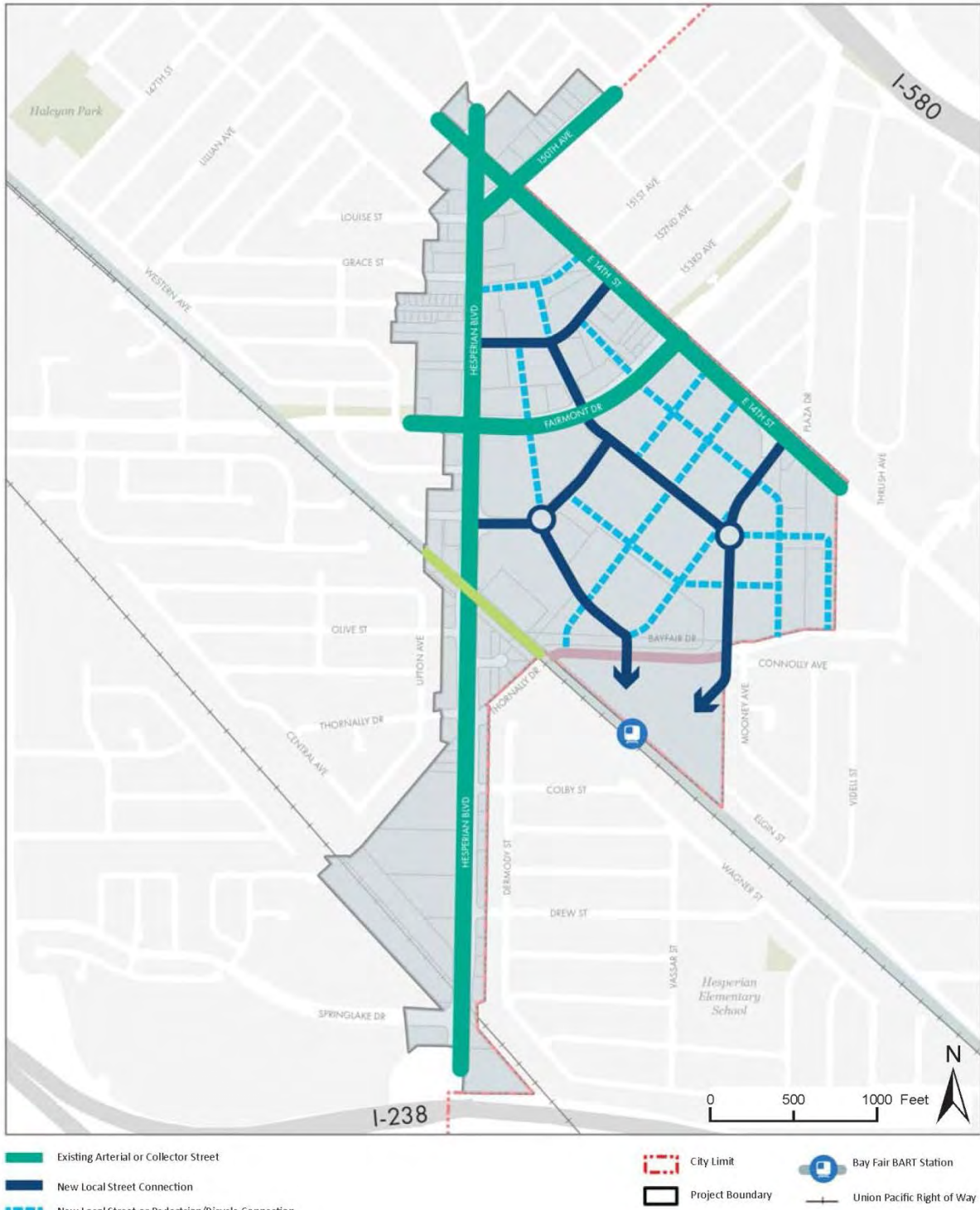
#### **Public Parking**

The Public Parking section of Chapter 3 provides guidelines related to the provision of shared public parking within the Specific Plan Area. The provision of shared public parking is an important element in reducing the area's overall parking supply and allowing for development patterns supportive of walking and transit use.

#### **Transportation Demand Management**

The proposed Specific Plan outlines parking management and transportation demand management (TDM) strategies to reduce traffic and the Specific Plan Area's overall automobile trip generation in comparison with more traditional suburban developments. Strategies to reduce traffic include implementing residential and employer TDM programs.

Figure 5 Specific Plan Street Network



\*The location of new streets and connections is approximate and could be adjusted based on future conditions.

Source: Bay Fair TOD Specific Plan.

### 2.3.3.2 *Pedestrian Network*

The proposed Specific Plan aims to promote walkability. While no specific pedestrian improvements are included as part of the Specific Plan, the Specific Plan's standards and guidelines for the local pedestrian network are designed to ensure a safe and comfortable pedestrian environment as development in the Specific Plan Area occurs over time.

### 2.3.3.3 *Bicycle Network*

Standards related to the bicycle network in the proposed Specific Plan are intended to provide bicycle connections between BART, housing, business, and public spaces within the Specific Plan Area. The proposed Specific Plan includes the following bicycle network design standards:

- **Bicycle Network.** Any new development and new streets in the Specific Plan Area shall provide bicycle facilities and connections consistent with Figure 6, though the exact location and facility design may be adjusted in coordination with the City.
- **Bicycle Priority Street.** A bicycle priority street shall be established to connect the Bay Fair BART Station with East 14th Street and with residential areas to the north and east, as shown in Figure 6. This facility may be designed as either a Class II buffered bike lane or a Class IV separated bike lane (i.e. cycle track) consistent with the dimensions shown in Table 3.1 of the Specific Plan. If a Class IV separated bikeway is used, it may be one-way or two-way (i.e. a single two-way facility on one side of the street).
- **Shared Lanes.** Streets identified as "Shared Lane" in Figure 6, shall accommodate bicyclists through a Class III shared bike facility at a minimum, allowing cyclists to share the travel lane comfortably with auto traffic on a low speed street. However, a Class II bike lane with or without a buffer is preferred and encouraged, and may also be used on streets with this designation.
- **Bicycle Facility Types AND Dimensions.** Bicycle facilities on local streets within the Specific Plan Area shall be consistent with Table 3.1 of the Specific Plan.

### 2.3.3.4 *Transit Network*

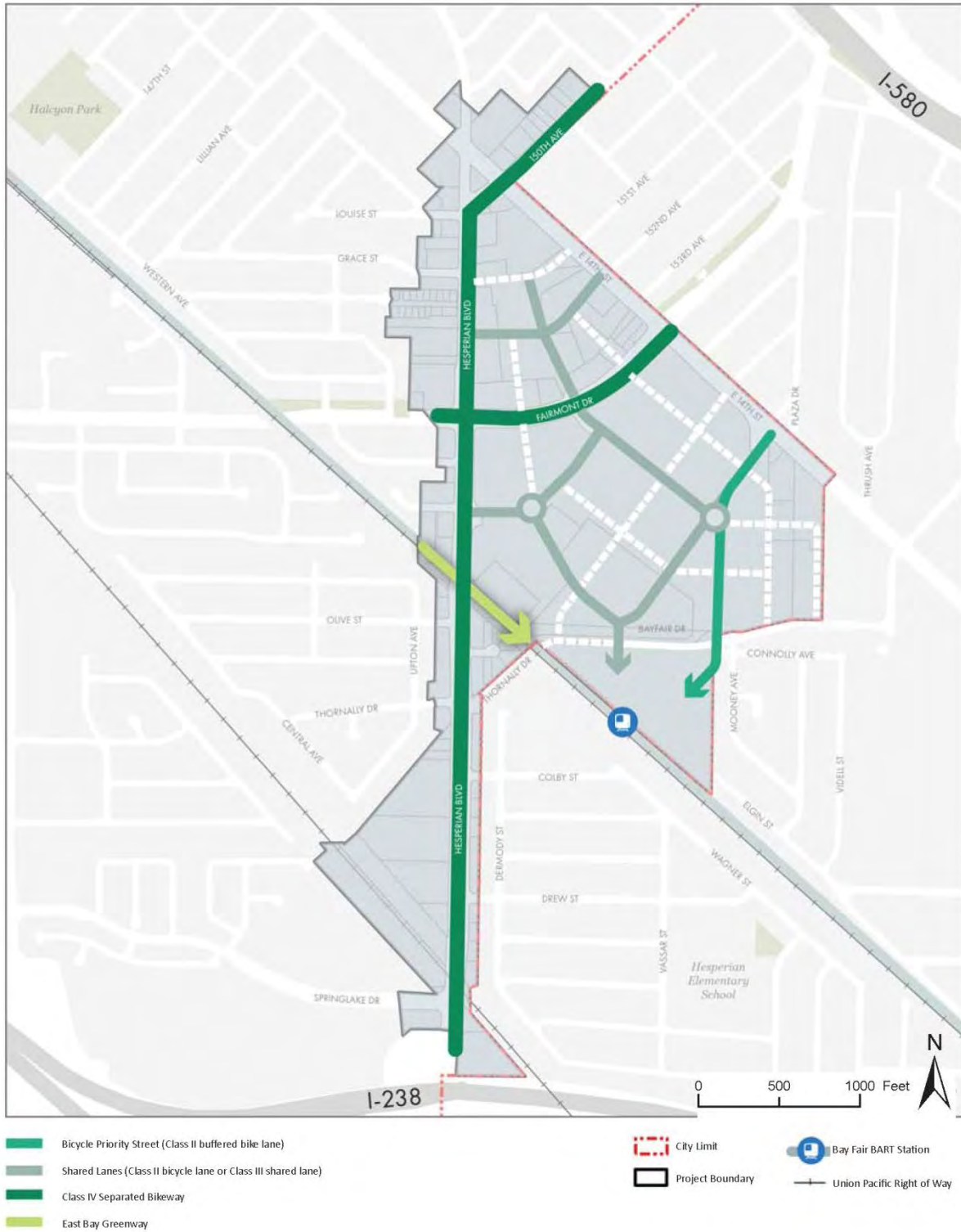
Bay Area Rapid Transit (BART) and bus service operated by the Alameda-Contra Costa Transit District (AC Transit) would continue to provide transit service to the Specific Plan Area. The proposed Specific Plan's long term vision for the Specific Plan Area is to strengthen connections to the Bay Fair BART station and facilitate bus circulation to and from the station. This would involve developing a transit-priority street, consistent with Figure 7, and providing bus stop accommodations within the Specific Plan Area.

## 2.3.4 Development Standards

Specific Plan Chapter 5, Development Standards and Guidelines, provides development standards and guidelines that apply to all development projects across the entire Specific Plan Area. This chapter contains "standards" and "guidelines" that would direct future development in the Specific Plan Area. Standards are requirements that must be followed by project applicants, unless an exception to a standard is otherwise noted or approved. "Guidelines" are the City's expectations for how site, building, and infrastructure design and improvements should be designed.

The Development Standards chapter establishes standards and guidelines related to building frontages, heights and transitions, building and site design, open space, and signage and wayfinding.

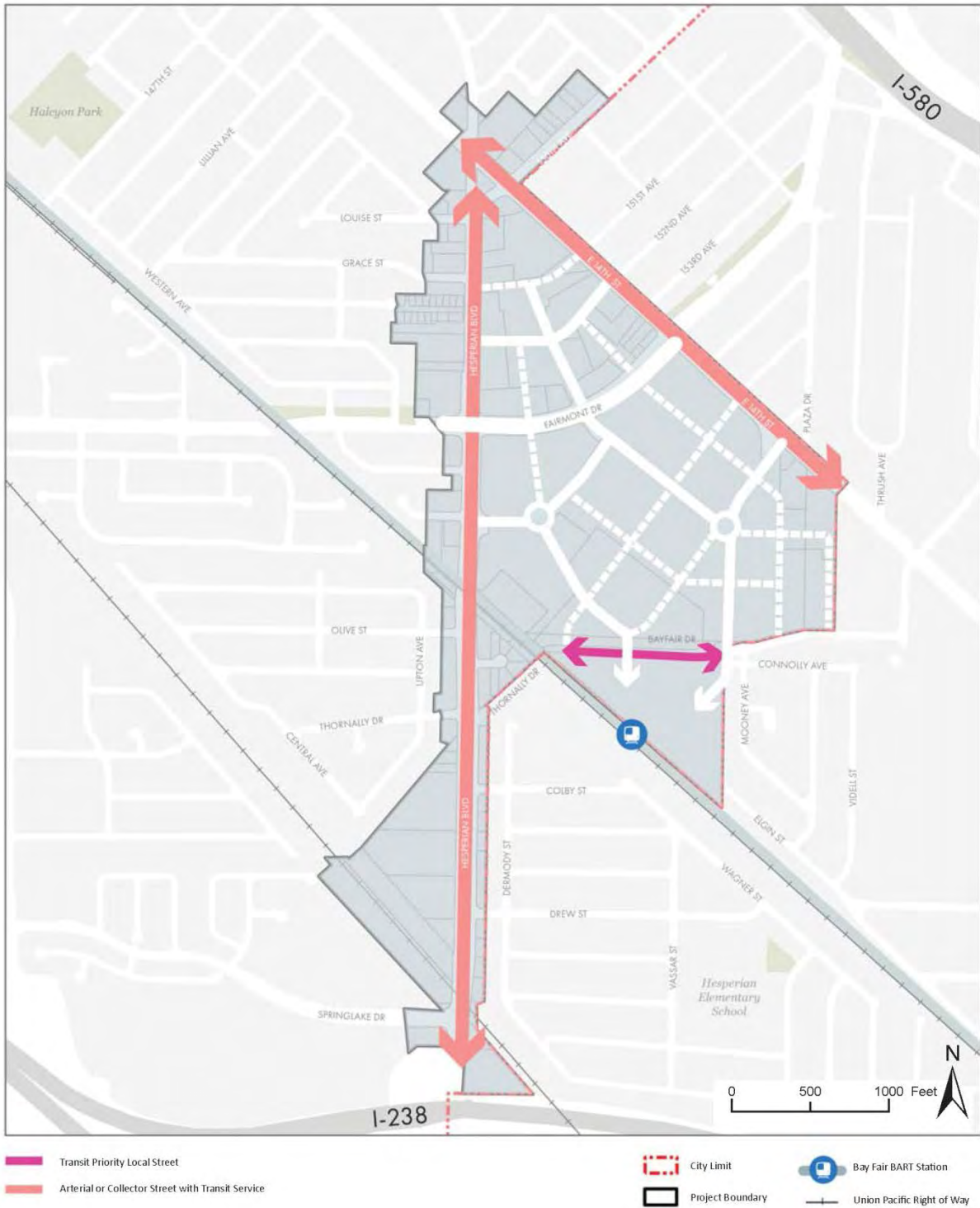
Figure 6 Specific Plan Bicycle Network



Source: Bay Fair TOD Specific Plan.



Figure 7 Specific Plan Transit Network



Source: Bay Fair TOD Specific Plan.



### 2.3.5 Infrastructure and Services

Chapter 6 of the proposed Specific Plan discusses existing infrastructure and includes policies to promote reclaimed water projects, solar power generation, solar heating, efficient recycling, storm water pollution prevention and infiltration and other environmentally sensitive and carbon footprint minimizing infrastructure in the Specific Plan Area.

### 2.3.6 Implementation

Specific Plan Chapter 7 describes the implementation activities, capital improvement projects, monitoring approach, and plan administration needed to execute the vision of the Specific Plan. It identifies a range of funding programs to implement the capital improvements needed to support existing and future development. The chapter includes the process for administering and evaluating the Specific Plan over time, the phasing and development strategy, implementation actions, capital improvement costs, and funding and financing options.

### 2.3.7 Buildout Projections

*CEQA Guidelines* Section 15126.2 requires that an EIR focus on the significant “direct and indirect” and “short-term and long-term” effects of a project. To ensure a conservative approach in analyzing environmental effects under CEQA, EIRs typically analyze what could be considered a maximum reasonable impact scenario in order to capture as many significant environmental effects as could reasonably be expected as a result of the project. For a programmatic evaluation of a land use plan, this entails projecting buildout calculations to carry through the environmental review process. These projections reflect the estimated number of new housing units, amount of new commercial development, and increased resident and employment populations that are reasonably foreseeable for the duration of the proposed Specific Plan through 2035. The actual rate and amount of development would be dependent on market conditions and regulatory processes.

For the purposes of the environmental analysis, a reasonable and conservative estimate of buildout associated with the proposed Specific Plan through the horizon year 2035 would include development of 2,540 housing units and 300,000 square feet of office space, as well as the removal of an estimated 161,000 square feet of retail space.

The projections rely on three primary factors:

- **Market Conditions in the Specific Plan Area.** The market analysis completed by Strategic Economics as part of the project’s existing conditions report, and further feasibility analysis completed by the project team on February 7, 2017, found that the market for development in the Bay Fair area is challenging. Development will be challenging in the Bay Fair area in the short-term, but may occur as the market changes in the medium-to-long term. Currently, residential is a more market-supported development type than office. This analysis suggests that full buildout of the Bay Fair area to its theoretical maximum intensity is unlikely in the time horizon of this plan, and that the development that does occur may not be immediate.
- **The Availability of Possible Development Sites.** The project team identified the areas in the Specific Plan Area where it seemed possible that development could occur in the time horizon of the Specific Plan. These areas where development seemed possible were: BART Station Area, portions of Bayfair Center, Fashion Faire shopping area, portions of the Fairmont Square shopping center area, and the King Parcel. Only minimal development was assumed along

Hesperian Boulevard, where small parcel sizes and existing development constrain the potential for new development.

- **Proposed Use and Development Intensity Allowed Under the Specific Plan.** For the sites where development was possible, the team calculated the theoretical build-out maximum under the new specific plan, based on hypothetical massing studies created by the team. This resulted in a potential number of residential units, office square footage, and retail square footage that would occur under 100 percent build-out of the plan to its maximum on all potential sites.

Since the Specific Plan allows a flexible mix of residential or office, one scenario that could occur under the Specific Plan includes future development devoted entirely to new residential (Scenario 1). Another possible scenario that could occur includes future development devoted to a mix of residential and office (Scenario 2).<sup>1</sup> The potential growth identified on each possible development site in each Scenario was adjusted by a factor ranging from 0.3 (development unlikely) to 0.7 (development likely), based on the likelihood of that use type being developed, and the likelihood that the given parcel could redevelop. This resulted in a sum total of potential net new residential units, office square footage, and retail square footage for both Scenario 1 (housing-only) and Scenario 2 (housing-office mix). Scenario 1 showed more residential units than Scenario 2; conversely, Scenario 2 showed more office than Scenario 1, which showed no office. The amount of potential retail was equivalent between Scenario 1 and 2. Both scenarios assumed an approximately 10-15 percent overall loss of retail square footage due to changing retail formats over the time horizon of the Specific Plan, but the continued strong retail presence that presently characterizes the existing area.

The EIR growth projections are intended to encompass a conservative maximum development envelope of both scenarios, enabling either scenario to unfold within the parameters studied for the EIR. To do this, the project team used the number of potential new dwelling units in the housing-focused Scenario 1 (2,540 dwelling units) and the potential number of potential new office square footage from the office-residential-focused Scenario 2 (300,000 square feet of office). The EIR growth projections also used the retail assumptions from Scenarios 1 and 2, which were equivalent.

Under *CEQA Guidelines* Section 15206(b)(2)(A), the proposed Specific Plan is classified as a project of “regional significance” because it includes more than 500 housing units.

## 2.4 Project Objectives

The Bay Fair TOD Specific Plan is intended to achieve the following project objectives and desired outcomes as it is implemented over time:

1. **More Parks and Open Space.** Increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature.
2. **More Walkable Environment.** Improve the pedestrian experience, public space, aesthetics, and design quality throughout the Specific Plan Area to attract visitors, serve residents and promote walking.
3. **Better Mobility and Connectivity.** Improve pedestrian, bicycle, transit, and vehicle connections in the Specific Plan Area through the creation of an interconnected street grid, with a focus on

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<sup>1</sup> The analysis did not include an office-only scenario because the market study indicated that residential has more market support in the Specific Plan Area.

better pedestrian connections between the Bay Fair BART station and the adjacent shopping areas.

4. **Improved Safety and Less Crime.** Improve safety in and around the Specific Plan Area through a range of strategies including increased pedestrian activity; more “eyes on the street;” enhanced and more coordinated policing; better lighting pathways; activation of vacant spaces; and an increased sense of ownership and stewardship by residents, workers, and visitors.
5. **Compatibility with Adjacent Neighborhoods.** Ensure compatibility with the residential neighborhoods adjacent to the Specific Plan Area – including those in unincorporated Alameda County as well as the City of San Leandro – and encourage sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods.
6. **Diversity of Uses.** Support a diverse, sustainable mix of uses including retail, housing, workplaces, and community spaces. Encourage a variety of essential goods and services such as grocery stores, pharmacies, banks, laundromats, social services, restaurants, and other businesses.
7. **Diverse and Affordable Housing.** Support both market rate and affordable housing, and seek to protect existing residents from involuntary displacement.
8. **Range of Educational Opportunities.** Provide a range of services to provide opportunities for higher education, business incubation, and vocational and employment training programs for all age groups.
9. **Community Facilities.** Provide community facilities necessary to support the level and type of additional growth including schools, community and senior centers, child care centers, and public safety facilities.
10. **Efficient and Shared Parking.** Implement parking management solutions that most efficiently use parking resources, including sharing of public and private parking spaces between different uses, and sharing between different use types such as residential, office, and commercial.
11. **BART and Bus Station Improvement.** Support and improve the Bay Fair BART and bus stations as integral amenities for the surrounding neighborhoods, the City, the County, and the region.
12. **Zoning Aligned with Community Vision.** Ensure future zoning is aligned with the community vision, while allowing flexibility to adjust to changing trends and land ownership.
13. **Local and Regional Destination.** Provide attractive and usable public space, outdoor dining, public art, and dynamic retail experiences to create central gathering places that serve local and regional populations.
14. **Infrastructure.** Improve and maintain basic infrastructure such as roads, landscaping, stormwater management facilities, flood control, and water, sewer, and gas, lighting, and telecommunication service.
15. **Environmental Sustainability.** Create a sustainable urban environment that incorporates green building features, green infrastructure and ecology, sustainable energy systems, water efficiency and conservation, and sustainable transportation systems.

## 2.5 Required Approvals

In order for the proposed Specific Plan to be implemented, it would require adoption by the City Council of the City of San Leandro. Prior to review by the City Council, the Planning Commission will review and forward its recommendations to the City Council. No other discretionary approvals would be required for adoption of the Specific Plan.

This EIR serves as the environmental review for subsequent discretionary actions associated with development of the Specific Plan unless changes are proposed, or potential project-specific impacts not covered in this EIR would occur, that warrant additional environmental review. This EIR may also cover state, regional and/or local government permits that may be required for development under the proposed Specific Plan, whether or not they are explicitly listed below. Federal, state, and regional agencies that may have jurisdiction over some aspects include (but are not limited to):

- California Department of Fish and Wildlife
- San Francisco Bay Regional Water Quality Control Board
- California Department of Transportation (Caltrans)

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## 3 Environmental Setting

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This section provides a general overview of the environmental setting for the proposed Specific Plan. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4, *Environmental Impact Analysis*.

### 3.1 Regional Setting

The Specific Plan Area is located in San Leandro, in the East Bay region of the San Francisco Bay Area. Figure 2 in Section 2, *Project Description*, shows the location of the Specific Plan Area in the region. The East Bay consists of 33 cities in Alameda and Contra Costa Counties. More than one-third of the Bay Area's population resides in the East Bay. In 2016, the East Bay was home to 1.1 million jobs and 2.7 million residents. San Leandro is the fifth largest city in Alameda County in population, following Oakland, Fremont, Hayward, and Berkeley. San Leandro is located 8 miles south of Downtown Oakland, 15 miles southeast of San Francisco, and 30 miles north of San Jose. It is bounded on the north by Oakland and on the south by the unincorporated communities of San Lorenzo and Ashland. The western edge of San Leandro is defined by San Francisco Bay, while the East Bay hills define the eastern edge (City of San Leandro 2016i).

San Leandro is located in the San Francisco Bay Hydrologic Region. Drainage is generally to the west towards the San Francisco Bay. San Leandro is within the seismically active region of the San Andreas Fault Zone.

San Leandro enjoys a mild climate characterized by cool winters and moderate summers. According to the Western Regional Climate Center, in Oakland (the closest data to San Leandro) average temperatures range from about 64 degrees F in summer to 50 degrees F in winter. Annual rainfall averages about 18 inches per year, with most rainfall occurring between October and April (Western Regional Climate Center, 2009).

### 3.2 Project Site Setting

As shown in Figure 3 in Section 2, *Project Description*, the Specific Plan Area is at the eastern edge of San Leandro, adjacent to unincorporated Alameda County. It includes the Bay Fair BART Station, Bayfair Center, East 14th street and Hesperian Boulevard corridors, and a small amount of residential neighborhoods. The Specific Plan Area is surrounded in most directions by single-family neighborhoods.

The Specific Plan Area has a total acreage of 154 acres, with a majority of its land designated towards retail and commercial uses. The remaining portion contains a mix of uses including office, light industrial, and residential. The study area has different sub areas (e.g. Bay Fair BART Station, Bayfair Center, Fashion Faire Place, and Fairmont Square shopping center), which are divided by two intersecting corridors (East 14th Street and Hesperian Boulevard).

Major arterials providing immediate access to the Specific Plan Area include Interstates 880, 580, and 238. The Specific Plan Area is also served by the Bay Area Rapid Transit (BART) rail system. The Bay Fair BART station is located in the southern corner of the Specific Plan Area. The Specific Plan

Area is almost entirely built out with retail and residential uses and is relatively flat with elevations ranging from 35 to 45 feet above mean sea level.

### 3.3 Cumulative Development

CEQA defines cumulative impacts as two or more individual actions that, when considered together, are considerable 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 and other nearby projects. For example, traffic impacts of two nearby projects may be insignificant when analyzed separately, but could have a significant impact when analyzed together. Cumulative impacts analysis provides a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

The Specific Plan Area is within the City of San Leandro. The cumulative impacts analysis for this EIR is based on the City's 2035 General Plan, adopted in September 2016 (and incorporated herein by reference), and its Final Environmental Impact Report (certified in September 2016). The 2035 General Plan plans for up to 5,370 new housing units (4,645 multi-family units and 725 single family units) and a population increase of 14,790 by 2035. The 2035 General Plan accounts for TOD development within the Specific Plan and the 2035 General Plan EIR assumed 1,100 new housing units and 773 new jobs in the Specific Plan Area. Therefore, development under the Specific Plan could exceed the growth projections assumed under the 2035 General Plan. Development under the proposed Specific Plan in conjunction with development under the 2035 General Plan is accounted for in the cumulative impacts analysis.

The Specific Plan Area is located geographically in the southeastern corner of San Leandro; however, cumulative development as considered in this EIR is generally spread throughout San Leandro. Some cumulative impacts are not necessarily significant in relation to development that occurs further from the Specific Plan Area. For example, aesthetic and noise impacts associated with the Specific Plan are not likely to be detected in the northern part of San Leandro, but may be detected in the adjacent residential neighborhoods in southeastern San Leandro and in the Alameda County unincorporated community of Ashland. Selected cumulative impact discussions, such as land use and geology and soils, rely on a smaller geographic area: these are noted as appropriate. Some cumulative impact discussions, such as air quality, rely on much larger geographic areas such as the Bay Area region. These are noted as appropriate. Unless otherwise noted, cumulative development includes all development within San Leandro anticipated by the 2035 General Plan.

## 4 Environmental Impact Analysis

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This section discusses the possible environmental effects of the proposed Specific Plan for the specific issue areas that were identified by the City, expert consultation, and NOP responses as having the potential to experience significant impacts. “Significant effect” is defined by the *CEQA Guidelines* Section 15382 as:

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

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

**Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per *CEQA Guidelines* Section 15093.

**Significant but Mitigable.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under *CEQA Guidelines* Section 15091.

**Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures.

**Beneficial.** An effect that would reduce existing environmental problems or hazards.

**No Impact.** A finding of no impact is made when the analysis concludes that the proposed project would not affect the particular environmental resource or issue.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). In cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other planned and pending developments in the area listed in Section 3, *Environmental Setting*.



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## 4.1 Aesthetics

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This section analyzes the proposed Specific Plan's impacts related to aesthetics, including the existing visual character of and scenic views in the Specific Plan Area and whether development associated with the proposed Specific Plan would adversely affect scenic resources or introduce new sources of light or glare.

### 4.1.1 Setting

#### a. Visual Character

Most of San Leandro is developed. The City is bordered by Castro Valley on the east, San Francisco Bay on the west, the City of Oakland to the north and the unincorporated Alameda County communities of San Lorenzo and Ashland to the south. The City is situated along three major freeways, the MacArthur (I-580) Freeway, Nimitz (I-880) Freeway, and Interstate 238 (I-238). The predominant land use in San Leandro includes well-defined suburban neighborhoods. Residential, recreational, and open space uses are located in proximity to the shoreline along the western side of San Leandro, and residential uses also surround the industrial areas south of Marina Boulevard and west of I-880 (City of San Leandro, 2016a). Building heights within residential, commercial, and industrial areas generally range from one to two stories and are often surrounded by yards and wide streets. In comparison, building heights in the major activity centers of San Leandro can be up to five stories. Industrial and commercial areas are primarily visually occupied by parking and storage uses, with industrial buildings as proximate visual landmarks (City of San Leandro, 2016a).

The Specific Plan Area encompasses 154 acres situated at the eastern edge of San Leandro, adjacent to unincorporated Alameda County, and generally encompasses land within the City limits located within one-half mile of the Bay Fair BART station. This area contains prominent retail facilities and corridors including the Bayfair Center, East 14th Street and Hesperian Boulevard corridors, as well as some residential neighborhoods. The Specific Plan Area is an urbanized area with a mix of residential, commercial and public/semi-public development while the surrounding terrain is relatively flat and characterized by single family neighborhoods. Development in this area currently consists primarily of post-war era commercial development along East 14th Street, scattered single- and multiple-family residences along Hesperian Boulevard, including a mobile home park, and several 60-year-old shopping centers largely covered by surface parking lots and driveways. The major corridors of East 14th Street, Hesperian Boulevard and Fairmont Drive contain a variety of strip and one- to three-story stand-alone commercial buildings that bear little visual relationship to one another. East 14th Street, Hesperian Boulevard and Fairmont Drive also have sidewalks that are generally lined with street trees, and Fairmont Drive has planting strips along both the east- and west-bound sides between its intersections with East 14th Street and Hesperian Boulevard. Views of existing conditions within the Specific Plan Area are shown in Figure 8a-Figure 8h.

As discussed in Section 2, *Project Description*, the Specific Plan divides the Specific Plan Area into 13 subareas: ten primarily commercial subareas, one transit subarea, and two subareas with a mix of residential and commercial uses, as shown in the Plan Area Overview in Chapter 1 of the Specific Plan. Detailed descriptions of the current land uses within the subareas are provided in Section 2, *Project Description*, of this EIR.

Figure 8a View Looking South along Hesperian Boulevard near Thornally Drive



Figure 8b View Looking North along Hesperian Boulevard near Fairmont Drive



Figure 8c Retail Stores in the Fairmont Square Shopping Center



Figure 8d Retail Stores at Bayfair Center Shopping Mall





Figure 8e View of Estudillo Canal near Movie Theater



Figure 8f View of the Bay Fair BART Station





Figure 8g View of Residences at Intersection of East 14th Street and Thrust Avenue



Figure 8h View Looking South along East 14th Street near 152nd Avenue



## **b. Views and Scenic Resources**

The City's 2035 General Plan identifies the primary significant views within San Leandro as those looking west to the San Francisco Bay from the shoreline and from the hills above the I-580 Freeway, and views looking east to the hills near the I-580 Freeway and to the foothills from hills near the I-580 Freeway (City of San Leandro 2016b). The 2035 General Plan does not identify significant views within the vicinity of the Specific Plan Area, but does identify several areas in proximity to the Specific Plan Area as major City gateways as shown in Figure 9. Major gateways near the Specific Plan Area include the 150th Avenue/Hesperian Boulevard/East 14th Street intersection, the section of Hesperian Boulevard between the Bay Fair BART Station tracks and the Hayward station tracks, and the section of East 14th Street between Fairmont Avenue and 159th Avenue. However, these gateways are not considered scenic resources or vistas under the 2035 General Plan.

The main public views of the Specific Plan Area are from the East 14th Street and Hesperian Boulevard corridors and are primarily of the adjacent commercial and residential development in the 13 subareas. Private residences along East 14th Street, Hesperian Boulevard and Coelho Drive also have views of urban development within the Specific Plan Area. There are some views of nearby hillsides through street corridors, such as from 150th Avenue which provides intermittent views of the hills in Lake Chabot Regional Park approximately one mile northeast of the Specific Plan Area, and from East 14th Street which provides intermittent views of the East Bay hills approximately 16 miles northeast of the Specific Plan Area, among others. No views of the San Francisco Bay or the shoreline are available from or through the Specific Plan Area.

The portion of the I-580 Freeway within the vicinity of the Specific Plan Area is listed as an eligible State Scenic highway by Caltrans, but has not been officially designated as a scenic highway (Caltrans 2011). The location of the I-580 in relation to the Specific Plan Area is shown in Figure 10. At its nearest point to the Specific Plan Area, I-580 is located approximately 2,000 feet to the northeast of East 14th Street. Section 17.104.090 of the Municipal Code defines the I-580 Freeway's scenic corridor as extending up to 90 feet from the highway.

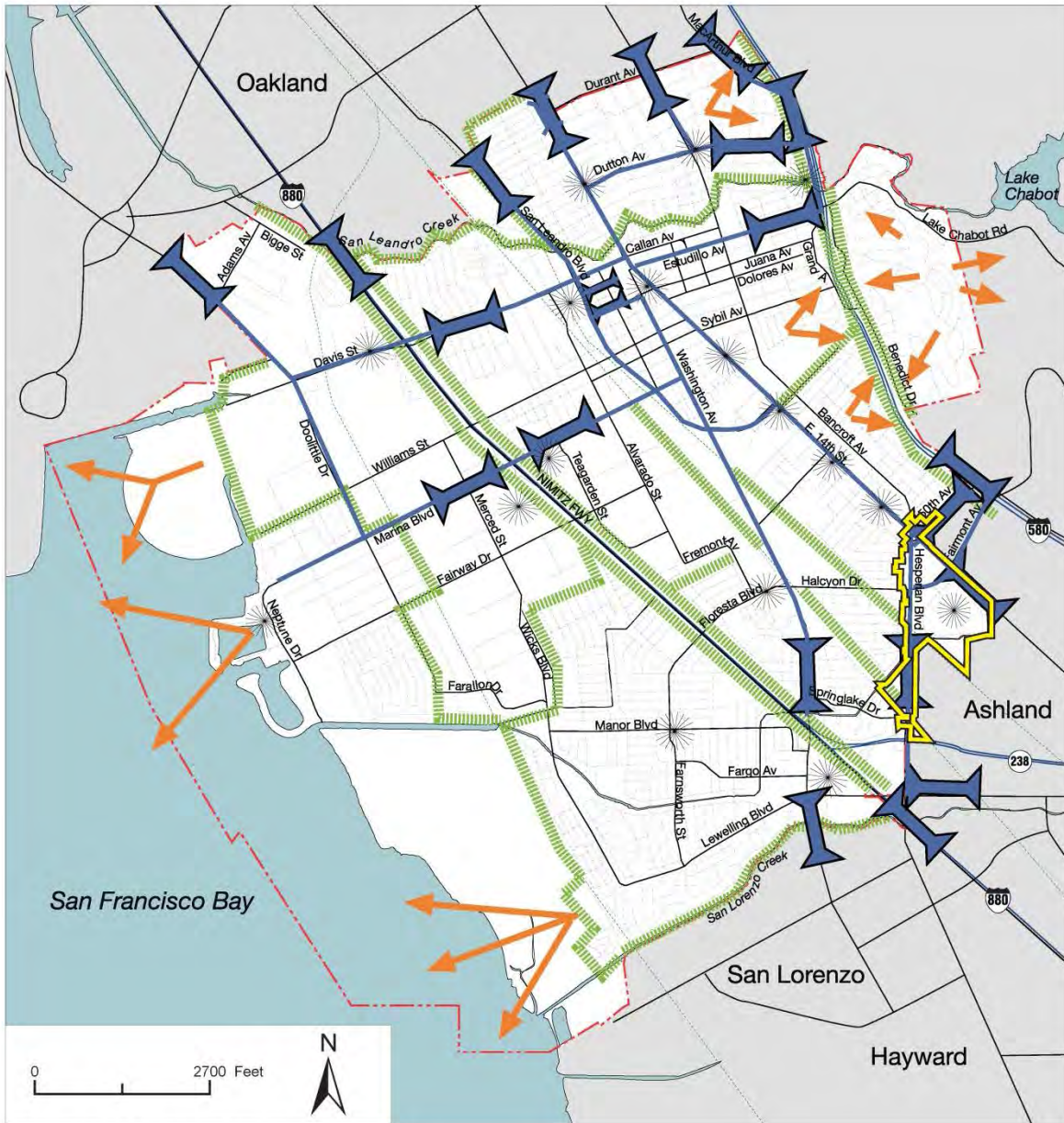
There are few visual resources within the Specific Plan Area. No historic resources have been identified within this area; the terrain is relatively flat and free of rock outcroppings; and trees are generally limited to street trees and ornamental trees in and around parking lots and adjacent to buildings. The City contains a number of heritage redwood trees; however, none are located within the Specific Plan Area. Street trees within the Specific Plan Area are generally present on landscaped outskirt areas that surround the commercial centers along East 14th Street, Hesperian Boulevard, and Fairmont Drive, and also line the streets near the residential uses along the East 14th Street and Hesperian Boulevard corridors.

## **c. Light and Glare**

The Specific Plan Area is urban in character and currently has high nighttime light levels due to streetlights on East 14th Street, Hesperian Boulevard, Fairmont Boulevard, and around the Bay Fair BART Station, as well as exterior lights at adjacent commercial uses and residences. Headlights from motor vehicles traveling through the Specific Plan Area also contribute to nighttime lighting. Glare is primarily a daytime phenomenon, caused by sunlight reflecting from structures (including windows), roadways, and cars. However, glare can also be created at night by vehicle headlights. Land uses in the Specific Plan Area that would be most sensitive to night lighting and glare are residences located adjacent to East 14th Street, Hesperian Boulevard, and Coelho Drive.



Figure 9 San Leandro Significant Views and Gateways

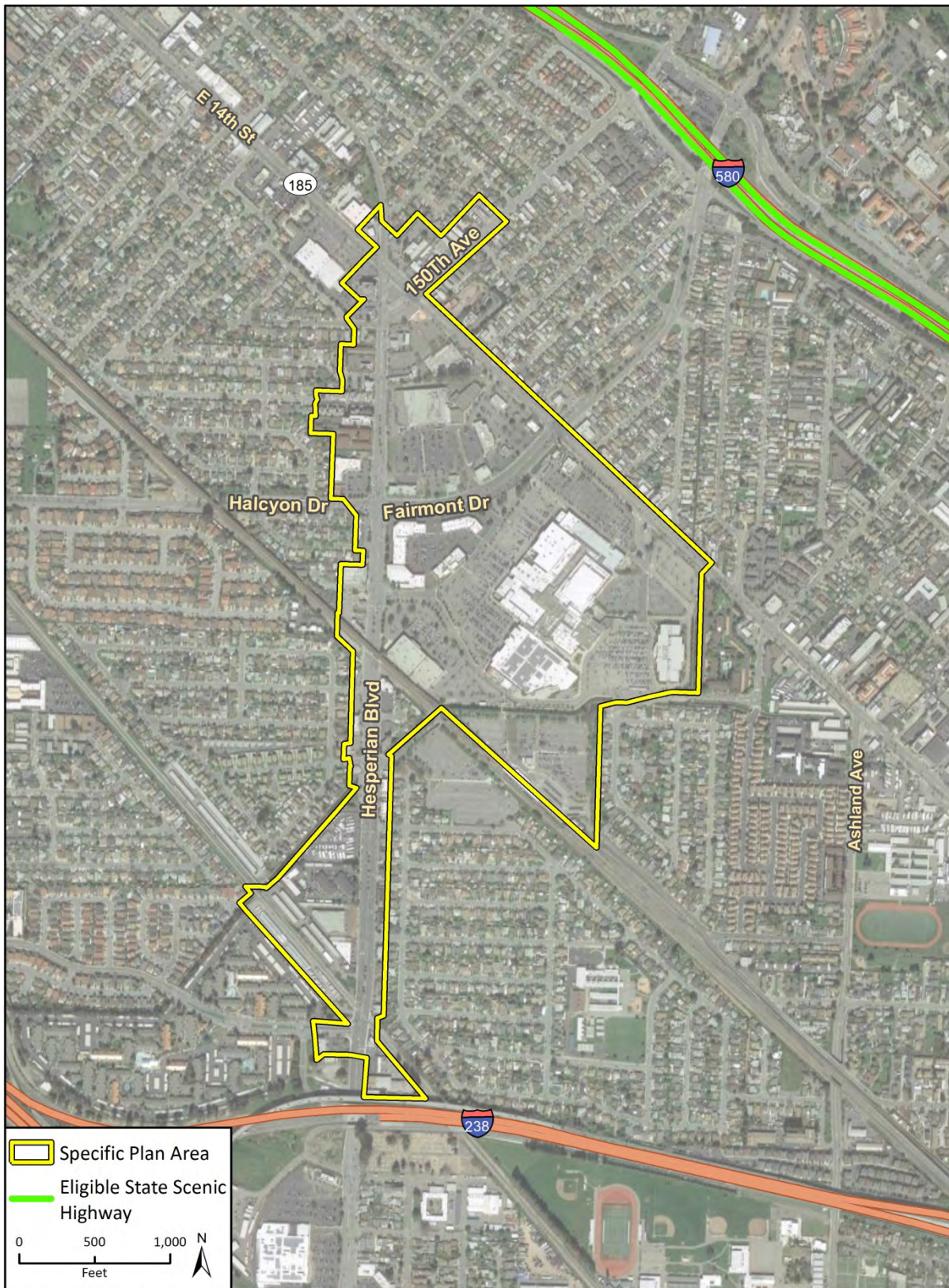


Source: City of San Leandro, General Plan 2002.

-  Specific Plan Area
-  Significant Views
-  Major Gateways
-  Key Gateway Streets
-  Well-defined Edges
-  Major Activity Areas



Figure 10 Eligible State Scenic Highway Proximity



Imagery provided by Google and its licensors © 2016.  
Additional Data provided by Caltrans, 2014.

Fig. State Highway Proximity

## d. Regulatory Setting

### State Regulations

#### *California Scenic Highway Program*

Through enforcement of the California Scenic Highway Program, Caltrans protects State scenic highway corridors from changes which would diminish the aesthetic value of lands adjacent to the highways. However, Caltrans has not designated a State scenic highway within San Leandro. The closest scenic highway is the section of the I-580 Freeway starting at the northern border of San Leandro and extending north to State Route 24 in Oakland (Caltrans 2011). As discussed under Section 4.1.1(b) above, the portion of the I-580 Freeway within the vicinity of the Specific Plan Area is listed as an eligible State Scenic Highway but has not been officially designated as such.

### Local Regulations

#### *San Leandro 2035 General Plan*

In accordance with California Government Code Section 65454, no specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan. The City's 2035 General Plan included provisions for the development of the Bay Fair TOD Plan Area in its 2002 update. The 2035 General Plan establishes a land use designation of Bay Fair TOD Zoning District (B-TOD) for the entirety of the Bay Fair TOD Specific Plan Area, deferring to the Specific Plan process to establish the details of land use, design, and development for the area. This designation is reflected in the City's adopted 2035 General Plan Land Use Element and Land Use Map.

The 2035 General Plan Land Use Element provides the following policy guidance related to aesthetics and visual resources for the Bay Fair area:

**Policy LU-1.13: Mixed Single Family Residential/ Industrial Areas.** In areas that currently include a "hodgepodge" of industrial uses (such as auto body shops) and older single family homes on adjacent small lots, encourage infill development that creates a more cohesive character and reduces the potential for future land use conflicts. Innovative development types and building forms should be encouraged in such areas.

**Policy LU-2.9: Density Transitions.** Avoid abrupt transitions from high density to low density housing. Where high density development occurs, encourage such projects to step down in height and mass as they approach nearby lower density areas.

**Policy LU-8.2: Aesthetics.** Upgrade the City's commercial corridors by building upon their existing strengths and improving their aesthetic qualities. The City should implement programs to underground utilities, abate weeds and graffiti, eliminate litter, improve buffers to adjacent residential uses, control excessive signage, and provide streetscape amenities and landscaping along the corridors.

**Policy LU-8.9: East 14th Street.** Facilitate the transformation of East 14th Street from an unbroken commercial "strip" into a series of distinct mixed use neighborhood centers, each with a unique design identity and mix of uses. The land use pattern should emphasize a more attractive and human scale of development throughout the corridor, with pedestrian-oriented buildings, streetscape and transit improvements, and a lively mix of higher density residential, commercial, and civic uses.

Further, the 2035 General Plan Historic Preservation and Community Design Element delineates specific design guidelines which establish the City’s image reflective of its history and its present and future aspirations. The following Community Design Element goals and policies are relevant to aesthetics:

**Community Design Goal No. 5:** Promote a stronger “sense of place” in San Leandro.

**Policy CD-5.1: Gateways.** Develop landscaped gateway features to identify neighborhoods, business districts, and major city entryways. Gateways should incorporate design and graphic themes that help define a unique identity for each neighborhood and district.

**Policy CD-5.4: Architectural Consistency.** In established neighborhoods, protect architectural integrity by requiring infill housing, replacement housing, and major additions or remodels to be sensitive to and compatible with the prevailing scale and appearance of adjacent development.

**Community Design Goal No. 6:** Ensure that new construction and renovation contributes to the quality and overall image of the community.

**Policy CD-6.1: Promoting Quality Design.** Use the development review, zoning, and permitting processes to promote high quality architecture and site design. Design review guidelines and zoning standards should ensure that the mass and scale of new structures are compatible with adjacent structures.

**Policy CD-6.2: Recognizing Architectural Context.** In areas without a well-established architectural aesthetic or consistent design palette, encourage contemporary and cutting edge design. In areas which have an established or more traditional design theme or rhythm, encourage infill development that increases architectural cohesion and reinforces the prevalent style or styles.

**Policy CD-6.3: Multi-Family Design.** Establish high standards of architectural and landscape design for multi-family housing development. Boxy or massive building designs should be avoided, ample open space and landscaping should be provided, and high quality construction materials should be used.

**Policy CD-6.5: Craftsmanship.** Encourage a high level of craftsmanship in new construction, and the use of exterior materials and façade designs that enhance the appearance of the City.

**Policy CD-6.7: Architectural Interest.** Encourage new structures to incorporate architectural elements that create visual interest such as trellises, awnings, overhangs, patios, and window bays. Avoid solid or blank street-facing walls.

**Policy 6.8: Commercial and Industrial Standards.** Improve the visual appearance of the City’s commercial and industrial areas by applying high standards of architectural design and landscaping for new commercial and industrial development and the re-use or remodeling of existing commercial and industrial buildings.

**Policy CD-6.9: Siting of Parking Lots.** Encourage the placement of parking lots to the rear of businesses rather than along the street frontage so that they become a secondary feature of commercial development rather than the dominant feature. Where large surface parking lots must be provided, require screening and landscaping to improve and soften their appearance.

**Community Design Goal No. 7:** Create a more visually attractive City, with well-landscaped and maintained streets, open spaces, and gathering places.

**Policy CD-7.1: Greening San Leandro.** Promote drought-tolerant landscaping, tree planting, and tree preservation along San Leandro streets as a means of improving aesthetics, making neighborhoods more pedestrian-friendly, providing environmental benefits, and creating or maintaining a park-like setting.

**Policy CD-7.2: Tree Maintenance.** Encourage tree maintenance practices that contribute to the long-term health and appearance of the City's urban forest.

**Policy CD-7.3: Tree Removal and Replacement.** Discourage the removal of healthy trees and require replacements for any trees that are removed from street rights-of-way. Where healthy trees must be removed, consider their relocation to other suitable sites instead of their disposal. Encourage the preservation and proper care of mature trees throughout the City, particularly those which may have historic importance or contribute substantially to neighborhood character.

**Policy CD-7.4: Urban Open Space.** Encourage the incorporation of drought-tolerant landscaped open spaces, such as plazas, courtyards and pocket parks, within new development and redevelopment projects.

**Policy CD-7.5: Street Beautification.** Upgrade the City's commercial thoroughfares by building upon their existing strengths and improving their aesthetic qualities. The City should implement programs to underground utilities, abate weeds and graffiti, eliminate litter, improve facades, improve buffers to adjacent residential uses, prohibit excessive or out-of-scale signage, remove billboards, and provide streetscape amenities and landscaping along these thoroughfares.

### *San Leandro Zoning Code*

The City's Zoning Code identifies specific zoning districts within the San Leandro and development standards that apply to each district. The B-TOD land use category was formed through the City's recent General Plan update and establishes which uses are permitted. The City will amend the Zoning Code after the proposed Specific Plan is adopted by the City Council to include the proposed B-TOD zoning to be consistent with the Specific Plan, with permitted uses as described in Section 2.3.2 and in Chapter 4, "Land Use and Housing" of the Specific Plan. The existing Zoning Code further specifies regulations regarding outdoor lighting restrictions, tree protection measures, and site plan review standards as they relate to new construction and development within San Leandro. Section 4-1732 of the code specifies height and illumination limits for landscaped parking areas and within residential districts, and Section 4-1906 provides protective measures for trees within development sites, and multiple sections specify design review criteria and processes for projects within specific districts.

### *East 14th Street Plans*

The City of San Leandro and Alameda County have each established plans for the segments of East 14th Street that are adjacent to the Specific Plan Area, extending for several miles in either direction. Many of the concepts in both plans – such as transitions to adjacent residential neighborhoods, corridor design and land use strategies, transportation and street facilities, and streetscape concepts – are relevant to the portions of East 14th Street within Specific Plan Area. Regarding the visual aspects of the East 14th Street corridor, the City's East 14th Street South Area Development Strategy includes the following goals and policies:



- **Goal 2-A.** Create a distinctive overall design for the East 14th Street corridor, its public right-of-way, and public open spaces.
- **Goal 2-B.** Create a distinctive design for each District along the East 14th Street corridor that is consistent with and respectful of the character of adjacent neighborhoods.
- **Policy 2.04.** Promote the development of “signature” buildings and other architectural features that provide visual landmarks along the corridor. (See 2035 General Plan Policy 42.07)
- **Policy 2.06.** Encourage public art within public spaces and within new developments. Encourage the use of art and landscaping to decorate large expanses of walls that are visible from the public right-of-way.

#### 4.1.2 Impact Analysis

##### a. Methodology and Significance Thresholds

The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. This evaluation measures the existing visual resource against the proposed action, analyzing the nature of the anticipated change. The Specific Plan Area was observed and photographically documented, as was the surrounding area, to assist in the analysis.

According to Appendix G of the *CEQA Guidelines*, an impact is considered significant if the project would have:

1. A substantial adverse effect on a scenic vista;
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
3. Substantially degrade the existing visual character or quality of the site and its surroundings;  
or,
4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

The impacts on visual character or quality that would be attributable to the proposed Specific Plan were evaluated relative to visual conditions under current existing buildout. As discussed in Section 4.15, *Effects Found not to be Significant*, no impacts with respect to scenic resources within a state scenic highway would occur. Therefore, threshold #2 is not discussed further in this section.

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b> Would the Specific Plan have a substantial adverse effect on a scenic vista?
--

**IMPACT AES-1** THE PROPOSED SPECIFIC PLAN WOULD FACILITATE INCREASES IN THE INTENSITY, SCALE AND VISIBILITY OF DEVELOPMENT IN THE SPECIFIC PLAN AREA, AND WOULD INCLUDE CHANGES TO CIRCULATION PATTERNS AND BLOCK SIZES. HOWEVER, PLAN IMPLEMENTATION WOULD NOT SIGNIFICANTLY BLOCK OR OTHERWISE ADVERSELY AFFECT SCENIC VISTAS. THEREFORE, IMPACTS RELATED TO SCENIC VISTAS WOULD BE LESS THAN SIGNIFICANT.

As discussed in the Setting section above under *Views and Scenic Resources*, the City's 2035 General Plan identifies the primary significant views within San Leandro as those looking west to the San Francisco Bay from the shoreline and from the hills above the I-580 Freeway, and views looking east to the hills near the I-580 Freeway and to the foothills from hills near the I-580 Freeway (City of San Leandro 2016b). As shown in Figure 9, the 2035 General Plan does not identify significant views within the vicinity of the Specific Plan Area.

Views available from public viewpoints (primarily public streets) within and surrounding the Specific Plan Area are primarily of commercial and residential development. Private residences along East 14th Street, Hesperian Boulevard and Coelho Drive also have views of urban development within the Specific Plan Area. No views of the San Francisco Bay or the shoreline are available from or through the Specific Plan Area. There are some views of the hillsides to the east of the Specific Plan area along street corridors oriented toward the east or northeast, such as from Fairmont Drive and 150th Avenue, among others, and from the BART station platform and trains.

Although the intensity, scale and visibility of development in the Specific Plan Area would increase under the Specific Plan, views along street corridors toward the hills would not be significantly blocked by new development, as the views would remain substantially available even as development on adjacent properties intensifies. Views of the hillsides from the BART station may be partially blocked, but some views would remain available above and between buildings, and passengers would still have ample views of the hillsides as trains approach and leave the station. In addition, the Specific Plan calls for creating smaller blocks through additional mid-block connections and may increase opportunities for views to the east and northeast through and from the Specific Plan Area. Finally, as noted above, the existing views from and through the Specific Plan Area are not identified by the City as "significant views" in the 2035 General Plan. Impacts related to scenic vistas would be less than significant.

### Mitigation Measures

Mitigation measures are not required.

<b>Threshold:</b> Would the Specific Plan substantially degrade the existing visual character or quality of the site and its surroundings?
--

**IMPACT AES-2** THE PROPOSED SPECIFIC PLAN WOULD FACILITATE CHANGES TO THE VISUAL CHARACTER OF THE SPECIFIC PLAN AREA RELATIVE TO EXISTING CONDITIONS, INCLUDING POTENTIALLY SUBSTANTIAL INCREASES IN BUILDING HEIGHT AND MASSING AND OVERALL DEVELOPMENT INTENSITY. HOWEVER, THE PROPOSED POLICIES, PLANNING FRAMEWORK, AND DEVELOPMENT STANDARDS AND GUIDELINES FOR FUTURE DEVELOPMENT IN THE SPECIFIC PLAN WOULD IMPROVE THE VISUAL QUALITY OF THE ENVIRONMENT, AND THE PROPOSED DESIGN REVIEW CRITERIA FOR NEW DEVELOPMENT WOULD HELP ENSURE VISUAL COMPATIBILITY WITH EXISTING DEVELOPMENT IN THE SPECIFIC PLAN AREA. IMPACTS TO VISUAL CHARACTER WOULD BE LESS THAN SIGNIFICANT.

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The Specific Plan Area is characterized primarily by post-war era commercial development along East 14th Street, scattered single- and multiple-family residences along Hesperian Boulevard, including a mobile home park, and several approximately 60-year-old shopping centers with extensive surface parking lots and driveways. Building heights range from one- to three stories and are separated by expanses of paving. The visual character and quality of the core of the Specific Plan Area could be classified as low to moderate. Development under the proposed Specific Plan would change the visual character and quality of the Specific Plan Area in a number of ways, including through changes to the block sizes and streetscapes and allowing greater massing of buildings.

#### *Block Size*

The planning framework of the Specific Plan that would be used to guide development would alter the visual character of the Specific Plan Area by encouraging smaller development blocks to improve access and walkability. Much of the planning area is currently contained within a few large parcels that inhibit publicly-accessible connections. Under the framework plan, parcels primarily in the center of the Specific Plan Area could be divided into several smaller blocks with length restrictions to enhance the “village” character of the neighborhood. This would allow for greater visual relief by breaking up larger expanses of development and surface parking. Further, a network of public open spaces would be created throughout these smaller blocks, including parks, plazas, and pedestrian-oriented streets. These alterations to the overall visual character under the framework plan would be consistent with the development goals of the 2035 General Plan land use policies and would not degrade the visual character of the Specific Plan Area.

#### *Intensity*

The proposed Specific Plan would alter the visual character of the Specific Plan Area by allowing for a considerable increase in the intensity of development relative to that under existing buildout conditions. The City’s adopted 2035 General Plan promotes high density mixed-use development in the Specific Plan Area. Consistent with this vision, the proposed Specific Plan would encourage redevelopment of the shopping center areas and the Hesperian Boulevard and East 14th Street corridors with higher intensity, transit-oriented land uses. Proposed height limits of 90 feet in the Bayfair Center area, 70 feet in the northern and southern limits of the Specific Plan Area, and 50 feet along the Hesperian Boulevard corridor would allow for such development. There would be no maximum Floor Area Ratios (FARs) or densities within the Specific Plan Area. In addition, new development would be required to have active ground-floor use and design, especially along key connections primarily in the central area between the East 14th Street and Hesperian Boulevard corridors. Active use designs would be achieved through use of public-serving building frontages

that can be retail, residential, or semi-public office use. The combined effect of increased building height, density, and active ground-floor frontages would constitute a substantial visual contrast to existing conditions.

To enhance compatibility with existing and surrounding development, the proposed Specific Plan would establish two height overlay areas to facilitate appropriate transitions between new and existing development within the Specific Plan Area. The Residential Transition Area Overlay would require new development adjacent to residential zoning districts to have a 15-foot minimum setback at a 45-degree angle, which would limit building massing and height to retain solar access and privacy for existing residences. The East 14th Transition Area Overlay would require new development to transition down to a 5-story maximum building height within the first 40 feet from the sidewalk along East 14th Street. These height restrictions would help promote compatibility of character and scale with existing development along the east side of East 14th Street.

### *Design Quality*

The Specific Plan includes numerous policies to help ensure and enhance quality of the visual character of the streetscapes and new development. These may be found in the proposed Specific Plan in Chapter 3, Mobility, under Sidewalks and Public Frontages, and Chapter 5, Development Standards and Guidelines. Selected examples follow.

#### **SIDEWALK AND PUBLIC FRONTAGE GUIDELINES**

- 1. Streetscape.** The public realm should be enhanced with new street trees, street furniture, and sidewalks or pathways.
- 2. Unified Streetscape Character.** The streetscape should be designed with a coordinated palette of materials, furnishing, and style. Project applicants should coordinate with City to determine the appropriate design.
- 6. Rear Landscaping.** Substantial landscape screening should be planted along the rear of commercial and mixed-use buildings adjacent to residential streets or properties.
- 7. Street Furnishings.** Street furniture, including benches, bicycle parking, and trash receptacles, should be consistent in their appearance throughout the area.
- 8. Front Screening.** One or more rows of street trees should be used to screen the front facades of residential and office uses.
- 13. Street Trees.** Street trees should be placed an average of 25 to 35 feet on center, or as needed for continuous sidewalk canopy. Street tree types should be selected to ensure a unified street environment identity throughout the Specific Plan Area.

#### **BUILDING DESIGN GUIDELINES**

- 3. Facade Articulation.** All highly visible building facades should be designed with consistent or complementary materials, articulation, and quality.
- 4. Side Street Building Facades.** Side street ground floor frontages should support pedestrian interest and accessibility, which may include commercial storefronts and building entrances or stoops in other locations.



5. **Building Components.** New buildings should be designed with a defined base, a middle or body, and a top, cornice or parapet cap. The cornice or top of the building should provide a strong termination and add visual interest.
8. **Franchise Retail.** Chain or franchise uses should be expected to adapt their standard designs to the unique qualities of the Bay Fair TOD Plan Area and San Leandro.
12. **High-Quality, Durable Materials.** Utilize high-quality, durable finishing materials such as concrete, steel, wood, and glass.
13. **Iconic Landmarks.** Encourage iconic, memorable architectural styles and variation to create landmarks and buildings distinguished from their surroundings.

#### PUBLIC ART GUIDELINES

1. **Art Integration.** Art should be incorporated into new development whenever feasible. Art should be placed in visible areas, particularly at intersections or within public or common open spaces. Art may consist of both permanent and temporary installations.
4. **Site-Appropriate.** The design and placement of art should enhance and be coordinated with other streetscape improvements to ensure a coherent character for a particular area or corridor.

In addition, the Building Frontage Standards of the proposed Specific Plan encourage buildings to be oriented toward public streets and include transparent, active and pedestrian-friendly public facing facades, improving the visual experience for pedestrians and motorists compared to the existing auto-oriented mall aesthetic of portions of the Specific Plan Area. The Sidewalk and Public Frontage Standards would aim to maintain and enhance visual pedestrian amenities, such as tree canopies, pathways and street furniture. The Building Design Guidelines would help preserve and bolster the character of non-residential buildings such that they would be able to blend cohesively with surrounding residential areas while providing distinct community character through upgraded architectural design. Further, the Public Art Guidelines would help reduce blank wall space within the Specific Plan Area, allow for creation of characteristic public art, and deter the potential for graffiti in public spaces. New development proposed under the Specific Plan would be designed consistent with these policies as well as existing regulations such as those under the 2035 General Plan, East 14th Street Plan, Downtown TOD Strategy, and the Municipal Code, and therefore would have less than significant impacts on visual character and quality.

#### *Parking*

While large surface parking lots currently create an auto-centric aesthetic at the project site and detract from the appearance of roadway corridors, design standards in the Specific Plan would require parking structures to be integrated into overall development rather than being an associated, expansive onsite use. This would reduce the visual dominance of parking resources from adjacent uses and public rights-of-way. Underground parking structures would be prioritized where possible and the garages would be lined with active uses or attractive facades as camouflage. Similarly, above-ground structures would be designed with active ground-floor spaces or residential uses to screen the garage from immediate views. Surface parking would be screened from adjacent streets via landscaping or walls and driveways would be located along side streets or alleys as far as possible from potential pedestrian activity areas.

## Open Space

The proposed Specific Plan would facilitate development of focal public open space areas within the Specific Plan Area. Though the existing Specific Plan Area does not currently contain open public or park spaces, the City's 2035 General Plan has an existing typology for such uses. As described in Section 5 of the Specific Plan under Public Open Space, the Specific Plan Area would provide up to two "large urban gathering spaces" (ranging from two to 10 acres) and seven to 12 medium-sized public spaces such as parks or plazas (two acres or less). New public open space areas would incorporate appropriate seating and shading and would consist of park types such as playgrounds, dog parks, gardens, event spaces and plazas. Usable private open space, such as plazas and courtyards, would be encouraged adjacent to building and street entrances and would incorporate landscaping and vegetation. Development of these green and open space areas would help improve the visual quality of the Specific Plan Area compared to the existing auto-oriented layout and character.

In summary, although there will be visual changes to the Specific Plan Area due to an increase in height and overall massing, buildout under the Specific Plan would replace development of low to moderate visual character and quality with a more vibrant, landscaped and higher-quality visual environment. New development would be required to comply with the Specific Plan's policies and development standards as well as those of the 2035 General Plan as listed under Regulatory Setting, above, avoiding degradation of the visual character of the Specific Plan Area. Therefore, impacts to the visual character of the Specific Plan Area would be less than significant.

## Mitigation Measures

Mitigation measures are not required.

<b>Threshold:</b> Would the Specific Plan create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?
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**IMPACT AES-3** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD RESULT IN NEW SOURCES OF LIGHT AND GLARE IN AND AROUND THE SPECIFIC PLAN AREA. HOWEVER, THESE NEW SOURCES WOULD NOT SUBSTANTIALLY INCREASE THE AMOUNT OF LIGHT AND GLARE IN THE ALREADY URBANIZED SPECIFIC PLAN AREA, AND WOULD BE REGULATED BY THE CITY'S ADOPTED 2035 GENERAL PLAN, MUNICIPAL CODE REQUIREMENTS, AND SPECIFIC PLAN PROVISIONS. THIS WOULD BE A LESS THAN SIGNIFICANT IMPACT.

Future development in the Specific Plan Area would increase the overall intensity of development and thus would introduce new sources of light and glare. Potential sources of new nighttime light include light spillover from the windows of residences and businesses, outdoor security lighting, lighted signs, streetlights, and building-mounted lighting. New development could also produce glare from sunlight reflecting off the windows of buildings and motor vehicles or from vehicle headlights shining at night. However, new sources would not substantially increase the amount of nighttime lighting or glare in the already urbanized Specific Plan Area, where a relatively high level of lighting is generally present currently. Section 4-1732 of the City's Municipal code stipulates restrictions regarding the height of lighting sources and the level of illumination incurred by adjacent uses for all outdoor lighting in a landscaped parking area in residential districts. Future projects would be reviewed for site-specific consistency with these standards. Further, Goal CD-7 in the 2035 General Plan supports City consideration of light impacts from new development as a means to help avoid conflicts with nearby residential uses where possible. Lastly, Ground-Floor

Office Building Frontage Guideline 3 in Chapter 5 of the Specific Plan says that glazing should be non-reflective. Therefore, impacts associated with light and glare would be less than significant.

## Mitigation Measures

Mitigation measures are not required.

### c. Cumulative Impacts

As discussed in Section 3, *Environmental Setting*, some cumulative impacts are not necessarily significant in relation to development that occurs in San Leandro as a whole. For example, aesthetic impacts associated with the Specific Plan are not likely to be detected in the nearby communities. Therefore, this analysis of cumulative aesthetic impacts focuses on buildout of the Specific Plan Area, as represented by buildout under the proposed Specific Plan. As discussed in Section 2, *Project Description*, full buildout of the proposed Specific Plan, as accounted for under the current 2035 General Plan, envisions an increased density and intensity of existing land uses, adding up to 2,540 housing units and 300,000 square feet of office space. This level development is slightly larger than what is projected by the 2035 General Plan, as the 2035 General Plan accounts for construction of 1,100 new housing units rather than 2,540 as under the Specific Plan, and the intensification of urban development would result in changes to the area's visual environment. However, buildout under the Specific Plan would not significantly impact scenic vistas or scenic resources within the Specific Plan Area, as analyzed above. The proposed Specific Plan also would not result in significant adverse effects on visual character or quality of the Specific Plan Area, relative to buildout under the existing Zoning Code, and compliance with the City's proposed design standards would help enhance the quality of the visual environment within the Specific Plan Area. Furthermore, while new development in the Specific Plan Area would increase sources of light and glare, compliance with the San Leandro Municipal Code and site-specific environmental review would reduce any potentially significant impacts from light and glare to a less than significant level. Therefore, the Specific Plan's cumulative aesthetic impacts within the Specific Plan Area would not be cumulatively considerable and would be less than significant.

## 4.2 Air Quality

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This section discusses the Specific Plan's potential impacts to regional and local air quality. The vehicle miles traveled (VMT) estimate used in emissions analysis are based on the *Transportation Impact Analysis* prepared by Kittelson & Associates, dated September 2017. The traffic study is included as Appendix D to this EIR.

### 4.2.1 Setting

#### a. Climate and Topography

The Specific Plan Area is located in the San Francisco Bay Area Air Basin (SFBAAB). Air quality in the SFBAAB is affected by the emission sources located in the region, as well as by natural factors. Atmospheric conditions such as wind speed and direction, air temperature gradients, and local and regional topography influence air quality. The SFBAAB is affected by a Mediterranean climate of warm, dry summers and cool, damp winters. Topographical features, the location of the Pacific high-pressure system, and varying circulation patterns resulting from temperature gradients affect the speed and direction of local winds. The winds play a major role in the dispersion of pollutants. Strong winds can carry pollutants far from their source; a lack of wind will allow pollutants to concentrate in an area (Life Science!, Inc. 2004).

Air dispersion also affects pollutant concentrations. As altitude increases, air temperature normally decreases. Inversions occur when colder air becomes trapped below warmer air, restricting the air masses' ability to mix. Pollutants also become trapped, which promotes the production of secondary pollutants. Subsidence inversions, which can occur during the summer in the SFBAAB, result from high-pressure cells that cause the local air mass to sink, compress, and become warmer than the air closer to the earth. Pollutants accumulate as this stagnating air mass remains in place for one or more days (CDFG and USFWS 2004).

The Specific Plan Area is in the Northern Alameda and Western Contra Costa Counties climatological sub region where marine air traveling through the Golden Gate is a dominant weather factor. The Oakland-Berkeley Hills cause the westerly flow of air to split off the north and south of Oakland causing diminishing wind speeds and temperatures averaging from the mid-50s to mid-70s degrees Fahrenheit. The air pollution potential is lowest for the parts of the sub region closest to the bay and air pollution in San Leandro is marginally higher because of the lower frequency of strong winds (BAAQMD 2017).

#### b. Air Pollutants of Primary Concern

The Federal and State Clean Air Acts mandate the control and reduction of certain air pollutants. Under these laws, the U.S. Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for certain "criteria" pollutants. Ambient air pollutant concentrations are affected by the rates and distributions of corresponding air pollutant emissions, as well as by the climate and topographic influences discussed above. The primary determinant of concentrations of non-reactive pollutants, such as carbon monoxide (CO) and suspended particulate matter, is proximity to major sources. Ambient CO levels usually closely follow the spatial and temporal distributions of vehicular traffic. A discussion of primary criteria pollutants is provided below.

### *Ozone*

Ozone (O<sub>3</sub>) is a colorless gas with a pungent odor. Most ozone in the atmosphere is formed as a result of the interaction of ultraviolet light, reactive organic gases (ROG), and oxides of nitrogen (NO<sub>x</sub>). ROG (the organic compound fraction relevant to ozone formation, and sufficiently equivalent for the purposes of this analysis to volatile organic compounds, or VOC), is composed of non-methane hydrocarbons (with some specific exclusions), and NO<sub>x</sub> is made of different chemical combinations of nitrogen and oxygen, mainly nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>). As highly reactive molecule, ozone readily combines with many different components of the atmosphere. Consequently, high levels of O<sub>3</sub> tend to exist only while high ROG and NO<sub>x</sub> levels are present to sustain the O<sub>3</sub> formation process. Once the precursors have been depleted, O<sub>3</sub> levels rapidly decline. Because these reactions occur on a regional rather than local scale, O<sub>3</sub> is considered a regional pollutant.

### *Carbon Monoxide*

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

Localized CO “hotspots” can occur at intersections with heavy peak-hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local CO concentration exceeds the National Ambient Air Quality Standards (NAAQS) of 35.0 parts per million (ppm) or the State AAQS of 20.0 ppm.

### *Nitrogen Dioxide*

NO<sub>2</sub> is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of nitrogen oxide produced by combustion is NO, but NO reacts rapidly to form NO<sub>2</sub>, creating the mixture of NO and NO<sub>2</sub> commonly called NO<sub>x</sub>. NO<sub>2</sub> is an acute irritant. A relationship between NO<sub>2</sub> and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. NO<sub>2</sub> absorbs blue light and causes a reddish brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of particulate matter no more than 10 microns in diameter (PM<sub>10</sub>) and acid rain.

### *Suspended Particulates*

PM<sub>10</sub> is small particulate matter measuring no more than 10 microns in diameter, while PM<sub>2.5</sub> is fine particulate matter measuring no more than 2.5 microns in diameter. Suspended particulates are mostly dust particles, nitrates, and sulfates. They are a by-product of fuel combustion and wind erosion of soil and unpaved roads, and are directly emitted into the atmosphere through these processes. Suspended particulates are also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with the small particulates (those between 2.5 and 10 microns in diameter) and fine particulates (PM<sub>2.5</sub>) can be very different. The small particulates generally come from windblown dust and dust kicked up from mobile sources. The fine particulates are generally associated with combustion processes as well as being formed in the atmosphere as a secondary pollutant through chemical reactions. Fine particulate

matter is more likely to penetrate deeply into the lungs and poses a serious health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the small and fine particulate matter that is inhaled into the lungs remains there, which can cause permanent lung damage. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

### *Lead*

Lead (Pb) is a metal found naturally in the environment, as well as in manufacturing products. The major sources of Pb emissions historically have been mobile and industrial sources. In the early 1970s, the U.S. EPA set national regulations to gradually reduce the lead content in gasoline. In 1975, unleaded gasoline was introduced for motor vehicles equipped with catalytic converters. The U.S. EPA completed the ban prohibiting the use of leaded gasoline in highway vehicles in December 1995. As a result of the U.S. EPA's regulatory efforts to remove Pb from gasoline, atmospheric lead concentrations have declined substantially over the past several decades. The most dramatic reductions in lead emissions occurred prior to 1990 due to the removal of Pb from gasoline sold for most highway vehicles. Pb emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least in part as a result of national emissions standards for hazardous air pollutants (U.S. EPA 2013). As a result of phasing out leaded gasoline, metal processing currently is the primary source of Pb emissions. The highest level of lead in the air is generally found near lead smelters. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers.

### *Toxic Air Contaminants*

Public exposure to TACs is a significant environmental health issue in California. The California Health and Safety Code defines a TAC as "an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health." The majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most important being particulate matter from diesel-fueled engines. According to BAAQMD, particulate matter emitted from diesel engines contributes more than 85 percent of the cancer risk within the Air Basin and cancer risk from TAC is highest near major diesel PM sources. Almost all diesel exhaust particles are 10 microns or less in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (City San Leandro 2016i). Current Ambient Air Quality

CARB and the US EPA established ambient air quality standards for major pollutants, including O<sub>3</sub>, CO, NO<sub>2</sub>, sulfur dioxide (SO<sub>2</sub>), Pb, and PM<sub>10</sub> and PM<sub>2.5</sub>. Standards have been set at levels intended to be protective of public health. California standards are more restrictive than federal standards for each of these pollutants except for lead and the eight-hour average for CO.

Local air districts and CARB monitor ambient air quality to assure that air quality standards are met and, if they are not met, to also develop strategies to meet the standards. Air quality monitoring stations measure pollutant ground-level concentrations (typically, ten feet above ground level). Depending on whether the standards are met or exceeded, the local air basin is classified as in "attainment" or "non-attainment." Some areas are unclassified, which means no monitoring data are available. Unclassified areas are considered to be in attainment. Table 3 summarizes the California Ambient Air Quality Standards (CAAQS) and the NAAQS for each of these pollutants as well as the attainment status of the SFBAAB. As shown in the table, the SFBAAB is in nonattainment

for the federal standards for O<sub>3</sub> and PM<sub>2.5</sub>. The SFBAAB is in nonattainment for the state standard for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.

**Table 3 Ambient Air Quality Standards & Basin Attainment Status**

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

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

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

The closest Bay Area Air Quality Management District (BAAQMD)-operated monitoring station to the Specific Plan Area is the Oakland-9925 International Boulevard Monitoring Station, which is approximately 2.0 miles northwest of the Specific Plan Area. Table 4 summarizes the representative annual air quality data for the Specific Plan Area between 2014 and 2016 at the Oakland-9925

International Boulevard Monitoring Station for all criteria pollutants, except PM<sub>10</sub> since it was unavailable. Data for PM<sub>10</sub> is from the next closest station, the Oakland West Monitoring Station, which is located approximately 8 miles northwest of the Specific Plan Area.

**Table 4 Ambient Air Quality Data**

Pollutant	2014	2015	2016
Ozone (ppm), Worst 1-Hour	0.083	0.094	0.082
Number of days of State exceedances (>0.09 ppm)	0	0	0
Ozone (ppm), 8-Hour Average	0.068	0.074	0.057
Number of days of State exceedances (>0.07 ppm)	0	2	0
Number of days of Federal exceedances (>0.07 ppm)	0	2	0
Nitrogen Dioxide (ppm), Worst 1-Hour	0.082	0.048	0.059
Number of days of State exceedances (>0.25 ppm)	0	0	0
Number of days of Federal exceedances (>0.075 ppm)	0	0	0
Particulate Matter <10 microns, µg/m <sup>3</sup> , Worst 24 Hours	40.8	22.5	18.7
Number of days above State standard (>50 µg/m <sup>3</sup> )	0	0	0
Number of days above Federal standard (>150 µg/m <sup>3</sup> )	0	0	0
Particulate Matter <2.5 microns, µg/m <sup>3</sup> , Worst 24 Hours	37.6	44.7	15.5
Number of days above Federal standard (>35 µg/m <sup>3</sup> )	1	1	0

ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter

\* There was insufficient (or no) data available to determine the value.

Oakland-9925 International Boulevard Monitoring Station was used for all pollutants, except PM<sub>10</sub>, which used data from the Concord-2975 Treat Boulevard Monitoring Station.

Source: CARB 2017

### c. Regulatory Setting

The Federal Clean Air Act governs air quality in the United States. In addition to being subject to federal requirements, air quality in California is also governed by more stringent regulations under the California Clean Air Act. At the federal level, the U.S. EPA administers the Clean Air Act (CAA). The CAA is administered by the CARB at the State level and by the Air Quality Management Districts at the regional and local levels. The BAAQMD regulates air quality at the regional level, which includes the nine-county Bay Area.

#### *Federal*

The U.S. EPA is responsible for enforcing the federal CAA. The U.S. EPA is also responsible for establishing the NAAQS. The NAAQS are required under the 1977 CAA and subsequent amendments. The EPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain types of locomotives. The agency has jurisdiction over emission sources outside state waters (e.g. beyond the outer continental shelf) and establishes various emission standards, including those for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission standards established by the CARB.



### *State*

In California, the CARB, which became part of the California Environmental Protection Agency in 1991, is responsible for meeting the State requirements of the federal CAA, administering the California CAA, and establishing the CAAQS. The California CAA, as amended in 1992, requires all air districts in the State to endeavor to achieve and maintain the CAAQS. The CAAQS are generally more stringent than the corresponding federal standards and incorporate additional standards for sulfates, hydrogen sulfide, vinyl chloride and visibility reducing particles. The CARB regulates mobile air pollution sources, such as motor vehicles. The agency is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. The CARB established passenger vehicle fuel specifications, which became effective on March 1996. The CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county level.

### *Regional*

The BAAQMD is responsible for assuring that the federal and State ambient air quality standards are attained and maintained in the Bay Area. The BAAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, as well as many other activities.

The BAAQMD adopted the 2017 Clean Air Plan (2017 Plan) on April 19, 2017 as an update to the 2010 Clean Air Plan. The 2017 Plan, which focuses on protecting public health and the climate, defines an integrated, multi-pollutant control strategy that includes all feasible measures to reduce emissions of O<sub>3</sub> precursors (including transport of ozone and its precursors to neighboring air basins), PM, and toxic air contaminants (TACs). To protect public health, the control strategy will decrease population exposure to PM and TACs in communities that are most impacted by air pollution with the goal of eliminating disparities in exposure to air pollution between communities. The control strategy will protect the climate by reducing GHG emissions and developing a long-range vision of how the Bay Area could look and function in a year 2050 post-carbon economy (BAAQMD 2017b).

### *Local*

The City's 2035 General Plan Environmental Hazards Chapter contains the following goal and related policies specific to air quality:

**Goal EH-7.** Promote and participate in efforts to improve the region's air quality.

**Policy EH-3.1: Clean Air Plan Implementation.** Cooperate with the appropriate regional, state, and federal agencies to implement the regional Clean Air Plan and enforce air quality standards.

**Policy EH-3.2: Transportation Control Measures.** Promote strategies that help improve air quality and reduce greenhouse gas emissions by reducing the necessity of driving. These strategies include more reliable public transportation, carpooling and vanpooling programs, employer transportation demand management (TDM) programs, better provisions for

bicyclists and pedestrians, and encouraging mixed use and higher density development around transit stations.

**Policy EH-3.3: Land Use Compatibility.** Discourage new uses with potential adverse air quality impacts, including the emission 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; and
- e. Implementing the complementary strategies to reduce greenhouse gases identified in the Climate Action Plan.

**Action EH-3.4.B: Health Risk Assessments.** Implement Bay Area Air Quality Management District Guidelines and State Office of Environmental Health Hazard Assessment policies and procedures requiring health risk assessments for residential development and other sensitive land use projects within 1,000 feet of major sources of toxic air contaminants, including freeways and roadways with over 10,000 vehicles per day. As appropriate, identify mitigation measures (such as air filtration systems) to reduce the potential exposure to particulate matter, carbon monoxide, diesel fumes, and other potential health hazards. Measures identified in the HRA shall be included in the environmental document and/or incorporated into the site development plan as a component of the proposed project.

**Policy EH-3.5: Odors.** Ensure prompt response to complaints about odor problems and other potential air quality nuisances and hazards reported by residents and businesses.

**Policy EH-3.8: Regulatory Changes.** Stay apprised of changes in state and federal air quality regulations and implement programs as required to ensure local compliance.

**Policy EH-3.9: Alternative Fuel Vehicles.** Promote the development of infrastructure which supports the use of alternative fuel (i.e., electric) vehicles, including electric charging stations and preferential parking for electric vehicles.

#### d. Sensitive Receptors

The ambient air quality standards described above were established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14; the elderly over 65; persons engaged in strenuous work or exercise; and people with cardiovascular and chronic respiratory diseases. According to BAAQMD,

sensitive receptors include residences, schools and school yards, parks and playgrounds, daycare centers, nursing homes, and medical facilities (BAAQMD 2017a). The majority of sensitive receptor locations are therefore residences, schools, and hospitals. Commercial land uses dominate the Specific Plan Area; however, pockets of sensitive receptors occur in the following areas:

- The Summerhill Terrace Apartments are located in the southern corner of the Specific Plan Area, to the west of Hesperian Boulevard, and north of the Union Pacific Railroad tracks.
- A row of multi-family residences lines the east side of Hesperian Boulevard from Thornally Drive to Springlake Drive.
- The Hesperian Villas, a multi-family apartment complex, is located on the west side of Hesperian Boulevard, south of Cherrybrooke Commons.
- Several single-family residences are located on Olive Court between the east side of Hesperian Boulevard and the BART tracks.

In addition, residential neighborhoods in San Leandro and unincorporated Alameda County surround the Specific Plan Area to the west, north, and east.

The BAAQMD recommends that general plans include buffer zones to separate sensitive receptors from sources of TACs and odors. In April 2005, the CARB released the final version of the *Air Quality and Land Use Handbook*, which is intended to encourage local land use agencies to consider the risks from air pollution prior to making decisions that approve the siting of new sensitive receptors (e.g. homes or daycare centers) near sources of air pollution. Unlike industrial or stationary sources of air pollution, siting of new sensitive receptors does not require air quality permits, but could create air quality problems. The primary purpose of the handbook is to highlight the potential health impacts associated with proximity to common air pollution sources, so that those issues are considered in the planning process. CARB makes recommendations regarding the siting of new sensitive land uses near freeways, truck distribution centers, dry cleaners, gasoline dispensing stations, and other air pollution sources. These recommendations are based primarily on modeling information and may not be entirely reflective of conditions in the Specific Plan Area. The *Air Quality and Land Use Handbook* notes that siting of new sensitive land uses within these distances may be possible, but recommends that site-specific studies be conducted to identify actual health risks. CARB acknowledges that land use agencies have to balance other siting considerations such as housing and transportation needs, economic development priorities and other quality of life issues. CARB recommends avoiding siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day (CARB 2005).

## 4.2.2 Impact Analysis

### a. Methodology and Significance Thresholds

This analysis uses BAAQMD's May 2017 *CEQA Air Quality Guidelines* to evaluate potential air quality impacts associated with implementation of the proposed Specific Plan. The plan-level thresholds in the May 2017 BAAQMD *CEQA Air Quality Guidelines* were used for this analysis to determine whether the impacts of the Specific Plan exceed the thresholds identified in Appendix G of the *CEQA Guidelines*.

## Significance Thresholds

Air quality impacts would be significant if they would exceed the following thresholds of significance, which are based on Appendix G of the *CEQA Guidelines* and the May 2017 BAAQMD *CEQA Air Quality Guidelines*:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed qualitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

### *Short-Term Emissions*

The BAAQMD's 2017 *CEQA Air Quality Guidelines* have no plan-level significance thresholds for construction air pollutants emissions. However, they do include individual project-level thresholds for temporary construction-related and long-term operational emissions of air pollutants. These thresholds represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the Basin's existing air quality conditions (BAAQMD 2017).

### *Long-Term Emissions*

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

- Consistency with current air quality plan control measures
- VMT or vehicle trips (VT) increase is less than or equal to the Specific Plan's projected population increase

If a plan can demonstrate consistency with both of these criteria then impacts are considered less than significant.

### *Methodology for Estimating Emissions*

#### **SHORT-TERM EMISSIONS**

Construction-related emissions are generally short-term in duration, but may still cause adverse air quality impacts. Potential demolition of the existing 161,000 square feet of retail space and construction of development proposed in the Specific Plan would generate temporary emissions from three primary sources: the operation of construction vehicles (e.g., scrapers, loaders, dump trucks, etc.); ground disturbance during site preparation and grading, which creates fugitive dust; and the application of asphalt, paint, or other oil-based substances.

Development associated with implementation of the proposed Specific Plan would result in temporary construction-related and long-term operational emissions. At this time, there are no specific projects associated with the proposed Specific Plan. Therefore, projects are not defined to a

level that would allow project-level analysis and thus it would be speculative to include project-level impacts as part of this analysis. Rather, impacts for the Specific Plan as a whole are discussed qualitatively.

#### LONG-TERM EMISSIONS

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

#### TOXIC AIR CONTAMINANTS

According to the BAAQMD CEQA Guidelines (2017), for general and area plans to have a less-than-significant impact with respect to potential TACs special overlay zones need to be established around existing and proposed land uses that emit TACs. Special overlay zones should be included in proposed plan policies, land use maps, and implementing ordinances. The thresholds of significance for plans with regard to community risk and hazard impacts are:

1. The land use diagram must identify:
  - a) Special overlay zones around existing and planned sources of TACs;
  - b) Special overlay zones of at least 500 feet (or Air District-approved modeled distance) on each side of all freeways and high-volume roadways.
2. The plan must also identify goals, policies, and objectives to minimize potential impacts and create overlay zones for sources of TACs and receptors.

Also, according to BAAQMD, the Lead Agency should refer to CARB's 2005 *Air Quality and Land Use Handbook* when evaluating whether the proposed general or area plan includes adequate buffer distances between TAC sources and sensitive receptors. As stated above, CARB recommends avoiding siting new sensitive land uses within 500 feet of a freeway or urban roads with 100,000 vehicles per day.

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b>	Would the Specific Plan violate any air quality standard or contribute substantially to an existing or projected air quality violation?
<b>Threshold:</b>	Would the Specific Plan result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?
<b>Threshold:</b>	Would the Specific Plan expose sensitive receptors to substantial pollutant concentrations?

**IMPACT AQ-1** BUILDOUT OF THE PROPOSED SPECIFIC PLAN WOULD RESULT IN THE TEMPORARY GENERATION OF AIR POLLUTANTS DURING CONSTRUCTION, WHICH WOULD AFFECT LOCAL AIR QUALITY. COMPLIANCE WITH THE BAAQMD BASIC CONSTRUCTION MITIGATION MEASURES WOULD REQUIRE FUTURE PROJECTS WITHIN THE SPECIFIC PLAN AREA TO IMPLEMENT MEASURES TO REDUCE CONSTRUCTION EMISSIONS. IMPACTS WOULD BE SIGNIFICANT BUT MITIGABLE.

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Construction of individual projects that could be developed under the proposed Specific Plan would involve activities that result in air pollutant emissions. Construction activities such as demolition, grading, construction worker travel to and from project sites, delivery and hauling of construction supplies and debris to and from project sites, and fuel combustion by on-site construction equipment would generate pollutant emissions. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants, particularly during site preparation and grading. The extent of daily emissions, particularly ROG<sub>s</sub> and NO<sub>x</sub> emissions, generated by construction equipment, would depend on the quantity of equipment used and the hours of operation for each project. The extent of PM<sub>2.5</sub> and PM<sub>10</sub> emissions would depend upon the following factors: 1) the amount of disturbed soils; 2) the length of disturbance time; 3) whether existing structures are demolished; 4) whether excavation is involved; and 5) whether transporting excavated materials offsite is necessary. Dust emissions can lead to both nuisance and health impacts. According to the BAAQMD *CEQA Air Quality Guidelines* from 2017 PM<sub>10</sub> is the greatest pollutant of concern during construction.

As discussed above, BAAQMD's *CEQA Air Quality Guidelines* from 2017 have no plan-level significance thresholds for construction air pollutant emissions. However, the guidelines include project-level thresholds for construction emissions. If a project's construction emissions fall below the project-level thresholds, the project's impacts to regional air quality are considered individually and cumulatively less than significant. The BAAQMD has also identified feasible fugitive dust control measures for construction activities. These Basic Construction Mitigation measures are recommended for all projects (BAAQMD 2017). In addition, the BAAQMD and CARB have regulations that address the handling of hazardous air pollutants such as lead and asbestos. Lead and asbestos emissions could occur from demolition activities and asbestos emissions. BAAQMD rules and regulations address both the handling and transport of these contaminants. Construction associated with development of projects under the proposed Specific Plan would temporarily increase air pollutant emissions, possibly creating localized areas of unhealthy air pollution levels or air quality nuisances. However, development under the proposed Specific Plan would be required to comply with the 2035 General Plan Mitigation Measure AQ-2B-1, which requires applicants for future development projects to comply with the current BAAQMD basic control measures for reducing construction emissions of PM<sub>10</sub>, including watering exposed ground areas twice a day

during construction and maintaining a 15 mile per hour speed limit on the project site. With adherence to these requirements, impacts would be less than significant.

### TOXIC AIR CONTAMINANTS

Pursuant to the recent ruling in the *California Building Industry Association (CBIA) v BAAQMD* (2015), impacts of the environment on the project is not an impact under CEQA. Nonetheless, BAAQMD's CEQA Guidelines include methodology for jurisdictions wanting to evaluate the potential impacts from placing sensitive receptors proximate to major air pollutant sources. For assessing community risk and hazards for siting a new receptor, sources within a 1,000-foot radius of a project site are typically considered. Sources are defined as freeways, high volume roadways (with volume of 10,000 vehicles or more per day or 1,000 trucks per day), and permitted sources (BAAQMD 2017).

Under the proposed Specific Plan, new auto service/sales uses, industrial uses, dry cleaners, or gasoline dispensing stations would not be allowed in the Specific Plan Area. Therefore, the proposed Specific Plan would not increase the number of stationary or permitted sources that emit TACs in the Specific Plan Area. However, there are several high volume roadways and freeways in and around the Specific Plan Area, including I-238, I-580, I-880, East 14th Street, Hesperian Boulevard, Fairmont Drive, Halycon Drive, and 150th Avenue. The proposed Specific Plan would involve placing new sensitive receptors in proximity to these high volume roadways and freeways. In accordance with 2035 General Plan Action EH-3.4.B, health risk assessments would be required for new residential development and other sensitive other sensitive land use projects within 1,000 feet of major sources of TACs, including freeways and roadways with over 10,000 vehicles per day. As appropriate, mitigation measures (such as air filtration systems) to reduce the potential exposure to particulate matter, carbon monoxide, diesel fumes, and other potential health hazards identified in the HRA would be incorporated into the site development plan as a component of the proposed project. In addition, placement of sensitive receptors proximate to existing sources of air pollutants would not substantially worsen the concentrations of air pollutants; therefore, the proposed project would not exacerbate the air quality hazard. Impacts related to TACs would be less than significant.

### Mitigation Measures

Mitigation Measure AQ-2B-1 from the City's 2035 General Plan EIR, as revised to reflect the latest BAAQMD CEQA Guidelines (May 2017), is required.

#### *AQ-2B-1 Construction Emissions*

As part of the City's development approval process, the City shall require applicants for future development projects to comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM<sub>10</sub> (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the May 2017 BAAQMD CEQA Guidelines).

### Significance After Mitigation

MM AQ-2B-1 from the City's 2035 General Plan EIR would ensure that applicants for future projects in the Specific Plan Area include control measures to reduce construction-related emissions. With adherence to this measure, impacts related to air pollution emissions would be less than significant.

<b>Threshold:</b> Would the Specific Plan conflict with or obstruct implementation of the applicable air quality plan?
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**IMPACT AQ-2** THE PROPOSED SPECIFIC PLAN WOULD BE CONSISTENT WITH BAAQMD'S 2017 CLEAN AIR PLAN. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

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### Specific Plan Consistency with Current Air Quality Plan

The most recently adopted air quality plan in the San Francisco Bay Area Air Basin is the 2017 Plan. The 2017 Plan is a roadmap showing how the San Francisco Bay Area will achieve compliance with the State one-hour ozone standard as expeditiously as practicable, and how the region will reduce transport of ozone and ozone precursors to neighboring air basins. The 2017 Plan does not include control measures that apply directly to individual development projects; instead, the control strategy includes stationary-source control measures to be implemented through the BAAQMD regulations; mobile-source control measures to be implemented through incentive programs and other activities; and transportation control measures to be implemented through transportation programs in cooperation with the Metropolitan Transportation Commission (MTC), local governments, transit agencies, and others. The 2017 Plan also represents the Bay Area's most recent triennial assessment of the region's strategy to attain the state one-hour ozone standard. In this, the 2017 Plan replaces the 2010 Plan. Under BAAQMD's methodology, a determination of consistency with *CEQA Guidelines* thresholds should demonstrate that a project:

- Supports the primary goals of the Clean Air Plan;
- Includes applicable control measures from the Clean Air Plan; and
- Does not disrupt or hinder implementation of any Clean Air Plan control measures.

The following includes a discussion of consistency with these three criteria.

### Support the Primary Goals of the Clean Air Plan

The primary goals of the 2017 Plan are to:

- Protect air quality and health at the regional and local scale; and
- Protect the climate.

Any project that would not support these 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 Plan goals. Approval of the proposed Specific Plan would not result in significant and unavoidable criteria pollutant emissions or other significant air quality impacts or not increase population and employment at a greater rate than assumed in the 2017 Plan. In addition, as discussed in Section 4.6, *Greenhouse Gas Emissions*, the proposed Specific Plan would not exceed the 2035 efficiency threshold and would not result in significant GHG effects. Further, the proposed Specific Plan includes policies that would reduce vehicle trips and emissions. Area-wide Mobility Policy 2 involves providing a complete streets network to prioritize safety and access for drivers, transit users, pedestrians, and bicyclists. Area-wide Mobility Policy 3 provides multiple transportation options to reduce reliance on personal vehicles and Area-wide Mobility Policy 4 encourages active transportation and requires facilities in the Specific Plan Area that would promote walking, cycling, and use of transit. Area-wide Mobility Policy 7 provides pedestrian and bicycle connectivity while Area-wide Mobility Policy 8 redevelops the Specific Plan Area to establish new streets that would provide alternate routes for shorter trips and improve automobile efficiency.



Finally, Area-wide Mobility Policy 9 establishes a system of smaller blocks within the Specific Plan Area to improve circulation and create a pedestrian-scaled network of streets and connections. In addition, the Specific Plan is a TOD project that is located next to the Bay Fair BART station and AC Transit bus station. A TOD is designed to reduce emissions through land use strategy by focusing on transit oriented development. Therefore, the proposed Specific Plan would support the primary goals of the 2017 Plan.

### **Include Applicable Clean Air Plan Control Strategies**

The Bay Area 2017 Clean Air Plan contains 85 control strategies aimed at reducing air pollution and protecting the climate in the Bay Area. For consistency with climate planning efforts at the state level, the control strategies in the 2017 Plan are based on the same economic sector framework used by CARB, which encompass stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-greenhouse gas pollutants. Table 5 identifies applicable control measures and correlates the measures to specific elements of the proposed Specific Plan.

**Table 5 2017 Clean Air Plan Control Measures**

<b>Control Measures</b>	<b>Consistency</b>
<b>Transportation</b>	
<p><b>TR2: Trip Reduction Programs.</b> Implement the regional Commuter Benefits Program (Rule 14-1) that requires employers with 50 or more Bay Area employees to provide commuter benefits. Encourage trip reduction policies and programs in local plans, e.g., general and specific plans while providing grants to support trip reduction efforts. Encourage local governments to require mitigation of vehicle travel as part of new development approval, to adopt transit benefits ordinances in order to reduce transit costs to employees, and to develop innovative ways to encourage rideshare, transit, cycling, and walking for work trips. Fund various employer-based trip reduction programs.</p>	<p><b>Consistent:</b> The Specific Plan is a Transportation Oriented Development (TOD) Plan and would allow compatible, transit-oriented land uses near the Bay Fair BART Station and multiple bus routes. The Specific Plan includes network and design concepts intended to improve connections and enhance walkability along and across existing corridors, while providing new multi-modal connections in the Specific Plan Area. The following improvements to existing arterial and collector streets would encourage trip reduction:</p> <ul style="list-style-type: none"> <li>▪ <b>East 14th Street.</b> The design recommendations for East 14th Street are intended to prioritize transit circulation, given the high level of transit activity and the street’s designation as one of AC Transit’s Major Corridors. Pedestrian accommodations are also prioritized to ensure safe access to transit.</li> <li>▪ <b>Hesperian Boulevard.</b> The design recommendations for Hesperian Boulevard are intended to provide improved facilities for bicyclists and pedestrians with increased separation from automobile traffic and transit vehicles. The Specific Plan recommends reducing the number of through lanes in each direction from three to two to provide space for bike lanes and planting zones.</li> <li>▪ <b>Fairmont Drive.</b> The design recommendations for Fairmont Drive are intended to provide improved facilities for bicyclists and pedestrians with increased separation from automobile traffic.</li> </ul> <p>Finally, the Specific Plan outlines parking management and transportation demand management (TDM) strategies to reduce traffic and the Specific Plan Area’s overall automobile trip generation in comparison with more traditional suburban developments. Strategies to reduce traffic include implementing residential and employer TDM programs.</p>

Control Measures	Consistency
<p><b>TR9: Bicycle and Pedestrian Access and Facilities.</b> Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities.</p>	<p><b>Consistent.</b> The Specific Plan would promote walkability because the Specific Plan’s standards and guidelines for the local pedestrian network are designed to ensure a safe and comfortable pedestrian environment as development in the Specific Plan Area occurs over time. The Specific Plan would address current walkability challenges in the Specific Plan Area by connecting the pedestrian network and providing safe movement for pedestrians. Standards related to the bicycle network in the Specific Plan are intended to provide bicycle connections between BART, housing, business, and public spaces within the Specific Plan Area. The proposed Specific Plan includes the following bicycle network design standards:</p> <ul style="list-style-type: none"> <li>▪ <b>Bicycle network.</b> Any new development and new streets in the Specific Plan Area shall provide bicycle facilities and connections consistent with Figure 8, though the exact location and facility design may be adjusted in coordination with the City. Bicycle connectivity with the Specific Plan Area should be established through a network of low-speed streets. The use of Class II or Class IV bike lanes is encouraged; however, streets within the Specific Plan Area without bicycle lanes should still allow for cyclists to share the travel lane comfortably with auto traffic.</li> <li>▪ <b>Bicycle priority street.</b> A bicycle priority street shall be established to connect the Bay Fair BART Station with East 14th Street and with residential areas to the north and east, as shown in Figure 8. This facility may be designed as either a Class II buffered bike lane or a Class IV separated bike lane.</li> <li>▪ <b>Shared lanes.</b> Other local streets in the Specific Plan Area, shown as “Shared Lane” streets in Figure 8 of the Specific Plan, shall accommodate bicyclists through a Class III shared bike facility at a minimum. However, a Class II bike lane with or without a buffer is preferred and encouraged, and may also be used on streets with this designation.</li> </ul>
<p><b>TR11: Value Pricing.</b> Implement and/or consider various value pricing strategies.</p>	<p><b>Consistent.</b> The Specific Plan provides guidelines related to the provision of shared public parking within the Specific Plan Area. The provision of shared public parking is an important element in reducing the area’s overall parking supply and allowing for development patterns supportive of walking and transit use. In addition, the Specific Plan includes parking requirements for private development projects within the Specific Plan Area and lists measures that would qualify for reductions in the automobile parking requirements with approval from the City.</p>
<p><b>TR13: Parking Policies.</b> Encourage parking policies and programs in local plans, e.g., reduce minimum parking requirements; limit the supply of off-street parking in transit-oriented areas; unbundle the price of parking spaces; support implementation of demand-based pricing (such as “SF Park”) in high-traffic areas.</p>	<p><b>Consistent.</b> Chapter 3 of the Specific Plan provides guidelines related to the provision of shared public parking within the Specific Plan Area. The provision of shared public parking is an important element in reducing the area’s overall parking supply and allowing for development patterns supportive of walking and transit use. In addition, the Specific Plan includes parking requirements for private development projects within the Specific Plan Area and lists measures that would qualify for reductions in the automobile parking requirements with approval from the City.</p>

Control Measures	Consistency
<b>Energy</b>	
<p><b>EN2: Decrease Electricity Demand.</b> Work with local governments to adopt additional energy-efficiency policies and programs. Support local government energy efficiency program via best practices, model ordinances, and technical support. Work with partners to develop messaging to decrease electricity demand during peak times.</p>	<p><b>Consistent.</b> One of the objectives of the Specific Plan is to create a sustainable urban environment including incorporating green building features, green infrastructure and ecology, and sustainable energy systems. The Specific Plan Development Guidelines + Standards Chapter includes the following building performance standards that would conserve energy:</p> <ul style="list-style-type: none"> <li>▪ CalGreen development;</li> <li>▪ LEED neighborhood development certification for new development over five acres in size;</li> <li>▪ Solar ready buildings; and</li> <li>▪ Sustainable roofs for new construction, additions, and alterations.</li> </ul> <p>The Infrastructure and Services Chapter of the Specific Plan contains Energy Policies to decrease electricity demand in the Specific Plan Area including:</p> <ul style="list-style-type: none"> <li>▪ <b>Renewable Energy.</b> Support the development and application of renewable energy technologies such as active, passive, and photovoltaic solar energy; fuel cells; and other sustainable sources.</li> <li>▪ <b>Energy Micro-grid.</b> Strongly encourage new and existing buildings to integrate and contribute to City efforts to develop an energy micro-grid which produces and distributes energy in a non-centralized system reliant on renewable sources such as solar.</li> <li>▪ <b>District Energy.</b> Allow and encourage shared heating and cooling between multiple buildings and other “district” energy and shared energy systems in the Bay Fair area</li> <li>▪ <b>Energy Innovation.</b> Support new and innovative energy technology, with the objective of reducing dependence on fossil fuels, reducing greenhouse gas emissions, and using energy more efficiently.</li> <li>▪ <b>Green Building.</b> Ensure the enforcement of California Green Building Code requirements and the continued use of green building checklists during the permitting of major residential and non-residential construction.</li> <li>▪ <b>Wind Turbines.</b> As available, promote the City’s guidelines for use of wind turbines where aesthetic and environmental concerns can be sufficiently addressed.</li> <li>▪ <b>Electrical Service.</b> Encourage partnerships with PG&amp;E for the procurement of electrical service from renewable, sustainable and green sources.</li> <li>▪ Under State law, development under the Specific Plan would be required to comply with all energy standards of Title 24 that are in effect at the time of development. The 2016 Title 24 standards are approximately 28% more efficient than the 2013 standards. The 2013 Title 24 standards are approximately 30% more efficient than the 2008 standards, which in turn are approximately 15% more efficient than the 2005 standards.</li> </ul>

Control Measures	Consistency
<b>Buildings</b>	
<p><b>BL1: Green Buildings.</b> Collaborate with partners such as KyotoUSA to identify energy-related improvements and opportunities for on-site renewable energy systems in school districts; investigate funding strategies to implement upgrades. Identify barriers to effective local implementation of the CALGreen (Title 24) statewide building energy code; develop solutions to improve implementation/enforcement. Work with ABAG’s BayREN program to make additional funding available for energy-related projects in the buildings sector. Engage with additional partners to target reducing emissions from specific types of buildings.</p>	<p><b>Consistent.</b> The Specific Plan Development Guidelines + Standards Chapter contains building performance standards. This standards include:</p> <ul style="list-style-type: none"> <li>▪ New development shall achieve the mandatory elements of CalGreen as required by state law, but should seek opportunities to exceed, pursue, and achieve CalGreen Tier 1 or 2.</li> <li>▪ LEED for new neighborhood development</li> <li>▪ Solar ready buildings</li> <li>▪ Green buildings that are LEED or GreenPoint Rated</li> <li>▪ Sustainable roofs solar reflective roofs or vegetation roofs</li> </ul> <p>The Infrastructure and Services Chapter of the Specific Plan contains energy reduction policies including Energy Policy 6 to ensure enforcement of California Green Building Code requirements and the continued use of green building checklists during the permitting of major residential and non-residential construction. The Specific Plan would be required to comply with all energy standards of Title 24 that are in effect at the time of development. The 2016 Title 24 standards are approximately 28% more efficient than the 2013 standards. The 2013 Title 24 standards are approximately 30% more efficient than the 2008 standards, which in turn are approximately 15% more efficient than the 2005 standards.</p>
<b>Water Control Measures</b>	
<p><b>WR2: Support Water Conservation.</b> Develop a list of best practices that reduce water consumption and increase on-site water recycling in new and existing buildings; incorporate into local planning guidance.</p>	<p><b>Consistent.</b> Objective 15 of the Specific Plan is Environmental Sustainability to create a sustainable urban environment including water efficiency and conservation. The Specific Plan Development Guidelines + Standards Chapter includes water performance standards including indoor water reuse for new construction, integration of stormwater catchment and treatment into new buildings, and stormwater harvesting. Additionally, landscaping would be compliant with the State Water Efficient Landscape Ordinance and Bay Friendly Landscape Basics (Stop Waste) that would reduce the amount of water used as irrigation for landscaping.</p>

Table 5 shows that the Specific Plan would not disrupt or hinder implementation of any 2017 Plan control measures, but would implement a number of strategies outlined in the 2017 Plan to improve local emissions. Therefore, the Specific Plan would be consistent with the applicable Control Strategies contained in the 2017 Plan for the San Francisco Bay Area Air Basin.

*Hinder Implementation of CAP Control Measures*

The proposed Specific Plan would be required to be consistent with BAAQMD rules and regulations, including dust and diesel particulate matter reduction measures and would not otherwise cause the disruption, delay or otherwise hinder the implementation of any air quality plan control measure. Buildout of the Specific Plan would not preclude any planned transit or bike pathways, and would not otherwise disrupt regional planning efforts to reduce VMT and meet federal and State air quality standards.

## Specific Plan VMT and Population

According to the BAAQMD 2017 CEQA Air Quality Guidelines, the threshold for criteria air pollutants and precursors includes an assessment of the rate of increase of plan VMT and population. As shown in Table 36 in Section 4.13, *Transportation and Traffic*, compared to 2035 No Project Conditions, the proposed Specific Plan would decrease per capita daily VMT from 30.0 to 22.1. Therefore, the rate of increase from proposed VMT from plan buildout would not exceed the rate of increase from the proposed population. Impacts to criteria pollutants would be less than significant.

## Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b> Create objectionable odors affecting a substantial number of people
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**IMPACT AQ-3** THE PROPOSED SPECIFIC PLAN WOULD NOT CREATE OBJECTIONABLE ODORS THAT WOULD AFFECT NEIGHBORING PROPERTIES. IMPACTS RELATED TO ODORS WOULD BE LESS THAN SIGNIFICANT.

Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed Specific Plan does not include uses that would be associated with objectionable odors. New industrial uses would not be allowed in the Specific Plan Area under the proposed Specific Plan. Odor emissions from the proposed Specific Plan would be limited to odors associated with vehicle and engine exhaust and idling as well as odors from other uses such as restaurants. However, uses under the proposed Specific Plan would not include known sources of objectionable odors for long-term operations. During construction activities, only temporary odors from vehicle exhaust and construction equipment engines would occur. Construction-related odors would cease upon completion. In addition, new development in the Specific Plan Area would be required to adhere to 2035 General Plan Policy EH-3.4, which requires new development to be designed and constructed in a way that reduces odors. Therefore, the proposed Specific Plan would not result in significant impacts related to objectionable odors during construction or operation.

## Mitigation Measures

No mitigation measures are required.

### c. Cumulative Impacts

According to BAAQMD's *CEQA Air Quality Guidelines*, an air quality plan refers to clean air plans, state implementation plans (SIPS), ozone plans, and other potential air quality plans developed by BAAQMD. To date, BAAQMD's most current air quality plan is the 2017 CAP. As described above, buildout under the Specific Plan would be required to comply with basic and optional control measures in the CAP, which would reduce air pollution resulting from construction activities.

The Specific Plan would not conflict with or obstruct continued implementation of the 2017 CAP and the proposed VMT would not exceed the proposed increase in population, which means that the Specific Plan would not have a cumulatively considerable contribution to regional air quality, according to BAAQMD guidance for CAP consistency. Therefore, cumulative impacts to air quality would be less than significant.

## 4.3 Biological Resources

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This section analyses the proposed Specific Plan's impacts related to biological resources.

### 4.3.1 Setting

#### a. Project Site Setting

The Specific Plan Area is located in the southeast corner of San Leandro, bordering the unincorporated community of Ashland (Alameda County). The Specific Plan Area extends south from Donald Avenue and Bancroft Avenue along Hesperian Boulevard to Interstate-238 (I-238), approximately 475 feet east of the I-238 / I-880 interchange. West of Hesperian Boulevard the Specific Plan Area includes the Bayfair Center and Bay Fair BART Station. Although the northernmost point of the Plan Area is less than a mile from open space and the southern San Leandro Hills, the immediate vicinity is characterized almost entirely by intensive urban uses and development. Land uses within and adjacent to the Specific Plan Area include shopping malls and other commercial, transportation infrastructure, and residential neighborhoods.

#### Habitats

The Specific Plan Area is urbanized and does not include substantial areas of open space or undeveloped, unpaved land. Developed areas correspond with the urban land cover type described in the California Wildlife Habitat Relationships (CDFW, 2017c; Mayer and Laudenslayer, 1988). As such, vegetation is largely limited to landscaping in commercial areas, residential neighborhoods, and along park strips and street medians. Species in urban areas are highly variable; however, vegetation structure typically includes shade/street trees, lawns, and shrub cover.

Estudillo Canal, an engineered channel, runs through the Specific Plan Area. This canal is lined with concrete and does not support riparian vegetation. It is bordered with non-native and/or ornamental trees and ruderal vegetation or landscaping. Figure 11 includes photographs of the canal.

Some ruderal vegetation occurs along road sides and vacant lots. Ruderal areas are also typically associated with urban areas where substantial ground disturbance activities occur. They are often found along roadsides, fence-lines, and in areas undergoing urban development. Ruderal plant communities are not described by Holland (1986), Sawyer et al. (2009), or Mayer and Laudenslayer (1988). Ruderal plant communities are typically dominated by herbaceous plants (i.e., forbs) such as mustards (*Brassica* spp.), wild radish (*Raphanus sativus*), and mallows (*Malva* spp.), and include many non-native annual grasses such as ripgut brome (*Bromus diandrus*), wild oats (*Avena* spp.), and foxtail barley (*Hordeum murinum*).

#### Drainages and Wetlands

Estudillo Canal is a concrete-lined flood control channel, providing stormwater drainage for commercial and residential areas (see photos of the canal in Figure 11 and the location of the canal in Figure 2). This channel is maintained and operated by the Alameda County Flood Control and Water Conservation District. The watershed associated with this channel covers 9.4 square miles. It extends north into the foothills below Lake Chabot Regional Park and empties into the San Francisco Bay south of the San Leandro Marina. There are two short reaches of natural creek bed within this watershed (Alameda County Flood Control and Water Conservation District, 2017). Nearly 6,000

**Figure 11 Photographs of Estudillo Canal**



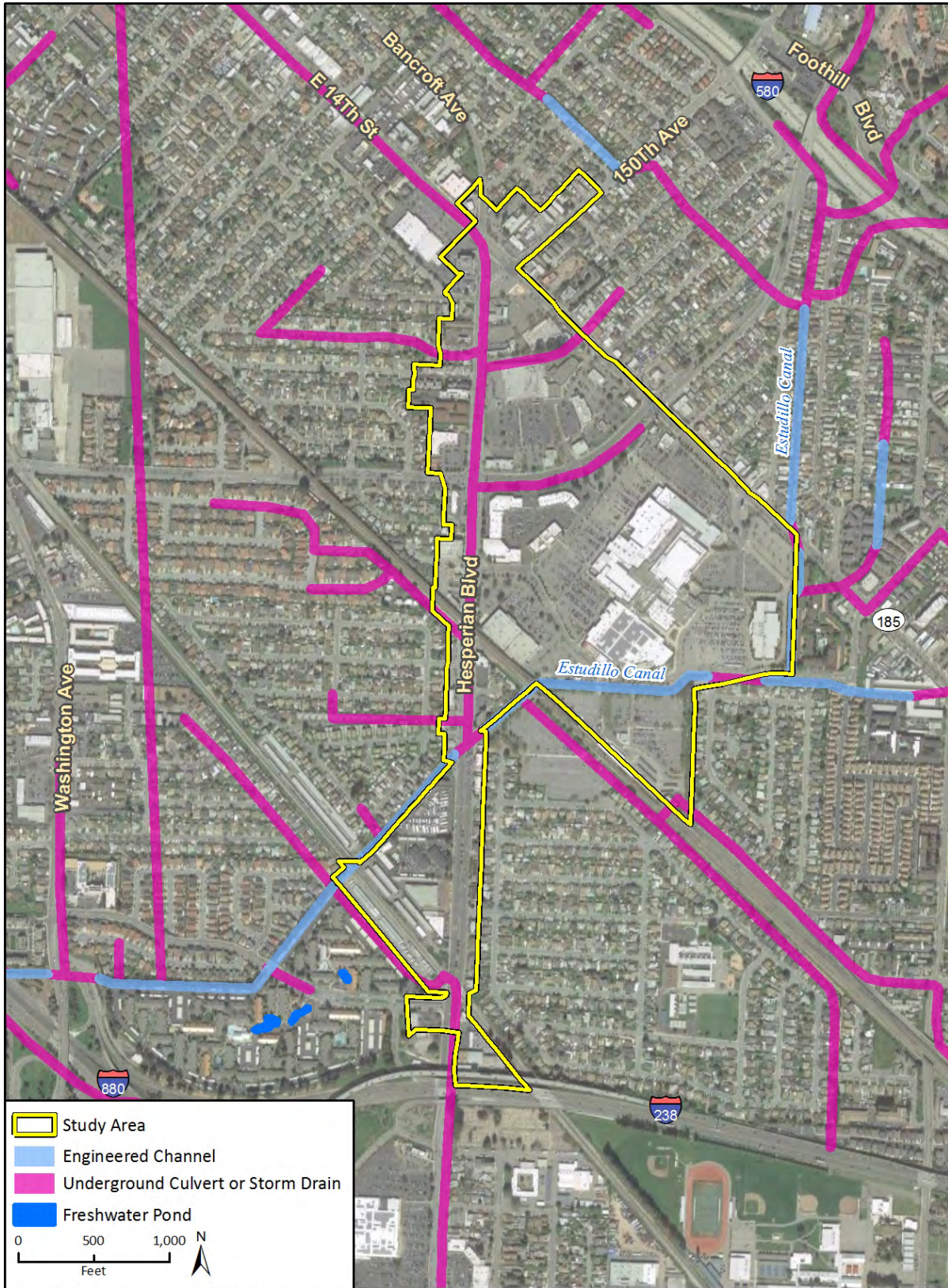
**Photo 1:** View of Estudillo Canal from Bayfair Center parking lot looking west.



**Photo 2:** View of Estudillo Canal from Bayfair Center parking lot looking east.



Figure 12 Drainages and Wetlands



Imagery provided by Google and its licensors © 2017;  
Additional data provided by USFWS, 2017; Alameda County Flood Control District, 2017.

Fig 4.3.1 Drainages and Wetlands



feet of channel lies between the Specific Plan Area and these reaches, including approximately 4,000 feet of underground culvert.

This channel lacks the sediment, structure, and vegetation to support a riparian ecosystem. It also lacks connectivity to natural habitats, making it unlikely to support sensitive species. Additionally, San Lorenzo Creek, an important corridor for steelhead trout (*Oncorhynchus mykiss*), is not connected to the Estudillo Canal or its watershed.

## Special Status Biological Resources

For the purpose of this EIR, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS) under the Federal Endangered Species Act (FESA); those listed or proposed for listing as rare, threatened, or endangered by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA); animals designated as “Species of Special Concern,” “Fully Protected,” or “Watch List” by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1, 2, 3, and 4, which are defined as follows:

- **List 1A** = Plants presumed extinct in California
- **List 1B.1** = Rare or endangered in California and elsewhere; seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat)
- **List 1B.2** = Rare or endangered in California and elsewhere; fairly endangered in California (20-80 percent occurrences threatened)
- **List 1B.3** = Rare or endangered in California and elsewhere, not very endangered in California (<20 percent of occurrences threatened or no current threats known)
- **List 2** = Rare, threatened or endangered in California, but more common elsewhere
- **List 3** = Plants needing more information (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA)
- **List 4.1** = Plants of limited distribution (watch list), seriously endangered in California
- **List 4.2** = Plants of limited distribution (watch list), fairly endangered in California (20-80 percent occurrences threatened)
- **List 4.3** = Plants of limited distribution (watch list), not very endangered in California

Queries of the USFWS Information, Planning and Conservation System (IPaC) (USFWS, 2017a), USFWS Critical Habitat Portal (USFWS, 2017b), California Natural Diversity Database (CNDDDB) (CDFW, 2017a), and California Native Plant Society (CNPS) *Online Inventory of Rare and Endangered Plants of California* (CNPS, 2017) were conducted. The queries were conducted to obtain comprehensive information regarding state and federally listed species, sensitive communities, and federally designated Critical Habitat known to or considered to have potential to occur within the Specific Plan Area.

## Sensitive Communities and Critical Habitat

No natural communities considered sensitive by the CDFW occur within the Specific Plan Area. However, the CNDDDB lists two sensitive natural communities that occur within a 5-mile radius of the

Specific Plan Area (Figure 13). Federally designated critical habitat for three species also occurs within a 5-mile radius of the Specific Plan Area. These sensitive communities and critical habitats are listed in Table 6.

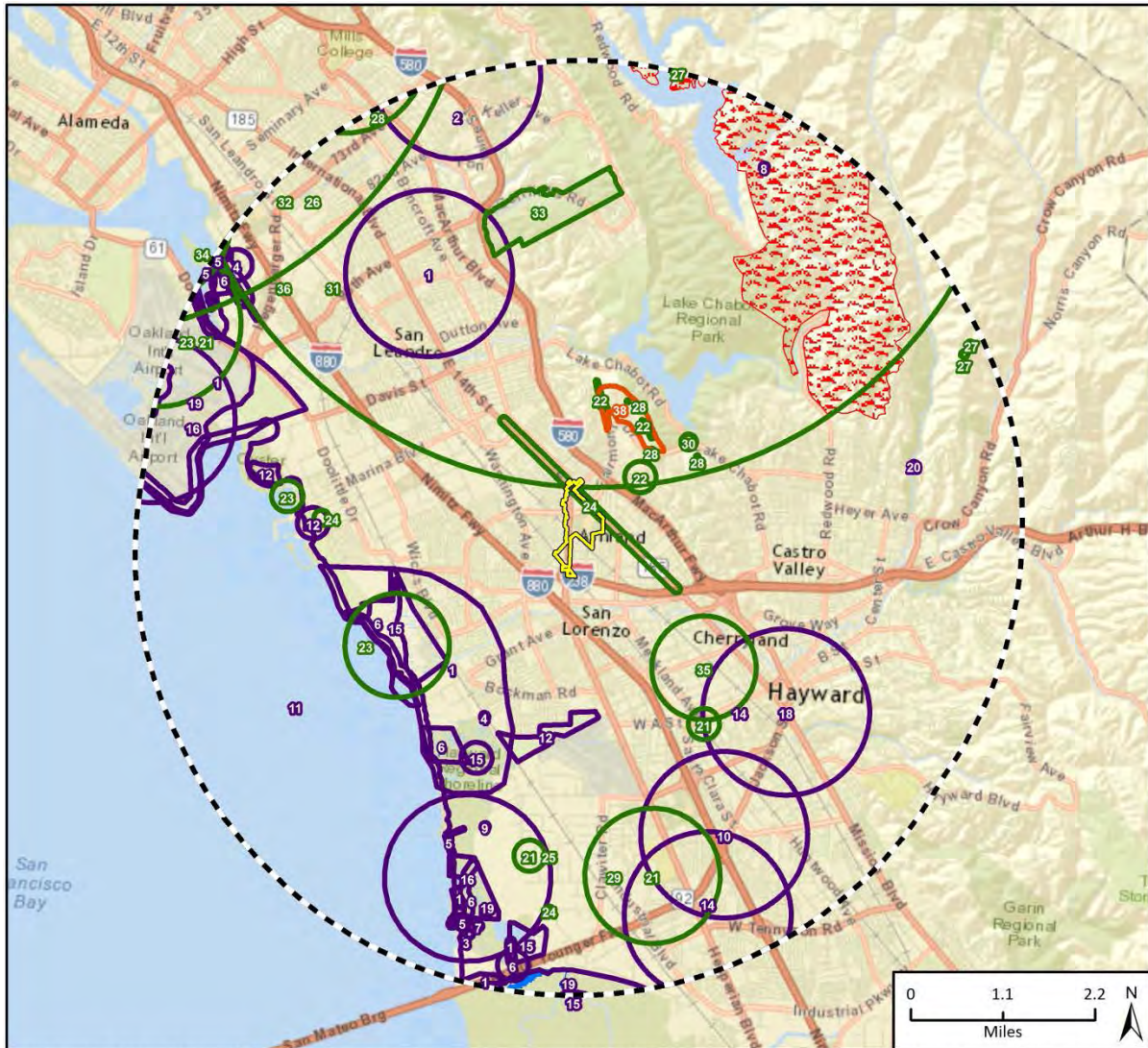
**Table 6 Sensitive Communities and Critical Habitats Documented within a 5-mile Radius of the Specific Plan Area**

Communities Considered Sensitive by the CDFW
Valley Needlegrass Grassland
Northern Coastal Salt Marsh
Critical Habitat
Western Snowy Plover ( <i>Charadrius alexandrinus nivosus</i> )
Alameda Whipsnake ( <i>Masticophis lateralis</i> )
Steelhead – northern California DPS ( <i>Oncorhynchus mykiss irideus</i> )
Sources: CNDDDB (CDFW, 2017a); Critical Habitat Portal (USFWS, 2017b)

### Special Status Plant and Animal Species

The San Francisco Bay Area is home to several species protected by federal and state agencies. Queries of the CNDDDB (CDFW, 2017a), CNPS (2017), and USFWS IPaC (2017a) were conducted to obtain comprehensive information regarding state and federally listed species, as well as other special status species and sensitive plant communities considered to have potential to occur or known to occur within the *San Leandro*, California USGS 7.5-minute topographic quadrangle and/or surrounding eight quadrangles (*Hunters Point, Oakland W, Oakland E, Las Trampas Ridge, Hayward, Newark, Redwood Point, and San Mateo*). The results of these scientific database queries were compiled into Table 7 and Table 8. A total of 76 special status plants and 40 special status animals are known to or have potential to occur within the vicinity of the Specific Plan Area. Of those, 35 have known occurrences within a five-mile radius of the Specific Plan Area (Figure 13).

Figure 13 Results of CNDDDB Records Query for Special Status Species and Federally Designated Critical Habitat



Imagery provided by ESRI and its licensors © 2017. Special status species data source: California Natural Diversity Database, May, 2017. Additional suppressed records reported by the CNDDDB known to occur or potentially occur within this search radius include: American peregrine falcon, crotch bumble bee, great blue heron, Lum's micro blind harvestman, mimic tryonia, and western bumble bee. For more information please contact the Department of Fish and Game. Critical habitat data source: U.S. Fish and Wildlife Service, December, 2016. Final critical habitat acquired via the USFWS Critical Habitat Portal. It is only a general representation of the data and does not include all designated critical habitat. Contact USFWS for more specific data.

- Specific Plan Area
- 5-Mile Buffer
- CNDDDB**
- Animals
- Plants
- Natural Communities
- Critical Habitat**
- Alameda whipsnake (=striped racer)
- Western snowy plover
- Steelhead

- 1 - Alameda song sparrow
- 2 - Bay checkerspot butterfly
- 3 - black skimmer
- 4 - burrowing owl
- 5 - California black rail
- 6 - California clapper rail
- 7 - California least tern
- 8 - California red-legged frog
- 9 - Cooper's hawk
- 10 - hoary bat
- 11 - longfin smelt
- 12 - monarch - California overwintering population
- 13 - northern harrier
- 14 - pallid bat
- 15 - salt-marsh harvest mouse
- 16 - salt-marsh wandering shrew
- 17 - saltmarsh common yellowthroat
- 18 - western mastiff bat
- 19 - western snowy plover
- 20 - yellow warbler
- 21 - alkali milk-vetch
- 22 - big-scale balsamroot
- 23 - California seablite
- 24 - Congdon's tarplant
- 25 - Contra Costa goldfields
- 26 - dark-eyed gilia
- 27 - Diablo helianthella
- 28 - fragrant fritillary
- 29 - hairless popcornflower
- 30 - Jepson's coyote-thistle
- 31 - Loma Prieta hoita
- 32 - Marin knotweed
- 33 - most beautiful jewelflower
- 34 - Point Reyes salty bird's-beak
- 35 - Santa Cruz tarplant
- 36 - woodland woollythreads
- 37 - Northern Coastal Salt Marsh
- 38 - Valley Needlegrass Grassland

**Table 7 Special Status Animal Species Known to Occur or with Potential to Occur within the Vicinity of the Plan Area**

Scientific Name Common Name	Status Fed/State Global Rank/ State Rank CDFW	Habitat Requirements
<b>Mammals</b>		
<i>Antrozous pallidus</i> pallid bat	FS/— G5/S3 SSC	Deserts, grasslands, shrublands, woodlands, and forest. Most common in open, dry, habitats with rocky area for roosting. Roost must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	—/— G3G4 / S2 SSC	Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls & ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.
<i>Eumops perotis</i> western mastiff bat	—/— G5/S2 SSC	Many open habitats, including conifer and deciduous woodlands, grassland, and chaparral. Roosts in crevices in cliff faces and high buildings.
<i>Neotoma fuscipes annectens</i> San Francisco dusky-footed woodrat	—/— G5T2T3/S2S3 SSC	Evergreen or live oaks and other thick-leaved trees and shrubs.
<i>Nyctinomops macrotis</i> big free-tailed bat	—/— G5 / S3 SSC	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.
<i>Reithrodontomys raviventris</i> salt-marsh harvest mouse	FE/SE G1G2/S1S2 FP	Salt marshes, in particular those that support dense stands of pickleweed and are adjacent to upland, salt-tolerant vegetation, for escape during high tides.
<i>Scapanus latimanus parvus</i> Alameda Island mole	—/— G5THQ / SH SSC	Only known from Alameda Island. Found in a variety of habitats, especially annual & perennial grasslands. Prefers moist, friable soils. Avoids flooded soils.
<i>Sorex vagrans halicoetes</i> salt-marsh wandering shrew	—/— G5T1/S1 SSC	Confined to small remnant stands of salt marsh found around the southern arm of the San Francisco Bay in San Mateo, Santa Clara, Alameda and Contra Costa counties. The known elevational range extends from approximately 6 to 9 feet.
<i>Taxidea taxus</i> American badger	—/— G5 / S3 SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils & open, uncultivated ground. Preys on burrowing rodents. Digs burrows.
<b>Birds</b>		
<i>Accipiter cooperi</i> Cooper's hawk	—/— G5/S3 WL	Mature forest, open woodlands, wood edges, river groves. Nests in coniferous, deciduous, and mixed woods, typically those with tall trees and with openings or edge habitat nearby. Also found along trees along rivers through open country, and increasingly in suburbs and cities where some tall trees exist for nest sites. In winter may be in fairly open country, especially in west.
<i>Accipiter striatus</i> sharp-shinned hawk	—/— G5 / S4 WL	Ponderosa pine, black oak, riparian deciduous, mixed conifer & Jeffrey pine habitats. Prefers riparian areas. North-facing slopes, with plucking perches are critical requirements. Nests usually within 275 ft of water.

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Scientific Name Common Name	Status Fed/State Global Rank/ State Rank CDFW	Habitat Requirements
<i>Agelaius tricolor</i> tricolored blackbird	—/SC G2G3 / S1S2 SSC	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California. Requires open water, protected nesting substrate, & foraging area with insect prey within a few km of the colony.
<i>Aquila chrysaetos</i> golden eagle	—/— G5 / S3 FP, WL	Rolling foothills, mountain areas, sage-juniper flats, & desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.
<i>Asio flammeus</i> short-eared owl	—/— G5 / S3 SSC	Found in swamp lands, both fresh and salt; lowland meadows; irrigated alfalfa fields. Tule patches/tall grass needed for nesting/daytime seclusion. Nests on dry ground in depression concealed in vegetation.
<i>Athene cunicularia</i> burrowing owl	—/— G4 / S3 SSC	Open, dry annual or perennial grasslands, deserts & scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.
<i>Charadrius alexandrinus nivosus</i> western snowy plover	FT/— G3T3 / S2S3 SSC	Sandy beaches, salt pond levees & shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.
<i>Circus cyaneus</i> northern harrier	—/— G5 / S3 SSC	Coastal salt & fresh-water marsh. Nest & forage in grasslands, from salt grass in desert sink to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.
<i>Elanus leucurus</i> white-tailed kite	—/— G5 / S3S4 FP	Rolling foothills and valley margins with scattered oaks & river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.
<i>Falco peregrinus anatum</i> American peregrine falcon	DL/DL G4T4 / S3S4 FP	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.
<i>Geothlypis trichas sinuosa</i> Saltmarsh common yellowthroat	—/— G5T3 / S3 SSC	Resident of the San Francisco Bay region, in fresh and salt water marshes. Requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, willows for nesting.
<i>Laterallus jamaicensis coturniculus</i> California black rail	—/ST G3G4T1 / S1 FP	Inhabits freshwater marshes, wet meadows & shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that do not fluctuate during the year & dense vegetation for nesting habitat.
<i>Melospiza melodia pusillula</i> Alameda song sparrow	—/— G5T2? / S2S3 SSC	Resident of salt marshes bordering south arm of San Francisco Bay. Inhabits Salicornia marshes; nests low in Grindelia bushes (high enough to escape high tides) and in Salicornia.
<i>Phalacrocorax auritus</i> double-crested cormorant	—/— G5 / S4 WL	Colonial nester on coastal cliffs, offshore islands, & along lake margins in the interior of the state. Nests along coast on sequestered islets, usually on ground with sloping surface, or in tall trees along lake margins.
<i>Rallus longirostris obsoletus</i> California clapper rail	FE/SE G5T1 / S1 FP	Salt-water & brackish marshes traversed by tidal sloughs in the vicinity of San Francisco Bay. Associated with abundant growths of pickleweed, but feeds away from cover on invertebrates from mud-bottomed sloughs.

Scientific Name Common Name	Status Fed/State Global Rank/ State Rank CDFW	Habitat Requirements
<i>Riparia riparia</i> bank swallow	—/ST G5 / S2	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.
<i>Rynchops niger</i> black skimmer	—/— G5 / S2 SSC	Nests on gravel bars, low islets, and sandy beaches, in un-vegetated sites. Nesting colonies usually less than 200 pairs.
<i>Setophaga petechia</i> yellow warbler	—/— G5 / S3S4 SSC	Riparian plant associations in close proximity to water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada. Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants including co
<i>Sternula antillarum browni</i> California least tern	FE/SE G4T2T3Q / S2 FP	Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, landfills, or paved areas.
<b>Reptiles</b>		
<i>Emys marmorata</i> western pond turtle	—/— G3G4 / S3 SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams & irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Need basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water
<i>Thamnophis sirtalis tetrataenia</i> San Francisco gartersnake	FE/SE G5T2Q / S2 FP	Vicinity of freshwater marshes, ponds and slow-moving streams in San Mateo County & extreme northern Santa Cruz County. Prefers dense cover & water depths of at least one foot. Upland areas near water are also very important.
<i>Masticophis lateralis euryxanthus</i> Alameda whipsnake	FT/ST G4T2/S2	Open areas in canyons, rocky hillsides, chaparral scrublands, open woodlands, pond edges, stream courses
<b>Amphibians</b>		
<i>Ambystoma californiense</i> California tiger salamander	FT/ST G2G3/S2S3 SSC	Frequents grassland, oak savanna, and edges of mixed woodland and lower elevation coniferous forest.
<i>Rana boylei</i> foothill yellow-legged frog	—/— G3 / S3 SSC	Partly-shaded, shallow streams & riffles with a rocky substrate in a variety of habitats. Need at least some cobble-sized substrate for egg-laying. Need at least 15 weeks to attain metamorphosis.
<i>Rana draytonii</i> California red-legged frog	FT/— G2G3/S2S3 SSC	Found mainly near ponds in humid forests, woodlands, grasslands, coastal scrub, and streamsides with plant cover. Most common in lowlands or foothills. Frequently found in woods adjacent to streams. Breeding habitat is in permanent or ephemeral water sources; lakes, ponds, reservoirs, slow streams, marshes, bogs, and swamps. Ephemeral wetland habitats require animal burrows or other moist refuges for estivation when the wetlands are dry.
<b>Fish</b>		
<i>Eucyclogobius newberryi</i> tidewater goby	FE/— G3/S2S3 SSC	Found primarily in waters of coastal lagoons, estuaries, and marshes.

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Scientific Name Common Name	Status Fed/State Global Rank/ State Rank CDFW	Habitat Requirements
<i>Hypomesus transpacificus</i> delta smelt	FT/SE G1/S1	Inhabits open waters of bays, tidal rivers, channels, and sloughs; it rarely occurs in water with salinity of more than 10-12 parts per thousand; when not spawning, it tends to concentrate where salt water and freshwater mix (salinity about 2 ppt) and zooplankton populations are dense.
<i>Oncorhynchus mykiss irideus</i> Steelhead – northern California DPS	FT/— G5T2T3Q/S2S3 SSC	In streams, deep low-velocity pools are important wintering habitats. Spawning habitat consists of gravel substrates free of excessive silt.
<b>Invertebrates</b>		
<i>Danaus plexippus</i> monarch butterfly	—/— G5/S3	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.
<i>Euphydryas editha bayensis</i> bay checkerspot butterfly	FT/— G5T1/S1	The serpentine outcrops in Santa Clara and San Mateo Counties harbor the native plants bay checkerspot butterflies require. The primary larval food plant is <i>Plantago erecta</i> , dwarf plantain. The near presence of <i>Castilleja densiflora</i> , purple owl's clover, and <i>Castilleja exserta</i> , exserted paintbrush, is critical for the extra food needed to reach diapause (i.e., a period of dormancy). Nectar plants for the adults include California goldfields, desert parsley, and tidy-tips.
<i>Speyeria zerene myrtleae</i> Myrtle's silverspot butterfly	FE/— G5T1 / S1	Restricted to the foggy, coastal dunes/hills of the Point Reyes peninsula; extirpated from coastal San Mateo County. Larval foodplant thought to be <i>Viola adunca</i> .
FT = Federally Threatened                      SE = State Endangered FC = Federal Candidate Species              ST = State Threatened FE = Federally Endangered                      SR = State Rare FS = Federally Sensitive                        SS = State Sensitive DL = Delisted                                        WL = State Watch List SC = State Candidate Species		
G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDDB RareFind 5. SSC = CDFW Species of Special Concern FP = Fully Protected Sources: CNDDDB (CDFW, 2017a); IPaC (USFWS, 2017a)		

**Table 8 Special Status Plant Species Known to Occur or with Potential to Occur within the Vicinity of the Plan Area**

Scientific Name	Status Fed/State Global Rank/ State Rank	Habitat Requirements
Common Name	CRPR	
<i>Acanthomintha duttonii</i> San Mateo thorn-mint	FE/SE G1 / S1 1B.1	Chaparral, valley and foothill grassland. Uncommon serpentinite vertisol clays; in relatively open areas. 50-300 m.
<i>Allium peninsulare</i> var. <i>franciscanum</i> Franciscan onion	—/— G5T1 / S1 1B.2	Cismontane woodland, valley and foothill grassland. Clay soils; often on serpentine; sometimes on volcanics. Dry hillsides. 5-350 m.
<i>Amsinckia lunaris</i> bent-flowered fiddleneck	—/— G2G3 / S2S3 1B.2	Cismontane woodland, valley and foothill grassland, coastal bluff scrub. 3-795 m.
<i>Anomobryum julaceum</i> slender silver moss	—/— G5? / S2 4.2	Broadleafed upland forest, lower montane coniferous forest, north coast coniferous forest. Moss which grows on damp rocks and soil; acidic substrates. Usually seen on roadcuts. 100-1000 m.
<i>Arctostaphylos montaraensis</i> Montara manzanita	—/— G1 / S1 1B.2	Chaparral, coastal scrub. Slopes and ridges. 270-460 m.
<i>Arctostaphylos pallida</i> pallid manzanita	FT/SE G1 / S1 1B.1	Broadleafed upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub. Grows on uplifted marine terraces on siliceous shale or thin chert. May require fire. 180-460 m.
<i>Astragalus pycnostachyus</i> var. <i>pycnostachyus</i> coastal marsh milk-vetch	—/— G2T2 / S2 1B.2	Coastal dunes, marshes and swamps, coastal scrub. Mesic sites in dunes or along streams or coastal salt marshes. 0-155 m.
<i>Astragalus tener</i> var. <i>tener</i> alkali milk-vetch	—/— G2T2 / S2 1B.2	Alkali playa, valley and foothill grassland, vernal pools. Low ground, alkali flats, and flooded lands; in annual grassland or in playas or vernal pools. 0-168 m.
<i>Balsamorhiza macrolepis</i> big-scale balsamroot	—/— G2 / S2 1B.2	Chaparral, valley and foothill grassland, cismontane woodland. Sometimes on serpentine. 35-1465 m.
<i>California macrophylla</i> round-leaved filaree	—/— G3? / S3? 1B.2	Cismontane woodland, valley and foothill grassland. Clay soils. 15-1200 m.
<i>Calochortus pulchellus</i> Mt. Diablo fairy-lantern	—/— G2 / S2 1B.2	Chaparral, cismontane woodland, riparian woodland, valley and foothill grassland. On wooded and brushy slopes. 30-915 m.
<i>Calochortus umbellatus</i> Oakland star-tulip	—/— G4 / S4 4.2	Chaparral, lower montane coniferous forest, broadleafed upland forest, valley and foothill grassland, cismontane woodland. Often on serpentine. 100-700 m.
<i>Carex comosa</i> bristly sedge	—/— G5 / S2 2B.1	Marshes and swamps, coastal prairie, valley and foothill grassland. Lake margins, wet places; site below sea level is on a Delta island. -5-1620 m.
<i>Castilleja ambigua</i> var. <i>ambigua</i> johnny-nip	—/— G4T5 / S4 4.2	Coastal bluff scrub, coastal scrub, coastal prairie, marshes and swamps, valley and foothill grassland, vernal pool margins. 0-435 m.
<i>Centromadia parryi</i> ssp. <i>congdonii</i> Congdon's tarplant	—/— G3T2 / S2 1B.1	Valley and foothill grassland. Alkaline soils, sometimes described as heavy white clay. 0-230 m.



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Scientific Name	Status Fed/State Global Rank/ State Rank	Habitat Requirements
Common Name	CRPR	
<i>Chloropyron maritimum</i> ssp. <i>palustre</i> Point Reyes salty bird's-beak	—/— G4?T2 / S2 1B.2	Coastal salt marsh. Usually in coastal salt marsh with <i>Salicornia</i> , <i>Distichlis</i> , <i>Jaumea</i> , <i>Spartina</i> , etc. 0-115 m.
<i>Chorizanthe cuspidata</i> var. <i>cuspidata</i> San Francisco Bay spineflower	—/— G2T1 / S1 1B.2	Coastal bluff scrub, coastal dunes, coastal prairie, coastal scrub. Closely related to <i>C. pungens</i> . Sandy soil on terraces and slopes. 3-215 m.
<i>Chorizanthe robusta</i> var. <i>robusta</i> robust spineflower	FE/— G2T1 / S1 1B.1	Cismontane woodland, coastal dunes, coastal scrub, chaparral. Sandy terraces and bluffs or in loose sand. 9-245 m.
<i>Cirsium fontinale</i> var. <i>fontinale</i> Crystal Springs fountain thistle	FE/SE G2T1 / S1 1B.1	Valley and foothill grassland, chaparral, cismontane woodland, meadows and seeps. Serpentine seeps and grassland. 45-185 m.
<i>Clarkia concinna</i> ssp. <i>automixa</i> Santa Clara red ribbons	—/— G5?T3 / S3 4.3	Cismontane woodland, chaparral. On slopes and near drainages. 90-1500 m.
<i>Clarkia franciscana</i> Presidio clarkia	FE/SE G1 / S1 1B.1	Coastal scrub, valley and foothill grassland. Serpentine outcrops in grassland or scrub. 20-305 m.
<i>Collinsia multicolor</i> San Francisco collinsia	—/— G2 / S2 1B.2	Closed-cone coniferous forest, coastal scrub. On decomposed shale (mudstone) mixed with humus; sometimes on serpentine. 30-250 m.
<i>Dirca occidentalis</i> western leatherwood	—/— G2 / S2 1B.2	Broadleafed upland forest, chaparral, closed-cone coniferous forest, cismontane woodland, north coast coniferous forest, riparian forest, riparian woodland. On brushy slopes, mesic sites; mostly in mixed evergreen & foothill woodland communities. 25-425 m
<i>Elymus californicus</i> California bottle-brush grass	—/— G4 / S4 4.3	North Coast coniferous forest, cismontane woodland, broadleaved upland forest, riparian woodland. In sandy humus soils. 15-470 m.
<i>Eriophyllum latilobum</i> San Mateo woolly sunflower	FE/SE G1 / S1 1B.1	Cismontane woodland, coastal scrub, lower montane coniferous forest. Often on roadcuts; found on and off of serpentine. 30-610 m.
<i>Eryngium aristulatum</i> var. <i>hooveri</i> Hoover's button-celery	—/— G5T1 / S1 1B.1	Vernal pools. Alkaline depressions, vernal pools, roadside ditches and other wet places near the coast. 1-50 m.
<i>Eryngium jepsonii</i> Jepson's coyote-thistle	—/— G2 / S2 1B.2	Vernal pools, valley and foothill grassland. Clay. 3-305 m.
<i>Erysimum franciscanum</i> San Francisco wallflower	—/— G3 / S3 4.2	Coastal dunes, coastal scrub, chaparral, valley and foothill grassland. Often occurs on serpentine soils or outcrops; sometimes granite. Occasionally on grassy, rocky slopes. 0-550 m.
<i>Extriplex joaquinana</i> San Joaquin spearscale	—/— G2 / S2 1B.2	Chenopod scrub, alkali meadow, playas, valley and foothill grassland. In seasonal alkali wetlands or alkali sink scrub with <i>Distichlis spicata</i> , <i>Frankenia</i> , etc. 1-835 m.
<i>Fissidens pauperculus</i> minute pocket moss	—/— G3? / S2 1B.2	North coast coniferous forest. Moss growing on damp soil along the coast. In dry streambeds and on stream banks. 10-1024 m.

Scientific Name	Status Fed/State Global Rank/ State Rank	Habitat Requirements
Common Name	CRPR	
<i>Fritillaria biflora</i> var. <i>ineziana</i> Hillsborough chocolate lily	—/— G3G4T1 / S1 1B.1	Cismontane woodland, valley and foothill grassland. Probably only on serpentine; most recent site is in serpentine grassland. 90-160 m.
<i>Fritillaria liliacea</i> fragrant fritillary	—/— G2 / S2 1B.2	Coastal scrub, valley and foothill grassland, coastal prairie, cismontane woodland. Often on serpentine; various soils reported though usually on clay, in grassland. 3-400 m.
<i>Gilia capitata</i> ssp. <i>chamissonis</i> blue coast gilia	—/— G5T2 / S2 1B.1	Coastal dunes, coastal scrub. 3-200 m.
<i>Gilia millefoliata</i> dark-eyed gilia	—/— G2 / S2 1B.2	Coastal dunes. 1-60 m.
<i>Helianthella castanea</i> Diablo helianthella	—/— G2 / S2 1B.2	Broadleaved upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland. Usually in chaparral/oak woodland interface in rocky, azonal soils. Often in partial shade. 45-1070 m.
<i>Hemizonia congesta</i> ssp. <i>congesta</i> congested-headed hayfield tarplant	—/— G5T1T2 / S1S2 1B.2	Valley and foothill grassland. Grassy valleys and hills, often in fallow fields; sometimes along roadsides. 20-560 m.
<i>Hesperovax sparsiflora</i> var. <i>brevifolia</i> short-leaved evax	—/— G4T3 / S2 1B.2	Coastal bluff scrub, coastal dunes, coastal prairie. Sandy bluffs and flats. 0-215 m.
<i>Hesperolinon congestum</i> Marin western flax	FT/ST G1 / S1 1B.1	Chaparral, valley and foothill grassland. In serpentine barrens and in serpentine grassland and chaparral. 60-370 m.
<i>Heteranthera dubia</i> water star-grass	—/— G5 / S2 2B.2	Marshes and swamps. Alkaline, still or slow-moving water. Requires a pH of 7 or higher, usually in slightly eutrophic waters. 15-1510 m.
<i>Hoita strobilina</i> Loma Prieta hoita	—/— G2 / S2 1B.1	Chaparral, cismontane woodland, riparian woodland. Serpentine; mesic sites. 60-975 m.
<i>Holocarpha macradenia</i> Santa Cruz tarplant	FT/SE G1 / S1 1B.1	Coastal prairie, coastal scrub, valley and foothill grassland. Light, sandy soil or sandy clay; often with nonnatives. 10-220 m.
<i>Horkelia cuneata</i> var. <i>sericea</i> Kellogg's horkelia	—/— G4T1? / S1? 1B.1	Closed-cone coniferous forest, coastal scrub, coastal dunes, chaparral. Old dunes, coastal sandhills; openings. 5-215 m.
<i>Iris longipetala</i> coast iris	—/— G3 / S3 4.2	Coastal prairie, lower montane coniferous forest, meadows and seeps. Mesic sites, heavy soils. 0-600 m.
<i>Juglans californica</i> southern California black walnut	—/— G3 / S3 4.2	Chaparral, coastal scrub, cismontane woodland. Slopes, canyons, alluvial habitats. 50-900 m.
<i>Juglans hindsii</i> Northern California black walnut	—/— G1 / S1 1B.1	Riparian forest, riparian woodland. Few extant native stands remain; widely naturalized. Deep alluvial soil, associated with a creek or stream. 0-640 m.
<i>Lasthenia conjugens</i> Contra Costa goldfields	FE/— G1 / S1 1B.1	Valley and foothill grassland, vernal pools, alkaline playas, cismontane woodland. Vernal pools, swales, low depressions, in open grassy areas. 1-450 m.

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Scientific Name	Status Fed/State Global Rank/ State Rank	Habitat Requirements
Common Name	CRPR	
<i>Layia carnosa</i> beach layia	FE/SE G2 / S2 1B.1	Coastal dunes, coastal scrub. On sparsely vegetated, semi-stabilized dunes, usually behind foredunes. 0-30 m.
<i>Leptosiphon acicularis</i> bristly leptosiphon	—/— G3 / S3 4.2	Chaparral, cismontane woodland, coastal prairie, valley and foothill grassland. Grassy areas, woodland, chaparral. 55-1500 m.
<i>Leptosiphon rosaceus</i> rose leptosiphon	—/— G1 / S1 1B.1	Coastal bluff scrub. 10-140 m.
<i>Lessingia arachnoidea</i> Crystal Springs lessingia	—/— G2 / S2 1B.2	Coastal sage scrub, valley and foothill grassland, cismontane woodland. Grassy slopes on serpentine; sometimes on roadsides. 90-200 m.
<i>Lilium maritimum</i> coast lily	—/— G2 / S2 1B.1	Closed-cone coniferous forest, coastal prairie, coastal scrub, broadleaved upland forest, north coast coniferous forest, marshes and swamps. Historically in sandy soil, often on raised hummocks or bogs; today mostly in roadside ditches. 4-475 m.
<i>Lupinus arboreus</i> var. <i>eximius</i> San Mateo tree lupine	—/— G2Q / S2 3.2	Coastal scrub, chaparral. Sandy soils, rocky hills, difficult to ID. 90-550 m.
<i>Malacothamnus arcuatus</i> arcuate bush-mallow	—/— G2Q / S2 1B.2	Chaparral, cismontane woodland. Gravelly alluvium. 1-735 m.
<i>Malacothamnus davidsonii</i> Davidson's bush-mallow	—/— G2 / S2 1B.2	Coastal scrub, riparian woodland, chaparral, cismontane woodland. Sandy washes. 150-1525 m.
<i>Meconella oregana</i> Oregon meconella	—/— G2G3 / S2 1B.1	Coastal prairie, coastal scrub. Open, moist places. 60-640 m.
<i>Micropus amphibolus</i> Mt. Diablo cottonweed	—/— G3G4 / S3S4 3.2	Valley and foothill grassland, cismontane woodland, chaparral, broadleaved upland forest. Bare, grassy or rocky slopes. 45-825 m.
<i>Monolopia gracilens</i> woodland woollythreads	—/— G3 / S3 1B.2	Chaparral, valley and foothill grassland, cismontane woodland, broadleaved upland forest, north coast coniferous forest. Grassy sites, in openings; sandy to rocky soils. Often seen on serpentine after burns but may have only weak affinity to serpentine. 1
<i>Navarretia myersii</i> ssp. <i>myersii</i> pincushion navarretia	—/— G2T2 / S2 1B.1	Vernal pools. Clay soils within non-native grassland. 45-100 m.
<i>Navarretia paradoxiclara</i> Patterson's navarretia	—/— G2 / S2 1B.3	Meadows and seeps. Serpentinite, openings, vernal mesic, often drainages. 150-435 m.
<i>Pentachaeta bellidiflora</i> white-rayed pentachaeta	FE/SE G1 / S1 1B.1	Valley and foothill grassland, cismontane woodland. Open dry rocky slopes and grassy areas, often on soils derived from serpentine bedrock. 35-610 m.
<i>Piperia michaelii</i> Michael's rein orchid	—/— G3 / S3 4.2	Coastal bluff scrub, coastal scrub, cismontane woodland, chaparral, closed-cone coniferous forest, lower montane coniferous forest. Mudstone and humus, generally dry sites. 3-915 m.

Scientific Name	Status Fed/State Global Rank/ State Rank	Habitat Requirements
Common Name	CRPR	
<i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i> Choris' popcornflower	—/— G3T2Q / S2 1B.2	Chaparral, coastal scrub, coastal prairie. Mesic sites. 15-160 m.
<i>Plagiobothrys diffusus</i> San Francisco popcornflower	—/SE G1Q / S1 1B.1	Valley and foothill grassland, coastal prairie. Historically from grassy slopes with marine influence. 45-360 m.
<i>Plagiobothrys glaber</i> hairless popcornflower	—/— GH / SH 1A	Meadows and seeps, marshes and swamps. Coastal salt marshes and alkaline meadows. 5-180 m.
<i>Polemonium carneum</i> Oregon polemonium	—/— G3G4 / S2 2B.2	Coastal prairie, coastal scrub, lower montane coniferous forest. 0-1830 m.
<i>Polygonum marinense</i> Marin knotweed	—/— G2Q / S2 3.1	Marshes and swamps. Coastal salt marshes and brackish marshes. 0-10 m.
<i>Ranunculus lobbii</i> Lobb's aquatic buttercup	—/— G4 / S3 4.2	Cismontane woodland, valley and foothill grassland, vernal pools, north coast coniferous forest. Mesic sites. 15-470 m.
<i>Sanicula maritima</i> adobe sanicle	—/Rare G2 / S2 1B.1	Meadows and seeps, valley and foothill grassland, chaparral, coastal prairie. Moist clay or ultramafic soils. 30-240 m.
<i>Senecio aphanactis</i> chaparral ragwort	—/— G3 / S2 2B.2	Chaparral, cismontane woodland, coastal scrub. Drying alkaline flats. 20-855 m.
<i>Streptanthus albidus</i> ssp. <i>peramoenus</i> most beautiful jewelflower	—/— G2T2 / S2 1B.2	Chaparral, valley and foothill grassland, cismontane woodland. Serpentine outcrops, on ridges and slopes. 95-1000 m.
<i>Stuckenia filiformis</i> ssp. <i>alpina</i> slender-leaved pondweed	—/— G5T5 / S3 2B.2	Marshes and swamps. Shallow, clear water of lakes and drainage channels. 300-2150 m.
<i>Suaeda californica</i> California seablite	FE/— G1 / S1 1B.1	Marshes and swamps. Margins of coastal salt marshes. 0-5 m.
<i>Trifolium hydrophilum</i> saline clover	—/— G2 / S2 1B.2	Marshes and swamps, valley and foothill grassland, vernal pools. Mesic, alkaline sites. 1-335 m.
<i>Triphysaria floribunda</i> San Francisco owl's-clover	—/— G2? / S2? 1B.2	Coastal prairie, coastal scrub, valley and foothill grassland. On serpentine and non-serpentine substrate (such as at Pt. Reyes). 1-150 m.
<i>Viburnum ellipticum</i> oval-leaved viburnum	—/— G4G5 / S3? 2B.3	Chaparral, cismontane woodland, lower montane coniferous forest. 215-1400 m.

Scientific Name	Status	
Common Name	Fed/State	Habitat Requirements
	Global Rank/ State Rank	
	CRPR	
Source: CNDDDB (CDFW, 2017a); CRPR (CNPS, 2017); IPaC (USFWS, 2017a)		
FT = Federally Threatened	SE = State Endangered	
FC = Federal Candidate Species	ST = State Threatened	
FE = Federally Endangered	SR = State Rare	
FS = Federally Sensitive	SS = State Sensitive	
DL = Delisted	WL = State Watch List	
SC = State Candidate Species		
G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDDB RareFind5.		
CRPR (California Rare Plant Rank):		
1A = Presumed Extinct in California		
1B = Rare, Threatened, or Endangered in California and elsewhere		
2 = Rare, Threatened, or Endangered in California, but more common elsewhere		
3 = Need more information (a Review List)		
4 = Plants of Limited Distribution (a Watch List)		

As shown in Figure 13, three special status plant species and four special status animal species are known to occur within the Specific Plan Area or the immediate vicinity. These species include:

**Congdon's Tarplant** (*Hemizonia parryi* ssp. *congdonii*), a dicot in the family Asteraceae and an annual herb that is native and endemic (limited) to California. The species is included by the CNPS on list 1B, which includes plant species that are rare, threatened, or endangered in California and elsewhere. This species occurs in alkaline, often heavy clay soils in mesic areas within grassland communities with ruderal and native alkali-tolerant plants (Calflora, 2017). Within the Specific Plan Area, the occurrence of Congdon's tarplant was recorded along East 14th Street. This occurrence is believed to be extirpated; however, it was recorded in 1909 and could not be relocated during a 1998 field survey.

**Santa Cruz Tarplant** (*Holocarpha macradenia*), a dicot in the family Asteraceae and an annual herb that is native and endemic (limited) to California. This species normally occurs in coastal prairies and valley grasslands. Furthermore, it is included by the CNPS on list 1B which refers to plant species that are rare, threatened, or endangered in California and elsewhere. It is also listed by the State of California as Endangered (listed September 1979) and by the USFWS as Threatened (Calflora, 20017). The known occurrence of Santa Cruz tarplant was recorded in the vicinity of the Specific Plan Area in the community of Cherryland. This occurrence is believed to be extirpated; however, it was recorded and last observed in 1915.

**Big-scale balsamroot** (*Balsamorhiza macrolepis*), a dicot in the family Asteraceae and a perennial herb native to California. This species is found in chaparral, valley and foothill grassland, and cismontane woodland habitats. It is listed by the CNPS on list 1B.2, which refers to plant species that are rare, threatened, or endangered in California and elsewhere. The known occurrence of big-scale balsamroot was recorded northeast of the Specific Plan Area in 1997, on a basketball court near the Fairmont Hospital.

**Western Mastiff Bat** (*Eumops perotis*), is in the family Molossidae. The western mastiff bat occurs in a wide variety of habitats, including chaparral, coastal and desert scrub, coniferous and deciduous forest and woodland, but in areas associated with roosting sites. This species is listed as a California species of special concern. The known occurrence of western mastiff bat was recorded in the community of Cherryland.

**Pallid Bat** (*Antrozous pallidus*), is a member of the family Vespertilionidae. In California, the species occurs throughout the state in a variety of habitats including low desert, oak woodland and coastal redwood forests, extending up to 3,000 meters elevation in the Sierra Nevada. This species is listed as a California species of special concern. The known occurrence of pallid bat was recorded in the community of Cherryland.

**Monarch Butterfly** (*Danaus plexippus*), is a member of the family Nymphalidae. Most monarchs migrate to Mexico during the winter; however, some populations winter in California roosting together in large groups. Roost sites are usually located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby. The known occurrence was recorded in eucalyptus trees along the northwest side of the Hayward airport.

**Burrowing owl** (*Athene cunicularia*), is a California species of special concern. Burrowing owls are commonly found in open, dry annual or perennial grasslands, deserts and scrublands which are characterized by low-growing vegetation. They nest and roost underground in burrows (typically California ground squirrel [*Otospermophilus beecheyi*] burrows). They can also be found in urban areas, using vacant lots park strips, and lawns; provided that suitable burrows are present. The known occurrence was recorded on a golf course southwest of the Specific Plan Area, near the Hayward shoreline.

## Wildlife Movement Corridors

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

The habitats within the link do not necessarily need to be the same as the habitats that are being linked. Rather, the linkage merely needs to contain sufficient cover and foraging opportunities to allow temporary inhabitation by ground-dwelling species. Typically habitat linkages are contiguous strips of natural areas, though dense plantings of landscape vegetation can be used by certain disturbance-tolerant species. Depending upon the species using a corridor, specific physical resources (such as rock outcroppings, vernal pools, or oak trees) may need to be located within the habitat link at certain intervals to allow slower-moving species to traverse the link. For highly mobile or aerial species, habitat linkages may be discontinuous patches of suitable resources spaced sufficiently close together to permit travel along a route in a short period of time.

Wildlife movement corridors can be both large and small scale. Riparian corridors, waterways, and flood control channels, including Estudillo Canal, may provide local scale opportunities for wildlife movement throughout the Specific Plan Area. One essential connectivity area was mapped in the Biogeographic Information and Observation System (BIOS) and is located immediately north of San Leandro (CDFW, 2017b). The corridor connects several natural landscape blocks in the east San Francisco Bay Area. It extends from the foothills southeast of San Pablo bay southeast paralleling the San Francisco Bay and connecting with the Diablo Range east of Fremont. CDFW characterizes the value of essential connectivity areas based on permeability to wildlife movements. As mapped in BIOS, the edges of the nearest connectivity area become increasingly less permeable as they extend toward the City of San Leandro and developed areas of Alameda County.

## b. Regulatory Framework

Federal, state, and local authorities under a variety of statutes and guidelines share regulatory authority over biological resources. The primary authority for general biological resources lies within the land use control and planning authority of local jurisdictions, which in this instance is the City of San Leandro. The CDFW is a trustee agency for biological resources throughout the state under the California Environmental Quality Act (CEQA) and also has direct jurisdiction under the California Fish and Game Code, which includes, but is not limited to, resources protected by the State of California under the CESA.

### Federal and State Jurisdictions

#### *United States Fish and Wildlife Service*

The USFWS implements the Migratory Bird Treaty Act (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and NMFS share responsibility for implementing the FESA (16 USC § 153 et seq.). The USFWS generally implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species. Projects that would result in “take” of any federally listed threatened or endangered species are required to obtain permits from the USFWS and/or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. “Take” under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have the full protection of FESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

#### *United States Army Corps of Engineers*

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) has authority to regulate activities that result in discharge of dredged or fill material into wetlands or other “waters of the United States.” Perennial and intermittent creeks are considered waters of the United States if they are hydrologically connected to other jurisdictional waters. The USACE also implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetlands. In achieving the goals of the Clean Water Act, the USACE seeks to avoid adverse impacts and offset unavoidable adverse impacts on existing aquatic resources. Any discharge into wetlands or other “waters of the United States” that are hydrologically connected and/or demonstrate a significant nexus to jurisdictional waters would require a permit from the USACE prior to the start of work. Typically, when a project involves impacts to waters of the United States, the goal of no net loss of wetlands is met through compensatory mitigation involving creation or enhancement of similar habitats.

#### *California Department of Fish and Wildlife (formerly the California Department of Fish and Game)*

The CDFW derives its authority from the Fish and Game Code of California. The CESA (Fish and Game Code Section 2050 et. seq.) prohibits “take” of state-listed threatened and endangered

species. Take under CESA is restricted to direct harm of a listed species and does not prohibit indirect harm by way of habitat modification. The CDFW additionally prohibits take for species designated as Fully Protected under the CFGC under various sections. Projects that would result in take of any state listed threatened or endangered species are required to obtain an incidental take permit (ITP) pursuant to Fish and Game Code Section 2081. The issuance of an ITP is dependent upon the following: 1) the authorized take is incidental to an otherwise lawful activity; 2) the impacts of the authorized take are minimized and fully mitigated; 3) the measures required to minimize and fully mitigate the impacts of the authorized take are roughly proportional in extent to the impact of the taking on the species, maintain the applicant's objectives to the greatest extent possible, and are capable of successful implementation; 4) adequate funding is provided to implement the required minimization and mitigation measures and to monitor compliance with and the effectiveness of the measures; and 5) issuance of the permit will not jeopardize the continued existence of a state-listed species.

California Fish and Game Code sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (CFGC Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs. Species of Special Concern (SSC) is a category used by the CDFW for those species that are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except those afforded by the Fish and Game Code as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species into special consideration when decisions are made concerning the development of natural lands, and these species are considered sensitive as described under the CEQA Appendix G questions. The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (CFGC Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of the plant(s).

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 et seq. of the Fish and Game Code (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

#### *Regional Water Quality Control Board*

The State Water Resources Control Board (SWRCB) and each of nine local Regional Water Quality Control Boards (RWQCBs) has jurisdiction over "waters of the State" pursuant to the Porter-Cologne Water Quality Control Act, which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. The SWRCB has issued general Waste Discharge Requirements (WDRs) regarding discharges to "isolated" waters of the State (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the USACE to be Outside of Federal Jurisdiction). The local RWQCB (San Francisco Bay RWQCB) enforces actions under this general order for isolated waters not subject to federal jurisdiction, and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the CWA for waters subject to federal jurisdiction.



*California Department of Transportation - California Streets and Highways Code  
Section 156.3*

Assessments and remediation of potential barriers to fish passage for transportation projects using state or federal transportation funds are required. Such assessments must be conducted for any projects that involve stream crossings or other alterations and must be submitted to the CDFW.

## Local

*San Leandro 2035 General Plan*

The main focus of the 2035 General Plan relative to conservation is the preservation and restoration of the San Francisco Bay shoreline and riparian corridors along San Leandro Creek. Conservation goals also outline general policies to protect and enhance plant and animal communities within San Leandro. These goals, policies, and actions are shown below:

**Goal OSC-1.** Identify, protect, and enhance San Leandro’s Significant Plant and Animal Communities

**Policy OSC-6.1: Ecosystem Management.** Promote the long-term conservation of San Leandro’s remaining natural ecosystems, including wetlands, grasslands, and riparian areas. Future development should minimize the potential for adverse impacts to these ecosystems and should promote their restoration and enhancement.

**Policy OSC-6.2: Mitigation of Development Impacts.** Require measures to mitigate the impacts of development or public improvements on fish and wildlife habitat, plant resources, and other valuable natural resources in the City.

**Policy OSC-6.3: Habitat Restoration.** Encourage the restoration of native vegetation in the City’s open spaces as a means of enhancing habitat and reducing wildfire hazards.

**Policy OSC-6.4: Species of Special Concern.** Ensure that local planning and development decisions do not damage the habitat of rare, endangered, and threatened species, and other species of special concern in the City and nearby areas.

**Action OSC-6.4.A: Biological Assessments.** Require biological assessments for development in areas where special status species may be present. Require mitigation in accordance with state and federal regulations where potential adverse impacts exist.

*San Leandro Tree Ordinance*

Article 19, 4-1906 of the City’s Zoning Code outlines the requirements for the preservation or replacement of trees on development sites. Under this code, plans submitted for approval are required to “identify all existing trees with a trunk diameter equal or greater than six (6) inches in diameter as measured four and one-half (4 1/2) feet above existing grade.” Additionally submitted plans must also include the species and dripline of all trees, and which trees are proposed for removal. A tree report prepared by a certified arborist may also be required.

A tree may be found to be “significant” due to size, age, or its landscape or habitat value. Significant trees may require preservation or replacement. Tree protection measures must be included in the final grading and landscape plans. These measures should include that no grading will occur within the drip-line of trees not to be removed, unless it has been approved under the permit.

### *Butterfly Protection Ordinance*

The Municipal Code also contains provisions related to the protection of monarch butterflies at the San Leandro marina and golf courses (Section 4-1-1000, Interference with Monarch Butterflies Prohibited). The Specific Plan Area is not located near the San Leandro marina or near any golf courses.

## 4.3.2 Impact Analysis

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

It should be noted that the following analysis is programmatic, and encompasses the broader Specific Plan Area because not all specific development projects are included in the Specific Plan. Data used for this analysis include aerial photographs, topographic maps, the CDFW CNDDDB, the CNPS online *Inventory of Rare and Endangered Plants of California*, and accepted scientific texts to identify species. Federal special status species inventories maintained by the USFWS were reviewed in conjunction with the CNDDDB and CNPS online inventory. Other data on biological resources were collected from numerous sources, including the City's 2035 General Plan EIR, relevant literature, maps of natural resources, and data on special status species and sensitive habitat information obtained from the CDFW CNDDDB (2017a), CDFW BIOS (2017b), CNPS online *Inventory of Rare and Endangered Plants of California* (2017), and USFWS IPaC (2017a). The USFWS Critical Habitat Mapper (2017b) and National Wetlands Inventory (2017c) were also queried.

### **Evaluation Criteria**

The following thresholds are based on Appendix G of the *CEQA Guidelines*. Impacts would be significant if the proposed Specific Plan would result in any of the following:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
4. 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.
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

## b. Project Impacts and Mitigation Measures

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

**IMPACT BIO-1** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN MAY RESULT IN IMPACTS TO SPECIAL STATUS PLANT AND ANIMAL SPECIES. IMPACTS WOULD BE *SIGNIFICANT BUT MITIGABLE*.

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For the purposes of this analysis, special status plant and animal species include those described under subsection 4.3.1(a), Setting, above. Development facilitated by the proposed Specific Plan would occur within existing urbanized areas and would not involve construction in environmentally sensitive areas, which are generally lacking in the Specific Plan Area. As mentioned above and presented in Table 7 and Table 8, 76 special status plants and 40 special status animals are known to or have potential to occur within the vicinity of the Specific Plan Area. Thirty-one of these species (18 animal species and 13 plant species) are given high levels of protection by the federal government through listing under FESA and/or by the state government through listing under CESA or Fully Protected. The remaining species shown in Table 7 and Table 8 are protected through CEQA and/or through local ordinances. However, most special status species have very low or no potential to occur in the Plan Area due to specific habitat requirements. Special status species tend to be associated with sensitive habitats, such as riparian habitats and native vegetation communities, which are absent from the Specific Plan Area.

Because the Specific Plan does not contain specific development projects, a precise, project-level analysis of the specific impacts of individual development projects on special status species is not possible at this time. Although unlikely due to the lack of habitat and native vegetation in the Specific Plan Area, some special status species could be encountered at the locations where projects developed under the proposed Specific Plan would occur. Thus, there is some potential that significant impacts could occur with future project-level development in the Specific Plan area.

Because development projects under the proposed Specific Plan would occur in previously developed (urban) areas, projects may impact fringe or marginal habitats and the sensitive plant and animal species that may occupy them. For example, Santa Cruz tarplant (Federally Threatened and State Endangered) and Congdon's tarplant (CRPR 1B.1) may be present in disturbed areas or ruderal vegetation in the Specific Plan Area where future development could occur. Several special status bat species living under bridges, buildings or similar structures adjacent to construction areas may be affected by future proposed projects. Trees and other vegetation within the Specific Plan Area may support species of nesting birds, including sensitive species such as the Coopers hawk (*Accipiter cooperii*) (California WL), and other migratory birds.

Direct impacts to special status species include injury or mortality occurring during construction and/or operation of projects facilitated by the proposed Specific Plan. Direct impacts also include habitat modification and loss such that it results in mortality or otherwise alters the foraging and breeding behavior substantially enough to cause injury. Indirect impacts could be caused by the spread of invasive non-native species that out-compete native species and/or alter habitat towards a state that is unsuitable for special status species. For example, the spread of certain weed species can reduce the biodiversity of native habitats, potentially eliminating special status plant species and reducing the availability of suitable forage and breeding sites for special status animal species.

In addition to direct and indirect impacts that may result from development under the proposed Specific Plan, the Specific Plan would increase density and intensity of existing land uses within the Specific Plan Area. The Specific Plan would focus future development within existing urbanized areas. As a result, encroachment into undisturbed areas that could potentially provide species' habitat would be reduced when compared to a land use scenario that did not focus future development within existing urbanized areas. This would limit impacts to sensitive plant and animal species. However, as discussed above, it is possible that sensitive plant and animal species could be located on future development sites or in proximity to undeveloped parcels. Many special status animal species are associated with creeks even in the most densely developed urban areas. Impacts would potentially be significant.

## Mitigation Measures

The following mitigation measures are required.

### *BIO-1(A) Biological Resources Screening and Assessment*

For projects within the Specific Plan Area that may affect sensitive biological resources, the project proponent shall hire a City-approved biologist to perform a preliminary biological resource screening as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a City-approved biologist shall conduct a biological resources assessment (BRA) or similar type of study to document the existing biological resources within the project footprint plus a minimum buffer of 150 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. The BRA shall evaluate the potential for impacts to all biological resources including, but not limited to special status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. Pending the results of the BRA, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, NMFS, CDFW, and/or other local, state, and federal agencies may be required. The following mitigation measures [B-1(b) through B-1(k)] shall be incorporated, only as applicable, into the BRA for projects where specific resources are present or may be present and significantly impacted by the project. Note that specific surveys described in the mitigation measures below may be completed as part of the BRA where suitable habitat is present.

### *BIO-1(B) Special Status Plant Species Surveys*

If completion of the project-specific BRA determines that special status plant species may occur on-site, surveys for special status plants shall be completed prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species identified in the project-specific BRA. All plant surveys shall be conducted by a City-approved biologist between one year and six months before initial ground disturbance. All special status plant species identified on site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System (GPS) unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency, and the CDFW and/or USFWS, as appropriate, for review and/or approval.

*BIO-1(C) Special Status Plant Species Avoidance, Minimization, and Mitigation*

If federally and/or state listed or CRPR List 1B or 2 species are found during special status plant surveys [pursuant to mitigation measure B-1(b)], then the project shall be re-designed to avoid impacting these plant species, where feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a City-approved biologist, to protect them from harm.

*BIO-1(D) Restoration and Monitoring*

If special status plants species cannot be avoided and will be impacted by development under the Specific Plan, all impacts shall be mitigated by the project applicant at a ratio to be determined by the City in coordination with CDFW and USFWS (as applicable) for each species as a component of habitat restoration. A restoration plan shall be prepared by the project applicant and submitted to the City for review and approval. (Note: if a federally and/or state listed plant species will be impacted, the restoration plan shall be submitted to the USFWS and/or CDFW for review). The restoration plan shall include, at a minimum, the following components:

- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type)
- Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved]
- Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values)
- Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan).
- Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule)
- Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports)
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type
- An adaptive management program and remedial measures to address any shortcomings in meeting success criteria
- Notification of completion of compensatory mitigation and agency confirmation
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism)

*BIO-1(E) Endangered/Threatened Species Habitat Assessments and Protocol Surveys*

Specific habitat assessments and survey protocols are established for several federally and state endangered or threatened species. If the results of the BRA determine that suitable habitat may be present for any such species, protocol habitat assessments/surveys shall be completed in accordance with CDFW and/or USFWS protocols prior to issuance of any construction permits. If through consultation with the CDFW and/or USFWS it is determined that protocol habitat assessments/surveys are not required, said consultation shall be documented prior to issuance of any construction permits. Each protocol has different survey and timing requirements. The applicants for each project shall be responsible for ensuring they understand the protocol requirements and shall hire a City-approved biologist to conduct protocol surveys.

*BIO-1(F) Endangered/Threatened Species Avoidance and Minimization*

The habitat requirements of endangered and threatened species are highly variable. The potential impacts from any given project implemented under the Specific Plan are likewise highly variable. However, there are several avoidance and minimization measures that can be applied for a variety of species to reduce the potential for impact, with the final goal of no net loss of the species. The following measures may be applied to aquatic and/or terrestrial species. The City shall select from these measures as appropriate and the project applicant shall be responsible for implementing selected measures.

- Ground disturbance shall be limited to the minimum necessary to complete the project. The project limits of disturbance shall be flagged. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance.
- All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species.
- All projects occurring within or adjacent to sensitive habitats that may support federally and/or state listed endangered/threatened species shall have a CDFW- and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are fully implemented.
- No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS.
- If at any time during construction of the project an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume.
- For all projects occurring in areas where endangered/ threatened species may be present and are at risk of entering the project site during construction, exclusion fencing shall be

placed along the project boundaries prior to start of construction (including staging and mobilization). The placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of 3 feet above grade and 2 feet below grade and shall be attached to wooden stakes placed at intervals of not more than 5 feet. The fence shall be inspected weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.

- All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.
- No equipment shall be permitted to enter wetted portions of any affected drainage channel.
- If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline.
- If water is to be diverted around work sites, a diversion plan shall be submitted (depending upon the species that may be present) to the CDFW, RWQCB, USFWS, and/or NMFS for their review and approval prior to the start of any construction activities (including staging and mobilization). If pumps are used, all intakes shall be completely screened with wire mesh not larger than five millimeters to prevent animals from entering the pump system.
- At the end of each workday, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
- The CDFW/USFWS-approved biologist shall remove invasive aquatic species such as bullfrogs and crayfish from suitable aquatic habitat whenever observed and shall dispatch them in a humane manner and dispose of properly.
- Considering the potential for projects to impact federal and state listed species and their habitat, the City shall contact the CDFW and USFWS to identify mitigation banks within Alameda County during development of the proposed Specific Plan. Upon implementation of development projects included in the proposed Specific Plan, but on a project-by-project basis, if the results of the BRA determines that impacts to federal and state threatened or endangered species habitat are expected, the applicant shall explore species-appropriate mitigation bank(s) servicing the region for purchase of mitigation credits.

*BIO-1(G) Non-Listed Special Status Animal Species Avoidance and Minimization*

Several State Species of Special Concern may be impacted by development facilitated by the Specific Plan. The ecological requirements and potential for impacts is highly variable among these species. Depending on the species identified in the BRA, several of the measures identified under B-1(f) shall be applicable to the project. In addition, the City shall select measures from among the following to be implemented by the project applicant to reduce the potential for impacts to non-listed special status animal species:

- For non-listed special status terrestrial amphibians and reptiles, coverboard surveys shall be completed within three months of the start of construction. The coverboards shall be at least four feet by four feet and constructed of untreated plywood placed flat on the ground. The coverboards shall be checked by a City-approved biologist once per week for each week after placement up until the start of vegetation removal. All non-listed special status and common animals found under the coverboards shall be captured and placed in five-gallon buckets for transportation to relocation sites. All relocation sites shall be reviewed by the City-approved biologist and shall consist of suitable habitat. Relocation sites shall be as close to the capture site as possible but far enough away to ensure the animal(s) is not harmed by construction of the project. Relocation shall occur on the same day as capture. CNDDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed.
- Pre-construction clearance surveys shall be conducted within 14 days of the start of construction (including staging and mobilization). The surveys shall cover the entire disturbance footprint plus a minimum 200-foot buffer, if feasible, and shall identify all special status animal species that may occur on-site. All non-listed special status species shall be relocated from the site either through direct capture or through passive exclusion. A report of the pre-construction survey shall be submitted to the City for their review and approval prior to the start of construction.
- A City-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover special status animal species unearthed by construction activities.
- Upon completion of the project, a City-approved biologist shall prepare a Final Compliance Report documenting all compliance activities implemented for the project, including the pre-construction survey results. The report shall be submitted to the City within 30 days of completion of the project.
- If special status bat species may be present and impacted by the project, a City-approved biologist shall conduct, within 30 days of the start of construction, presence/absence surveys for special status bats in consultation with the CDFW where suitable roosting habitat is present. Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. If active roosts are located, exclusion devices such as netting shall be installed to discourage bats from occupying the site. If a roost is determined by a City-approved biologist to be used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultations with the CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a City-approved biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.

*BIO-1(H) Pre-construction Surveys for Nesting Birds for Construction Occurring within Nesting Season*

For projects that may result in removal of trees or vegetation that may contain a nesting bird, if feasible, construction activities should occur generally between September 16 to January 31 (thus outside of the nesting season). However, if construction activities must occur during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California



Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a City-approved biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire segment disturbance area plus a 200-foot buffer 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 City-approved biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the 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 City-approved biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. A report of these preconstruction nesting bird surveys shall be submitted by the project applicant to the City to document compliance within 30 days of its completion.

*BIO-1(I) Worker Environmental Awareness Program (WEAP)*

If potential impacts to special status species are identified by the BRA, prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a City-approved biologist, to aid workers in recognizing special status resources that may occur in the Specific Plan Area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the City to document compliance.

*BIO-1(J) Invasive Weed Prevention and Management Program*

Prior to start of construction for projects occurring within or adjacent to sensitive habitats, as determined by the BRA, an Invasive Weed Prevention and Management Program shall be developed by a City-approved biologist to prevent invasion of native habitat by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a City-approved biologist and in accordance with the restoration plan. Landscape species shall not include noxious, invasive, and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List, and/or California Invasive Plant Council Lists 1, 2, and 4.

## **Significance After Mitigation**

Mitigation measures B-1(a) through (j) require that specific analyses and studies are performed to identify and evaluate project impacts to special status species potentially affected by development facilitated by the proposed Specific Plan. Compliance with these mitigation measures and all existing state, local and/or federal regulations would reduce impacts to a less than significant level.

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

**IMPACT BIO-2** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD NOT RESULT IN IMPACTS TO RIPARIAN HABITAT OR OTHER SENSITIVE HABITATS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

As noted above and shown on Figure 13 and in Table 6, no natural communities considered sensitive by the CDFW occur within the Specific Plan Area. Two sensitive natural communities occur within a 5-mile radius of the Specific Plan Area. However, both are outside of developed areas; along the Hayward shoreline and Fairmont Ridge. Estudillo Canal is an engineered channel, and lacks the sediment, structure, and vegetation to support a riparian ecosystem. Because no sensitive or riparian habitats are expected to occur in the Specific Plan Area, no impacts are expected. Although trees and vegetation along the canal may provide marginal habitat for aquatic or riparian species, impacts to riparian species from work in Estudillo Canal would be mitigated through measures B-1(a) through (j), listed above.

### Mitigation Measures

No mitigation measures are required.

**Threshold:** Would the Specific Plan have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**IMPACT BIO-3** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN MAY RESULT IN IMPACTS TO FEDERALLY PROTECTED WETLANDS. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE.

Estudillo Canal is maintained and operated by the Alameda County Flood Control and Water Conservation District under the San Francisco Bay RWQCB, Municipal Regional Stormwater NPDES Permit (No. CAS612008). As such, it is not federally protected and not subject to USACE jurisdiction. However, because of the programmatic nature of the proposed Specific Plan, a precise, project-level analysis of the specific impacts associated with individual projects on potential wetlands is not possible at this time. Site-specific analysis is needed to verify that wetlands are present. Impacts are potentially significant.

### Mitigation Measures

The following mitigation measure is required.

#### *BIO-2 Jurisdictional Delineation*

If potentially jurisdictional wetlands are identified by the BRA, a City-approved biologist shall complete a jurisdictional delineation. The jurisdictional delineation shall determine the extent of the jurisdiction for CDFW, USACE, and/or RWQCB, and shall be conducted in accordance with the requirement set forth by each agency. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the implementing agency, USACE, RWQCB, and CDFW, as appropriate, for review and approval. If jurisdictional areas are expected to be impacted, then the

RWQCB would require a Waste Discharge Requirements (WDRs) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the California Fish and Game Code would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the Clean Water Act would likely be required. Furthermore, a compensatory mitigation program shall be implemented in accordance with Mitigation Measure BIO-1(D) and the measures set forth by the aforementioned regulatory agencies during the permitting process.

### Significance After Mitigation

With implementation of BIO-2, potential impacts to the jurisdictional waters would be reduced to a less than significant level by obtaining proper permits and mitigating wetland loss as appropriate.

**Threshold:** Would the Specific Plan 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?

**IMPACT BIO-4** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN MAY IMPACT THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE.

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Although Estudillo Canal is a concrete lined channel, development in or adjacent to the canal may impact wildlife movement. Both terrestrial and aquatic organisms may use the canal to move between areas of suitable habitat, and work in the canal would impede this movement. Development adjacent to the canal may also alter the tree composition, sunlight, and wind penetration, which could affect the suitability of the canal as a corridor for wildlife. However, since many sections of the canal run under ground, it is not likely to connect sensitive or native habitat patches. The species most likely to use the canal as a corridor include common terrestrial species found in urban areas; such as northern raccoon (*Procyon lotor*) and Virginia opossum (*Didelphis virginiana*). These species are not likely to be affected by work in or near the canal. Aquatic species such as native amphibians may be present however, and would be affected by work in Estudillo Canal if present during construction. Due to the decline of native amphibians in urban environments, impacts would be potentially significant if populations are present during construction.

### Mitigation Measures

The following mitigation measure is required.

#### *BIO-3 Native Amphibian Protection*

If construction within Estudillo Canal is planned in wetted areas a pre-construction survey shall be conducted for native amphibians. This survey shall be conducted by a City-approved biologist and shall document the species and life stages of amphibians found during the survey. If a significant number of non-listed species are found, they will be relocated outside of the work area prior to the start of construction. Wildlife exclusion fencing may be installed under the direction of the approved biologist to prevent wildlife from entering the work area during construction. If listed species are detected, measures BIO-1(f) and BIO-1(l) shall also be implemented.

## Significance After Mitigation

Mitigation measure B-3 would assure that potential impacts to native amphibian populations would be less than significant because measures would be taken to either avoid the impacts or minimize the impacts. Compliance with the above mitigation measure and existing state, local and/or federal regulations would reduce impacts to a less than significant level.

<b>Threshold:</b> Would the Specific Plan conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
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**IMPACT BIO-5** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD NOT CONFLICT WITH LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

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Projects implemented as a result of the proposed Specific Plan may result in the removal of mature trees during construction. Under Article 19, 4-1906 of the San Leandro Zoning Code, removal of “significant” trees or trees on development sites requires City approval during the development permitting process. Plans submitted to the City for approval are required to “identify all existing trees with a trunk diameter equal or greater than six (6) inches in diameter as measured four and one-half (4 1/2) feet above existing grade.” Additionally submitted plans must also include the species and dripline of all trees, and which trees are proposed for removal. A tree report prepared by a certified arborist may also be required. East 14th Street (SR 185) is under Caltrans jurisdiction and trees removed within the Caltrans ROW would require Caltrans approval.

Development and redevelopment activities within the Specific Plan Area would be required to adhere to these existing policies. The proposed Specific Plan does not include any specific policies or programs that would conflict with or hinder implementation of the City’s tree preservation ordinance. Impacts would be less than significant.

## Mitigation Measure

No mitigation measures are required.

<b>Threshold:</b> Would the Specific Plan conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
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**IMPACT BIO-6** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD NOT CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

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There are no habitat conservation plans or natural community conservation plans that have been adopted within the Specific Plan Area. Therefore, development associated with the proposed Specific Plan would not conflict with any such plans and no impact would occur.

## Mitigation Measures

No mitigation measures are required.

### c. Cumulative Impacts

Cumulative development in the area may contribute to the loss of foraging and breeding habitat for special status species; contribute to the decline of special status species, fragmentation of habitat and isolation of populations, and decrease movement opportunities. Full implementation of the proposed Specific Plan would increase density and intensity of existing land uses. However, the proposed Specific Plan Area is zoned for urban uses and is located in a highly urbanized and developed area, surrounded by existing development and highly travelled transportation corridors that limit the habitat value and potential for presence of sensitive biological resources.

Furthermore, potential impacts to biological resources associated with the proposed Specific Plan would be less than significant with incorporated mitigation. Therefore, the proposed Specific Plan's incremental contribution to cumulative impacts associated with biological resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

## 4.4 Cultural, Tribal Cultural, and Paleontological Resources

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This section assesses potential impacts to cultural, tribal cultural, and paleontological resources from the proposed Specific Plan.

### 4.4.1 Setting

#### 4.4.1.1 Regulatory Setting

This section includes a discussion of the applicable federal, state, and local laws, ordinances, regulations, and standards governing cultural, tribal cultural, and paleontological resources, which must be adhered to before and during implementation of the proposed Specific Plan.

#### National Register of Historic Places

The National Register of Historic Places (NRHP) was established by the National Historic Preservation Act (NHPA) of 1966 as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment” (CFR 36 CFR 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:

- Criterion A:** It is associated with events that have made a significant contribution to the broad patterns of our history;
- Criterion B:** It is associated with the lives of persons who are significant in our past;
- Criterion C:** It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or
- Criterion D:** It has yielded, or may be likely to yield, information important in prehistory or history.

#### California Register of Historical Resources

CEQA (Section 21084.1) requires a lead agency determine whether a project could have a significant effect on historical resources and tribal cultural resources (PRC Section 21074 [a][1][A]-[B]). A historical resource is a resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR) (Section 21084.1), a resource included in a local register of historical resources (Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (Section 15064.5[a][3]).

PRC Section 5024.1, Section 15064.5 of the *CEQA Guidelines*, and PRC Sections 21083.2 and 21084.1 were used as the basic guidelines for this cultural resources study. PRC Section 5024.1 requires an evaluation of historical resources to determine their eligibility for listing in the CRHR. The purpose of the register is to maintain listings of the state's historical resources and to indicate which properties are to be protected from substantial adverse change. The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, as enumerated according to CEQA below.

- (3) [...] Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:
  - (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.
- (4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.
  - (b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

In addition, if a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts 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], and [c]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an 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:

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

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (*CEQA Guidelines*, Section 15064.5 [b][1], 2000). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR (*CEQA Guidelines*, Section 15064.5[b][2][A]).

Section 5097.5 of the PRC prohibits excavation or removal of any “vertebrate paleontological site or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands.” PRC 30244 requires reasonable mitigation of adverse impacts to paleontological resources from development on public land. Penal Code Section 623 spells out regulations for the protection of caves, including their natural, cultural, and paleontological contents. It specifies that no “material” (including all or any part of any paleontological item) will be removed from any natural geologically formed cavity or cave.

## 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.” Assembly Bill 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 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

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 meets either of the following criteria:

- 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments, and respecting the interests and roles of project proponents, it is the intent AB 52 to accomplish all of the following:

- (1) Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.



- (2) Establish a new category of resources in CEQA called “tribal cultural resources” that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.
- (3) Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible.
- (4) Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated. Because CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources.
- (5) In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, at the earliest possible point in CEQA environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decision making body of the lead agency.
- (6) Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to CEQA.
- (7) Ensure that local and tribal governments, public agencies, and project proponents have information available, early in CEQA environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources and to reduce the potential for delay and conflicts in the environmental review process.
- (8) Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources.
- (9) Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment.

AB 52 also establishes a formal consultation process for California Native American tribes regarding those resources. The formal consultation process must be completed before a CEQA document can be released if a California Native American tribe traditionally and culturally affiliated with the geographic area of the proposed project requests consultation from the lead agency (PRC Section 21080.3.1). California Native American tribes to be included in the process are those that have requested notice of any proposed projects within the jurisdiction of the lead agency.

## Senate Bill 18

Enacted on March 1, 2005, Senate Bill 18 (SB18) (California Government Code Sections 65352.3 and 65352.4) requires cities and counties to notify and consult with California Native American tribal groups and individuals regarding proposed local land use planning decisions for the purpose of protecting traditional tribal cultural places (sacred sites), prior to adopting or amending a general

plan or designating land as open space. Tribal groups or individuals have 90 days to request consultation following the initial contact.

## 2035 General Plan

The City's 2035 General Plan contains the following goals and policies in the Historic Preservation and Community Design chapter of the 2035 General Plan relevant to the current project.

**Goal CD-1.** Identify, preserve, and maintain San Leandro's historic resources and recognize these resources as an essential part of the City's character and heritage.

**Policy CD-1.4 Historic Districts.** Encourage the formation of local historic districts in areas where historic sites and structures are concentrated. Such districts should provide for the preservation, restoration, and public recognition of the resources contained therein. Historic districts should be structured to minimize costs and administrative burdens for property owners. Historic designations should include incentives to adaptively reuse older structures and avoid the demolition of historically important buildings

**Policy CD-1.5 Historic Neighborhoods.** Promote the conservation of historic neighborhoods and the restoration of historic features in such neighborhoods, including structures, street lamps, signage, landscaping, and architectural elements.

**Policy CD-1.6 Historic Resource Surveys.** Update, expand, and maintain inventories of San Leandro's historic resources, using criteria and survey methods that are consistent with state and federal guidelines.

**Policy CD-1.7 Protecting Resource Integrity.** Ensure that new development, alterations, and remodeling projects on or adjacent to historic properties are sensitive to historic resources and are compatible with the surrounding historic context. Ensure that the San Leandro Zoning Ordinance and any future design guidelines include the necessary standards and guidelines to implement this policy.

**Policy CD-1.8 Relocation of Historic Structures.** Encourage the relocation of older structures into designated historic districts as an alternative to demolition and an incentive for restoration.

**Policy CD-1.12 Archaeological Resources.** Recognize the potential for paleontological, prehistoric, historic, archaeological, and tribal cultural resources and ensure that future development takes the measures necessary to identify and preserve such resources.

**Action CD-1.12.A: Archaeological Site Inventory.** Maintain standard conditions of approval for new development which require consultation with a professional archaeologist in the event that any subsurface paleontological, prehistoric, archaeological, or tribal cultural resource remains are discovered during any construction or preconstruction activities on a development site. This includes consultation with Native American organizations prior to continued site work in the event such remains are discovered.

**Action CD-1.12.B: AB 52 Compliance.** Implement the provisions of AB 52 regarding tribal consultation. The City will provide opportunities for meaningful input regarding the protection of tribal resources from Native American representatives in the planning and development review processes.

**Policy CD-1.13 Protecting the Recent Past.** Ensure that local preservation programs include structures from the recent past (after 1945) that represent unique or noteworthy examples of the architectural styles and trends of the time.

**Goal CD-2.** Make protection of historic resources a high City priority, to be implemented through improved record keeping, adequately funded programs, and more effective regulatory measures.

**Policy CD-2.1 Preservation and City Planning.** Recognize the importance of local historic and cultural resources in the City's long-range planning activities, including the General Plan, specific plans, and neighborhood or area plans. Maintain a historic preservation component in the General Plan, with periodic updates to reflect changing conditions, additional listings, and new preservation programs.

**Policy CD-2.2 Planning and Building Decisions.** Ensure that day-to-day planning and building activities, including the issuance of building permits, demolition permits, zoning approvals, site plan approvals, and use permits, are consistent with and further the achievement of local historic preservation goals. The City's zoning and building codes should support the reuse and restoration of historic buildings.

## San Leandro Municipal Code

The City's Historic Preservation Ordinance (Municipal Code Title 4, Chapter 26, Articles 4 through 26) provides for the identification, designation, protection, enhancement, perpetuation, and use of cultural resources in San Leandro. The ordinance provides requirements for recording resources, criteria for historic resource designation, and procedures for the treatment of historic resources. The criteria for designating a City landmark are as follows:

- a) The resource exemplifies and reflects special or exemplary elements of San Leandro's cultural, social, economic, political, aesthetic, engineering, architectural or natural history, or has important archaeological or anthropological associations;
- b) The resource is identified with persons or events significant in local, state, regional or national history;
- c) The resource embodies distinctive or exemplary characteristics of a style, type, period or method of construction, or is a valuable example of the use of local materials or craftsmanship;
- d) The resource represents the work of a notable builder, designer, engineer or architect recognized at the state, regional or national level; or
- e) The resource may yield important archaeological, ethnographic or anthropological information about the region's past.

### 4.4.1.2 Cultural Setting

#### Historical Background

##### *Prehistory*

The Specific Plan Area lies in the San Francisco Bay archaeological region (Milliken et al. 2007; Moratto 1984). Following Milliken et al. (2007), the prehistoric cultural chronology for the Bay Area

can be generally divided into five periods: the Early Holocene (8,000-3,500 B.C.), Early (3,500-500 B.C.), Lower Middle (500 B.C. to A.D. 430), the Upper Middle (A.D. 430-1050), and the Late Period (A.D. 1050-contact). It is presumed that early Paleoindian groups lived in the area prior to 8,000 B.C., however no evidence for that period has been discovered in the Bay Area to date (Milliken et al. 2007). For this reason, the Paleoindian period (ca. 11,500-8,000 B.C.) is not discussed here. The Early Holocene in the San Francisco Bay Area is characterized by a mobile forager pattern and the presence of millingslabs, handstones, and a variety of leaf-shaped projectile points, though evidence for this period is limited. It is likely that Holocene alluvial deposits buried many prehistoric sites in the area (Ragir 1972; Moratto 1984). The earliest date for the Early Holocene comes from CA-CCO-696 at Los Vaqueros Reservoir, dating to 7,920 cal B.C.<sup>2</sup> (Milliken et al. 2007).

The Early Period saw increased sedentism as indicated by new ground stone technologies (introduction of the mortar and pestle), an increase in regional trade, and the earliest cut-bead horizon. A shift to a sedentary or semi-sedentary lifestyle is marked by the prevalence of mortars and pestles, ornamental grave associations, and shell mounds. The earliest cut bead horizon, dating to this period, is represented by rectangular *Haliotis* and *Olivella* beads from several sites, including CA-CCO-637, CA-SCL-832 in Sunnyvale, and CA-ALA-307 in Berkeley (Milliken et al. 2007). The advent of the mortar and pestle indicate a greater reliance on processing nuts such as acorns. Faunal evidence from various sites indicates a diverse diet based on mussel and other shellfish, marine mammals, terrestrial mammals, and birds (D'Oro 2009).

The Lower Middle Period saw numerous changes from the previous period. Rectangular shell beads, common during the Early Period, disappear completely and are replaced by split-beveled and saucer *Olivella* beads. In addition to the changes in beads, *Haliotis* ornaments, bone tools and ornaments, and basketry awls indicating coiled basketry manufacture appeared. Mortars and pestles continued to be the dominant grinding tool (Milliken et al. 2007). Evidence for the Lower Middle Period in the Bay Area comes from sites such as the Emeryville shell mound (CA-ALA-309) and Ellis Landing (CA-CCO-295). CA-ALA-309 was one of the largest shell mounds in the Bay Area and contained multiple cultural sequences. The lower levels of the site, dating to the Middle Period, contain flexed burials with bone implements, chert bifaces, charmstones, and oyster shells (Moratto 1984).

At the onset of the Upper Middle Period, *Olivella* saucer bead trade networks established during earlier periods collapsed and over half of known sites occupied during the Lower Middle Period were abandoned. *Olivella* saucer beads were replaced with *Olivella* saddle beads. New items appear at sites, including elaborate, decorative blades, fishtail charmstones, new *Haliotis* ornament forms, and mica ornaments. Sea otter bones became more frequent from earlier periods (Milliken et al. 2007). Excavations at the Emeryville shell mound have indicated a shift from oysters to clams at that site. Subsistence analysis at various sites dating to this period indicate a diverse diet that included various species of fish, mammal species, bird species, shellfish, and plant resources that varied by location within the Bay Area (Hylkema 2002).

The Late Period saw an increase in social complexity, indicated by differences in burials, and an increased level of sedentism. Small, finely worked projectile points associated with bow and arrow technology appear around A.D. 1250. *Olivella* shell beads disappeared and were replaced with clamshell disk beads. The toggle harpoon, hopper mortar, and magnesite tube beads also appeared during this period (Milliken et al. 2007). This period saw an increase in the intensity of resource exploitation that correlates with an increase in population (Moratto 1984). Many of the well-known

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<sup>2</sup> cal B.C. stands for "calibrated years before current/present".

sites of earlier periods, such as the Emeryville shell mound and the West Berkeley shell mound (CA-ALA-307) were abandoned, possibly due to fluctuating climates and drought that occurred throughout the Late Period (Lightfoot and Luby 2002).

### *Ethnography*

The Specific Plan Area lies within an area traditionally occupied by the Ohlone (or Costanoan) people. Ohlone territory extends from the point where the San Joaquin and Sacramento Rivers issue into the San Francisco Bay to Point Sur, with the inland boundary most likely constituted by the interior Coast Ranges (Kroeber 1925:462). The Ohlone language belongs to the Penutian family, with several distinct dialects throughout the region (Kroeber 1925:462).

The pre-contact Ohlone were semi-sedentary, with a settlement system characterized by base camps of tule reed houses and seasonal specialized camps (Skowronek 1998). Villages were divided into small polities, each of which was governed by a chief responsible for settling disputes, acting as a war leader (general) during times of conflict, and supervising economic and ceremonial activities (Skowronek 1998, Kroeber 1925:468). Social organization appeared flexible to ethnographers and any sort of social hierarchy was not apparent to mission priests (Skowronek 1998).

Ohlone subsistence was based on hunting, gathering, and fishing (Kroeber 1925:467, Skowronek 1998). Mussels were a particularly important food resource (Kroeber 1925:467). Sea mammals were also important; sea lions and seals were hunted and beached whales were exploited (Kroeber 1925:467). Like the rest of California, the acorn was an important staple and was prepared by leaching acorn meal both in openwork baskets and in holes dug into the sand (Kroeber 1925:467). The Ohlone also practiced controlled burning to facilitate plant growth (Kroeber 1925:467, Skowronek 1998).

Seven Franciscan missions were built within Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually brought into the mission system (Kroeber 1925:462, Skowronek 1998). After the establishment of the missions, Ohlone population dwindled from roughly 10,000 people in 1770 to 1,300 in 1814 (Skowronek 1998). In 1973, the population of people with Ohlone descent was estimated at fewer than 300. The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize aspects of their culture (Skowronek 1998).

### *History*

Post-European contact history for the state of California is generally divided into three periods: the Spanish Period (1769–1822), the Mexican Period (1822–1848), and the American Period (1848–present). For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta (upper) California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968; Rolle 2003). In 1579, Francis Drake landed in what was most likely San Francisco Bay. In 1595, Sebastian Cermeño landed in Drake's Bay before returning south (Bean 1968).

Gaspar de Portolá and Franciscan Father Junípero Serra established the first Spanish settlement in Alta California at Mission San Diego de Alcalá in 1769. This was the first of 21 missions erected by the Spanish between 1769 and 1823. Portolá continued north, reaching the San Francisco Bay and project vicinity in 1769. Short on food and supplies, the expedition turned back to San Diego. In 1770, Pedro Fages began his expedition, reaching the San Francisco Bay Area and exploring the region in 1772 (Cook 1957).

In 1770, the mission and presidio at Monterey were founded and three years later Juan Bautista de Anza proposed to open a land route from Sonora to Monterey. The viceroy at the time, Antonio de Bucareli, sanctioned Anza's expedition and proposed he extend it to form a settlement at the bay of San Francisco. Anza's first expedition traveled from Mexico City to Monterey. During this time, various sea expeditions from Monterey discovered Nootka Sound, the Columbia River, and the Golden Gate. Anza's second expedition began in 1775 leading to the establishment of the presidio and mission at San Francisco, Mission Dolores, approximately 10 miles west of the project APE across San Francisco Bay (Bean 1968). Spanish colonial activity in the Bay Area concentrated on Mission Dolores and the presidio. Several land grants were also made during this period; though not near as many as in the following Mexican Period.

The Mexican Period commenced when news of the success of the Mexican Revolution (1810-1821) against the Spanish crown reached California in 1822. This period saw the federalization of mission lands in California with the passage of the Secularization Act of 1833. This Act enabled Mexican governors in California to distribute former mission lands to individuals in the form land grants. Successive Mexican governors made more than 700 land grants between 1822 and 1846, putting most of the state's lands into private ownership for the first time (Shumway 2007). Rancho San Leandro, which includes the Specific Plan Area, was granted to José Joaquín Estudillo in 1842.

The Mexican Period saw an increased importance of sea trade and an influx of American settlers which motivated the United States to expand their territory into California. The United States supported a small group of insurgents from Sonoma during the Bear Flag Revolt. The Bear Flaggers captured Sonoma in June of 1846. The next month, Commodore John Drake Sloat landed in Monterey and proceeded to take Yerba Buena, Sutter's Fort, Bodega Bay, and Sonoma. Fighting between American and Mexican forces continued until Mexico surrendered in 1847 (Rolle 2003).

The American Period began with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the United States agreed to pay Mexico \$15 million for the conquered territory, including California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming. Settlement of California continued to increase during the early American Period. Many ranchos were sold or otherwise acquired by Americans, and most were subdivided into agricultural parcels or towns. Thanks to the discovery of gold in 1848, California's population grew exponentially. San Francisco grew from a population of 812 to 25,000 in only a few years and became California's first true city (Rolle 2003).

#### **CITY OF SAN LEANDRO**

The city of San Leandro was first laid out by John B. Ward and William Heath Davis, sons-in-law of the owner of Rancho San Leandro José Joaquín Estudillo (Barr 2017). They were granted permission to subdivide a 200-acre tract to establish a town and in 1855 they filed a map for the new town site. The community continued to grow, and in 1869 the completion of the transcontinental railway led to an infusion of new settlers and commerce. With the establishment of the rail stop, local farmers were able to ship their produce further afield leading to the development of several canneries and packing companies. By 1872, the town had become large enough for the residents to vote for incorporation and on May 13, 1872 the town was incorporated with Isaac A. Ammerman as the first mayor. San Leandro was also established as the county seat, though Oakland replaced it in this role in 1873. Throughout the early 1900s, San Leandro continued to grow leading to the establishment of two school districts, the installation of a trolley line, paved roads, and electric streetlights. The Caterpillar Tractor Company was established in the City in 1925, becoming the largest employer in San Leandro.

The population of San Leandro doubled between 1940 and 1950, leading to a dramatic shift from agricultural town to industrial city and the leveling of orchards and fields for the development of new neighborhoods. San Leandro has continued growth throughout the 20<sup>th</sup> and 21<sup>st</sup> centuries and today is emerging as an industrial and technological hub (Barr 2015).

#### **BAY FAIR TOD SPECIFIC PLAN AREA**

The Specific Plan Area features development dating back to the 1950s with the construction of several single-family homes on Olive Court and the construction of Bayfair Center Mall in 1956. The mall is one of the oldest in the Bay Area. With continued development in the area, the Bay Fair BART Station was constructed in 1972 and today serves as one of the primary transfer stations in the system.

#### *4.4.1.3 Geologic Setting*

Paleontological resources (fossils) are the remains and/or traces of prehistoric life. Fossils are typically preserved in layered sedimentary rocks and the distribution of fossils is a result of the sedimentary history of the geologic units within which they occur. 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 a number of factors. Although it is not possible to determine whether a fossil will occur in any specific location, it is possible to evaluate the potential for geologic units to contain scientifically significant paleontological resources, and therefore evaluate the potential for impacts to those resources, and provide mitigation for paleontological resources if they do occur during construction.

As shown in Figure 14, like much of the near-bay region, including low-lying areas of Alameda County, the Specific Plan Area is mapped at the surface as Quaternary (Holocene) alluvium (Graymer 2000). This unit has not been found to contain fossils, either in the Specific Plan Area or along the northwest-southeast trend of Alameda County's bay shoreline. While these areas have been shown to contain prehistoric and historic cultural resources, they are generally too young to preserve paleontological resources and thus have low to no potential of yielding any significant fossils (SVP 2010). However, if Holocene age sediments transition to older, Pleistocene age sediments in the subsurface (at unknown but possibly relatively shallow depths), these subsurface sediments would have a high potential to yield scientifically significant fossils. Pleistocene deposits in Alameda County and elsewhere around San Francisco Bay of a similar age have yielded vertebrates and invertebrates including, but not limited to, ground sloths, mammoths, bison, saber toothed cats, and shelly marine fauna like bivalves (clams and oysters) and gastropods (snails) (see e.g., Maguire and Holroyd 2016; Savage 1951; Stirton 1939; Tomiya et al. 2011).

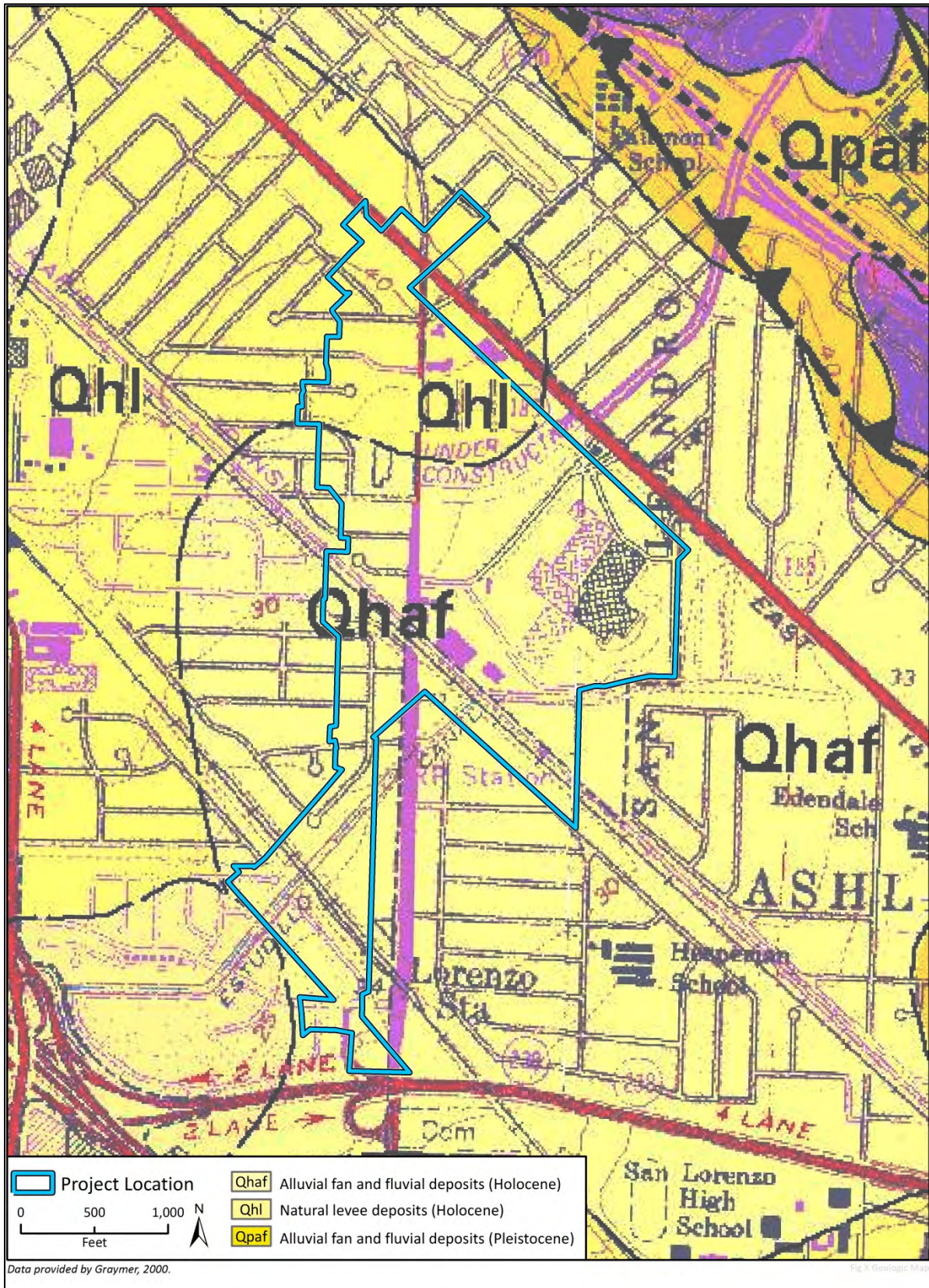
#### 4.4.2 Existing Conditions

##### **Cultural Resources**

The 2035 General Plan EIR lists 53 historic resources within the City (City of San Leandro 2016), of which 16 are marked by historical resource markers (City of San Leandro 2017). Of these resources, 22 are California Points of Historical Interest, three are California State Historical Landmarks, and one resource is listed on the NRHP. None of these known historic resources are located within the Specific Plan Area. For a map of the locations of these resources, see page 4.4-1 of the City's 2035 General Plan EIR (City of San Leandro 2016).



Figure 14 Geologic Map





## Tribal Cultural Resources

As of the date of this EIR, no California Native American Tribes have requested notification of projects by the City of San Leandro under AB 52. Thus, the City of San Leandro prepared and mailed letters to all tribes on the list provided by the NAHC in March 2017. The City did not receive any responses to the AB 52 letters.

The City prepared and mailed letters under SB 18 in March 2017. To date, the Costanoan Rumsen Carmel Tribe and the Amah Mutsun Tribal Band of Mission San Juan Bautista have requested to be placed on the City's email notification list to receive updates on the proposed Specific Plan and EIR. Irenne Zwierlein of the Amah Mutsun Tribal Band of Mission San Juan Bautista requested copies of any archaeological reports if they have been prepared and a copy of the EIR. The City has placed both tribes, as well as all tribes on the NAHC list, on the EIR distribution list. No other tribes have inquired about or provided comments on the project.

## Paleontological Resources

### *Paleontological Sensitivity*

The Society for Vertebrate Paleontology (SVP) broadly defines significant paleontological resources as follows (SVP 2010, page 11):

“Fossils and fossiliferous deposits consisting of identifiable vertebrate fossils, large or small, uncommon invertebrate, plant, and trace fossils, and other data that provide taphonomic, taxonomic, phylogenetic, paleoecologic, stratigraphic, and/or biochronologic information. Paleontological resources are considered to be older than recorded human history and/or older than middle Holocene (i.e., older than about 5,000 radiocarbon years).”

Significant paleontological resources are determined to be fossils or assemblages of fossils that are unique, unusual, rare, uncommon, diagnostically important, or are common but have the potential to provide valuable scientific information for evaluating evolutionary patterns and processes, or which could improve our understanding of paleochronology, paleoecology, paleophylogeography or depositional histories. New or unique specimens can provide new insights into evolutionary history; however, additional specimens of even well represented lineages can be equally important for studying evolutionary pattern and process, evolutionary rates and paleophylogeography. Even unidentifiable material can provide useful data for dating geologic units if radiocarbon dating is possible. As such, common fossils (especially vertebrates) may be scientifically important, and therefore considered highly significant.

The SVP (2010) describes sedimentary rock units as having high, low, undetermined, or no potential for containing significant nonrenewable paleontological resources. 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. Significant paleontological resources are fossils or assemblages of fossils, which are unique, unusual, rare, uncommon, diagnostically or stratigraphically important, and those which add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally (Reynolds 1990). While these standards were specifically written to protect vertebrate paleontological resources, all fields of paleontology have adopted these guidelines. Rincon has evaluated the paleontological sensitivity of the Specific Plan Area according to the following SVP (2010) categories:

- **High Potential (sensitivity).** Rock units from which significant vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered are considered to have a high potential for containing significant non-renewable fossiliferous resources. These units include but are not limited to, sedimentary formations and some volcanic formations which contain significant nonrenewable paleontological resources anywhere within their geographical extent, and sedimentary rock units temporally or lithologically suitable for the preservation of fossils. Sensitivity comprises both (a) the potential for yielding abundant or significant vertebrate fossils or for yielding a few significant fossils, large or small, vertebrate, invertebrate, or botanical and (b) the importance of recovered evidence for new and significant taxonomic, phylogenetic, ecologic, or stratigraphic data. Areas which contain potentially datable organic remains older than Recent, including deposits associated with nests or middens, and areas which may contain new vertebrate deposits, traces, or trackways are also classified as significant.
- **Low Potential (sensitivity).** Sedimentary rock units that are potentially fossiliferous, but have not yielded fossils in the past or contain common and/or widespread invertebrate fossils of well documented and understood taphonomic, phylogenetic species and habitat ecology. Reports in the paleontological literature or field surveys by a qualified vertebrate paleontologist may allow determination that some areas or units have low potentials for yielding significant fossils prior to the start of construction. Generally, these units will be poorly represented by specimens in institutional collections and will not require protection or salvage operations. However, as excavation for construction gets underway it is possible that significant and unanticipated paleontological resources might be encountered and require a change of classification from Low to High Potential and, thus, require monitoring and mitigation if the resources are found to be significant.
- **Undetermined Potential (sensitivity).** Specific areas underlain by sedimentary rock units for which little information is available are considered to have undetermined fossiliferous potentials. Field surveys by a qualified vertebrate paleontologist to specifically determine the potentials of the rock units are required before programs of impact mitigation for such areas may be developed.
- **No Potential.** Rock units of metamorphic or igneous origin are commonly classified as having no potential for containing significant paleontological resources.

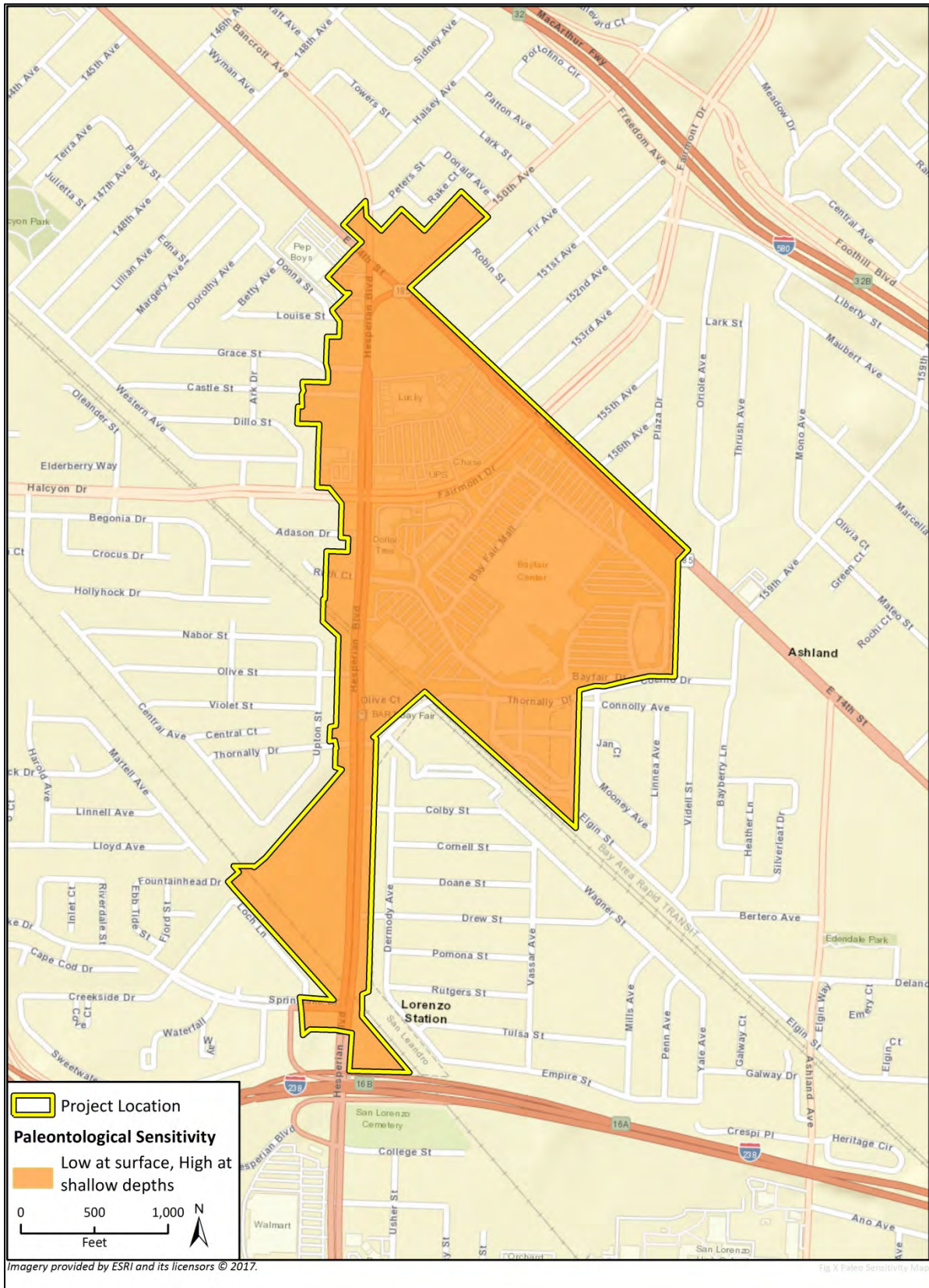
As shown in Figure 15, surficial sediments in the Specific Plan Area are defined as low sensitivity, using the SVP definitions presented above (VP 2010). However, these sediments increase in age with depth. Similarly aged sediments from the region (e.g., Silicon Valley) have an established record of significant fossils (see e.g., Maguire and Holroyd 2016; Tomiya et al. 2011), and therefore these subsurface sediments have high paleontological sensitivity. While the exact depth below the surface of these high sensitivity sediments is unknown, it may be as little as five feet in some places. Therefore, excavations in the Specific Plan Area that meet or exceed this depth, should be considered to have high paleontological sensitivity.

### 4.4.3 Impact Analysis

#### 4.4.3.1 Methodology and Significance Thresholds

The methodologies and significance thresholds employed for the cultural resources impact analyses are described below and in the *Regulatory Setting*, above.

Figure 15 Paleontological Sensitivity Map



In accordance with Appendix G of the *CEQA Guidelines*, an impact to Cultural Resources is considered significant if it can be demonstrably argued that the project would:

1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5;
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
4. Disturb any human remains, including those interred outside of dedicated cemeteries.

The significance of an archaeological deposit and subsequently the significance of any impact are determined by the criteria established in the *CEQA Guidelines*, as provided in the *Regulatory Setting*.

If an archaeological resource does not meet either the historical resource or the more specific “unique archaeological resource” definition, impacts do not need to be mitigated [13 PRC 15064.5 (e)]. Where the significance of a site is unknown, it is presumed to be significant for the purpose of the EIR investigation.

Recent revisions to Appendix G of the *CEQA Guidelines* in accordance with AB 52 include thresholds for potential impacts to Tribal Cultural Resources. An impact to Tribal Cultural Resources from the proposed Specific Plan would be significant if the project would:

1. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

#### a. Project Impacts and Mitigation Measures

<b>Threshold:</b>	Would the Specific Plan cause a substantial adverse change in the significance of a historical resource as defined in <i>CEQA Guidelines</i> Section 15064.5?
<b>Threshold:</b>	Would the Specific Plan cause a substantial adverse change in the significance of an archaeological resource pursuant to <i>CEQA Guidelines</i> Section 15064.5?

**IMPACT CR-1        THE SPECIFIC PLAN AREA IS NOT KNOWN TO CONTAIN BUILDINGS THAT ARE ELIGIBLE FOR LISTING OR LISTED AS A HISTORICAL RESOURCE. NONETHELESS, DEVELOPMENT FACILITATED BY THE PROPOSED SPECIFIC PLAN HAS THE POTENTIAL TO IMPACT UNKNOWN HISTORICAL RESOURCES AND ARCHAEOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

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Based on *CEQA Guidelines* Section 15064.5, future development activities that could be facilitated by the proposed Specific Plan would have a significant impact on historical resources if they would cause a substantial adverse change in the significance of a historical resource. Historical resources include properties eligible for listing on the National Register of Historic Places, the California Register of Historic Resources, or the local register of historical resources. In addition, as explained in Section 15064.5, “[s]ubstantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” As described in the Setting section above, there are no known historic resources identified within the Specific Plan Area; however, buildings over 50 years, such as the Olive Court residences or the Bayfair Center Mall, may be eligible for listing or considered historic resources. If projects under the proposed Specific Plan may affect buildings over 50 years old, impacts to historic resources may occur.

Effects on archaeological resources are only known once a specific project has been proposed because the effects are highly dependent on both the individual project site conditions and the characteristics of the proposed ground-disturbing activity. Ground-disturbing activities associated with development facilitated by the proposed Specific Plan, particularly in areas that have not been studied through a cultural resources investigation, or when excavation depths exceed those previously attained, have the potential to damage or destroy previously-unknown historic or prehistoric archaeological resources that may be present on or below the ground surface. Consequently, damage to or destruction of previously-unknown sub-surface cultural resources could occur as a result of development under the proposed Specific Plan. In order to ensure that development within the Specific Plan Area does not have a detrimental effect on archaeological resources, each project will need to be assessed as it is proposed. Without mitigation, impacts are potentially significant.

## **Mitigation Measures**

The following mitigation measures are required.

### *CR-1        Historical Built-Environment*

At the time of application for discretionary land use permits or subdivisions that involve the demolition or alterations of buildings or structures greater than 50 years old, the project applicant shall retain a historian or architectural historian who meets the Secretary of Interior’s Professional Qualifications Standards to document and evaluate the historical significance of the affected buildings or structures. If such documentation and evaluation indicates that the building or structure qualifies as a significant historical resource, the resource shall be avoided and preserved in place if feasible. If avoidance is not feasible, further documentation or action to reduce impacts on historical resources shall be provided, including but not limited to archival quality photographs, measured drawings, oral histories, interpretive signage, and/or other measures including, potentially, alteration of the resource in accordance with Secretary of the Interior’s standards or relocation of the resource.

Historical documentation shall be submitted for review and discretionary approval by the City prior to issuance of any permits for demolition or alteration of structures greater than 50 years old.

The City shall site inspect during grading and prior to occupancy clearance to ensure compliance with measures recommended through the historical documentation.

#### *CR-2 Archaeological Resources*

At the time of application for discretionary land use permits or subdivisions that will involve grading, trenching, or other ground disturbance, the project applicant shall retain a qualified archaeologist meeting the Secretary of the Interior (SOI) standards in archaeology to complete a Phase 1 archaeological inventory of the project site. A Phase 1 archaeological inventory shall include an archaeological pedestrian survey of the project site and sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Archival research should include a records search conducted at the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search conducted with the Native American Heritage Commission (NAHC).

Prehistoric or historic archaeological remains so identified shall be avoided and preserved in place where feasible. Where preservation is not feasible, the significance of each resource shall be evaluated for significance and eligibility to the CRHR. Phase 2 evaluation shall include any necessary archival research to identify significant historical associations as well as mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of a sample of the cultural deposit to characterize the nature of the sites, define the artifact and feature contents, determine horizontal boundaries and depth below surface, and retrieve representative samples of artifacts and other remains.

Excavation at Native American sites shall be monitored by a geographically affiliated tribal representative, as agreed upon in any formal consultation proceedings with the geographically affiliated tribe or as indicated by the NAHC. Cultural materials collected from the sites shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. The significance of the sites shall be evaluated according to the criteria of the CRHR. The results of the investigations shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format (1990 or latest edition)" (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>). Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at an appropriate curation facility. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.

If the resources meet CRHR significance standards, the City shall ensure that all feasible recommendations for mitigation of archaeological impacts are incorporated into the final design and permits issued for development. Necessary data recovery excavation shall be carried out by a qualified archaeologist meeting the SOI standards for archaeology according to a research design reviewed and approved by the City prepared in advance of fieldwork and using appropriate archaeological field and laboratory methods consistent with the California Office of Historic Preservation Planning Bulletin 5 (1991), Guidelines for Archaeological Research Design, or the latest edition thereof.

As applicable, the final Phase 1 Inventory, Phase 2 Testing and Evaluation, or Phase 3 Data Recovery reports shall be submitted to the City prior to issuance of construction permit. Recommendations contained therein shall be implemented throughout all ground disturbance activities.

## Significance After Mitigation

Implementation of Mitigation Measures CR-1 and CR-2 would minimize significant direct impacts to historic and unique archaeological resources to the maximum extent feasible. With mitigation, impacts to historical and archaeological resources would be less than significant.

<b>Threshold:</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
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**IMPACT CR-2** GROUND-DISTURBING ACTIVITIES ASSOCIATED WITH DEVELOPMENT FACILITATED BY THE PROPOSED SPECIFIC PLAN COULD RESULT IN DAMAGE TO OR DESTRUCTION OF PALEONTOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

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As described above under Subsection 4.4.2, Existing Conditions, the surficial sediments in the Specific Plan Area can be defined as low sensitivity. However, these sediments increase in age with depth, and subsurface sediments have high paleontological sensitivity. While the precise depth of these high sensitivity sediments is unknown, it may be as little as five feet (Maguire and Holroyd 2016; Savage 1951). Therefore, paleontological resources may be present in fossil-bearing sediments at unknown depths below the ground surface. Ground-disturbing activities in geologic units with high paleontological sensitivity have the potential to damage or destroy paleontological resources that may be present below the ground surface. Therefore, activities resulting from implementation of the proposed Specific Plan, including construction-related and earth-disturbing actions, could damage or destroy fossils in these geologic units resulting in a significant impact. Mitigation Measure CR-3 would ensure that potential impacts to paleontological resources would be assessed, avoided, and mitigated through implementation of a policy designed to protect paleontological resources.

## Mitigation Measures

The following Mitigation Measures shall be implemented.

### *CR-3 Paleontological Resources Assessment*

For projects in the Specific Plan Area that would involve ground disturbance below five feet in undisturbed sediments, the City shall require a paleontological assessment, and avoidance and/or mitigation for potential impacts to paleontological resources. Specific requirements include:

- a. **Retain a Qualified Paleontologist.** Prior to initial ground disturbance, the applicant shall retain a project paleontologist, defined as a paleontologist who meets the SVP standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources. A qualified paleontologist (Principal Paleontologist) is defined by the SVP standards as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, preferably northern California, and who has worked as a paleontological mitigation project supervisor for a least one year (SVP 2010).



- b. **Paleontological Resources Assessment.** Prior to any construction activity, a Qualified Professional Paleontologist should prepare a Paleontological Resources Assessment to identify the geologic units that may be impacted by project development, determine the paleontological sensitivity of geologic units within the project site using the Society of Vertebrate Paleontology standards (SVP 2010), assess potential for impacts to paleontological resources from development of the proposed project, and recommend mitigation measures to avoid or mitigate impacts to scientifically significant paleontological resources. The Paleontological Resources Assessment may also require a field survey, but this will need to be determined on a project-by-project basis. If the project paleontologist determines that sediments within a project site are sensitive for potentially significant paleontological resources, the following steps (CR-2c to g) should be taken prior to, during, and after construction activities.
- c. **Paleontological Mitigation and Monitoring Program.** Prior to construction activity a qualified paleontologist should prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity for the proposed project. This program should outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration, salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications.
- d. **Paleontological Worker Environmental Awareness Program (WEAP).** Prior to the start of construction, the project paleontologist or his or her designee, shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The WEAP shall be fulfilled at the time of a preconstruction meeting at which a qualified paleontologist shall attend. In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. If it is determined that the fossil(s) is(are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources.
- e. **Paleontological Resource Construction Monitoring.** Ground disturbing construction activities (including grading, trenching, foundation work and other excavations) in undisturbed sediments, below five feet, with high paleontological sensitivity should be monitored on a full-time basis by a qualified paleontological monitor during initial ground disturbance. The Paleontological Mitigation and Monitoring Program shall be supervised by the project paleontologist. Monitoring should be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources. The duration and timing of the monitoring will be determined by the project paleontologist. If the project paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new or unforeseen deeper ground disturbances are required and reduction or suspension would need to be reconsidered by the Supervising Paleontologist. Ground disturbing activity that does not occur in undisturbed sediments with high paleontological sensitivity would not require paleontological monitoring.
- f. **Fossil Salvage.** If fossils are discovered, the project paleontologist or paleontological monitor should recover them. Typically fossils can be safely salvaged quickly by a single



paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

Once salvaged, significant fossils should be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.

- g. **Final Paleontological Mitigation Report.** Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist should prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report should include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

### Significance After Mitigation

The implementation of Mitigation Measure CR-3 would reduce impacts to paleontological resources to a less than significant level by ensuring potential resources are identified and either further avoided or recovered.

<b>Threshold:</b> Would the Specific Plan disturb any human remains, including those interred outside of dedicated cemeteries?
--

**IMPACT CR-3 GROUND-DISTURBING ACTIVITIES ASSOCIATED WITH DEVELOPMENT UNDER THE PROPOSED SPECIFIC PLAN COULD RESULT IN DAMAGE TO OR DESTRUCTION OF HUMAN BURIALS. HOWEVER, ADHERENCE TO EXISTING REGULATIONS REGARDING THE DISCOVERY OF HUMAN REMAINS WOULD REDUCE POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.**

Human burials outside of formal cemeteries often occur in prehistoric archeological contexts. Although the Specific Plan Area is built out, the potential still exists for these resources to be present. Excavation during construction activities in the Specific Plan Area would have the potential to disturb these resources, including Native American burials.

Human burials, in addition to being potential archaeological resources, have specific provisions for treatment in Section 5097 of the California Public Resources Code. 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, and established procedures to be implemented if Native American skeletal remains are discovered. Public Resources Code Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and established the NAHC to resolve any related disputes.

Implementation of these regulations would ensure that development carried out under the proposed Bay Fair TOD Specific Plan would have a less than significant impact from potential disturbance of human remains, including those interred outside of formal cemeteries.

## Mitigation Measures

No mitigation measures are required with required adherence to existing regulations.

<p><b>Threshold:</b> Would the Specific Plan cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <ul style="list-style-type: none"><li>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</li><li>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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</li></ul>
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**IMPACT CR-4 CONSTRUCTION ASSOCIATED WITH INDIVIDUAL PROJECTS PURSUANT TO IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN INVOLVES ACTIVITIES WHICH HAVE THE POTENTIAL TO ADVERSELY IMPACT TRIBAL CULTURAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.**

Effects on tribal cultural resources are only known once a specific project has been proposed because the effects are highly dependent on both the individual project site conditions and the characteristics of the proposed ground-disturbing activity. Future projects completed under the Specific Plan, as projects subject to CEQA, must comply with the requirements of AB 52, including consultation with California Native American tribes as each project is proposed which may result in the identification of tribal cultural resources. As described in the project setting, the Bay Area has a long history of Native American occupation, and development activities pursuant to the implementation of the proposed Specific Plan have the potential to significantly impact tribal cultural resources. Impacts are considered potentially significant.

## Mitigation Measures

The following mitigation measure is required.

### *CR-4 Unanticipated Discovery of Tribal Cultural Resources*

In the event that potential tribal cultural resources are identified during the implementation of the requirements under Mitigation Measure CR-2, the qualified expert performing the cultural resources study, along with the project applicant and the City, will contact California Native American tribe(s) that have expressed interest and begin or continue consultation procedures with that tribe(s). If, as a result of the consultation, the City determines that the resource is a tribal cultural resource and the proposed project will have a potentially significant impact, additional mitigation measures as discussed with the tribe to avoid or reduce impacts to the resource shall be required and implemented where feasible.

## Significance After Mitigation

Adherence to the consultation requirements of AB 52 and Mitigation Measure CR-4 would reduce potential impacts to tribal cultural resources to *less than significant* by providing for the identification of tribal cultural resources and by requiring continued consultation efforts with local California Native American tribes.

### b. Cumulative Impacts

Cumulative development within the Specific Plan Area would disturb areas that may potentially contain cultural, tribal cultural, and paleontological resources. While there is the potential for significant cumulative impacts to cultural, tribal cultural, and paleontological resources within the Specific Plan Area, it is anticipated that potential impacts associated with individual development projects would be addressed on a case-by-case basis. In addition, as discussed above, the proposed Specific Plan's impacts can be reduced to below a level of significance with the proposed mitigation measures. Therefore, significant cumulative resource impacts are not anticipated.

## 4.5 Geology and Soils

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This section assesses potential impacts related to geologic and soil hazards.

### 4.5.1 Setting

#### a. Topography and Geology

San Leandro is located on the East Bay Plain (the Plain), a flat area that extends 50 miles from Richmond in the north to San Jose in the south. The Plain is about three miles wide in the San Leandro area. At its eastern edge, the plain transitions into low hills, rising to 526 feet at the highest point in the City's Bay-O-Vista neighborhood. On its western edge, the Plain slopes down to San Francisco Bay, the largest estuary on the California Coast (City of San Leandro 2016i).

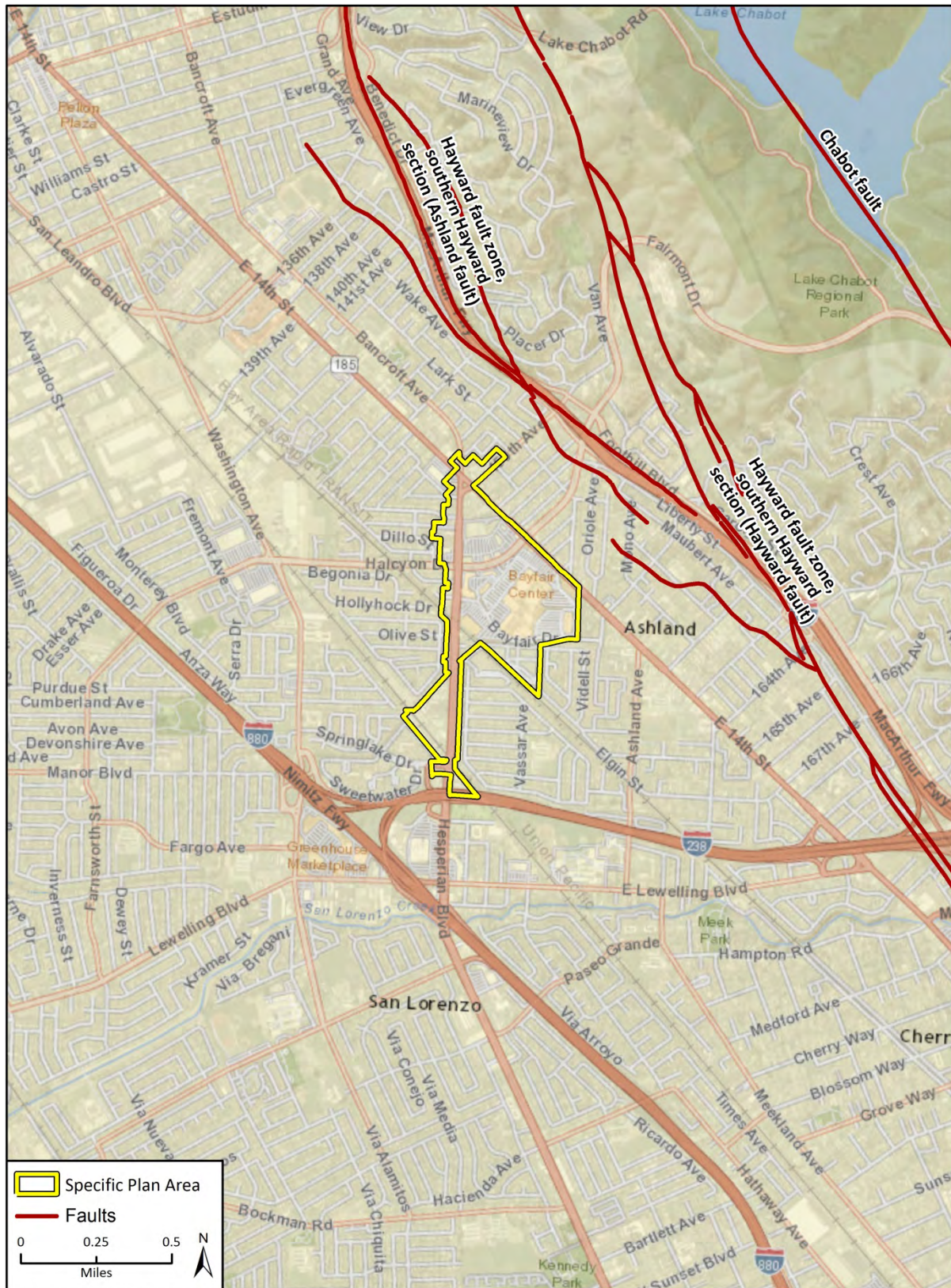
San Leandro's rich alluvial soils and temperate climate support a wide variety of plants and animals. Wetlands in the southwest part of San Leandro provide habitat for the salt marsh harvest mouse and other special status species. San Leandro Creek remains one of the few waterways in the urbanized East Bay that retains its natural character along most of its course (City of San Leandro 2016i).

San Leandro is located within the United States Geological Survey's (USGS) San Leandro and Hayward Quadrangle 7.5-minute topographic map areas. The area is typified by low topographic relief, with gentle slopes to the southwest in the direction of San Francisco Bay. By contrast, the San Leandro Hills that lie directly northeast of San Leandro have more pronounced topographic relief, with elevations that locally approach 1,000 feet above mean sea level (City of San Leandro 2016i).

The geology in the vicinity of San Leandro has been mapped by a variety of organizations, including the USGS. In its 2000 geologic map and map database for the Oakland, California area, the shallow geology underlying much of San Leandro consists of Holocene alluvium with fluvial deposits frequently composed of medium dense to dense, gravelly sand or sandy gravel that often grade upward to sandy or silty clay. Close to the bay shoreline along the west edge of San Leandro, the shallow geology is dominated by artificial fill, and in places, Bay Mud. The bedrock geology beneath San Leandro is best expressed in the hills that flank the east side of San Leandro (i.e. the area between Interstate Highway 580 and Lake Chabot), that are directly underlain by highly altered Jurassic metamorphic and plutonic rocks. Some of these rocks include pillow basalts and keratophyres (a type of silica-rich volcanic rock) that have been mapped as members of the Coast Range Ophiolite complex, a rock assemblage that is widely believed to represent oceanic crustal material that was tectonically emplaced along the west margin of the North American (tectonic) Plate (City of San Leandro 2016i).

Additionally, the Specific Plan Area is located in proximity to the San Andreas and Hayward fault zones, one of the most seismically active regions in the United States, however it is not located within the Alquist-Priolo fault zone. Specific Plan Area faults are discussed in greater detail below under part (d), Geologic Hazards, Figure 16, and Figure 17 show faults within the proximity of the Specific Plan Area to the Hayward Fault and the Alquist-Priolo fault zone, respectively.

Figure 16 Regional Fault Map

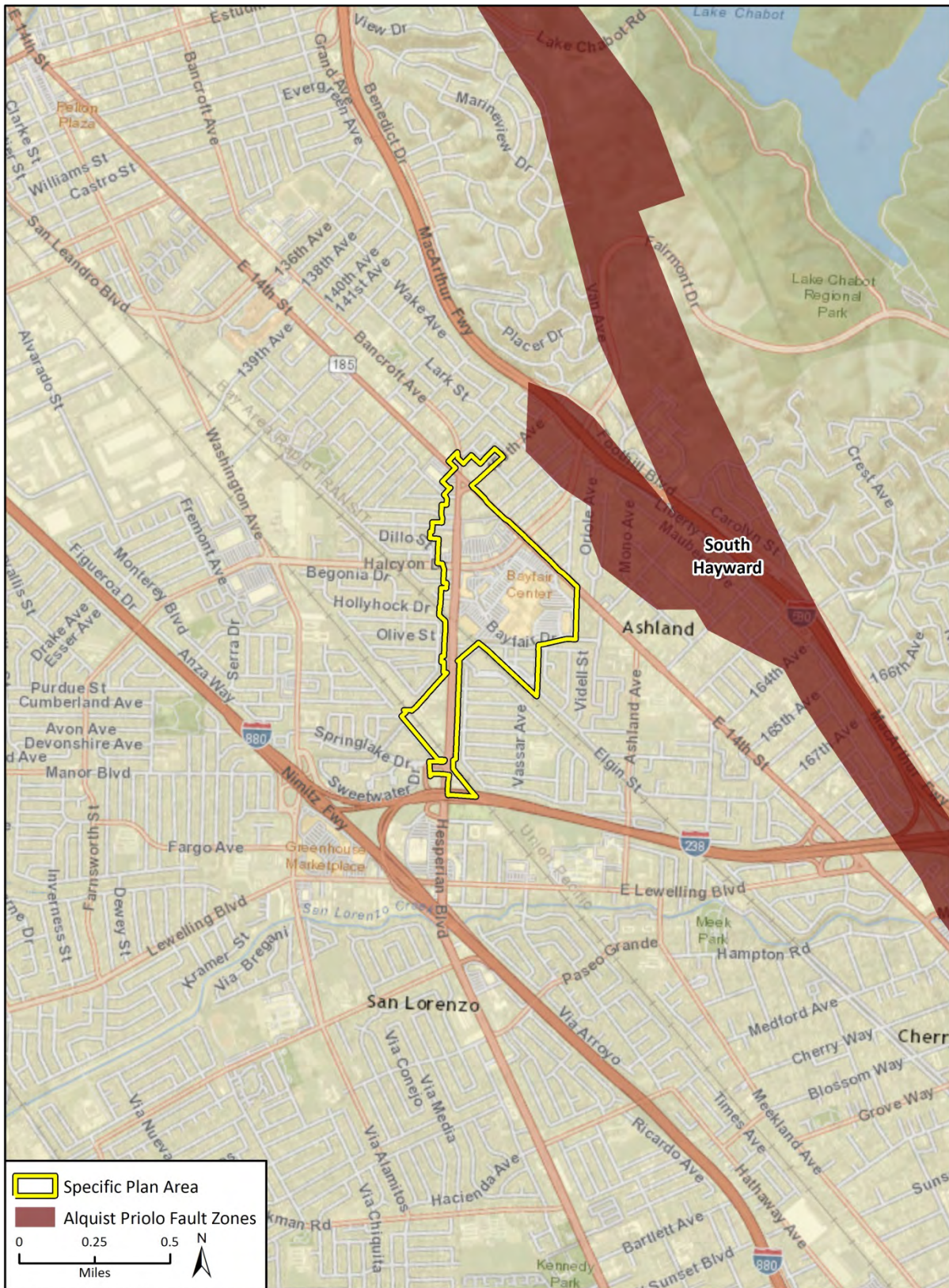


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 Additional data provided by USGS, 2016.

Fig 3 Faults



Figure 17 Alquist-Priolo Fault Zone Map



Imagery provided by ESRI, Google and their licensors © 2017.  
Additional data provided by California Geologic Survey, 2015.

Fig2 AlquistPriolo

## b. Soils

The properties of soils city-wide are variable, ranging from poorly drained, plastic soils of the Clear Lake clay to the more permeable, well-drained soils of the Yolo silt loam. According to published test data, several soil types, notably the Clear Lake clay, are characterized by high shrink-swell potential, where alternating heavy and cracking in overlying foundations, utility lines, and/or flatwork (City of San Leandro 2016i).

As mapped by the Natural Resource Conservation Service (NRCS), three soil types are located in the Specific Plan Area (USDA 2017). The Specific Plan Area is comprised primarily of drained Clear Lake clay 0 to 2 percent slopes, MLRA 14 (84.1 acres). The remainder of the Specific Plan Area is comprised of Botella loam 0 to 2 percent slopes, MLRA 14 (54.9 acres) and Danville silty clay loam 0 to 2 percent (15.8 acres). Specific Plan Area soils are shown in Figure 18 and soil characteristics for the Specific Plan Area soils related to water holding capacity, permeability, shrink-swell potential, rate of surface runoff, and erosion hazard are listed below in Table 9.

**Table 9 Specific Plan Area Soil Parameters**

Map Unit #	Name	Water Holding Capacity (in.)	Permeability (in/hr)	Shrink-Swell Potential	Rate of Surface Runoff	Erosion Hazard
106	Botella loam, 0 to 2 percent slopes	9-11	Moderately slow	Moderate	Slow	Slight
107	Clear Lake clay, 0 to 2 percent slopes, drained	7-9.5	Slow	High	Slow	None
111	Danville silty clay loam, 0 to 2 percent slopes	8.5-10.5	Slow	Moderate to High	Slow	None

Sources: U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Web Soil Survey of Alameda County, California, April 11, 2017; U.S. Department of Agriculture (USDA), Soil Conservation Service, Soil Survey of Alameda County, California, Western Part, March, 1981.

## c. Geologic Hazards

Similar to much of California, the Specific Plan Area is located within a seismically active region. The seismic hazards relevant to the Specific Plan Area are described below.

### Faulting and Seismically Induced Ground Shaking

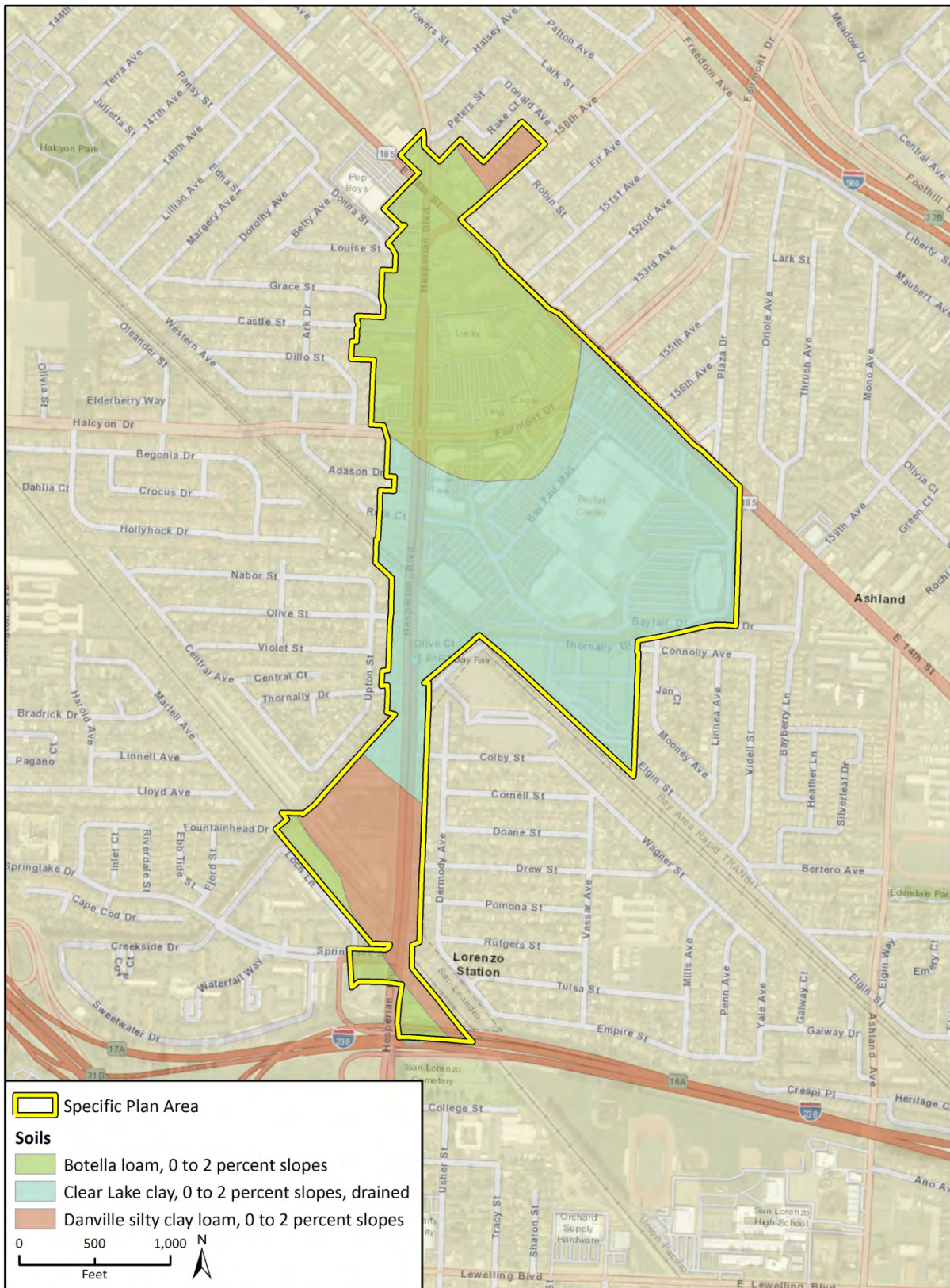
The U.S. Geological Survey (USGS) defines active faults as those that have had surface displacement within Holocene time (about the last 11,000 years). Surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and saddles, the alignment of depressions, sag ponds, and the existence of steep mountain fronts. Potentially active faults are faults that have had surface displacement during the last 1.6 million years. Inactive faults have not had surface displacement within the last 1.6 million years. Several faults are located in the vicinity of the Specific Plan Area (refer to Figure 17). These major faults and fault zones are described in the paragraphs below:

#### *San Andreas Fault*

The San Andreas Fault, which is the most likely source of a major earthquake in California, is located approximately 15 miles west of San Leandro. The San Andreas Fault is the primary surface boundary between the Pacific and the North American plates. There have been numerous historic



Figure 18 Specific Plan Area Soils Map



Imagery provided by ESRI, Google and their licensors © 2017.  
 Additional data provided by USDA NRCS SSURGO, 2014.



earthquakes along the San Andreas Fault, and it generally poses the greatest earthquake risk to California. In general, the San Andreas Fault is likely capable of producing a Maximum Credible Earthquake (MCE) of 8.0.

### *Hayward Fault*

The Hayward Fault, one of ten major faults that comprise the San Andreas Fault Zone, runs northeast of the Specific Plan Area and links with the Rodgers Creek Fault to the north. Although the last major earthquake generated by the Hayward Fault was in 1868, pressure is slowly building again and will begin to overcome the friction and other forces that are causing the fault zone to stick. According to a 2008 study of earthquake probabilities by the U.S. Geological Survey and other partners, the fault system that includes the Hayward and Rodgers Creek faults has a 31 percent probability of generating an earthquake with a magnitude greater than or equal to 6.7 on the Mercalli Richter Scale in the next 30 years (City of San Leandro 2016f). The Hayward Fault would likely cause extensive damage throughout the Specific Plan Area due to its close proximity to urban communities and infrastructure. The Hayward Fault and surrounding area is a designated Alquist-Priolo Zone, which lies just northeast of the Specific Plan Area (see Figure 17).

Other active faults within the Specific Plan Area vicinity include the Chabot, Calaveras, Greenville, and Las Positas faults, as well as several potentially active faults and unnamed secondary faults adjacent to these faults. There are few or no studies pertaining to these additional secondary faults; therefore it is unknown if these faults may or may not experience secondary ground rupture during a large earthquake.

In addition to the primary hazard of surface rupture, earthquakes often result in secondary hazards that may cause widespread damage. The three most likely secondary earthquake hazards in the Specific Plan Area are ground shaking, liquefaction and ground failure (City of San Leandro 2016f).

## **Surface Rupture**

Faults generally produce damage in two ways: ground shaking and surface rupture. Surface rupture is limited to very near the fault. As discussed above, the Hayward Fault runs northeast of the Specific Plan Area. Since the fault zone is outside the Specific Plan Area, surface rupture in the Specific Plan Area is not expected to occur (see Figure 17).

## **Ground Shaking**

Seismically induced ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. The USGS and ABAG have worked together to map the likely intensity of ground-shaking throughout the Bay Area under various earthquake scenarios. The most intense ground-shaking scenario mapped in the Specific Plan Area assumes a 6.9 magnitude earthquake on the Hayward Fault system. The predicted ground-shaking from such an earthquake would be “very violent” or “violent” throughout the Specific Plan Area (ABAG 2016a).

Hazards associated with seismically induced ground shaking include liquefaction, seismically induced settlement, and earthquake-triggered landslides. Movement along any of the faults shown in Figure 17 could potentially generate substantial ground shaking in the Specific Plan Area leading to these secondary hazards, as discussed below.

## Liquefaction and Seismically-Induced Settlement

Liquefaction is defined as the sudden loss of soil strength due to a rapid increase in soil pore water pressure resulting from seismic ground shaking. Liquefaction potential is dependent on such factors as soil type, depth to ground water, degree of seismic shaking, and the relative density of the soil. When liquefaction of the soil occurs, buildings and other objects on the ground surface may tilt or sink, and lightweight buried structures (such as pipelines) may float toward the ground surface. Liquefied soil may be unable to support its own weight or that of structures, which could result in loss of foundation bearing or differential settlement. Liquefaction may also result in cracks in the ground surface followed by the emergence of a sand-water mixture.

Seismically induced settlement occurs in loose to medium dense unconsolidated soil above groundwater. These soils compress (settle) when subject to seismic shaking. The settlement can be exacerbated by increased loading, such as from the construction of buildings. Settlement can also result solely from human activities including improperly placed artificial fill, and structures built on soils or bedrock materials with differential settlement rates.

Earthquake hazard maps produced by ABAG indicate that a large Hayward Fault quake would trigger very strong shaking throughout San Leandro and a high risk of liquefaction in the Washington Manor and Bonaire neighborhoods, each neighborhood located less than a mile southwest of the Specific Plan Area (City of San Leandro 2016f). The Specific Plan Area is located within an area identified by the California Geologic Survey, California Department of Conservation (2003), as having moderate susceptibility and therefore is in a Zone of Required Investigation for liquefaction potential (refer to Figure 19). The identified seismic hazard zone is due to the area having historical occurrence of liquefaction, or where local geological geotechnical and ground-water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c). However, seismic hazard zones identified by the California Geologic Survey may include developed land where delineated hazards have already been mitigated to city or county standards.

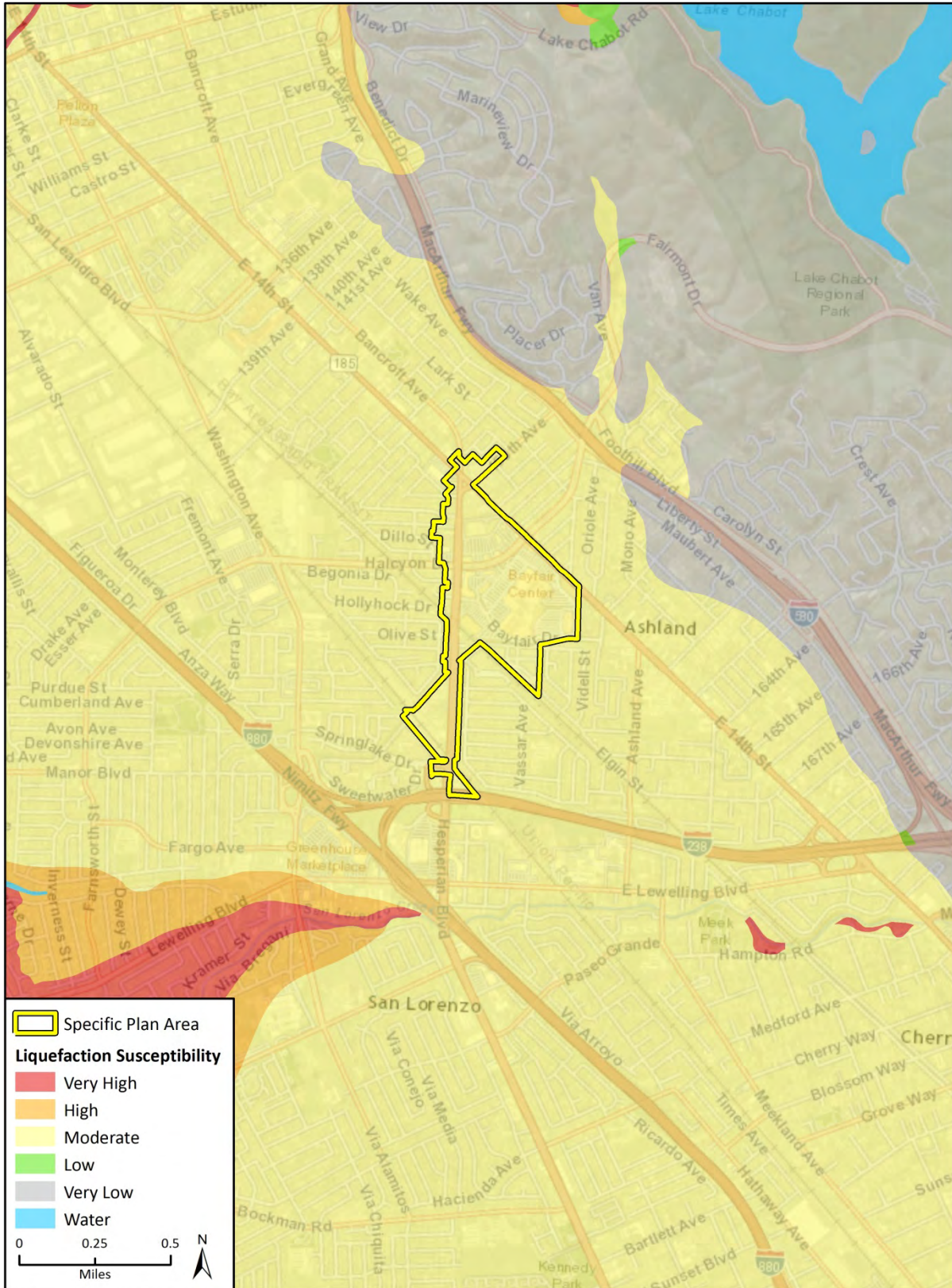
## Slope Stability and Landslides

Landslides result when the driving forces that act on a slope (i.e., the weight of the slope material, and the weight of objects placed on it) are greater than the slope's natural resisting forces (i.e., the shear strength of the slope material). Slope instability may result from natural processes, such as the erosion of the toe of a slope by a stream, or by ground shaking caused by an earthquake. Slopes can also be modified artificially by grading, or by the addition of water or structures to a slope. Development that occurs on a slope can substantially increase the frequency and extent of potential slope stability hazards.

Areas susceptible to landslides are typically characterized by steep, unstable slopes in weak soil/bedrock units which have a record of previous slope failure. There are numerous factors that affect the stability of the slope, including: slope height and steepness, type of materials, material strength, structural geologic relationships, ground water level, and level of seismic shaking.

According to the Environmental Hazards Element of the 2035 General Plan (2016), landslide risk is low throughout the majority of San Leandro. However, localized areas of instability exist throughout the San Leandro Hills (see Figure 20). The Specific Plan Area is generally flat and not located in the San Leandro hills. Therefore, landslides within the Specific Plan Area are unlikely.

Figure 19 Liquefaction Susceptibility Map

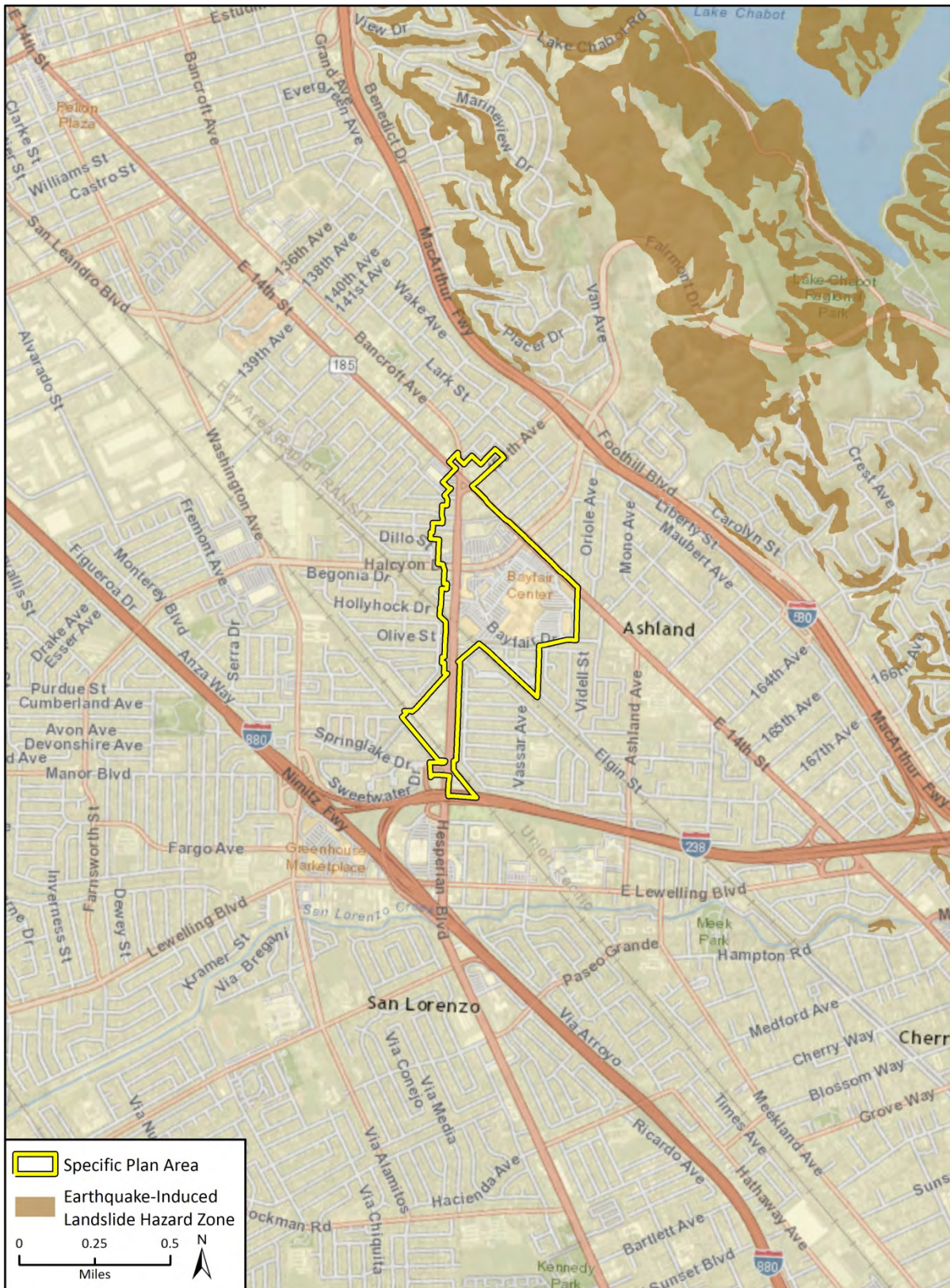


Imagery provided by ESRI, Google and their licensors © 2017.  
 Additional data provided by USGS, 2006.

Fig4 Liquefaction



Figure 20 Landslide Hazard Map



Imagery provided by ESRI, Google and their licensors © 2017.  
Additional data provided by California Geologic Survey, 2015.

Fig 5 Landslide

## Expansive Soils

Expansive soils can change dramatically in volume depending on moisture content. When wet, these soils can expand; conversely, when dry, they can contract or shrink. Sources of moisture that can trigger this shrink-swell phenomenon include seasonal rainfall, landscape irrigation, utility leakage, and/or perched groundwater. Expansive soil can develop wide cracks in the dry season, and changes in soil volume have the potential to damage concrete slabs, foundations, and pavement. Special building/structure design or soil treatment are often needed in areas with expansive soils. Expansive soils are typically very fine-grained with a high to very high percentage of clay. The clay minerals present typically include montmorillonite, smectite, and/or bentonite. As shown in Table 9, the U.S. Geological Survey has mapped soils in the Specific Plan Area as having moderate potential for shrink-swell. Areas characterized by moderate shrink-swell potential may pose a geologic hazard in the Specific Plan Area.

## Erosion

Erosion is the wearing away of the soil mantle by running water, wind or geologic forces. It is a naturally occurring phenomenon and ordinarily is not hazardous. However, excessive erosion can contribute to landslides, siltation of streams, undermining of foundations, and ultimately the loss of structures. Removal of vegetation tends to heighten erosion hazards. The City enforces grading and erosion control ordinances to reduce these hazards. Maintenance programs along San Leandro Creek also reduce the threat of erosion (City of San Leandro 2016f).

The Specific Plan Area lies in a generally flat area, sitting at approximately 29 feet above mean sea level and the Specific Plan Area is characterized by having “none” or a “slight” potential for erosion-related hazards. Additionally, the majority of on-site soils have “none” or a “slight” potential for erosion-related hazards.

## d. Regulatory Setting

### Federal

#### *Clean Water Act*

Congress enacted the Clean Water Act (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 United States. 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. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). NPDES permitting authority is administered by the California State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs). San Leandro is within a watershed administered by the Bay Area RWQCB. Individual projects within the City that disturb more than one acre would be required to obtain NPDES coverage under the California General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) describing Best Management Practices (BMPs) the discharger would use to prevent and retain stormwater runoff and to prevent soil erosion.

## State

State geotechnical regulations applicable to the Specific Plan Area include the Seismic Hazards Mapping Act and the California Building Code (CBC). The Seismic Hazards Mapping Act addresses geo-seismic hazards, other than surface faulting, and applies to public buildings and most private buildings intended for human occupancy. The Seismic Hazards Mapping Act identifies and maps seismic hazard zones to assist cities and counties in preparing the safety elements of their general plans and encourages land use management policies and regulations that reduce seismic hazards. The Act mandated the preparation of maps delineating “Liquefaction and Earthquake-Induced Landslide Zones of Required Investigation.” The Specific Plan Area contains land designated as liquefaction risk areas according to the California Geologic Survey (2003).

The CBC requires, among other things, seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities, and requires the implementation of erosion control measures. The City is responsible for enforcing the 2016 CBC, or most current CBC version, within the Specific Plan Area.

## Local

### *San Leandro Municipal Code*

Chapter 7, Section 12, Grading, Excavations, and Fills, of the San Leandro Municipal Code (SLMC) maintains a grading ordinance to mitigate hazards associated with erosion and land stability. The ordinance establishes criteria for permits and identifies grading plan submittal and construction requirements.

### *San Leandro 2035 General Plan*

The following goal, policies, and actions in the City’s 2035 General Plan relate to geology and soils:

**Goal EH-1.** Reduce the potential for injury, property damage, and loss of life resulting from earthquakes, landslides, and other natural disasters.

**Policy EH-1.1 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.

**Action EH-1.1.A: Soils and Geologic Reports.** Require soils and/or geologic reports for development in areas where potentially serious geologic risks exist. These reports should address the degree of hazard, design parameters for the project based on the hazard, and appropriate mitigation measures.

**Policy EH-1.2. Earthquake Retrofits.** Strongly encourage the retrofitting of existing structures to withstand earthquake ground shaking, and require retrofitting when such structures are substantially rehabilitated or remodeled.

**Action EH-1.2.A. Residential Retrofit Program.** Undertake programs to assist homeowners with earthquake retrofitting. As funding allows, such programs could include home inspections, do-it-yourself classes, tool lending libraries, the Brace and Bolt Program, and other measures that reduce the risk of damage and injury in an earthquake.

**Action EH-1.2.B: Change of Occupancy Upgrades.** Continue requirements that structures at high risk of earthquake damage be retrofitted when there is a change of occupancy or major building remodel.

**Action EH-1.2.C. Soft-Story Buildings.** Develop an implementation strategy to reduce the hazards posed by soft-story buildings (multi-story structures with little or no first floor bracing).

**Policy EH-1.4 Code Revisions.** Revise and update construction codes and regulations to incorporate the latest available information and technology related to earthquake hazards.

## 4.5.2 Impact Analysis

### a. Methodology and Significance Thresholds

Assessment of impacts is based on review of site information and conditions and County information regarding geologic issues. In accordance with Appendix G of the *CEQA Guidelines*, a project would result in a significant impact if it would:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault,
  - ii. Strong seismic ground shaking,
  - iii. Seismic-related ground failure, including liquefaction, or
  - iv. Landslides.
2. Result in substantial soil erosion or the loss of topsoil;
3. 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;
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; and/or
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b>	Would the Specific Plan expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"><li>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault,</li><li>ii. Strong seismic ground shaking,</li><li>iii. Seismic-related ground failure, including liquefaction, or</li><li>iv. Landslides?</li></ul>
<b>Threshold:</b>	Would the Specific Plan 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?

**IMPACT GEO-1** THE SPECIFIC PLAN AREA IS NEAR THE HAYWARD FAULT ZONE. THEREFORE, THE SPECIFIC PLAN AREA IS SUBJECT TO SEISMICALLY-INDUCED GROUND SHAKING AND OTHER SEISMIC HAZARDS, INCLUDING LIQUEFACTION, WHICH COULD DAMAGE STRUCTURES IN THE SPECIFIC PLAN AREA AND RESULT IN LOSS OF PROPERTY AND RISK TO HUMAN HEALTH AND SAFETY. HOWEVER, INCORPORATION OF STATE-MANDATED BUILDING STANDARDS AND COMPLIANCE WITH 2035 GENERAL PLAN POLICIES WOULD ENSURE IMPACTS WOULD BE *LESS THAN SIGNIFICANT*.

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### Ground Rupture

The Specific Plan Area is located in a seismically active region of California, and is subject to potential ground shaking associated with seismic activities. Specifically, the Hayward Fault runs less than 2 miles northeast of the Specific Plan Area (see Figure 1) and links with the Rodgers Creek Fault to the north. However, the Specific Plan Area is not located within an Alquist-Priolo Earthquake Fault Zone, as delineated by the State Geologist (see Figure 2). Therefore, implementation of the Specific Plan would not directly expose persons or structures to substantial risk of surface rupturing in the event of an earthquake. Impacts related to ground rupture would be less than significant.

### Seismic Shaking

As previously mentioned, the Hayward fault system near the Specific Plan Area has been assessed to have a 31 percent probability of generating an earthquake with a magnitude greater than or equal to 6.7 on the Mercalli Richter Scale in the next 30 years (Alameda County 2013). A seismic event with magnitude 6.7 or greater would be substantial, and would have potential to damage structures and result in loss of property and risk to human health and safety. These risks exist throughout the Specific Plan Area, regardless of development proposed under the Specific Plan. The area is currently developed and populated. Full implementation of the proposed Specific Plan would increase population of the area, structural development, and infrastructure that would be exposed to these hazards.

New development that would occur within the Specific Plan Area would conform to the CBC (as amended at the time of permit approval) as required by law. With the exception of certain enforcement provisions, the City of San Leandro adopted the CBC by reference pursuant to Title 7, Chapter 7-5, Article 1, Section 7-5-100 of the SLMC. Chapter 16 of the CBC contains specific requirements for structural design, including seismic loads and Chapter 18 of the CBC includes



requirements for soil testing, excavation and grading, and foundation design (City of San Leandro 2016i). As discussed above under *Regulatory Environment*, the CBC requires that structures be designed and constructed to resist seismic hazards, including through foundation design and the completion of soil investigations prior to construction. The City would ensure that any development occurring under the proposed Specific Plan will be consistent with the current CBC, thereby ensuring that appropriate investigations and design measures have been employed to effectively minimize or avoid potential hazards associated with redevelopment and/or new building construction. Proper engineering, including compliance with the CBC, would minimize the risk to life and property associated with potential seismic activity in the area. Impacts related to seismic shaking would be less than significant with no mitigation required.

### Unstable Soils and Liquefaction

The entire Specific Plan Area is in an area of “moderate” liquefaction potential (see Figure 19). As such, the Specific Plan Area has been identified as an area where historical liquefaction has occurred, or local geological, geotechnical and ground-water conditions indicate a potential for permanent ground displacement. Unstable soils in the Specific Plan Area also introduce potential risks to existing or proposed infrastructure, and/or to human health and safety. Unstable soils may include any materials not capable of supporting a selected land use.

As required by the Public Resources Code (PRC) Section 2690-2699.6, *Seismic Hazards Mapping Act* and CBC requirements as adopted in the SLMC, site-specific geotechnical evaluations would be conducted for individual development projects with the Specific Plan Area to identify the degree of potential hazards, design parameters for the project based on the hazard, and describe appropriate mitigation measures. These geotechnical studies customarily include recommendations for foundation design, as well as soil improvement techniques, both of which help mitigate these unstable soils and liquefaction hazards. In addition, *Action EH-1.1.A: Soils and Geologic Reports*, *Action EH-1.2.A: Residential Retrofit Program* and *Action EH-1.2.B: Change of Occupancy Upgrades* of the City’s 2035 General Plan Environmental Hazards Element would provide extra measures to identify and mitigate potential risks of seismic hazards for new development and renovation within the Specific Plan Area. Future development included under the proposed Specific Plan would be consistent with these policies, meaning that development located in areas with identified hazards such as those associated with liquefaction potential would appropriately address and be designed to withstand associated hazards to the maximum extent feasible.

Compliance with the CBC, PRC Section 2690-2699.6, 2035 General Plan policies, and the City’s Municipal Code would ensure that potential impacts associated with unstable soils and liquefaction are less than significant.

### Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b> Would the Specific Plan result in substantial soil erosion or loss of topsoil?
--

**IMPACT GEO-2** WITH ADHERENCE TO APPLICABLE LAWS AND REGULATIONS, THE PROPOSED SPECIFIC PLAN WOULD NOT RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As mapped by the NRCS, three soil types are located in the Specific Plan Area (USDA 2017). The Specific Plan Area is comprised primarily of drained Clear Lake clay 0 to 2 percent slopes, MLRA 14

(84.1 acres). The remainder of the Specific Plan Area is comprised of Botella loam 0 to 2 percent slopes, MLRA 14 (54.9 acres) and Danville silty clay loam 0 to 2 percent (15.8 acres). Specific Plan Area soils are shown in Figure 18 and soil characteristics for the Specific Plan Area soils related to water holding capacity, permeability, shrink-swell potential, rate of surface runoff, and erosion hazard are listed in Table 9. The Specific Plan Area lies in a generally flat area, sitting at approximately 29 feet above mean sea level, and the Specific Plan Area soils are characterized by having “none” or a “slight” potential for erosion-related hazards, which limits the potential for substantial soil erosion (refer to Section 4.8, *Hydrology and Water Quality*).

In addition, construction activities that disturb one or more acres of land surface are subject to the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2012-0006-DWQ) adopted by the State Water Resources Control Board (SWRCB). Compliance with the NPDES permit requires each qualifying development project to file a Notice of Intent with the SWRCB. Permit conditions require the development of a stormwater pollution prevention plan (SWPPP), which must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Inspection of construction sites before and after storms is also required to identify stormwater discharge from the construction activity and to identify and implement erosion controls, where necessary. Compliance with the Construction General Permit is reinforced through the City’s Municipal Code in Chapter 7-12, which requires erosion and sedimentation control plans that must be submitted with a grading permit application.

Furthermore, adherence to Action EH-1.1.A of the 2035 General Plan Environmental Hazards Element, *Soils and Geologic Report*, would ensure the identification of the soil composition on a specific project site. These reports shall address the degree of hazard, design parameters for the project based on the hazard, and appropriate mitigation measures, as needed.

The existing soil composition of the overall Specific Plan Area, along with required compliance with aforementioned policies, NPDES permit and regulations, ensures that impacts associated with substantial soil erosion or loss of topsoil would be *less than significant*.

## Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b> Would the Specific Plan be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
---

**IMPACT GEO-3 THE SPECIFIC PLAN AREA IS LOCATED ON EXPANSIVE SOILS. PROPER SOILS ENGINEERING PRACTICES WOULD BE REQUIRED TO ENSURE THAT SOIL CONDITIONS WOULD NOT RESULT IN SIGNIFICANT ADVERSE IMPACTS. WITH REQUIRED IMPLEMENTATION OF STANDARD ENGINEERING PRACTICES, IMPACTS ASSOCIATED WITH UNSTABLE OR EXPANSIVE SOILS WOULD BE LESS THAN SIGNIFICANT.**

Expansive soils are characterized by high clay content which expands when saturated with water and shrinks when dry, potentially threatening the integrity of buildings and infrastructure foundations. Figure 18 shows that soil types in the proposed Specific Plan Area include the following: Botella loam (0 to 2 percent slope), Clear Lake clay (0 to 2 percent slopes), and Danville silty clay loam (0 to 2 percent slope); as indicated in Table 9, all of these soil types are identified as having Medium, High, or Medium-High potential for shrink-swell behavior, or expansiveness. The

presence of expansive soils throughout the proposed Specific Plan Area would make it necessary to conduct geologic investigations for all future development projects and ensure that soils for foundation support are sound. Building on unsuitable soils would have the potential to create future subsidence or collapse issues that could result in the settlement of Specific Plan infrastructure, and/or the disruption of utility lines and other services.

Compliance with existing State and local laws and regulations, such as the CBC and 2035 General Plan Action EH-1.1-A would ensure that the impacts from development associated with implementation of the Specific Plan on expansive soil are minimized by requiring the submittal and review of detailed soils and/or geologic reports prior to construction. Such evaluation must contain recommendations for ground preparation and earthwork specific to the site, which become an integral part of the construction design. The City's Municipal Code Chapter 7-12-270 also restricts grading permits from being issued for any site which is underlain by expansive soils unless the grading plan includes mitigation measures to prevent structural damages which may be caused by conditions due to expansive soils.

With adherence to CBC requirements and the City's requirements, potential impacts associated with expansive soils that could occur with implementation of future development under the proposed Specific Plan would be minimized or avoided because specified studies and design considerations would be employed as relevant and feasible at the individual project level. Impacts associated with expansive soils at the program level would be *less than significant*.

### Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b> Would the Specific Plan have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for waste water disposal?
--

**IMPACT GEO-4 THE PROPOSED SPECIFIC PLAN WOULD NOT INCLUDE SEPTIC TANKS OR ALTERNATIVE WASTEWATER DISPOSAL SYSTEMS. NO IMPACT WOULD OCCUR.**

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Future development in the Specific Plan Area would be served by the Oro Loma Sanitary District, which is responsible for the regulation, collection, treatment and disposal of wastewater from all residential and commercial sources within its sewer service area. The proposed Specific Plan would not include septic tanks or alternative wastewater disposal systems; therefore, there is no potential for adverse effects due to soil incompatibility. No impact would occur.

### Mitigation Measures

No mitigation measures are required.

### c. Cumulative Impacts

Cumulative development in Specific Plan Area would gradually increase population and therefore gradually increase the number of people exposed to potential geological hazards, including effects associated with seismic events such as ground rupture and strong shaking. However, conformance with the current CBC and City's 2035 General Plan policies, as well as other laws and regulations mentioned above, would ensure that project-specific impacts associated with geology and soils would be less than significant. Potential impacts associated with geology and soils would not be cumulatively considerable, and cumulative impacts related to geologic hazards would be less than significant.

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## 4.6 Greenhouse Gas Emissions

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This section discusses the proposed Specific Plan's potential impacts related to emissions of greenhouse gases (GHG) and climate change. Specific Plan vehicle miles traveled (VMT) and trip distribution rates used in emissions estimates are based on the *Transportation Impact Analysis* prepared by Kittelson & Associates, Inc. dated September 2017. The traffic study is included as Appendix D to this EIR.

### 4.6.1 Setting

#### a. Climate Change and Greenhouse Gases

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

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

Man-made GHGs, many of which have greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases and SF<sub>6</sub> (California Environmental Protection Agency [CalEPA] 2006). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO<sub>2</sub>e), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane CH<sub>4</sub> has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC 2007).

#### b. Greenhouse Gas Emissions Inventory

##### Federal Emissions Inventory

Total U.S. GHG emissions were 6,586.7 million metric tons (MMT or gigatonne) CO<sub>2</sub>e in 2015 (U.S. EPA 2017). Total U.S. emissions have increased by 3.5 percent since 1990; emissions decreased by 2.3 percent from 2014 to 2015 (U.S. EPA 2017). The decrease from 2014 to 2015 was a result of multiple factors, including: (1) substitution from coal to natural gas consumption in the electric power sector; (2) warmer winter conditions in 2015 resulting in a decreased demand for heating fuel in the residential and commercial sectors; and (3) a slight decrease in electricity demand (U.S. EPA 2017). Since 1990, U.S. emissions have increased at an average annual rate of 0.2 percent. In 2015, the industrial and transportation end-use sectors accounted for 29 percent and 27 percent of CO<sub>2</sub>e emissions (with electricity-related emissions distributed), respectively. Meanwhile, the residential and commercial end-use sectors accounted for 16 percent and 17 percent of CO<sub>2</sub>e emissions, respectively (U.S. EPA 2017).

## California Emissions Inventory

Based on the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2014, California produced 441.5 MMT CO<sub>2</sub>e in 2014 (CARB 2016). The largest single source of GHG in California is transportation, contributing 37 percent of the state's total GHG emissions. Industrial sources are the second largest source of the state's GHG emissions, contributing 24 percent of the state's GHG emissions (CARB 2016). California emissions are due in part to its large size and large population compared to other states. However, the state's mild climate reduces California's per capita fuel use and GHG emissions as compared to other states. CARB has projected statewide unregulated GHG emissions for the year 2020 will be 509.4 MMT CO<sub>2</sub>e (CARB 2016). These projections represent the emissions that would be expected to occur in the absence of any GHG reduction actions.

### c. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. Long-term trends have found that each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The global combined land and ocean temperature data show an increase of about 0.89°C (0.69°C–1.08°C) over the period 1901–2012 and about 0.72°C (0.49°C–0.89°C) over the period 1951–2012 when described by a linear trend. Several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations are in agreement that LSAT as well as sea surface temperatures have increased. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2014).

Potential impacts of climate change in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CalEPA 2010). Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

### Air Quality

Higher temperatures, which are conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thereby ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state (California Energy Commission [CEC] 2009).

## Water Supply

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future water supplies in California. However, the average early spring snowpack in the Sierra Nevada decreased by about 10 percent during the last century, a loss of 1.5 million acre-feet of snowpack storage. During the same period, sea level rose eight inches along California's coast. California's temperature has risen 1°F, mostly at night and during the winter, with higher elevations experiencing the highest increase. Many Southern California cities have experienced their lowest recorded annual precipitation twice within the past decade. In a span of only two years, Los Angeles experienced both its driest and wettest years on record (California Department of Water Resources [DWR] 2008; CCCC 2009).

This uncertainty complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The Sierra snowpack provides the majority of California's water supply by accumulating snow during the state's wet winters and releasing it slowly during the state's dry springs and summers. Based on historical data and modeling, DWR projects that the Sierra snowpack will experience a 25 to 40 percent reduction from its historic average by 2050. Climate change is also anticipated to bring warmer storms that result in less snowfall at lower elevations, reducing the total snowpack (DWR 2008).

## Hydrology and Sea Level Rise

As discussed above, climate change could potentially affect: the amount of snowfall, rainfall, and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. According to *The Impacts of Sea-Level Rise on the California Coast*, prepared by the California Climate Change Center (CCCC) (CCCC 2009), climate change has the potential to induce substantial sea level rise in the coming century. The rising sea level increases the likelihood and risk of flooding. The rate of increase of global mean sea levels over the 2001-2010 decade, as observed by satellites, ocean buoys and land gauges, was approximately 3.2 mm per year, which is double the observed 20th century trend of 1.6 mm per year (World Meteorological Organization [WMO] 2013). As a result, sea levels averaged over the last decade were about 8 inches higher than those of 1880 (WMO 2013). Sea levels are rising faster now than in the previous two millennia, and the rise is expected to accelerate, even with robust GHG emission control measures. The most recent IPCC report (2013) predicts a mean sea-level rise of 11-38 inches by 2100. This prediction is more than 50 percent higher than earlier projections of 7-23 inches, when comparing the same emissions scenarios and time periods. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply due to salt water intrusion. In addition, increased CO<sub>2</sub> emissions can cause oceans to acidify due to the carbonic acid it forms. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

## Agriculture

California has a \$30 billion annual agricultural industry that produces half of the country's fruits and vegetables. Higher CO<sub>2</sub> levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase; crop-yield could be threatened by a less reliable water supply; and greater air pollution could render



plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (CCCC 2006).

## Ecosystems and Wildlife

Climate change and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the average global surface temperature could rise by 1.0-4.5°F (0.6-2.5°C) in the next 50 years, and 2.2-10°F (1.4-5.8°C) in the next century, with substantial regional variation. Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: (1) timing of ecological events; (2) geographic range; (3) species' composition within communities; and (4) ecosystem processes, such as carbon cycling and storage (Parmesan 2006).

### d. Regulatory Setting

The following regulations address both climate change and GHG emissions.

#### Federal Regulations

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

In 2014, the U.S. Supreme Court in *Utility Air Regulatory Group v. EPA* (134 S. Ct. 2427 [2014]) held that U.S. EPA may not treat GHGs as an air pollutant for purposes of determining whether a source is a major source required to obtain a PSD or Title V permit. The Court also held that PSD permits that are otherwise required (based on emissions of other pollutants) may continue to require limitations on GHG emissions based on the application of Best Available Control Technology (BACT).

#### California Regulations

CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. California has a numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below.

##### *California Advanced Clean Cars Program*

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, U.S. EPA granted the waiver of Clean Air Act preemption to California for its greenhouse gas emission standards for motor vehicles beginning with the 2009 model year. Pavley I regulates model years from 2009 to

2016 and Pavley II, which is now referred to as “LEV (Low Emission Vehicle) III GHG” regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the Low Emissions Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs, and would provide major reductions in GHG emissions. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

#### *Assembly Bill 32*

California’s major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the “California Global Warming Solutions Act of 2006,” signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020, and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. 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 limit of 427 MMT CO<sub>2</sub>e. The Scoping Plan was approved by CARB on December 11, 2008, and included measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since approval of the Scoping Plan.

In May 2014, CARB approved the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan update defines CARB’s climate change priorities for the next five years and sets the groundwork to reach post-2020 statewide goals. The update highlights California’s progress toward meeting the “near-term” 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluates how to align the State’s longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (CARB 2014).

#### *Senate Bill 97*

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in CEQA documents. In March 2010, the California Resources Agency (Resources Agency) adopted amendments to the *CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts.

#### *Senate Bill 375*

Senate Bill (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 for 2020 and 2035. In addition, SB 375 directs each of the state’s 18 major Metropolitan Planning Organizations (MPO) to prepare a “sustainable communities strategy” (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On September 23, 2010, CARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035.

ABAG and MTC were assigned targets of a 7 percent reduction in GHGs from transportation sources by 2020 and a 15 percent reduction by 2035. ABAG and MTC adopted a RTP/SCS, called Plan Bay

Area, which, when implemented, would meet the assigned targets by achieving a 10 percent per capita GHG emissions reduction in 2020 and a 16 percent reduction in 2035.

#### *Senate Bill 32*

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending AB 32 by requiring the State to further reduce GHGs to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). CARB is currently working to update the Scoping Plan to provide a framework for achieving the 2030 target. The updated Scoping Plan is expected to be completed and adopted by CARB in 2017 (CARB 2015).

For more information on the Senate and Assembly Bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: [www.climatechange.ca.gov](http://www.climatechange.ca.gov) and [www.arb.ca.gov/cc/cc.htm](http://www.arb.ca.gov/cc/cc.htm).

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

In 2005, former Governor Schwarzenegger issued Executive Order (EO) S-3-05, establishing statewide GHG emissions reduction targets. EO S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent below 1990 levels (CalEPA 2006). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report") (CalEPA 2006). The 2006 CAT Report identified a recommended list of strategies that the state could pursue to reduce GHG emissions. These are strategies that could be implemented by various state agencies to ensure that the emission reduction targets in EO S-3-05 are met and can be met with existing authority of the state agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc.

#### *California Environmental Quality Act*

Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the *CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted *CEQA Guidelines* provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, a variety of air districts have adopted quantitative significance thresholds for GHGs.

In 2013, the Bay Area Air Quality Management District (BAAQMD) adopted a resolution that builds on state and regional climate protection efforts by:

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

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

## Local Regulations

In 2009, the City of San Leandro adopted the *Climate Action Plan: a Vision of a Sustainable San Leandro*. The Climate Action Plan (CAP) is based on a comprehensive community-wide inventory completed in 2008 by Local Governments for Sustainability (ICLEI). The CAP contains GHG reduction measures and actions measures structured around the following categories: energy use in buildings (commercial/industrial, and residential), transportation and land use, waste, and municipal operations.

The San Leandro 2035 General Plan Open Space, Parks, and Conservation Chapter contains a specific goal and related policies to reduce the effects of climate change. These include:

**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-7.6 Reducing Municipal Greenhouse Gas Emissions.** Reduce greenhouse gas emissions associated with municipal operations, including those associated with energy use, City vehicles, City recycling, and composting operations, and utilities.

**Policy OSC-7.7 Climate Action Plan.** Maintain and periodically update a local Climate Action Plan. The Plan should be periodically updated to reflect the completion of tasks, emerging priorities, new technologies, new laws, and higher targets for emissions reduction.

**Policy OSC-7.9 Reducing Greenhouse Gases Through Land Use and Transportation Choices.** Locate and design new development in a manner which maximizes the ability to use transit, walk, or bicycle for most trips, reduce dependence on fossil fuel powered vehicles, and reduce vehicle miles traveled.

**Policy OSC-7.10 Open space and Carbon Emissions.** Enhance the quality of the urban environment, including streets, parks, and yards, in order to absorb carbon emissions and reduce greenhouse gas emissions.

## 4.6.2 Impact Analysis

### a. Methodology and Significance Thresholds

#### Significance Thresholds for GHG Emissions

Based on Appendix G of the *CEQA Guidelines*, impacts related to GHG emissions from the proposed Specific Plan would be significant if it would:

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

The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change. However, physical changes

caused by a project can contribute incrementally to cumulative effects that are significant, 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 is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (*CEQA Guidelines* Section 15064[h][1]). The May 2017 BAAQMD *CEQA Air Quality Guidelines* contain two thresholds for determining significance of GHGs. The two approaches are as follows:

1. Consistency with a qualified GHG reduction plan
2. Meets the efficiency plan threshold of 6.6 MT CO<sub>2</sub>e per service population per year for general plans and that the project threshold of 4.6 MT CO<sub>2</sub>e per service population per year threshold

As discussed under Section 4.1, *Air Quality*, the BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant GHG impacts. The BAAQMD *CEQA Air Quality Guidelines* recommend that the 6.6 MT CO<sub>2</sub>e per service population per year threshold for operational emissions be used only for general plans and that the project threshold of 4.6 MT CO<sub>2</sub>e per service population per year threshold for operational emissions is used for Specific Plans. According to the BAAQMD *Air Quality Guidelines*, a qualified GHG reduction strategy is one that includes the following elements:

1. Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area.
2. 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.
3. Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area.
4. 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.
5. Monitor the plan's progress.
6. Adopt the GHG Reduction Strategy in a public process following environmental review.

San Leandro's CAP is not a qualified GHG reduction strategy pursuant to BAAQMD's *CEQA Air Quality Guidelines*. The City is in the process of preparing a qualified GHG reduction strategy but it has not yet been adopted. Among other requirements, a qualified strategy must 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. The City's CAP does not set such a threshold. In addition, the City's CAP extends to 2020, while the horizon year of the Specific Plan is 2035. Therefore, the first BAAQMD GHG significance threshold cannot be applied to the Specific Plan.

Given the recent legislative attention and judicial action regarding post-2020 goals and the scientific evidence that additional GHG reductions are needed through the year 2050, the Association of Environmental Professionals' (AEP) Climate Change Committee published a white paper in 2016

recommending that CEQA analyses for most land use development projects can continue to rely on current thresholds for the immediate future, but that long term projects should consider post 2020 emissions demonstrating substantial progress toward the reduction trajectory that meets the 2050 statewide target (AEP, *Beyond 2020: The Challenges of Greenhouse Gas Reduction Planning by Local Governments in California 2016*). AEP also recommends that the significance determination should be based on demonstrating substantial progress along a post 2020 trajectory. Thus for a conservative approach, a year 2035 GHG efficiency threshold could be calculated to represent the rate of emissions reduction necessary for the Specific Plan to achieve a fair share of statewide GHG reductions necessary to meet SB 32 targets. However, a project-level CEQA significance threshold utilized for projects with a horizon year beyond 2020 should be updated to address the adopted 2030 target in SB 32 once the Scoping Plan Update for 2030 is adopted (AEP 2016). The ARB Scoping Plan Update has not yet been adopted and the Board Hearing for the 2030 Draft Scoping Plan Update was originally scheduled for June 22, 2017 but has been postponed. Without adoption of the 2030 Scoping Plan Update it would be the responsibility of the Specific Plan to reduce emissions along the emissions reduction trajectory. This is an unrealistic scenario because the Scoping Plan is intended to integrate and build upon State efforts to reduce GHG emissions with policies that include the use of lower GHG fuels, efficiency regulations, and the Cap-and-Trade Program. These state reduction measures provide the majority of emissions reductions making it difficult for individual projects to solely achieve the necessary reductions.

Because the ARB Scoping Plan has not been adopted and is not publically available, GHG emissions were analyzed in light of the trajectory of state climate change legislation by calculating a 2035 efficiency threshold for the Specific Plan. The Specific Plan specific efficiency threshold represents the rate of emission reductions necessary for the Specific Plan to achieve a fair share of statewide GHG reductions necessary to meet SB 32 and EO S-3-05 targets. The target efficiency for the year 2035 was determined by calculating a linear interpolation of SB 32 and EO S-3-05 reduction goals using the City of San Leandro's emissions inventory as outlined in the City's CAP (Appendix B). The resulting 2035 efficiency threshold for the project is 2.32 MT CO<sub>2</sub>e per service population. Emissions greater than 2.32 MT CO<sub>2</sub>e per person per year may conflict with substantial progress toward GHG reduction targets, and the Specific Plan's cumulative contribution of emissions would be considered significant. This efficiency threshold is the level of project emissions per-Plan Area service population that would be necessary for the Specific Plan to achieve substantial progress toward the long-term reduction targets established by SB 32 and EO S-3-05. Further, as discussed above, as GHG emissions will ultimately be guided by future State legislative actions, operational emissions generated by the Specific Plan were also qualitatively evaluated based on the potential to demonstrate compliance with the long-term State reduction targets.

## Methodology for Estimating GHG Emissions

The California Emissions Estimator Model (CalEEMod version 2016.3.1) was used to estimate GHG emissions associated with operation of the proposed Specific Plan. The analysis focuses on CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O because these make up 98.9 percent of all GHG emissions by volume (IPCC 2007) and are the GHG emissions that the project would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF<sub>6</sub>, were also considered for the analysis. However, because the project is a TOD Specific Plan that would not include development of industrial uses, the quantity of fluorinated gases would not be significant since fluorinated gases are primarily associated with industrial processes. Emissions of all GHGs are converted into their equivalent weight in CO<sub>2</sub> (CO<sub>2</sub>e). Minimal amounts of other main GHGs (such as chlorofluorocarbons [CFCs]) would be emitted; however, these other GHG emissions would not substantially add to the calculated CO<sub>2</sub>e amounts.

Calculations are based on the methodologies discussed in the California Air Pollution Control Officers Association (CAPCOA) CEQA and Climate Change white paper (January 2008) and included the use of the California Climate Action Registry (CCAR) General Reporting Protocol (January 2009).

### *Construction Emissions*

Construction emissions for the Specific Plan were not included in CalEEMod because there are no GHG construction emission thresholds included in BAAQMD's May 2017 *CEQA Air Quality Guidelines*. According to the *CEQA Air Quality Guidelines* only operational emissions estimates are calculated to determine GHG significance for plan-level impacts.

### *Operational Emissions*

CalEEMod calculates operational emissions from energy use (electricity and natural gas use) based on the California Energy Commission (CEC) sponsored California Commercial End Use Survey (CEUS) for non-residential land uses. Emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating are calculated based on standard emission rates from the CARB, U.S. EPA, and district supplied emission factor values. Emissions from the diesel emergency generator are calculated based on standard emission factors from the CARB and U.S. EPA. Emissions from waste generation are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste. Waste disposal rates by land use and overall composition of municipal solid waste in California are primarily based on data provided by the California Department of Resources Recycling and Recovery (CalRecycle). Emissions from water and wastewater usage calculated in CalEEMod are based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for Northern California (CAPCOA 2016).

### *Transportation Emissions*

Emissions of CO<sub>2</sub> and CH<sub>4</sub> from transportation sources for the proposed Specific Plan were quantified using CalEEMod. Because CalEEMod does not calculate N<sub>2</sub>O emissions from mobile sources, N<sub>2</sub>O emissions were quantified using the California Climate Action Registry General Reporting Protocol (January 2009) direct emissions factors for mobile combustion (see Appendix B for calculations). Emission rates for N<sub>2</sub>O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors contained in the California Climate Action Registry General Reporting Protocol. The estimate of total daily trips associated with the proposed Specific Plan is based on vehicle trip data provided in Section 4.4, *Transportation and Traffic*. The overall vehicle fleet mix used in the analysis is the default fleet mix provided in the CalEEMod software.

The Specific Plan is a TOD and includes many transit oriented planning policies to transform the transportation landscape and reduce reliance on personal automobiles. Transit related policies were added as mitigation measures in CalEEMod for the Specific Plan to replicate the reduction in mobile emissions from the TOD. Mitigation measures and assumptions added to CalEEMod include:

- Increased density of 227.6 dwelling units per acre for the 154 acre Plan Area
- Increased density of 283.2 jobs per acre for the 725 new jobs to be added by the Specific Plan
- Improved walkability design of 50 intersections in 154 acres

- Increased transit accessibility with an average distance of 0.25 miles to the nearest transit station
- An improved pedestrian network
- Traffic calming measures for 25 percent of streets and 25 percent of intersections
- Increased Bus Rapid Transit by 25 percent
- Expanded transit frequency by 25 percent
- Employee telecommuting for three percent of employees 1.5 days a week
- Employee vanpool/shuttle service for 25 percent of employees and a vanpool mode share of 10 percent of employees
- Ride sharing program for 25 percent of employees
- Implement a voluntary Trip Reduction Program where 25 percent of employees are eligible

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b> Would the Specific Plan generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
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**IMPACT GHG-1** SPECIFIC PLAN OPERATIONAL EMISSIONS FROM BUILDOUT IN THE YEAR 2035 WOULD NOT EXCEED THE EFFICIENCY THRESHOLD OF 2.32 MT CO<sub>2</sub>E PER PERSON PER YEAR. THEREFORE, THE PROPOSED SPECIFIC PLAN WOULD NOT GENERATE GHG EMISSIONS THAT WOULD DIRECTLY OR INDIRECTLY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Estimated operational emissions from buildout of the proposed Specific Plan (through the year 2035) are shown in Table 10. Estimated GHG emissions in the year 2035 associated with the proposed Specific Plan would be approximately 18,082 MT CO<sub>2</sub>e per year or 2.27 MT CO<sub>2</sub>e per person per year. Therefore, the proposed Specific Plan would exceed the efficiency threshold of 2.32 MT CO<sub>2</sub>e per person per year.



**Table 10 Specific Plan Greenhouse Gas Emissions**

Emission Source	Annual Emissions (Approximate) (MT CO <sub>2</sub> e)
<b>Stationary</b>	
Area	32
Energy	5,307
Solid Waste	728
Water	575
<b>Mobile (during operations)</b>	
CO <sub>2</sub> and CH <sub>4</sub>	10,878
N <sub>2</sub> O	562
<b>Total</b>	<b>18,082</b>
Service Population	7,964 persons*
<b>Total / Service Population</b>	<b>2.27 MT CO<sub>2</sub>e / service population / year</b>
Threshold	2.32 MT CO <sub>2</sub> e / service population / year
Threshold Exceeded?	No

\*See Section 4.11, *Population and Housing*, for estimated population and employment projects from the Specific Plan  
 Sources: See Appendix B for efficiency metric calculations and for GHG emission factor assumptions

As shown in Table 10, GHG emissions associated with the Specific Plan would not exceed the efficiency threshold developed for the Specific Plan. Additionally, development within the Specific Plan Area would be able to achieve further emissions reductions with the following considerations:

- Future legislative actions and policies provided in ARB’s Scoping Plan would be responsible for guiding GHG reductions for new development in accordance with State goals.
- Development included in the Specific Plan Area would increase local transit access and would help reduce mobile sources of local GHG emissions within the Specific Plan Area through development of the Specific Plan as a TOD.
- Buildout of the Specific Plan Area would be consistent with the San Leandro CAP (see Table 12) and the regional RTP/SCS (see Table 9).

With the above conditions, development in the Specific Plan Area would further demonstrate compliance with the State’s GHG reduction targets.

As discussed above, SB 32 requires the ARB to develop technologically feasible and cost effective regulations to achieve the targeted 40 percent GHG emission reduction set in EO B-30-15. The ARB is currently working to update the Scoping Plan to provide a framework for achieving the 2030 target. The Scoping Plan Update is expected to be completed and adopted by the ARB in 2017. The Scoping Plan Update calls for emissions reductions at the State level that meet or exceed the Statewide GHG target, and notes that additional effort will be needed to maintain and continue GHG reductions to meet the mid- (2030) and long-term (2050) targets. Programs included in the Scoping Plan Update that would reduce emissions associated with local projects in the Specific Plan Area include:

- Cap and Trade regulation
- Short lived climate pollutants (SLCP) reduction strategy
- Mobile Sources Cleaner Fuel Technology (CFT) and Freight providing a transition to cleaner fuels
- Behind-the-meter solar PV
- Increased energy efficiency
- Increased Renewables Portfolio Standard (RPS)
- Low Carbon Fuel Standard increased stringency
- Increased demand response and flexible loads

The Scoping Plan Update also recognizes the need to reach beyond Statewide policy and engage local jurisdictions to develop plans to address local conditions and provide a “fair share” contribution towards the achievement of the State’s GHG reduction targets. To assist local planning efforts with developing strategies to meet these targets, the Scoping Plan Update includes annual community-wide goals of no more than six metric tons CO<sub>2</sub>e per capita by 2030 and no more than two metric tons CO<sub>2</sub>e per capita by 2050 (ARB 2017). As stated in the Scoping Plan Update, these goals are appropriate for plan level analyses (city, county, subregional, or regional level), but not for specific individual projects because they include all emissions sectors in the State.

As shown in Table 10, GHG emissions would not exceed the 2.32 MT CO<sub>2</sub>e per person per year efficiency threshold and impacts would be less than significant.

## Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b> Would the Specific Plan conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
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**IMPACT GHG-2** THE PROPOSED SPECIFIC PLAN WOULD BE GENERALLY CONSISTENT WITH SAN LEANDRO’S CLIMATE ACTION PLAN AND PLAN BAY AREA 2040. THEREFORE, THE SPECIFIC PLAN’S IMPACT RELATED TO CONSISTENCY WITH PLANS TO ADDRESS CLIMATE CHANGE WOULD BE LESS THAN SIGNIFICANT.

As discussed above, San Leandro adopted a CAP in 2009. The CAP is a not Qualified GHG Reduction Strategy that builds on local and statewide planning efforts because it does not consider cumulative conditions. However, San Leandro’s reduction target of 25 percent below 2005 emissions levels by 2020 exceeds the State-recommended 15 percent target and is intended to satisfy BAAQMD requirements for a Qualified GHG Reduction Strategy. The Specific Plan would be consistent with applicable goals listed in the CAP, as shown in Table 11. Additionally, the Specific Plan would be consistent with the targets in ABAG’s RTP/SCS Plan Bay Area 2040, as shown in Table 13. Therefore, impacts would be less than significant.

**Table 11 Specific Plan Consistency with Applicable San Leandro Climate Action Plan Goals**

EECAP GHG Reduction Strategies	Specific Plan Consistency
<p><b>Goal 3.3.</b> Increase residential, commercial, and industrial renewable energy use.</p>	<p><b>Consistent.</b> One of the desired outcomes of the Specific Plan is to create a sustainable urban environment including sustainable energy systems. Building performance standards in the Specific Plan Development Guidelines + Standards Chapter include solar-ready buildings to be constructed to provide adequate roof surface area for solar additions. The Infrastructure and Services chapter of the Specific Plan contains policies related to energy including Energy Policy 1 to support the development and application of renewable energy technologies such as active, passive, and photovoltaic solar energy; fuel cells; and other sustainable sources and Energy Policy 9 to encourage partnerships with PG&amp;E for the procurement of electrical service from renewable, sustainable, and green sources.</p>
<p><b>Goal 3.4.</b> Promote green building practices in both the new construction and remodel market.</p>	<p><b>Consistent.</b> The Infrastructure and Services chapter of the Specific Plan contains policies related to energy including Energy Policy 6 to ensure the California Green Building Code requirements and the continued use of green building checklists during the permitting of major residential and non-residential construction. Building performance standards and guidelines in the Specific Plan Development Guidelines + Standards Chapter include CalGreen development, LEED for Neighborhood Development, solar ready buildings, indoor water reuse, stormwater harvesting, and stormwater treatment.</p>
<p><b>Goal 4.1.</b> Encourage development which promotes walkable communities.</p>	<p><b>Consistent.</b> The proposed Specific Plan vision and desired outcome includes creating a walkable community by making streets friendlier to pedestrians. Area-wide Mobility Policy 4 encourages facilities in the Specific Plan Area to promote walking and the Specific Plan includes pedestrian network standards in the Development Guidelines + Standards Chapter. In addition, the Specific Plan is a TOD, which by design implements land use organization that promote walkability.</p>
<p><b>Goal 4.3.</b> Promote and accommodate alternative, environmentally friendly methods of transportation, such as walking and bicycling.</p>	<p><b>Consistent.</b> As a TOD plan, the Specific Plan promotes environmentally friendly methods of transportation. See Section 4.13, <i>Transportation and Traffic</i>, for more details regarding traffic. In addition, the Specific Plan would promote connectivity with improved bicycle and pedestrian amenities included in the Area-wide Mobility section.</p>
<p><b>Goal 4.4.</b> Enhance and expand car sharing and ridesharing programs.</p>	<p><b>Consistent.</b> Although the Specific Plan does not include specific ride and car sharing programs it includes other measures to reduce vehicle use such as sharing of public and private parking spaces, providing more parking spaces for carshare programs, encouraging a walkable and bike friendly community, and providing easier access to public transportation as part of the desired outcomes of the Specific Plan.</p>
<p><b>Goal 4.5.</b> Encourage the use of fuel efficient vehicles, low carbon fuels and more efficient traffic operations.</p>	<p><b>Consistent.</b> Public parking guidelines in the Specific Plan Development Guidelines + Standards Chapter include providing more parking spaces for carshare programs and for electric vehicles, including charging stations.</p>
<p><b>Goal 4.6.</b> Increase and enhance urban green space.</p>	<p><b>Consistent.</b> One of the desired outcomes of the Specific Plan is to increase the amount of parks, green space, plazas, and other public spaces. This would be implemented through Land Use Policy 11 to provide a variety of public parks open spaces to meet the needs of the community. The Specific Plan includes Public Open Space standards and guidelines to ensure that development under the Specific Plan meets the needs of the community.</p>
<p><b>Goals 5.1 and 5.2.</b> Increase recycling and composting in the residential and commercial sectors.</p>	<p><b>Consistent.</b> All new development under the Specific Plan would be required to follow CalGreen waste diversion standards.</p>

Table 12 Specific Plan Consistency with Plan Bay Area 2040

Plan Bay Area Goals and Targets	Specific Plan Consistency
<b>Goal 1 Climate Protection</b>	
<p><b>Target.</b> Reduce per-capita CO2 emissions from cars and light-duty trucks by 15 percent.</p>	<p><b>Consistent.</b> The Specific Plan is a TOD plan, a regional approach that has the potential to help transform regional land use and transportation landscape towards a more sustainable, multimodal, and low carbon design. As a TOD plan the Specific Plan would reduce the number of vehicles on roadways in the Plan Area by placing land uses closer to transit and incorporating additional opportunities for active transportation.</p>
<b>Goal 2 Adequate Housing</b>	
<p><b>Target.</b> House 100 percent of the region’s projected growth by income level without displacing current low-income residents and with no increase in in-commuters over the Plan baseline year.</p>	<p><b>Consistent.</b> One of the desired outcomes of the Specific Plan is to encourage both market rate and affordable housing, and to protect existing residents from involuntary displacement. The Land Use and Housing Chapter of the Specific Plan includes a suite of policies to support affordable housing, particularly Land Use and Housing Policy 1, Mix of Housing Types to encourage a range of housing types and sizes, and Policy 8, Preserve Existing Affordable Housing.</p>
<b>Goal 3 Health and Safe Communities</b>	
<p><b>Target.</b> Reduce adverse health impacts associated with air quality, road safety, and physical inactivity by 10%.</p>	<p><b>Consistent.</b> One of the desired outcomes of the Specific Plan is to support both market rate and affordable housing, and to protect existing residents from involuntary displacement. The Land Use and Housing Chapter of the Specific Plan includes a suite of policies to support affordable housing, particularly Land Use and Housing Policy 1, Mix of Housing Types to encourage a range of housing types and sizes, and Policy 8, Preserve Existing Affordable Housing.</p>
<b>Goal 4 Open Space and Agricultural Preservation</b>	
<p><b>Target.</b> Direct all non-agricultural development within the urban footprint (existing urban development and UGBs).</p>	<p><b>Not Applicable</b> There is no agriculture in the Plan Area.</p>
<b>Goal 5 Equitable Access</b>	
<p><b>Target.</b> Decrease the share of affordable housing in PDAs, TPAs, or high-opportunity areas by 15%.</p> <p><b>Target.</b> Decrease the share of low-income residents’ household income consumed by transportation and housing by 10%</p> <p><b>Target.</b> Do not increase the share of low- and moderate-income renter households in PDAs, TPAs, or high-opportunity areas that are at risk of displacement.</p>	<p><b>Consistent.</b> One of the desired outcomes of the Specific Plan is to support both market rate and affordable housing, and to protect existing residents from involuntary displacement. The Land Use and Housing Chapter of the Specific Plan includes a suite of policies to support affordable housing, particularly Land Use and Housing Policy 1, Mix of Housing Types to encourage a range of housing types and sizes. The desired outcomes of the Specific Plan include more walkable environments, BART and bus station improvements, and better mobility and connectivity. These improvements would reduce transportation costs.</p>

Plan Bay Area Goals and Targets	Specific Plan Consistency
<b>Goal 6 Economic Vitality</b>	
<p><b>Target.</b> Increase by 38% the number of jobs in predominantly middle-wage industries.</p> <p><b>Target.</b> Reduce per-capita delay on the Regional Freight Network by 20%.</p> <p><b>Target.</b> Increase by 20% the share of jobs available within 30 minutes by auto or within 45 minutes by transit in congested conditions.</p>	<p><b>Consistent.</b> As discussed in Section 4.11. <i>Population and Housing</i>, additional office and retail space in the Plan Area would increase the number of employees in the City by 725 at full buildout of the Specific Plan. The additional of 2,540 residential units would provide residences for new employees in the Plan Area near their jobs.</p>
<b>Goal 7 Transportation System Effectiveness</b>	
<p><b>Target.</b> Increase non-auto mode share by 10%.</p> <p><b>Target.</b> Reduce per-rider transit delay due to aged infrastructure by 100%.</p> <p><b>Target.</b> Reduce vehicle operating and maintenance costs due to pavement conditions by 100%.</p>	<p><b>Consistent.</b> The Specific Plan is a TOD plan; therefore, it is designed to reduce automobile use and bring development closer to non-auto transportation. The desired outcomes of the Specific Plan include a more walkable environment, BART and bus station improvement, and better mobility and connectivity. The Mobility Chapter policies in the Specific Plan that would increase non-auto transportation and reduce transit delay are listed below:</p> <ul style="list-style-type: none"> <li>▪ Policy 2 Complete Streets: provide a network of complete streets to prioritize safety and access for drivers, transit users, pedestrians, and bicyclists</li> <li>▪ Policy 3 Multiple Transportation Options: Reduce reliance on the automobile for trips to and from the Plan Area through connections for pedestrians, bicyclists, and transit users.</li> <li>▪ Policy 4: Active Transportation Options. Require facilities in the Plan Area that will promote active transportation options.</li> </ul> <p>Street Network Standards in the Specific Plan that would reduce transit delay, and pavement conditions are listed below:</p> <ul style="list-style-type: none"> <li>▪ Policy 1 Required New Connections: New connections established as part of any future development or significant rehabilitation in the Plan Area.</li> <li>▪ Policy 2 New Connections: Required new connections shall be publically accessible 24 hours a day and have public access easements for the entire right of way from back of walk to back of walk.</li> <li>▪ Policy 3 Existing Arterial and Collector Streets: Improvements to these streets and prioritization of multimodal circulation.</li> </ul>

Source: AMBAG 2017

## Mitigation Measures

No mitigation measures are required.

### c. Cumulative Impacts

GHG emissions and climate change are by definition cumulative impacts, as they affect the accumulation of GHGs in the atmosphere. As indicated above in Impact GHG-1 and Impact GHG-2 emissions associated with the Specific Plan would be less than significant. Therefore, the Specific Plan’s cumulative impacts are also less than significant.

## 4.7 Hazards and Hazardous Materials

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This section evaluates potential impacts relating to hazardous materials in the soil and groundwater on and around the Specific Plan Area. Geologic hazards are discussed in Section 4.5, *Geology and Soils*, of this EIR.

### 4.7.1 Setting

#### a. Project Site Setting

The majority of the Specific Plan Area consists of retail and other commercial uses. There are also some office, light industrial, and residential land uses. The most common industrial hazardous materials in the Specific Plan Area are those associated with gasoline service stations, dry cleaners, automotive mechanics, and auto body repair shops. Most of these wastes are petroleum-based or hydrocarbon hazardous waste and include cleaning and paint solvents, lubricants, and oils. Moreover, medical wastes, defined as potentially infectious waste from sources such as laboratories, clinics and hospitals, may also be present in the Specific Plan Area at existing medical offices.

In addition to existing uses, there are properties in the Specific Plan Area where past uses could have produced localized contamination or concentrations of hazardous substances. Residues of hazardous materials in soils or groundwater could expose people to those substances if the site were to be redeveloped or excavated. A search of the California Department of Toxic Substance Control's (DTSC's) EnviroStor database and the State Water Resources Control Board's GeoTracker database (conducted on May 31, 2017), which contain information on properties in California where hazardous substances have been released or where the potential for a release exists, identified 13 "closed" Leaking Underground Fuel Tank (LUFT) and Spills, Leaks, Investigation, and Cleanups (SLIC) sites within the Specific Plan Area. An additional six sites were located within close proximity to but outside of the Specific Plan Area, of which five were closed and one was inactive with no land use restrictions. LUFT and SLIC sites are regulated by the California State Water Resources Control Board. Figure 21 and Table 13 show DTSC listed cleanup sites within the Specific Plan Area.

The EnviroStor Database did not identify any Superfund (NPL) or State Response sites within the Specific Plan Area; however, it did identify one site within close proximity to but outside of the Specific Plan Area with land use restrictions. The Eden Center site, located at 14883 East 14th Street, has been contaminated by volatile organic compounds, and while the cleanup status was closed in June of 2009, the site remains listed with various site management requirements. In addition, the following land uses are restricted at this site: day care centers, elder care centers, hospitals, public or private school for persons under 21, and residences.

In addition to hazardous materials used and generated within the Specific Plan Area, hazardous materials and waste also pass through the community en route to other destinations via the railroads and major regional routes, including I-880, I-580 and I-238. The City does not have direct authority over the transport of hazardous materials on the major roads and rail lines within the Specific Plan Area. As mentioned in Section 1.1.1(b) below, transportation of hazardous materials by truck and rail is regulated by the U.S. Department of Transportation (DOT).



Figure 21 Cleanup Sites in the Specific Plan Area



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Additional data provided by CA Water Board, 2017; CA Department of Toxic Substances Control, 2017.

**Table 13 Cleanup Sites in the Specific Plan Area**

Project Type	Name	Address	Status
<b>Sites in the Specific Plan Area</b>			
LUST Cleanup Site <sup>1</sup>	Bayfair Mall	248 Bayfair Dr.	Completed – Case Closed
LUST Cleanup Site	Four Star Building Supply	15444 Hesperian Blvd.	Completed – Case Closed
LUST Cleanup Site	Public Storage	15285 Hesperian Blvd.	Completed – Case Closed
LUST Cleanup Site	Advantage Auto Repair	15225 Hesperian Blvd.	Completed – Case Closed
LUST Cleanup Site	SBC	15135 Hesperian Blvd.	Completed – Case Closed
LUST Cleanup Site	ARCO #2162	15135 Hesperian Blvd.	Completed – Case Closed
LUST Cleanup Site	USA Petroleum	15120 Hesperian Blvd.	Completed – Case Closed
SLIC Site <sup>2</sup>	TLC Cleaners	15070 Hesperian Blvd.	Completed – Case Closed
LUST Cleanup Site	Chevron #9-2013	15002 Hesperian Blvd.	Completed – Case Closed
LUST Cleanup Site	Nella Oil Site	14880 E. 14th St.	Completed – Case Closed
LUST Cleanup Site	Mobil #04-FGN	14994 E. 14th St.	Completed – Case Closed
LUST Cleanup Site	Quality Tune-Up	14901 E. 14th St.	Completed – Case Closed
SLIC Site	Fairmont Shopping Center	15065-15399 E. 14th St.	Completed - Case Closed
<b>Sites Outside the Specific Plan Area</b>			
LUST Cleanup Site	Private Residence	Private Residence	Completed – Case Closed
LUST Cleanup Site	UNOCAL #3292	15008 E. 14th St.	Completed – Case Closed
LUST Cleanup Site	UNOCAL #6277	15803 E. 14th St.	Completed – Case Closed
LUST Cleanup Site	Clyde’s Corner	15796 E. 14th St	Completed – Case Closed
Evaluation	Riding Group (60000625)	14844-14860 E. 14th St. and 14875 Bancroft Ave	<b>Inactive - Action Required<sup>3</sup></b>
SLIC Site	Eden Center	14883 E. 14th St.	<b>Completed - Case Closed (Land Use Restrictions)<sup>3</sup></b>

<sup>1</sup> A LUST site is an undergoing cleanup due to an unauthorized release from an UST system. An underground storage tank system (UST) is a tank and any underground piping connected to the tank that has at least 10 percent of its combined volume underground. UST regulations apply only to underground tanks and piping storing either petroleum or certain hazardous substances.

<sup>2</sup> The Spills, Leaks, Investigation, and Cleanups (SLIC) program investigates and regulates non-permitted discharges.

<sup>3</sup> Site is outside of the Specific Plan Area but within 1,000 feet of the Specific Plan Area Boundary.

Source: EnviroStor Database, 2017

## b. Regulatory Setting

The management of hazardous materials and hazardous wastes is regulated at the federal, state, and local levels through programs administered by the U.S. Environmental Protection Agency (U.S. EPA), agencies within the California Environmental Protection Agency (CalEPA), such as the DTSC, federal and state occupational safety agencies, the Bay Area Air Quality Management District (BAAQMD), and Alameda County Department of Environmental Health.

### Federal

At the federal level, the Environmental Protection Agency (EPA) is the principal regulatory agency. The Occupational Safety and Health Administration (Fed/OSHA) regulates the use of hazardous materials, including hazardous building materials, insofar as these affect worker safety through a



delegated State program. Furthermore, at the federal level, the DOT regulates transportation of hazardous materials.

Resource Conservation and Recovery Act of 1974 (RCRA). RCRA was enacted in 1974 to provide a general framework for the national hazardous waste management system, including the determination of whether hazardous waste are being generated, techniques for tracking wastes to eventual disposal, and the design and permitting of hazardous waste management facilities.

#### *The Hazardous and Solid Waste Amendments*

The Hazardous and Solid Waste Amendments were enacted in 1984 to better address hazardous waste; this amendment began the process of eliminating land disposal as the principal hazardous waste disposal method.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). CERCLA, also known as Superfund, was enacted in 1980 to ensure that a source of funds were available to clean up abandoned hazardous waste sites, compensate victims, address releases of hazardous materials, and establish liability standards for responsible parties.

The Superfund Amendments and Reauthorization Act of 1986 (SARA). SARA amended CERCLA in 1986 to increase Superfund budget, modify contaminated site cleanup criteria and schedules, and revise settlement procedures. SARA also provides a regulatory program and fund for underground storage tank clean ups.

## **State**

At the State level, agencies such as Cal/OSHA, the Office of Emergency Services (OES), and the Department of Health Services (DHS) have rules governing the use of hazardous materials that parallel federal regulations and are sometimes more stringent. The Department of Toxic Substances Control (DTSC) is the primary State agency governing the storage, transportation and disposal of hazardous wastes. DTSC is authorized by the U.S. EPA to enforce and implement federal hazardous materials laws and regulations. DTSC has oversight of Annual Work Plan sites (commonly known as State Superfund sites), sites designated as having the greatest potential to affect human health and the environment.

The California Department of Public Health (CDPH, formerly California Department of Health Services) regulates the generation, handling, storage, treatment, and disposal of medical waste in accordance with the California Medical Waste Management Act (California Health and Safety Code, Sections 117600–118360). This law requires medical waste generators to register with the CDPH, Medical Waste Management Program, and submit a medical waste management plan to the local enforcement agency.

The primary California State laws for hazardous waste are: the California Hazardous Waste Control Law (HWCL), the State equivalent of RCRA, and the Carpenter-Presley-Tanner Hazardous Substance Account Act (HSAA), the State equivalent of CERCLA. State hazardous materials and waste laws are contained in the California Code of Regulations, Titles 22 and 26. The State regulation concerning the use of hazardous materials in the workplace is included in Title 8 of the California Code Regulations.

One key State law, which requires special assessment under CEQA, relates to Hazardous Waste and Substance Sites (Cortese) List which is a planning document used by State and local agencies and developers to comply with CEQA requirements in providing information about the location of

hazardous materials release sites. Government Code Section 65962.5 requires that an updated list be prepared at least annually by the California EPA.

### *California Fire Code*

California Code of Regulations, Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Part 9 of that Title. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution (City of San Leandro 2016i).

## **Regional and Local**

The Regional Water Quality Control Board (RWQCB) is authorized by the State Water Resources Control Board to enforce provisions of the Porter-Cologne Water Quality Control Act of 1969. This act gives the RWQCB authority to require groundwater investigations when the quality of groundwater or surface waters of the State is threatened and to require remediation of the site, if necessary. Both of these agencies are part of the Cal EPA. In the Bay Area, the Bay Area Air Quality Management District (BAAQMD) may impose specific requirements on remediation activities to protect ambient air quality from dust or other airborne contaminants.

Administration and enforcement of the major environmental programs were transferred to local agencies as Certified Unified Program Agencies (CUPAs) beginning in 1996. The purpose of this was to simplify environmental reporting by reducing the number of regulatory agency contacts a facility must maintain and requiring the use of more standardized forms and reports. The City of San Leandro Environmental Services Section (ESS) is the CUPA for San Leandro. Therefore, the ESS is responsible for regulating the storage, use, treatment, and disposal of hazardous materials and wastes within San Leandro. The Alameda County Fire Department acts as first responder to hazardous materials incidents within San Leandro.

### *San Leandro Municipal Code*

The following provisions of the SLMC help to minimize adverse effects from hazards and hazardous materials.

- **Chapter 3-17: Hazardous Materials.** The purpose of this chapter is to conform its provisions to California laws regulating the storage and handling of hazardous materials and wastes, including: Chapter 6.5 (hazardous waste); Chapters 6.7 and 6.75 (underground storage tanks); Chapter 6.95, Article 1 (hazardous materials); Chapter 6.95, Article 2 (accidental Release Prevention Program) of Division 20 of the California Health and Safety Code; and Division 7, Chapter 10, Article 4 of the California Water Code (water monitoring wells), of which the City assumes responsibility and local jurisdiction. This chapter is also intended to be used in conjunction with the most recent version of the Uniform Fire and Building Code adopted by the City which pertains to hazardous materials management.
- **Chapter 3-18: Environmental Enforcement.** The purpose of this Chapter is to ensure the future health, safety and general welfare of the City of San Leandro and its residents by providing for uniform and effective enforcement of the City of San Leandro Hazardous Materials Regulations in Chapter 3-17, Storm Water Management and Discharge Control Ordinance in Chapter 3-15 and the Uniform Wastewater Discharge Regulations in Chapter 3-14. This chapter provides procedures by which the City of San Leandro will implement the

enforcement of environmental laws pursuant to its role as CUPA and Authorized Pretreatment Control Authority.

*San Leandro 2035 General Plan*

Goal EH-5 of the Environmental Hazards Element of the 2035 General Plan is to “Protect local residents and workers from the risks associated with hazardous materials.” This Goal is supported by various policies and actions, including:

**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-5.3 Design of Storage and Handling Areas.** Require that all hazardous material storage and handling areas are designed to minimize the possibility of environmental contamination and adverse off-site impacts. Enforce and implement relevant state and federal codes regarding spill containment facilities around storage tanks.

**Action EH-5.3.A: Implement Codes and Regulations.** Ensure enforcement of, and compliance with, all adopted hazardous materials regulations.

**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 EH-5.5 Incident Response.** Maintain the capacity to respond immediately and effectively to hazardous materials incidents. Provide ongoing training for hazardous materials enforcement and response personnel.

**Policy EH-5.6 Household Hazardous Wastes.** Promote public education about the safe disposal of household hazardous waste, such as motor oil and batteries, including the locations of designated household hazardous waste disposal sites.

**Policy EH-5.7 Hazardous Building Materials.** Ensure the safe and proper handling of hazardous building materials, such as friable asbestos and lead based paint. If such materials are disturbed during building renovation or demolition, they should be handled and disposed of in a manner that protects human health and the environment.

**Policy EH-5.8 Public Awareness.** Increase public awareness of hazardous material use and storage in the City, the relative degree of potential health hazards, and the appropriate channels for reporting odor problems and other nuisances.

**Action EH-5.8.A: Disclosure to Property Owners.** Pursuant to the California Health and Safety Code, enforce community disclosure laws (e.g., Right-to-Know laws) that inform property owners of the presence of hazardous materials nearby.

**Action EH-5.8.B: Rail Transport of Hazardous Materials.** Monitor proposals for the transport of potentially hazardous or explosive materials by rail through San Leandro, and take appropriate actions to ensure the safety of local residents and businesses.

**Policy EH-5.9 Community Preparedness.** Ensure that the City’s Emergency Preparedness programs include provisions for hazardous materials incidents, as well as measures to quickly alert the community and ensure the safety of residents and employees following an incident.

Goal EH-6 of the Environmental Hazards Element is to “Attain—and sustain—comprehensive and highly effective emergency preparedness and recovery programs.” This Goal is supported by various policies and actions, including:

**Policy EH-6.1: Preparedness as a Top Priority.** Establish emergency preparedness as a top City priority. Staffing and funding levels for local preparedness programs should be sufficient to keep all residents and business well informed and prepared in the event of a major earthquake or similar disaster.

**Action EH-6.1.A: Essential Service Facility Upgrades.** Periodically evaluate the ability of City facilities to function after a major disaster such as an earthquake. Take steps to address any deficiencies, and to ensure that emergency services and communication can be provided following a disaster.

**Policy EH-6.2: SEMS Planning.** Use the Standard Emergency Management System (SEMS) as the basis for the City’s Emergency Preparedness programs. The City should maintain and periodically update a SEMS-based emergency preparedness plan that provides direction and identifies responsibilities following a disaster.

**Action EH-6.2.A: Emergency Operations Plan Update.** Expand the City’s Emergency Operations Plan to address evacuation routes and post-disaster recovery.

**Action EH-6.2.B: Local Hazard Mitigation Plan.** Maintain a Local Hazard Mitigation Plan (LHMP) which assesses the vulnerability of areas in the city to different types of natural hazards (such as earthquakes, wildfires, and floods) and includes measures to reduce the potential for damage.

### *San Leandro Hazard Mitigation Master Plan*

The City of San Leandro’s Hazard Mitigation Master Plan (Hazard Plan) is intended to prepare the community for potential life threatening emergencies, such as fire, flood, and earthquakes. The Hazard Plan is essentially a “road map” for action involving hazard mitigation and emergency preparedness. In general, the Hazard Plan includes guiding principles, such as community education, establishing early warning systems for notifying the community of emergencies, and continuing training and updating of emergency preparedness (City of San Leandro 2016i).

## 4.7.2 Impact Analysis

### a. Methodology and Significance Thresholds

The following thresholds are based on Appendix G of the *CEQA Guidelines*. A significant impact would occur if the proposed project would result in any of the following conditions:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

2. 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;
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
5. Be 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, and result in a safety hazard for people residing or working in the project area;
6. Be located within the vicinity of a private airstrip, and result in a safety hazard for people residing or working in the project area;
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

The Specific Plan Area is not located within an airport land use plan or in the vicinity of a private airstrip. In addition, the Specific Plan Area is not located in or a near an area subject to wildland fire hazards. Effects associated with Thresholds 5, 6, and 8 are addressed in Section 4.15, *Effects Found Not to Be Significant*.

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b>	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
<b>Threshold:</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.

**IMPACT HAZ-1** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD INCLUDE DEVELOPMENT OF RESIDENTIAL OR COMMERCIAL LAND USES THAT COULD INVOLVE THE USE, STORAGE, DISPOSAL OR TRANSPORTATION OF HAZARDOUS MATERIALS. IN ADDITION, UPSET OR ACCIDENT CONDITIONS WITHIN THE SPECIFIC PLAN AREA COULD INVOLVE THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT. HOWEVER, REQUIRED ADHERENCE TO EXISTING REGULATIONS, PROGRAMS, AND 2035 GENERAL PLAN POLICIES WOULD ENSURE THAT THIS IS A LESS THAN SIGNIFICANT IMPACT.

Impacts related to hazardous materials relate to operation of residential and commercial uses, construction activity, and mixed-use residential development. Each of these issues is described below.

## Operational Activities

The proposed Specific Plan would facilitate the construction of new residential and commercial land uses that could involve the use, storage, disposal or transportation of hazardous materials. The potential residential and most of the potential commercial uses do not generally involve the use, storage, disposal, or transportation of significant quantities of hazardous materials. They may involve use and storage of some materials that are considered hazardous, though these materials would be primarily limited to solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be substantially different from household chemicals and solvents already in general and wide use throughout the Specific Plan Area. In addition, in accordance with 2035 General Plan policies EH-5.1 and EH-5.6, the City takes part in the Alameda County Household Hazardous Waste Program which educates residents about how to properly dispose of household hazardous waste and provides collection centers for residents to properly dispose of hazardous waste. These efforts will reduce potential impacts associated with household hazardous waste that may be generated with development under the Specific Plan.

Currently, there are no properties within the Specific Plan Area zoned for industrial uses. The proposed Specific Plan would not establish new industrial, warehouse, auto-service, or manufacturing zones within the Specific Plan Area and these uses are prohibited according to Land Use Policy #13 of the proposed Specific Plan. Therefore, the proposed Specific Plan would not introduce new manufacturing, warehouse, or industrial uses that would sell, use, store, transport, or release substantial quantities of hazardous materials.

The land use vision of the proposed Specific Plan is to encourage mixed-use development in the Specific Plan Area. New residential uses within mixed-use or commercial areas could be exposed to the transport of hazardous materials through the area. In addition, certain allowed uses in proximity to mixed residential uses may use or create hazardous materials. For example, emergency health care uses would be conditionally permitted uses in the Specific Plan Area and may result in the transport and use of medical supplies or other medically related materials, some of which could be biohazards.

However, the numerous hazardous material regulations detailed in the Regulatory Setting section above would minimize impacts related to hazardous materials within the Specific Plan Area. Hazardous materials would be required to be transported under DOT regulations. Future development under the proposed project would be subject to regulatory programs such as those overseen by the RWQCB and the DTSC. These agencies require applicants for development of potentially contaminated properties to perform investigation and cleanup if the properties are found to be contaminated with hazardous substances. In addition, San Leandro Environmental Service Section has substantial regulations concerning hazardous materials under its CUPA jurisdiction and related Unified Programs. For example, businesses such as medical services in San Leandro must submit a Business Plan for the safe storage and use of chemicals if the business handles and/or stores a hazardous material equal to or greater than the minimum reportable quantities. 2035 General Plan Policy EH-5.5 calls for the City to maintain the capacity to respond immediately and effectively to hazardous materials incidents. Compliance with existing laws and regulations governing the transport, use, storage, disposal, or release of hazardous materials and wastes would reduce impacts related to exposure of the public or environment to the routine use or accidental release of hazardous materials to less than significant.

## Construction Activities

Although no specific development projects are proposed in the Specific Plan, implementation of the proposed Specific Plan could facilitate demolition or redevelopment of existing buildings within the Specific Plan Area and construction of new buildings. Construction associated with future development within the Specific Plan Area may include the temporary transport, storage, and use of potentially hazardous materials including fuels, lubricating fluids, cleaners, or solvents. Grading or excavation on sites with existing contamination may also result in the transport and disposal of hazardous materials if hazardous materials are unearthed and removed from the site. However, the transport, storage, use, or disposal of hazardous materials would be subject to federal, state and local regulations pertaining to the transport, use, storage, and disposal of hazardous materials, which would assure that risks associated with hazardous materials are minimized. In addition, construction activities that transport hazardous materials would be required to transport such materials along designated roadways within the City and County, thereby limiting risk of upset.

The Specific Plan Area contains numerous residential and commercial buildings which, due to their age, may contain asbestos and/or lead-based paint. Structures built before the 1970s typically contained asbestos containing materials (ACM). Demolition or redevelopment of these structures could result in health hazard impacts to workers if not remediated prior to construction activities. However, future projects within the Specific Plan will have to comply with Policy EH-5.7 of the 2035 General Plan Environmental Hazards Element which will “ensure the safe and proper handling of hazardous building materials, such as friable asbestos and lead based paint. If such materials are disturbed during building renovation or demolition, they should be handled and disposed of in a manner that protects human health and the environment.” Future projects within the Specific Plan Area would also be required to adhere to BAAQMD Regulation 11, Rule 2, which governs the proper handling and disposal of ACM for demolition, renovation, and manufacturing activities in the Bay Area, and California Occupational Safety and Health Administration (CalOSHA) regulations regarding lead-based materials. The California Code of Regulations, §1532.1, requires testing, monitoring, containment, and disposal of lead-based materials, such that exposure levels do not exceed CalOSHA standards. With adherence to 2035 General Plan policies, as well as BAAQMD and CalOSHA policies regarding ACM and lead-based paint, impacts at the program level would be less than significant.

## Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
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**IMPACT HAZ-2** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD NOT INVOLVE FACILITIES THAT WOULD PRODUCE OR EMIT HAZARDOUS MATERIALS NEAR SCHOOLS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

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No schools are located within the Specific Plan Area; however, San Lorenzo High School and Hesperian Elementary School are located within one-quarter mile of the Specific Plan Area boundary. As discussed above under Impact HAZ-1, the proposed Specific Plan would not involve any new industrial or manufacturing uses. The potential residential uses and most of the potential commercial uses would not generally involve the use, storage, disposal, or transportation of significant quantities of hazardous materials. They may involve use and storage of some materials

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that are considered hazardous, though these materials would be primarily limited to solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be substantially different from household chemicals and solvents already in general and wide use throughout the Specific Plan Area. In addition, any uses within the Specific Plan Area that sell, use, store, generate, or release hazardous materials must adhere to applicable local, state, and federal safety standards, ordinances, or regulations. Impacts would be less than significant.

## Mitigation Measures

No mitigation measures are required.

**Threshold:** Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;

**IMPACT HAZ-3** THERE ARE NO PROPERTIES WITHIN OR AROUND THE SPECIFIC PLAN AREA WITH LOCALIZED CONTAMINATION OR CONCENTRATIONS OF HAZARDOUS SUBSTANCES THAT WOULD AFFECT DEVELOPMENT IN THE SPECIFIC PLAN AREA. THEREFORE, WORKERS OR RESIDENTS IN THE SPECIFIC PLAN AREA WOULD NOT BE EXPOSED TO HAZARDS RESULTING FROM DEVELOPMENT OF A HAZARDOUS MATERIALS SITE AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

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There are numerous permitted hazardous waste generators and sites with underground storage tanks or above ground storage tanks in San Leandro. Figure 21 and Table 13 show all DTSC listed cleanup sites within and around the Specific Plan Area. As shown, there are no Superfund (NPL) or other State Response sites within the Specific Plan Area. There are thirteen “completed-case closed” Leaking Underground Fuel Tank (LUFT) and Spills, Leaks, Investigation, and Cleanups (SLIC) sites within the Specific Plan Area. Sites that are “closed” indicate that all appropriate corrective action requirements have occurred. These properties can then be released for reuse with restrictions to prevent inappropriate land uses. Future project-specific adherence to 2035 General Plan Policy EH-5.2 also ensures necessary steps are taken to clean up residual hazardous wastes on any contaminated site proposed for redevelopment or reuse. Therefore, no significant impacts related to hazardous materials would occur should grading or excavation occur on these sites with implementation of the proposed Specific Plan.

Outside of the Specific Plan Area but within 1,000 feet of the Specific Plan Area boundary there is one site (Eden Center, 14883 East 14th Street) listed as “completed-case closed” but with land use restrictions. However, since this site is outside of the Specific Plan Area, there are no land use changes to this site associated with the proposed Specific Plan. Further, one site (Riding Group) is listed as “inactive-action required.” According to EnviroStor, the potential contaminants of concern are chlordane and dieldrin in the soil. Since this site is outside of the Specific Plan Area, no construction associated with the Specific Plan Area would disturb the soil at this site and therefore no exposure to these contaminants would occur as a result of the Specific Plan. In addition, due to the distance between this site and the Specific Plan Area, it is unlikely that contaminants have or will in the future migrate to the Specific Plan Area such that contamination of parcels in the Specific Plan Area would have occurred. Impacts would be less than significant.

## Mitigation Measures

No mitigation measures are required.



<b>Threshold:</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
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**IMPACT HAZ-4 IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD NOT IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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As required by State law, the City of San Leandro has established emergency preparedness procedures and programs to be prepared for and respond to a variety of natural and manmade disasters that could confront the community. The City's emergency preparedness programs are operated collaboratively by the San Leandro Police Department, the Alameda County Fire Department, and other City Departments. Emergency and disaster planning is primarily conducted through the City Emergency Services Specialist (under the City Manager's Office) and San Leandro Emergency Operations Center, which is responsible for coordinating agency response to disaster or other large-scale emergencies in San Leandro with assistance from the Alameda County Office of Emergency Services and the ACFD.

The City's Hazard Plan establishes policy direction for emergency planning, mitigation, response, and recovery activities within San Leandro. The Hazard Plan addresses interagency coordination, procedures to maintain communication with county and State emergency response teams, and methods to assess the extent of damage and management of volunteers (City of San Leandro 2016i).

According to the 2035 General Plan Hazards Environmental Element, evacuation is a component of disaster preparedness and arterial streets, including East 14th, Fairmont, and Hesperian, within the Specific Plan Area could function as major routes out of the City if evacuation became necessary. However, these routes have not been officially designated as emergency access or evacuation routes. Action EH-6.2.A of the 2035 General Plan involves updating and expanding the City's Emergency Operations Plan to address evacuation routes and post-disaster recovery.

The Specific Plan does not include any policies or programs that would impair or interfere with emergency response or emergency evacuation. As discussed in Section 4.12, *Public Services and Recreation*, all development in the Specific Plan Area would be required to confirm to the latest Fire Code requirements, including provisions for emergency access.

With adherence to existing 2035 General Plan policies and other regulations, the proposed Specific Plan would not impair or interfere with an emergency response or evacuation plan and further analysis in an EIR is not warranted. The project would not impair or interfere with an emergency response or evacuation plan. Impacts would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **c. Cumulative Impacts**

Cumulative development in San Leandro has potential to expose future area residents, employees, and visitors to current and historical use of hazardous materials. As indicated in Section 3, *Environmental Setting*, the City's 2035 General Plan plans for up to 5,370 new housing units by 2035. Continued urban development in San Leandro will cumulatively increase the potential for exposure to existing hazards associated with hazardous materials. Therefore, an overall increase in the potential for human health hazards will occur as intensification of development occurs. However, the magnitude of hazards for individual projects would depend upon the location, type,

and size of development and the specific hazards associated with individual sites. Compliance with regulatory requirements and General Plan policies, including remedial action on contaminated sites, would avoid potential hazard impacts associated with cumulative development in San Leandro.

Overall, hazards and hazardous materials impacts associated with individual developments are site specific in nature and must be addressed on a case-by-case basis. Since hazards and hazardous materials are required to be examined as part of the permit application and environmental review process, it is anticipated that potential impacts associated with individual projects will be adequately addressed and mitigated prior to permit approval. With adherence to existing 2035 General Plan policies and other local, regional, state, and federal regulations, no significant cumulative human health impacts are anticipated.

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## 4.8 Hydrology and Water Quality

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This section evaluates the potential environmental effects related to hydrology and water quality associated with implementation of the proposed Specific Plan.

### 4.8.1 Setting

#### a. Hydrology

##### Regional Watershed

The California Department of Water Resources (DWR) divides surface watersheds in California into ten hydrologic regions. The City of San Leandro lies within the San Francisco Bay Hydrologic Region (Bay Region). This region contains 33 alluvial groundwater basins, covers approximately 4,500 square miles, and includes all of San Francisco County and portions of Marin, Sonoma, Napa, Solano, San Mateo, Santa Clara, Contra Costa, and Alameda counties. The Bay Region includes numerous watersheds that drain directly into the San Francisco Bay downstream of the Delta and coastal creek watersheds in Marin and San Mateo counties that drain directly to the Pacific Ocean. Figure 22 shows stormwater, drainage, and creeks in the Specific Plan and surrounding area.

##### Estudillo Canal Watershed

The Specific Plan Area is located within the boundaries of the Estudillo Canal Watershed. The Estudillo Canal Watershed, located north of Lewelling Boulevard, encompasses 9.4 square miles. This watershed begins on the ridge between Lake Chabot and Fairmont Hospital in San Leandro, and directs flows to the west through a network of canals and underground culverts along East 14th Street in residential and commercial areas towards Estudillo Canal. The canal is a 4.8-mile-long engineered channel, beginning just west of I-580 near Halcyon Drive, where it receives flow from the ridge above the Fairmont Hospital and surrounding area. A small portion of the canal (0.15-mile) occurs as an open, natural creek just below the ridge; it then flows under Fairmont Boulevard and resurfaces for another 0.15 mile before being diverted underground and draining to Estudillo Canal. The canal terminates in the San Francisco Bay, connecting to the bay via a tide to Heron Bay Tidal Marsh (also known as San Leandro Shoreline March). The tide gate allows flows through when the tide moves in one direction, and retains flows by closing automatically when flows move in the opposite direction (County of Alameda, 2017a, b).

##### Groundwater

As discussed in Section 4.14, *Utilities*, water supply in the Specific Plan Area would be provided by the East Bay Municipal Utility District (EBMUD). The majority of the water delivered by EBMUD originates from the Mokelumne River watershed while the remaining water originates as runoff from the protected watershed lands and reservoirs in the East Bay Hills. Supplemental groundwater projects would allow EBMUD to be flexible in response to changing external conditions, such as during single-year or multiple-year droughts. For example, the Bayside Groundwater Project will allow EBMUD to bank water during wet years for extraction, treatment, and use during dry years. Construction of the project was completed in 2010, but subsequent dry conditions and the need to obtain the necessary approvals have prevented EBMUD from injecting water into the project (EBMUD 2015).

Figure 22 Stormwater, Drainage, and Creeks in and Around the Specific Plan Area



## b. Water Quality

### Regional Stormwater and Urban Runoff

The San Francisco Bay Region's immediate watershed is highly urbanized, resulting in contaminant loads from both point and nonpoint sources, as well as pollutants that travel downstream from the Delta and the Central Valley. Stormwater runoff pollutants vary with land use, topography, and the amount of impervious surface, as well as the amount and frequency of rainfall and irrigation practices. Runoff in developed areas typically contain oil, grease, litter, metals accumulated in streets, driveways, parking lots, and rooftops, as well as applied pollutants to landscaped areas. All stormwater runoff generated with the City of San Leandro eventually discharges into the San Francisco Bay. Storm drains within the City limits connect to Estudillo Canal, San Leandro Creek, and San Lorenzo Creek, which drain to the Bay. The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) is the primary agency charged with protecting and enhancing surface and ground water quality in the region (City of San Leandro 2017i).

The SFRWQCB monitors surface water quality through implementation of the Basin Plan and designates beneficial uses for surface water bodies and groundwater. The SFRWQCB-designated beneficial uses of the Estudillo Canal include warm freshwater habitat, wildlife habitat, water contact and water non-contact recreation (California Regional Water Quality Control Board 2015b). As previously discussed, the primary water body in the Specific Plan Area is the Estudillo Canal. The current Clean Water Act Section 303 (d) List of Water Quality Limited Segments does not identify the Estudillo Canal as having any water quality limited segments. The Estudillo Canal is not an impaired water body; therefore, is not subject to a U.S. EPA approved total maximum daily loads (TMDL). Refer to the Regulatory Framework, below, for a summary of Section 303 (d) of the Clean Water Act (CWA).

### Plan Area Stormwater and Urban Runoff

The majority of the Specific Plan Area presently consists of impervious surfaces (i.e., structures, parking lots, roadways) while pervious surfaces include pockets of urban landscaping within the shopping center and residential yards, and linear landscaping along roadways. The stormwater runoff generated by new development and redevelopment under the proposed Specific Plan would be collected by drainage inlets and conduits that discharge into the Estudillo Canal. As shown on Figure 22, the Estudillo Canal transects the Specific Plan Area along the northern and southern end of the Specific Plan Area running parallel and north of Thornally Drive and north of the Bay Fair BART station, continuing southwest across the BART tracks and Hesperian Boulevard. The Estudillo Canal is owned and operated by the Alameda County Flood Control and Water Conservation District (ACFCD) while the area drain system would be owned and maintained by the City.

The Specific Plan Area is located within two ACFCD flood control zones. Most of the Specific Plan Area is within Zone 9 while the northernmost end of the Specific Plan Area along E. 14th Street is within Zone 2A. Zone 9 encompasses 2,482 acres with 14 miles of underground pipes, 2 miles of concrete channels, 1 mile of earth channels, and less than 1 mile of natural and improved creeks. Zone 2A encompasses 329 acres with 3 miles of underground pipes, 1 mile of concrete channels, 1 mile of earth channels, and 1 mile of improved creeks (Alameda County 2017a).



## c. Flood Hazards

### FEMA Flood Hazard Zones

The Federal Emergency Management Agency (FEMA) establishes base flood elevations (BFEs) for 100-year and 500-year flood zones and establishes Special Flood Hazard Areas (SFHAs). SFHAs are those areas within 100-year flood zones or areas that will be inundated by a flood event having a one percent chance of being equaled or exceeded in any given year. The 100-year flood zone is defined as the area that will be inundated by the flood which has a 1% probability of occurring in any given year, or once every 100 years. The 500-year flood zone is defined as the area that could be inundated by the flood which has a 0.2% probability of occurring in any given year, or once in 500 years, and is not considered a SFHA. Acting in its capacity as the ACFCD, the Flood Control Watershed Planning and Flood Control Design Divisions are responsible for working with FEMA to map floodplains for the cities and unincorporated County areas, establishing BFEs on a case-by-case basis, where a BFE is equivalent to the SFHA or 100-year flood inundation area (Alameda County 2017).

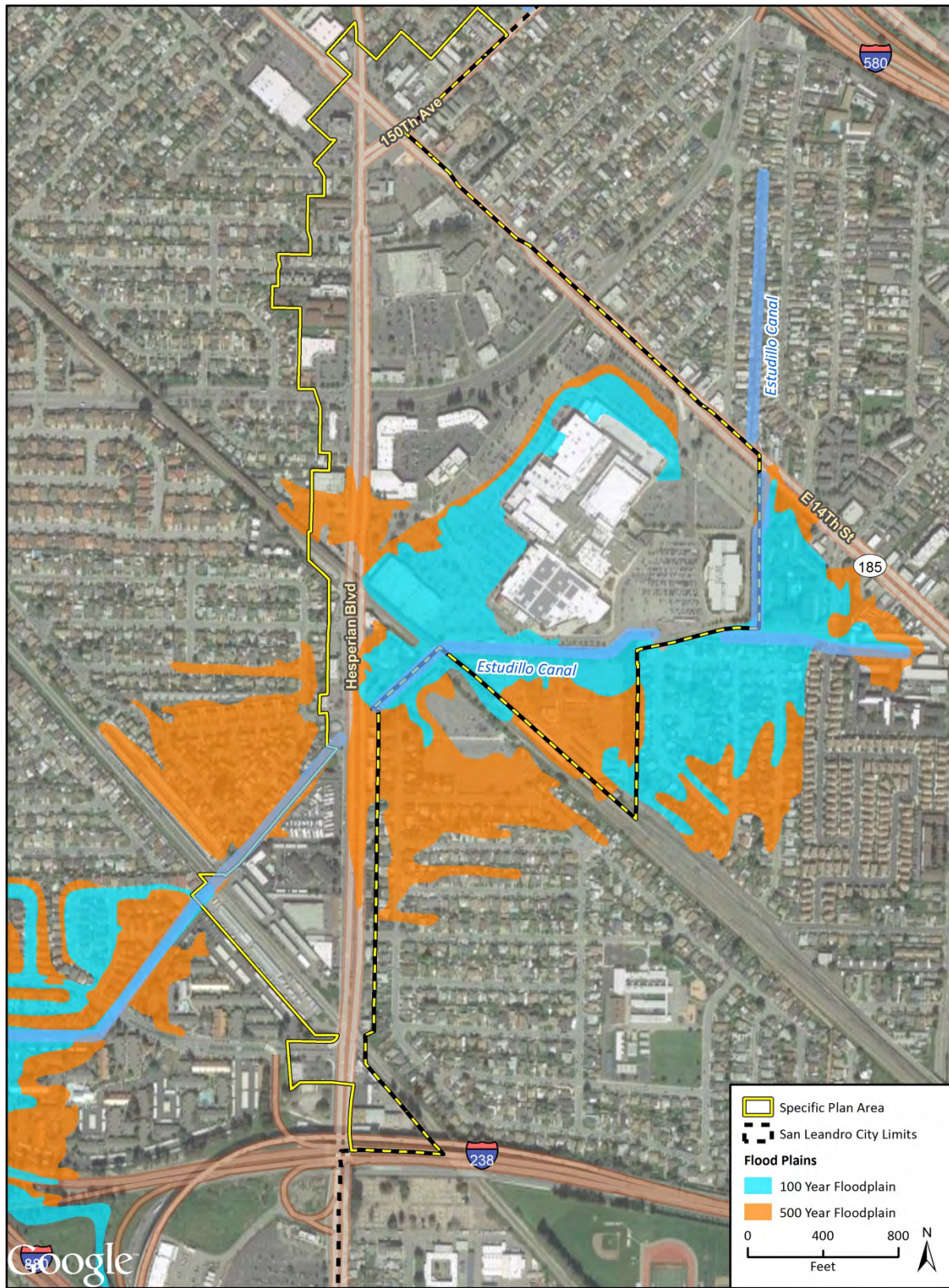
As shown on Figure 23, approximately one-third of the Specific Plan Area is within the SFHA or 100-year flood zone “AH (El.33).” Zone AH is designated as “areas with a 1% annual chance of shallow flooding, with an average depth ranging from 1 to 3 feet. The “base flood elevation” is determined as elevation 33 feet (NAVD 88).

According to the proposed Specific Plan, the ACFCD is developing alternatives for improvements to the Estudillo Canal in order to gain capacity for the 1% annual chance flood, thus eventually removing the Specific Plan Area from the SFHA. These improvements may require significant improvements to the Estudillo Canal and the channel crossings, which may include: a Union Pacific Railroad culvert, a maintenance bridge, Hesperian Boulevard, Coelho Drive, and E. 14th Street. Funding and schedule for the reach through the Plan Area is currently under development.

In the City of San Leandro, flood protection is provided by the ACFCD. ACFCD is responsible for most major flood control operations in the Specific Plan Area. The District owns and manages most storm drains in the Specific Plan Area, and ensures that they are designed and constructed to meet existing and projected needs for the area to avoid flooding. Storm drainage infrastructure includes 500 miles of conduits, channels and natural creeks; four million linear feet of fencing; and 22 pump stations within Alameda County that pump excess flood waters into the Bay (Alameda County 2009). The City of San Leandro prohibits the construction of structures, fill, grading, or otherwise obstructing the designated floodway for watercourses that flow through the city, as codified in SLMC Chapter 3-15-220, Watercourse Protection, and Chapter 7-9, Floodplain Management.

The City of San Leandro’s Division of Building and Safety Services, which reviews permits for compliance with its flood hazard abatement codes and regulations, addresses the potential for flooding from a 100-year flood at individual sites when specific development is proposed. Actual flood hazard determinations for a particular project site are made by the Chief Building Official of the City’s Division of Building and Safety Services. This includes administration of California Building Code Section 1612A, Flood Loads, which specifies that any buildings and structures located within designated flood hazard areas shall be designed and constructed to resist the effects of flood hazards and flood loads (City of San Leandro 2017b).

Figure 23 Floodplains in and Around the Specific Plan Area





## Dams and Levees

No dams are located in the Specific Plan Area. The nearest dam, Chabot Dam, is located approximately 1.6-mile north of the Specific Plan Area. If Chabot Dam were to fail when the reservoir was full, the amount of water that would be released would not inundate the Specific Plan Area (Alameda County 2016). In addition, there are no levees within the Specific Plan Area. The closest levee to the Specific Plan Area is located 1.72-mile southwest of the Specific Plan Area along the Estudillo Canal (City of San Leandro 2016i).

## Tsunami and Seiches

A tsunami is a series of waves generated by an impulsive disturbance in the ocean or in a small, connected body of water. Tsunamis are produced when movement occurs on faults in the ocean floor, usually during very large earthquakes. Sudden vertical movement of the ocean floor by fault movement displaces the overlying water column, creating a wave that travels outward from the earthquake source. An earthquake anywhere in the Pacific can cause tsunamis around the entire Pacific basin.

Seiches are waves generated in an enclosed body of water, such as the San Francisco Bay, from seismic activity. Seiches are related to tsunamis for enclosed bays, inlets, and lakes. These tsunami-like waves can be generated by earthquakes, subsidence or uplift of large blocks of land, submarine and onshore landslides, sediment failures and volcanic eruptions. The strong currents associated with these events may be more damaging than inundation by waves. The largest seiche wave ever measured in the San Francisco Bay, following the 1906 earthquake, was four inches high.

## d. Regulatory Setting

### Federal

#### *Federal Clean Water Act*

In 1972, Congress passed the Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA), with the goal of “restor[ing] and maintain[ing] the chemical, physical, and biological integrity of the Nation’s waters” (33 U.S.C. § 1251(a)). The CWA directs states to establish water quality standards for all “waters of the United States” and to review and update such standards on a triennial basis. Section 319 mandates specific actions for the control of pollution from non-point sources. The EPA has delegated responsibility for implementation of portions of the CWA, including water quality control planning and control programs, such as the National Pollutant Discharge Elimination System (NPDES) Program, to the SWRCB and the RWQCBs.

Section 303(c)(2)(b) of the CWA requires states to adopt water quality standards for all surface waters of the United States based on the water body’s designated beneficial use. Water quality standards are typically numeric, although narrative criteria based upon biomonitoring methods may be employed where numerical standards cannot be established or where they are needed to supplement numerical standards. Water quality standards applicable to the Specific Plan Area are contained in the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan).

Section 303(d) of the CWA bridges the technology based and water quality-based approaches for managing water quality. Section 303(d) requires that states make a list of waters that are not attaining standards after the technology-based limits are put into place. For waters on this list (and where the U.S. EPA administrator deems they are appropriate), states are to develop “total

maximum daily loads” (TMDL). TMDLs are established at the level necessary to implement the applicable water quality standards. A TMDL must account for all sources of the pollutants that caused the water to be listed. The Estudillo Canal is not on the Section 303 d list of impaired waters. San Lorenzo Creek, located 2,200 feet south of the Specific Plan Area, is an impaired water body and is subject to a U.S. EPA approved TMDL (CA State Water Resources Control Board 2010). The waters of San Lorenzo Creek are impaired due to exceedance of the pesticide pollutant Diazinon. The primary source of this pollution is urban runoff/storm sewers (California State Water Resources Control Board 2017b).

Section 404 of the CWA prohibits the discharge of any pollutants into “waters of the United States,” except as allowed by permit. 33 C.F.R. § 328.3(a)(3). Section 404 of the CWA authorizes the U.S. Army Corps of Engineers (Corps) to issue permits for and regulate the discharge of dredged or fill materials into wetlands or other waters of the United States. Under the CWA and its implementing regulations, “waters of the United States” are broadly defined to consist of rivers, creeks, streams, and lakes extending to their headwaters, including adjacent wetlands.

#### *National Pollution Discharge Elimination System (NPDES)*

The goal of the NPDES nonpoint source regulations is to improve the quality of stormwater discharged to receiving waters to the “maximum extent practicable” through the use of best management practices (BMPs). The NPDES permit system was established in the CWA to regulate point source discharges (a municipal or industrial discharge at a specific location or pipe) and certain types of diffuse discharges, including urban stormwater and construction site runoff. The NPDES permit requires that permanent post-construction stormwater quality control measures and treatment facilities be implemented on the site.

Under the NPDES Program, all facilities which discharge pollutants into waters of the US are required to obtain an NPDES permit. Requirements for stormwater discharges are also regulated under this program. In California, the NPDES permit program is administered by the SWRCB through the nine RWQCBs. The City of San Leandro lies within the jurisdiction of San Francisco Bay RWQCB (Region 2) and is subject to the waste discharge requirements of the Municipal Regional Stormwater Permit (MRP; Order No. R2-2015-0049) and NPDES Permit No. CAS612008, which was issued on November 19, 2015 and went into effect on January 1, 2016. The Alameda County permittees include Alameda County, the ACFCO, and 14 cities, including the City of San Leandro.

Under Provision C.3 of the MRP, the co-permittees use their planning authorities to include appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. This goal is to be accomplished primarily through the implementation of Low Impact Development (LID) techniques (City of San Leandro 2016i).

The NPDES permit requires the incorporation of LID and Stormwater Treatment technologies in new development and redevelopment projects, in order to mimic the natural hydrology of the lands prior to disturbance. The objective of LID and post-construction BMPs for stormwater is to reduce runoff and mimic a site’s predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. LID employs principles such as preserving and recreating natural landscape features and minimizing imperviousness to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement,

preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes.

## State

### *State Water Resources Control Board General Construction Permit*

The State Water Resources Control Board (SWRCB) is responsible for developing statewide water quality policy and exercise the powers delegated to the State by the federal government under the Clean Water Act. Construction activities that disturb one or more acres of land that could impact hydrologic resources must comply with the requirements of the SWRCB Construction General Permit (Order 2012-0006-DWQ). Under the terms of the permit, applicants must file Permit Registration Documents (PRDs) with the SWRCB prior to the start of construction. The PRDs include a Notice of Intent (NOI), risk assessment, site map, Stormwater Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement. The PRDs are submitted electronically to the SWRCB via the Storm Water Multiple Application and Report Tracking System (SMARTS) website.

Applicants must also demonstrate conformance with applicable best management practices (BMPs) and prepare a Storm Water Pollution Prevention Plan (SWPPP), containing a site map that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection, and discharge points, general topography both before and after construction, and drainage patterns across the city. The SWPPP must list BMPs that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. Additionally, the SWPPP must contain a visual monitoring program, a chemical monitoring program for nonvisible pollutants if there is a failure of the BMPs, and a sediment-monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Some sites also require implementation of a Rain Event Action Plan (REAP). The updated Construction General Permit (2012-0006-DWQ), which went into effect on July 17, 2012, also requires applicants to comply with post-construction runoff reduction requirements (City of San Leandro 2016i; California State Water Resources Control Board 2017a).

### *Porter-Cologne Water Quality Act*

The Porter-Cologne Water Quality Control Act establishes the SWRCB and each RWQCB as the principal State agencies for coordinating and controlling water quality in California. Specifically, the Porter-Cologne Act authorizes the SWRCB to adopt, review, and revise policies for all waters of the State (including both surface and groundwater) and directs the RWQCBs to develop regional Basin Plans.

The San Francisco Bay RWQCB has the authority to implement water quality protection standards through the issuance of permits for discharges to waters in its jurisdiction. Water quality objectives for receiving waters within Alameda County are specified in the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) prepared by the RWQCB in compliance with the federal CWA and the State Porter Cologne Act. The principal elements of the Basin Plan are a statement of beneficial water uses protected under the plan; water quality objectives necessary to protect the designated beneficial water uses; and strategies and time schedules for achieving the water quality objectives. Together, narrative and numerical objectives define the level of water quality that shall be maintained in the region. The water quality objectives are achieved primarily through the establishment and enforcement of waste discharge requirements (WDRs).

The RWQCBs have primary responsibility for issuing WDRs. The RWQCBs may issue individual WDRs to cover individual discharges or general WDRs to cover a category of discharges. WDRs may include effluent limitations or other requirements that are designed to implement applicable water quality control plans, including designated beneficial uses and the water quality objectives established to protect those uses and prevent the creation of nuisance conditions. Violations of WDRs may be addressed by issuing Cleanup and Abatement Orders (CAOs) or Cease and Desist Orders (CDOs), assessing administrative civil liability, or seeking imposition of judicial civil liability or judicial injunctive relief.

#### *State Updated Model Water Efficient Landscape Ordinance (Assembly Bill 1881)*

The updated Model Water Efficient Landscape Ordinance required cities and counties to adopt landscape water conservation ordinances by January 31, 2010 or to adopt a different ordinance that is at least as effective in conserving water as the updated Model Water Efficient Landscape Ordinance (WELO). The City of San Leandro adopted the Bay-Friendly Landscape Ordinance in accordance with Assembly Bill 1881. The ordinance incorporates landscape protocols developed by the Alameda County Waste Management Authority (StopWaste) and all parameters in the WELO. The ordinance became effective as of February 1, 2010. Executive Order B-29-15 required the State to revise the Model WELO to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, onsite stormwater capture, and by limiting the portion of landscapes that can be covered in turf.

## **Local**

#### *San Francisco Bay Regional Water Quality Control Board*

Regional authority for planning, permitting, and enforcement is delegated to the nine Regional Water Quality Control Boards (RWQCBs). The regional boards are required to formulate and adopt water quality control plans for all areas in the region and establish water quality objectives in the plans. San Leandro is within the jurisdiction of the San Francisco Bay RWQCB (Region 2).

The San Francisco Bay RWQCB addresses region-wide water quality issues through the creation of the Water Quality Control Plan for San Francisco Bay Basin (Basin Plan). The Basin Plan was updated most recently in March 2015. This Basin Plan designates beneficial uses of the State waters within Region 2, describes the water quality that must be maintained to support such uses, and provides programs, projects, and other actions necessary to achieve the standards established in the Basin Plan (SFBRWQCB 2013). The Water Quality Control Policy for the Enclosed Bays and Estuaries of California, as adopted by the SWRCB in 1995, also provides water quality principles and guidelines to prevent water quality degradation and protect the beneficial uses of waters of enclosed bays and estuaries (City of San Leandro 2016i).

#### *Alameda County Clean Water Program*

The City of San Leandro, along with 13 other incorporated cities in Alameda County has joined with the ACFC, the Zone 7 Water Agency, and Alameda County in the Clean Water Program (CWP) initiative. Members of the program are regulated waste dischargers under the 2015 NPDES Permit issued by the San Francisco Bay RWQCB, and are responsible for municipal storm drain systems and watercourses that they own or operate. As part of the permitting process, dischargers must submit a Stormwater Management Plan that describes a framework for management of stormwater discharges during the term of the permit (City of San Leandro 2016i).

The City of San Leandro, as a co-permittee under the NPDES permit, is also subject to the Provision C.3 requirements for new development and redevelopment projects, including post-construction stormwater management requirements. Provision C.3 requirements are separate from, and in addition to, requirements for erosion and sediment control and for pollution prevention measures during construction. All new development or redevelopment projects that create or replace 10,000 square feet of impervious surfaces or 5,000 square feet or more of impervious surface for special land use categories (i.e., uncovered parking lots, restaurants, auto service facilities, and gasoline stations) are considered to be “regulated projects” and are required to implement site design measures, source control measures, and stormwater treatment measures to reduce stormwater pollution during operation of the project. The permit specifies methods to calculate the required size of treatment devices. All projects that create and/or replace 2,500 square feet but less than 10,000 square feet of impervious surface are required to meet site design requirements in Provision C.3.i of the MRP.

Regulated projects subject to stormwater treatment measures would require the implementation of LID features, such as harvesting and reuse, bioretention areas, pervious paving, green roofs, flow-through planters, tree well filters, and media filters. Systems must be designed to treat stormwater runoff volume equal to the 85th percentile 24-hour storm event, 80 percent of the annual runoff from the site, a flow design of runoff from a rain event equal to 0.2 in/hr intensity, or an equivalent method (City of San Leandro 2016i).

The Specific Plan Area is shown as a solid white area on CWP’s Hydromodification Management Susceptibility Map. According to the CWP, solid white designates the land area between the hills and the tidal zone. The HM standard and all associated requirements apply to projects in solid white area unless a project proponent demonstrates that all project runoff will flow through fully hardened channels. Short segments of engineered earthen channels (length less than 10 times the maximum width of trapezoidal cross-section) can be considered resistant to erosion if located downstream of a concrete channel of similar or greater length and comparable cross-section dimensions. Plans to restore a hardened channel may affect the HM Standard applicability in this area. Only a small portion of the City east of I-580 is subject to hydromodification (HM) measures, as determined by the CWP’s Hydromodification Management Susceptibility Map. This would require projects within the hydromodification area that create and/or replace one acre or more of impervious surface to match post-development stormwater flow rates and volumes to pre-development conditions (City of San Leandro 2016i).

#### *San Leandro 2035 General Plan*

Applicable General Plan policies and actions related to hydrology and water quality are included in the Open Space, Parks, and Conservation Element and the Hazards Element. Conservation Element Goal OSC-7 promotes recycling, water conservation, green building, and other programs which reduce greenhouse gas emissions and create a more sustainable environment. Hazards Element Goal EH-7 promotes maintaining and improving water quality in San Leandro’s creeks, wetlands, and offshore waters.

Policies and actions related to water conservation are listed below:

**Policy 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.

**Action OSC-7.2.A: Urban Water Management Plan.** Take the actions necessary to implement EBMUD’s Urban Water Management Plan at the local level.

**Action OSC-7.2.B: Expansion of Reclaimed Water Use.** Expand the City’s reclaimed water system enabling further reductions in the use of potable water for landscaping. The City will seek additional funding for projects which enable the delivery of high-quality reclaimed water to an expanded customer base, with additional infrastructure for water delivery.

**Policy 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 (WELO).

**Policy OSC-7.4: Development Standards.** Maintain local planning and building standards that require the efficient use of water through such measures as low-flow plumbing fixtures and water-saving appliances. Require water conservation measures as a condition of approval for major developments.

**Action OSC-7.4.A: Graywater Recycling.** Explore Building Code revisions and other programs to facilitate the installation of graywater recycling systems and other systems which capture runoff for domestic use and landscaping (Alameda County 2017a).

Policies and actions related to water quality are listed below:

**Policy EH-4.1: Urban Runoff Control.** Continue to implement water pollution control measures aimed at reducing pollution from urban runoff. These measures should emphasize best management practices by residents, businesses, contractors, and public agencies to ensure that surface water quality is maintained at levels that meet state and federal standards.

**Action EH-4.1.A: Trash Capture Devices.** Develop a funding plan for the installation and maintenance of trash capture devices on City storm drains, in order to comply with the unfunded State mandate for 100 percent trash capture in local storm drain systems.

**Action EH-4.1.B: Municipal Regional Permit Implementation.** As required by Section C3 of the Stormwater Municipal Regional Permit (also known as “C3” requirements), ensure that the City’s development review procedures continue to include measures related to water supply, flood control, habitat protection, groundwater recharge, Bay-Friendly landscaping, and sustainable development. In addition, the City will continue to require Stormwater Pollution Prevention Plans for qualifying projects and will ensure that such projects include appropriate measures to minimize the potential for water pollution.

**Policy EH-4.2: Clean Water Education.** Promote the public information and participation provisions of the Alameda County Clean Water Program.

**Policy EH-4.3: Interagency Coordination.** Coordinate water quality planning, regulation, and monitoring with other public agencies that are involved in water resource management. Establish partnerships and task forces with these agencies and with nearby cities as need to develop programs addressing issues that cross jurisdictional lines.

**Policy EH-4.4: Water Quality Monitoring.** Continue to support water quality monitoring in San Leandro waterways to evaluate the progress to local clean water programs and identify the necessary steps for improvement.

**Policy EH-4.5: Public Works Maintenance.** Continue, and if feasible expand, City Public Works maintenance activities, including scheduled street sweeping and cleaning of storm drains and culverts, to minimize pollution from surface runoff.

**Policy EH-4.6: Illicit Discharges.** Control illicit discharges into the City's stormwater system through inspections, compliance evaluations, enforcement programs, and tracking activities.

**Policy EH-4.7: Pre-Treatment Requirements.** Maintain and enforce pre-treatment requirements for industries as needed to minimize the discharge of potentially toxic materials into the City's sanitary sewer system.

**Policy EH-4.8: Hazardous Spill Response.** Maintain and update hazardous spill response and clean-up programs that minimize potential impacts on water quality.

**Policy EH-4.9: Nearshore Waters.** Ensure the continued improvement of nearshore waters through the regulation of water pollution sources along the San Leandro shoreline, including boating and other water-oriented activities.

**Policy EH-4.10: Groundwater Protection.** Protect San Leandro's groundwater from the potentially adverse effects of urban uses. Future land uses should be managed to reduce public exposure to groundwater hazards and minimize the risk of future hazards.

### *San Leandro Zoning Code*

Article 19 of the San Leandro Zoning Code contains the City's landscaping requirements. This is the City's Water Efficiency Landscape Ordinance, adopted in coordination with StopWaste. Currently, the City's requirements exceed the State's 2010 Model WELO in terms of water savings. The City has adopted, by default, the updates to the State Model WELO adopted in 2015 as of December 1, 2015. The City is currently in the process of preparing updates to the ordinance to formally add to Zoning Code Article 19 any new regulations included in the 2015 WELO update and to incorporate any further guidelines from the Bay Friendly Landscape protocol by StopWaste (City of San Leandro 2016i).

### *San Leandro Municipal Code*

Four chapters of the City of San Leandro Municipal Code (SLMC) contain directives pertaining to hydrology and water quality issues, as explained in the following paragraphs:

- **Stormwater Management and Discharge Control – Chapter 3-15.** This chapter provides the stormwater requirements for projects conducted within the City of San Leandro and is consistent with the requirements of the San Francisco RWQCB and the MRP permit. Included in Chapter 3-15 is the San Leandro Watercourse Protection Ordinance, which requires each property owner to keep and maintain parts of a watercourse that flows through their property free of trash, debris, excessive vegetation, and other obstacles. Also, no development within 30 feet of the centerline of any creek or 20 feet from the top of the bank is allowed without written authorization from the City.
- **Bay-Friendly Landscaping Requirements for City Projects – Chapter 3-22.** This chapter regulates the design, construction, and maintenance of City-owned landscapes and landscapes the City funds through public-private partnerships. Key components of Bay-Friendly landscaping include reducing waste and using recycled materials; nurturing healthy soils while reducing fertilizer use; conserving water, energy and topsoil; using Integrated

Pest Management (IPM) to minimize chemical use; reducing stormwater runoff; and creating wildlife habitat.

- **Floodplain Management – Chapter 7-9.** The ordinance is designed to protect human life and health, minimize expenditures for costly flood control projects, minimize the need for rescue and relief efforts, business interruptions, and damage to public facilities and utilities. The ordinance also ensures that property owners construct new and substantially improved buildings in the 100-year floodplain in accordance with the National Flood Insurance Program’s goals to protect life and property. Section 500 of this chapter addresses standards of construction in special flood hazard areas. Section 530 addresses coastal high hazard areas vulnerable to future sea level rise.
- **Grading, Excavations, and Fill – Chapter 7-12.** This requires projects to submit erosion control and sedimentation control plans and drainage plans to the City Engineer for approval prior to the start of project construction. The plans will ensure that stormwater from the site meets the quality standards dictated by Chapter 3-15, Stormwater Management and Discharge Control. The erosion and sediment control plans must be prepared in accordance with the most current “Association of Bay Area Governments (ABAG) Manual of Standards for Erosion and Sediment Control Measures” and the “Handbook for Erosion and Sediment Control” (City of San Leandro 2017a).

## 4.8.2 Impact Analysis

### a. Methodology and Significance Thresholds

Assessment of impacts is based on review of site information and conditions and County information regarding hydrology and water quality issues. In accordance with the *State CEQA Guidelines*, a project would result in a significant impact if it would:

1. Violate any water quality standards or waste discharge requirements
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site
5. 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
6. Otherwise substantially degrade water quality
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows



9. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam
10. Result in inundation by seiche, tsunami, or mudflow

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b>	Would the Specific Plan violate any water quality standards or waste discharge requirements?
<b>Threshold:</b>	Would the Specific Plan 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?
<b>Threshold:</b>	Would the Specific Plan otherwise substantially degrade water quality?

**IMPACT HYD-1** FUTURE DEVELOPMENT UNDER THE SPECIFIC PLAN WOULD INVOLVE INTENSIFICATION OF EXISTING DEVELOPMENT IN THE SPECIFIC PLAN AREA THAT COULD AFFECT WATER QUALITY OF SURFACE WATERS, ALTER EXISTING DRAINAGE PATTERNS, OR INCREASE IMPERVIOUS SURFACES. IN ADDITION, DEVELOPMENT UNDER THE SPECIFIC PLAN WOULD INVOLVE GROUND-DISTURBING ACTIVITIES AND THE USE OF HEAVY MACHINERY THAT COULD RELEASE MATERIALS, INCLUDING SEDIMENTS AND FUELS, WHICH COULD ADVERSELY AFFECT WATER QUALITY. OPERATION OF POTENTIAL FUTURE DEVELOPMENT COULD ALSO RESULT IN DISCHARGES OF WASTEWATER THAT COULD BE CONTAMINATED AND AFFECT DOWNSTREAM WATERS. HOWEVER, COMPLIANCE WITH REQUIRED PERMITS AND EXISTING REGULATIONS, AND IMPLEMENTATION OF BEST MANAGEMENT PRACTICES CONTAINED THEREIN, WOULD ENSURE THAT POTENTIAL WATER QUALITY IMPACTS WOULD BE LESS THAN SIGNIFICANT.

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## Construction Impacts

Future construction activities associated with development in the Specific Plan Area could adversely affect the water quality of surface waters. Grading and other earthmoving activities during construction would expose soils, which could be eroded and deposited into downstream receiving waters. This in turn would increase the amount of turbidity and sediment in these water bodies, which could impact aquatic life. Additionally, chemicals or fuels from grading and construction equipment could accidentally spill and be washed into receiving waters.

Future development within the Specific Plan Area would be required to comply with State and local water quality regulations designed to control erosion and protect water quality during construction. This includes compliance with the requirements of the State Water Resources Control Board (SWRCB) Construction General Permit, which requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for projects that disturb one acre or more of land. The SWPPP must include erosion and sediment control Best Management Practices (BMPs) that would meet or exceed measures required by the Construction General Permit, as well as BMPs that control hydrocarbons, trash, debris, and other potential construction-related pollutants. Construction BMPs would include inlet protection, silt fencing, fiber rolls, stabilized construction entrances, stockpile management, solid waste management, and concrete waste management. Post-construction stormwater performance standards are also required to specifically address water quality and channel protection events. Implementation of these BMPs would prevent or minimize environmental impacts and ensure that discharges during the construction phase of new projects within the Specific Plan Area would not cause or contribute to the degradation of water quality in receiving waters.

In addition, SLMC Chapter 7-12 requires project applicants to prepare erosion control and sedimentation control plans for submittal to the City Engineer prior to the start of project construction and SLMC Chapter 3-15 requires BMPs to be implemented to minimize stormwater discharges from the site during construction (City of San Leandro 2017). Compliance with local and State regulatory requirements and implementation of construction BMPs would minimize discharges during the construction phase of future development projects allowed by the proposed Plan and would not result in the degradation of water quality in receiving waters; therefore, construction-related water quality impacts would be less than significant.

In summary, during construction of future development anticipated under the Specific Plan, there is potential for water quality impacts to occur in receiving waters due to the construction phase, including sediment erosion and unanticipated leaks, spills, or releases of hazardous or potentially hazardous materials. However, the permits and approvals summarized above shall include standard BMPs and spill response measures to address any unanticipated occurrence that could potentially affect water quality in the Specific Plan Area, or downstream areas. With the implementation of these policies, as well as compliance with the permits and regulations discussed above, potential impacts to water quality during construction of future projects within the Specific Plan Area would be avoided or minimized to less than significant levels.

## Operational Impacts

The Specific Plan Area is currently fully urbanized with no vacant parcels; therefore it is almost entirely covered with impervious surfaces except for landscaped areas. Development under the Specific Plan would involve infill and redevelopment of existing sites. Future development would be required to be implemented in compliance with existing programs and permits, including the SLMC, the Alameda Countywide Cleanwater Program, and the Municipal Regional Stormwater NPDES Permit (No. CAS612008). As such, development design would include BMPs to avoid adverse effects associated with stormwater runoff quality. Specifically, proposed development under the Specific Plan would be required to implement Low Impact Development Measures (LID) and on-site infiltration, as required under the C.3 provisions of the Alameda County Clean Water Program. Implementation of LID measures would reduce the amount of impervious surfaces as compared to existing conditions.

### *Water Quality*

Implementation of development envisioned in the proposed Specific Plan would result in a significant impact if activities would conflict with applicable water quality permits or waste discharge requirements. Future development under the proposed Specific Plan would be subject to multiple permits and approvals associated with the protection of water quality, as discussed below, and actions included under the Specific Plan are expected to occur in compliance with all applicable standards and regulations.

A Clean Water Act §404 permit from the USACE would be required for potential effects to federal jurisdictional (Waters of the U.S.) inland waters, including the San Francisco Bay (to which Estudillo Canal drains). Assuming the need for CWA §404 compliance, future development would also require CWA §401 Water Quality Certification from the San Francisco Bay RWQCB. In addition, NPDES coverage would be required through implementation of SWPPP, in order to comply with §402 of the CWA. The need for Waste Discharge Requirements to be issued by the San Francisco Bay RWQCB per the Porter-Cologne Act would likely be satisfied by requirements of the CWA §401 permit;

however, this determination will be made by the San Francisco Bay RWQCB in their review of future development and associated permit applications.

The City of San Leandro, a Permittee, is subject to the Municipal Regional Stormwater NPDES Permit, issued by the San Francisco Bay RWQCB. Compliance with the NPDES Permit will include operational and maintenance control measures, or BMPs and construction-related BMPs. Provisions specified in the Municipal Regional Stormwater NPDES Permit that address long-term maintenance activities include: Provision C.3 (New Development and Redevelopment), Provision C.6 (Construction Site Control), and Provision C.15 (Exempted and Conditionally Exempted Discharges), as described below (California Regional Water Quality Control Board 2015a). Future projects within the Specific Plan Area would be required to comply with all provisions of the Municipal Regional Stormwater NPDES Permit, including those listed below:

- **Provision C.3** requires low LID techniques be utilized to employ appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects; to address stormwater runoff pollutant discharges; and to prevent increases in runoff flows from new development and redevelopment projects by mimicking a site's predevelopment hydrology. This is to be accomplished by employing principles such as minimizing disturbed areas and imperviousness, and preserving and recreating natural landscape features, in order to "create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product" (California Regional Water Quality Control Board 2015a). These LID practices, as well as other provisions and BMPs specified in the Municipal Regional Stormwater NPDES Permit, may require long-term operational inspections and maintenance activities to ensure the effective avoidance of significant adverse impacts associated with water quality degradation.
- **Provision C.6** requires implementation of a construction site inspection and control program at all construction sites and an Enforcement Response Plan (ERP) to prevent construction-related discharges of pollutants into storm drains. Inspections shall confirm implementation of appropriate and effective erosion and other BMPs by construction site operators/developers, and Permittee reporting shall be used to confirm and demonstrate the effectiveness of its inspections and enforcement activities to prevent polluted construction site discharges into storm drains.
- **Provision C.15** aims to exempt unpolluted non-stormwater discharges and to conditionally exempt non-stormwater discharges that are potential sources of pollutants. In order for non-stormwater discharges to be conditionally exempted, the Permittees must identify appropriate BMPs, monitor the non-stormwater discharges where necessary, and ensure implementation of effective control measures to eliminate adverse impacts to waters of the State consistent with the discharge prohibitions of the Order.

Water quality in stormwater runoff is regulated locally by the Alameda County Clean Water Program, which includes the C.3 provisions set by the San Francisco Bay RWQCB. Provision C.3 of the MRP addresses post-construction stormwater requirements for new development and redevelopment projects that add and/or replace 10,000 square feet or more of impervious area or special land use categories that create and/or replace 5,000 square feet of impervious surfaces, such as auto service facilities, retail gas stations, restaurants, and uncovered parking lots. These "regulated" projects are required to meet certain criteria: 1) incorporate site design, source control, and stormwater treatment measures into the project design; 2) minimize the discharge of pollutants in stormwater runoff and non-stormwater discharge; and 3) minimize increases in runoff flows as compared to pre-development conditions. Additionally, projects within the city which drain to a

natural water body must also construct and maintain hydromodification measures to ensure that estimated post-project runoff peaks and durations do not exceed estimated pre-project peaks and duration. LID methods are the primary mechanisms for implementing such controls.

### *Runoff Quantity*

Effective December 1, 2011, regulated projects must treat 80 percent or more of the volume of annual runoff for volume-based treatment measures or 0.2-inch per hour for flow-based treatment measures. LID treatment measures include harvesting and reuse, infiltration, evapotranspiration, or biotreatment/bioretenion. Examples of LID treatment measures include bioswales, flow-through planters, tree well filters, infiltration trenches, green roofs, rainwater harvesting, media filtration devices, pervious surface treatments, and bioretention/detention areas. Effective December 2, 2012, projects that create or replace 2,500 square feet or more, but less than 10,000 square feet, of impervious surface must implement site design measures to reduce stormwater runoff.

All regulated projects within the Specific Plan Area must prepare a Stormwater Management Plan (SWMP) that includes the post-construction BMPs that control pollutant levels. All SWMPs would be reviewed and approved by the City of San Leandro prior to the issuance of grading or building permits. In areas within the city that have soils with low permeability and/or area with high water tables, BMPs that do not rely on infiltration are most appropriate.

Implementation of the following Specific Plan strategies, policies, guidelines, and standards would increase permeability of the Specific Plan Area, thereby increasing infiltration, minimizing impacts of contaminated stormwater, and reducing the potential for violations of water quality standards or waste discharge requirements:

### *Specific Plan Strategy 4: Create Special, Memorable Public Places and Open Space*

Under this strategy of the Specific Plan, key features of the open space network that would improve permeability of the Specific Plan Area include:

- Stormwater retention, swales, and green infrastructure should be integrated as an open space feature.
- Estudillo Canal should become an attractive, ecologically valuable open space amenity over time.
- New types of open spaces, such as 1 to 2 large urban gathering space and 7 to 12 small or medium parks.

Figure 2.5 of the Specific Plan identifies potential locations of Special Public Places under this strategy.

### *Area-Wide Mobility Policies*

#### **11: ADAPTIVE REUSE OF PARKING SPACE**

As parking demands change over time, allow and support adaptive reuse of surface and structured car parking spaces, considering uses such as open space, landscape or stormwater treatment, habitable building space, storage for tenants, or pedestrian or bicycle facilities.

### **13: GREEN STREETS**

Integrate “green street” concepts into street design to minimize impacts of pollution runoff. Green streets typically include draining runoff from the curb flowline into biotreatment areas, but other systems, such as modular wetlands systems and trash capture devices, may also achieve this goal.

#### *Storm Drainage*

### **2: LOW IMPACT DEVELOPMENT MEANS AND METHODS**

Promote the use of LID techniques to mitigate the impact of stormwater runoff, both for individual sites and as a coordinated district-wide effort. This includes the use of rain gardens, cisterns, rain barrels, infiltration, retention, on-street swales, vegetated areas, permeable pavement, vegetated roofs, on-site wastewater reuse systems, and other LID best practices. This Specific Plan encourages adequate site design measures that may include minimizing land disturbance and impervious surfaces (especially parking lots); clustering of structures and pavement; directing roof runoff to vegetated areas; use of micro-detention, including distributed landscape-based detention; preservation of open space; protection and/or restoration of riparian areas and wetland as project amenities; reducing impervious surfaces (especially parking lots); clustering of structures and pavement; directing roof runoff to vegetated areas; and the use of micro-detention as project amenities.

### **4: 10-YEAR LEVEL OF PROTECTION**

10-year peak flows should be contained within the drainage system constructed for the Plan Area.

### **5: IMPROVEMENT TIMING**

Major stormwater infrastructure upgrades should occur in advance of roadway, bicycle and pedestrian corridor improvements.

### **6: GREEN STREET INFRASTRUCTURE**

Utilize roadside stormwater capture, infiltration, and treatment technologies that meet the intent of the MS4 permit and that are compatible with the character of the Specific Plan Area. Some technologies may include rain gardens and permeable paving roadside parking.

#### *Sidewalk and Public Frontage Guidelines*

The Specific Plan includes guidelines for sidewalks and public frontages to support lively pedestrian-oriented streets and public spaces. Guideline 14, Landscaping Character, of the Sidewalk and Public Frontage Guidelines provides guidance for landscaping in public frontage areas, the area between the street curb and the private property line.

### **14: LANDSCAPING CHARACTER**

- Drought-tolerant plant materials should be incorporated to reduce water use and irrigation requirements.
- Implement rainwater harvesting and other features that provide a stormwater retention co-benefit.
- Mature, existing trees should be preserved whenever possible.

### *Public Open Space Guidelines*

#### **4: SUSTAINABILITY**

New public open spaces should be designed to incorporate best practices in sustainability, including water use and conservation stormwater management landscaping and drought tolerant planting.

#### **5: ESTUDILLO CANAL STORMWATER FACILITY**

New open space located along the Estudillo Canal should function as a stormwater management feature.

### *Private Open Space Guidelines*

#### **5: PLANTING AND LANDSCAPING CHARACTER**

- Drought-tolerant plant materials should be incorporated into new sites to reduce water use and irrigation requirements.
- Implement rainwater harvesting and other features that provide a stormwater retention co-benefit
- Mature, existing trees should be preserved whenever possible.

### *Site Design and Setback Standards*

The Site Design and Setback Standards provides guidance for both site and building design, as well as for building performance and desired green building features in new development. The following standards would reduce the quantity of stormwater runoff in the Specific Plan Area.

#### **STANDARD 4: STORMWATER TREATMENT**

New development shall integrate stormwater catchment and treatment systems into its site and buildings.

#### **STANDARD 3: STORMWATER HARVESTING**

Buildings are encouraged to re-use collected rainwater.

Compliance with the General Plan goals and policies, the SLMC, and the proposed Specific Plan strategies, policies, guidelines, and standards would maximize infiltration of stormwater, minimize stormwater runoff, support adaptive reuse of impervious surfaces (i.e., parking lots) to allow stormwater treatment, and would reduce the risk of water contamination within the Specific Plan Area from operation of new developments to the maximum extent practicable. Therefore, the Specific Plan would not violate any water quality standards or waste discharge requirements, would not significantly contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and would not substantially degrade water quality. Impacts would be less than significant.

### **Mitigation Measures**

No mitigation is required.

<b>Threshold:</b> Would the Specific Plan substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?
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**IMPACT HYD-2 CONSTRUCTION OF FUTURE DEVELOPMENT UNDER THE SPECIFIC PLAN WOULD NOT SUBSTANTIALLY DEplete GROUNDWATER SUPPLIES OR INTERFERE SUBSTANTIALLY WITH GROUNDWATER RECHARGE SUCH THAT THERE WOULD BE A NET DEFICIT IN AQUIFER VOLUME OR A LOWERING OF THE LOCAL GROUNDWATER TABLE. FURTHER, IMPLEMENTATION OF REQUIRED LOW IMPACT DEVELOPMENT MEASURES AND ON-SITE INFILTRATION REQUIRED UNDER THE C.3 PROVISIONS OF THE ALAMEDA COUNTY CLEAN WATER PROGRAM AS WELL AS COMPLIANCE WITH THE GENERAL PLAN GOALS AND POLICIES, THE SAN LEANDRO MUNICIPAL CODE, AND THE SPECIFIC PLAN STRATEGIES, POLICIES, GUIDELINES, AND STANDARDS COULD REDUCE IMPERVIOUS SURFACES AS COMPARED TO EXISTING CONDITIONS AND INCREASE THE POTENTIAL FOR GROUNDWATER RECHARGE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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Future development under the proposed Specific Plan would not use or deplete groundwater resources. Water supply for the Specific Plan Area would consist of 100 percent surface water supplies from the East Bay Municipal Water District. The groundwater aquifer beneath San Leandro is not currently used for water storage or drinking water supply. Groundwater use in the East Bay Plain of the Santa Clara Valley Groundwater Basin is limited by 1) readily available high quality imported surface water, 2) existing high salt content in shallow bay margin groundwater, 3) the potential for saltwater intrusion, and 4) contamination of shallow aquifers. A small number of groundwater wells in San Leandro are used for private and municipal use, but not for drinking water supply. Therefore, it is anticipated that future development under the proposed Specific Plan would not include installation of new groundwater wells, or use of groundwater from existing wells.

The Specific Plan Area is fully urbanized and development associated with the proposed Specific Plan would consist of intensification through redevelopment that could increase the amount of impervious areas that would interfere with groundwater recharge. However, proposed development under the Specific Plan would be required to implement LID measures and on-site infiltration, as required under the C.3 provisions of the Alameda County Clean Water Program. Implementation of LID measures could reduce the amount of impervious surfaces as compared to existing conditions and increase the potential for groundwater recharge. In addition, Specific Plan policies would require implementation of LID techniques and other provisions that would increase stormwater retention.

Therefore, development under the proposed Specific Plan would not result in a net deficit in aquifer volume or a lowering of the groundwater table. Impacts would be less than significant.

### **Mitigation Measures**

No mitigation is required.

<b>Threshold:</b>	Would the Specific Plan substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
<b>Threshold:</b>	Would the Specific Plan substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

**IMPACT HYD-3 CONSTRUCTION OF FUTURE DEVELOPMENT UNDER THE SPECIFIC PLAN WOULD NOT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SPECIFIC PLAN AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE; OR SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN A MANNER WHICH WOULD RESULT IN FLOODING ON-OR OFF-SITE. IMPACTS RELATED TO DRAINAGE PATTERNS WOULD BE LESS THAN SIGNIFICANT.**

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The Specific Plan Area is urbanized, largely consisting of impervious surfaces, including structures, parking lots, and roadways. Stormwater runoff generated by new development or redevelopment under the proposed Specific Plan would be collected by drainage inlets and conduits that discharge into the Estudillo Canal, which eventually drains to the San Francisco Bay. The Estudillo Canal transects the Specific Plan Area. The Canal is owned and operated by the ACFCD while the area drain system is owned and maintained by the City. Portions of the Specific Plan Area are presented as being within a Special Flood Hazard Area (SFHA) "AH (El. 33)" by the effective Flood Insurance Rate Map. Zone AH is designated as "areas with a 1% annual chance of shallow flooding, with an average depth ranging from 1 to 3 feet." The "base flood elevation" is determined as elevation 33 feet (NAVD 88).

The ACFCD is developing alternatives for improvements to the Canal in order to gain capacity for the 1 percent annual chance flood. According to the Policy 3 in the Storm Drainage and Flood Control Section of Chapter 6 of the proposed Specific Plan, capital improvements would be pursued to remove portions of the Specific Plan Area from within the SFHA. This includes, but may not be limited to, improvements to the Estudillo Canal and bridge and channel crossings. Work would begin on the canal downstream near the San Francisco Bay and the exact funding and schedule for improvements in the Specific Plan Area are currently under development by ACFCD. The purpose of the improvements would be to increase the capacity of Estudillo Canal such that the potential for flooding in areas surrounding the canal are reduced. The portions of the Specific Plan Area in the SFHA would not be removed from the SFHA until it could be demonstrated that the areas are no longer within the 1% annual chance flood zone. Therefore, although the Specific Plan may involve stormwater infrastructure upgrades and potential improvements to the canal to increase capacity, the proposed Specific Plan would not substantially alter the course of Estudillo Canal or alter the drainage pattern of the area. Further, construction in or improvements to the canal would be conducted by ACFCD and would require the approval by the appropriate federal, state, regional, and local regulatory agencies to ensure environmental laws and other requirements are followed (ACFCD 2017). Therefore, once ACFCD has designed the canal improvement projects, the project would undergo future environmental review.

Site-specific drainage pattern alterations would occur with development that could be facilitated by the Specific Plan, but such alterations would not result in substantial adverse effects. The Specific Plan Area is largely paved, and development under the Specific Plan would not introduce new paved areas to the extent that the rate or amount of surface runoff would substantially increase.



Development that could be facilitated by Specific Plan buildout would not introduce new surface water discharges, and would not result in flooding on- or off-site.

Therefore development that could be facilitated by the proposed Specific Plan would not substantially alter the existing drainage pattern of the site or area, or alter the course of any stream or river; and would not substantially increase the rate of surface runoff in a manner which would result in flooding on-or off-site; impacts would be less than significant.

## Mitigation Measures

No mitigation is required.

<b>Threshold:</b>	Would the Specific Plan place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
<b>Threshold:</b>	Would the Specific Plan place within a 100-year flood hazard area structures which would impede or redirect flood flows?
<b>Threshold:</b>	Would the Specific Plan expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?
<b>Threshold:</b>	Would the Specific Plan result in inundation by seiche, tsunami, or mudflow?

**IMPACT HYD-4 DEVELOPMENT THAT COULD BE FACILITATED BY THE PROPOSED SPECIFIC PLAN WOULD PLACE HOUSING AND OTHER STRUCTURES WITHIN FEMA-DESIGNATED FLOOD HAZARD AREAS. HOWEVER, REQUIRED COMPLIANCE WITH CITY BUILDING STANDARDS AND ADOPTED CITY POLICIES WOULD REDUCE POTENTIAL EFFECTS ASSOCIATED WITH FLOOD EVENTS. DEVELOPMENT UNDER THE PROPOSED SPECIFIC PLAN WOULD NOT EXPOSURE PEOPLE OR STRUCTURES TO OTHER FLOOD HAZARDS SUCH AS TSUNAMIS, SEICHES, OR FLOODING AS THE RESULT OF DAM OR LEVEE FAILURE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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As shown on Figure 23, approximately one-third of the Specific Plan Area is within the SFHA or 100-year flood zone, predominantly located along the Estudillo Canal north of Thornally Drive and north of Bayfair Drive. Implementation of and buildout under the Specific Plan would introduce a higher number of residences and a greater intensity of overall structural development in the flood hazard area than exists currently.

The SLMC Chapter 7-5 (Building Code) and Chapter 7-9 (Floodplain Management) specifies permit standards for construction in floodplains and SFHAs, including using building materials and techniques to ensure that flood-resistant design occurs per the most restrictive provisions available. Construction within SFHAs is governed by the SLMC Section 7-9-500, Standards of Construction, which sets forth standards for development that would minimize flood hazard risks, including anchoring and floodproofing; requiring that residential construction has the lowest floor, including the basement, at or above the base flood elevation; requiring that non-residential construction be elevated or floodproofed with structural components capable of equalizing hydrostatic flood forces on exterior walls; and requiring that all new and replacement water supply and sanitary sewage systems be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into floodwaters. New development that would occur under the Specific Plan in an SFHA would therefore be designed to withstand flooding hazards, including FEMA-designated Flood Hazard Areas.

In addition, the 2035 General Plan has the following goals and policies addressing flood-related hazards:

**Goal EH-1:** Reduce the potential for injury, property damage, and loss of life resulting from earthquakes, landslides, floods, and other natural disasters.

**Policy EH-1. Risk Management.** Minimize risks from geologic, seismic, flood, and climate-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.

The proposed Specific Plan goals and policies address flood-related hazards include:

### *Infrastructure and Services Policies*

#### **1. FLOODPLAIN**

Pursue regulatory approaches that avoid the future expansion of the floodplain and avoid flooding risks for new development.

#### **2. LOW IMPACT DEVELOPMENT MEANS AND METHODS**

Promote the use of LID techniques to mitigate the impact of stormwater runoff, both for individual sites and as a coordinated district-wide effort. This includes the use of rain gardens, cisterns, rain barrels, infiltration, retention, on-street swales, vegetated areas, permeable pavement, vegetated roofs, on-site wastewater reuse systems, and other LID best practices. This Specific Plan encourages adequate site design measures that may include minimizing land disturbance and impervious surfaces (especially parking lots); clustering of structures and pavement; directing roof runoff to vegetated areas; use of micro-detention, including distributed landscape-based detention; preservation of open space; protection and/or restoration of riparian areas and wetland as project amenities; reducing impervious surfaces (especially parking lots); clustering of structures and pavement; directing roof runoff to vegetated areas; and the use of micro-detention as project amenities.

#### **3. FLOOD CONTROL PROJECTS**

Pursue capital improvements to remove the Specific Plan Areas that are within the Special Flood Hazard Area. This includes, but may not be limited to, improvements to the Estudillo Canal and bridge crossings, as described under HYD-3.

#### **4. 10-YEAR LEVEL OF PROTECTION**

10-year peak flows should be contained within the drainage system constructed for the Plan Area.

Future development envisioned under the proposed Specific Plan would be required to be consistent with the General Plan goals and policies that minimize flooding risks through by requiring appropriate location, site planning, and design of new development.

Further, Specific Plan policies in the Storm Drainage and Flood Control Section of Chapter 6 would promote regulatory approaches to avoid future expansion of the floodplain and avoid risks for new development (Policy 1); promote capital improvements to remove the Specific Plan Areas that are within the SFHA, including the Estudillo and bridge crossings (Policy 3, further discussed under Impact HYD-3); and require 10-year peak flows to be contained within the drainage system

constructed for the Plan Area (Policy 4). These policies aim to reduce the potential for injury or loss in the Specific Plan Area from flooding.

The Specific Plan Area is not located in a dam or tsunami inundation area and there is no recent evidence of seiches in the area (City of San Leandro 2016i). Therefore, implementation of future development under the Specific Plan would not introduce new flood-related hazards. Future development would occur in compliance with current flood protection standards, including those discussed above.

Therefore, although development under the proposed Specific Plan could place housing and other structures within FEMA-designated SFHAs with compliance with existing policies and regulations, development associated with the proposed Specific Plan would not impede or redirect flood flows, would not expose people or structures to significant risk of loss, injury, or death involving flooding, and would not result in inundation by seiche, tsunami, or mudflow. Impacts would be less than significant.

## Mitigation Measures

No mitigation is required.

### c. Cumulative Impacts

Potential cumulative impacts associated with water quality and flooding-related impacts are discussed below.

As concluded in the City's 2035 General Plan EIR, buildout associated with the City's 2035 General Plan, in combination with past, present, and reasonably foreseeable projects would result in less than significant cumulative impacts with respect to hydrology and water quality. The proposed Specific Plan would increase development in the Specific Plan Area compared to what was analyzed in the 2035 General Plan EIR. Nonetheless, development within the Specific Plan Area would require conformance with State and local policies that would reduce hydrology and water quality impacts. Any new development within the City would be subject to City, State, and federal policies and ordinances, design, guidelines, the Zoning Code, and other applicable regulatory requirements that reduce impacts related to water quality on a project-by-project basis. More specifically, potential changes related to stormwater quality, stormwater flows, drainage, impervious surfaces, infiltration, and LID measures which is reviewed by various City departments such as Community Development, Engineering/Transportation, and/or Public Works to integrate measures to reduce potential flooding impacts (City of San Leandro 2016i).

All development in San Leandro would be subject to similar regulatory requirements and be required to comply with various City regulations (such as the SLMC) and County ordinances, as well as numerous water quality regulations that control the quality and quantity of construction related and operation discharge of pollutants in stormwater. The water quality regulations implemented by the San Francisco Bay RWQCB take a basin-wide approach and consider water quality impairment in a regional context. For example, the NPDES Construction Permit ties receiving water limitations and basin plan objectives to terms and conditions of the permit, and the MRP encompasses all of the surrounding municipalities to manage stormwater systems and be collectively protective of water quality. Further multiple Specific Plan goals, policies, and actions, described above, would promote techniques to maximize infiltration or retention of stormwater, incorporate best management practices, such as LID, promote green infrastructure approaches to design, and support adaptive reuse of impervious surfaces to increase the quantity of stormwater treatment areas. For these

reasons, impacts from future development within the City of San Leandro, including the Specific Plan Area, on hydrology and water quality are not cumulatively considerable (City of San Leandro 2016i).

In addition, the implementation of goals and policies under the proposed Specific Plan and other projects within the watershed would require coordination with the ACFCD to minimize potential impacts to water quality and hydrology with planned developments. Any future development that involves the placement of housing or structures that could impede flow within the 100-year floodplain would be required to comply with federal and local regulations as specified in the SLMC Chapter 7.9, anchoring, elevation of structures, at or above the base flood elevation and flood proofing. Compliance with these regulatory requirements would result in cumulative impacts for all projects within 100-year floodplains to be less than significant. General Plan Policy EH-1.7 promotes working collaboratively with ACFCD and various State and federal agencies to develop programs that reduce flood hazards in the city and Actions EH-1.7.A and EH-1.7.B promotes coordination with the ACFCD to maintain flood control channels and increase flood channel capacity (City of San Leandro 2016i). Specific Plan policies, described above, would avoid the future expansion of the floodplain, avoid flooding risks for new development, promote capital improvements to remove the Specific Plan Area's within the SFHA's, and a 10-year level of protection for peak flows to be contained within the drainage system constructed for the Specific Plan Area. Proposed development and redevelopment within San Leandro in accordance with the City's General Plan in combination with the proposed Specific Plan would not result in a significant cumulative impact with respect to hydrology and water quality. Cumulative impacts are less than significant (not cumulatively considerable).

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## 4.9 Land Use and Planning

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This section analyzes the proposed project's consistency with applicable land use plans, policies, and regulations, and identifies potential environmental effects that could arise from any inconsistencies. Potential impacts related to the proposed project and its neighboring land uses are discussed in greater detail in other sections of the EIR, including Section 4.1, *Aesthetics*, Section 4.2, *Air Quality*, Section 4.10, *Noise*.

### 4.9.1 Setting

#### a. Existing Land Uses in the Specific Plan Area

The Specific Plan Area encompasses 154 acres at the eastern edge of the City of San Leandro. The Specific Plan identifies 13 sub areas (such as Bay Fair BART Station, Bayfair Center, Fashion Faire Place, and Fairmont Square Shopping Center) which are divided by two intersecting corridors (East 14th Street and Hesperian Boulevard). The majority of land uses within the Specific Plan Area include retail and commercial uses. In total, there is an estimated 1.2 million square feet of retail space currently in the Specific Plan Area. The remaining portion contains a mix of uses including office, light industrial, and residential. The Specific Plan Area is surrounded in most directions by single-family neighborhoods and the area is near three major freeways, I-580, I-238, and I-800. Refer to Section 2.0, *Project Description*, for additional details regarding existing land uses.

#### b. Regulatory Setting

##### State

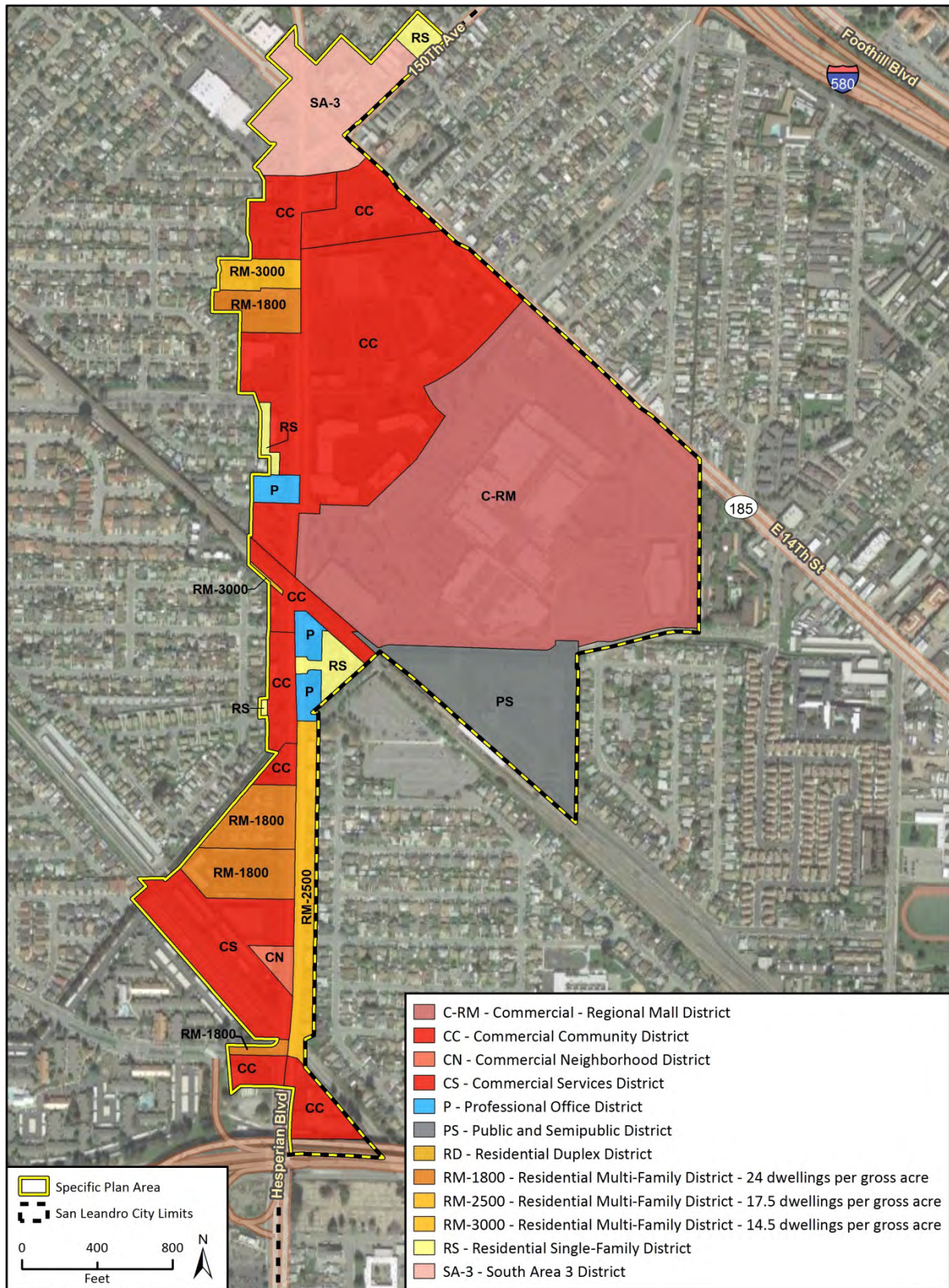
Government Code Section 63450. State law (Government Code Section 63450) authorizes cities to adopt specific plans for implementation of their general plans in a defined area. All specific plans must comply with Sections 6540-65457 of the Government Code. These provisions require that a specific plan be consistent with the adopted general plan and, in turn, that all subsequent subdivisions and development, public works projects and zoning regulations must be consistent with the specific plan. Specific plans are required to include distribution, location and types of uses, development, and improvements to public facilities and infrastructure. Tailored regulations, conditions, programs, standards and guidelines help implement the vision for long-range development of the specific plan area.

##### Local

###### *San Leandro Zoning Code*

The City's Zoning Code identifies specific zoning districts within the city and development standards that apply to each district. According to the San Leandro Zoning Map (Figure 24) several zone districts currently exist within the Specific Plan Area (San Leandro 2017g). These zones include:

Figure 24 Existing Zoning in the Specific Plan Area



Imagery provided by Google and its licensors © 2017.  
 Zoning data from the City of San Leandro, 2010.

Fig Zoning



- **Commercial Regional Mall District (C-RM):** for development and operation of large regional shopping malls to encourage the economic stability and viability of regional malls, to recognize the unique characteristics of regional malls with regard to such factors as mix of uses, scale and design, parking, traffic and transit, signage, and other factors, and to promote the economic and fiscal prosperity of the City in accordance with the General Plan;
- **Commercial Community District (CC):** for commercial centers containing a wide variety of commercial establishments, including banking and financial establishments and businesses selling home furnishings, apparel, durable goods, and specialty items and generally having a citywide market area. Facilities, such as entertainment, eating-and-drinking establishments, hotels and motels are permitted, subject to certain limitations to avoid adverse effects on adjacent uses;
- **South Area 3 District (SA-3):** for larger commercial and office developments, and to promote additional commercial opportunities that would exhibit quality design. Provisions for reduced parking are included. The SA-3 Zoning District serves to implement the East 14<sup>th</sup> Street South Area Development Strategy, particularly, policies and design guidelines in the Gateway District;
- **Residential Multi-Family District 14.5 dwellings per gross acre (RM-3000):** for multiple residential uses, including town houses, condominiums, multi-dwelling structures, or cluster housing with landscaped open space for residents' use, and apartments where the density is 14.5 dwellings per gross acre. Single-family and duplex dwellings are also permitted;
- **Residential Multi-Family District 24 dwellings per gross acre (RM-1800):** for multiple residential uses, including town houses, condominiums, multi-dwelling structures, or cluster housing with landscaped open space for residents' use, and apartments where the density is 24 dwellings per gross acre. Single-family and duplex dwellings are also permitted;
- **Residential Single-Family District (RS):** for single-family residential land use in neighborhoods, subject to appropriate standards;
- **Professional Office District (P):** for offices, mixed-use and multi-family residential uses at appropriate locations, subject to development standards and landscaping requirements that prevent significant adverse effects on adjacent uses. Retail activity is appropriate, subject to limitations to ensure development is consistent with the existing neighborhood quality; and
- **Public and Semipublic District (PS):** for the development of public, quasi-public, and open space uses that provide services to the community and support existing and new residential, commercial, and industrial land uses.

#### *San Leandro 2035 General Plan*

Development in the Specific Plan Area is subject to the policies of the City's 2035 General Plan. The San Leandro 2035 General Plan was adopted by the City Council in September of 2016. The General Plan covers the entire incorporated area of San Leandro. A vision of the 2035 General Plan is to create:

“a City that is meeting the transportation challenges of the future, where people can travel safely and conveniently on foot or by car, bicycle, transit, or new transportation modes, where neighborhood streets are free of hazards and walking is the preferred mode of travel, and where businesses can easily and efficiently access the regional circulation system.”



The Specific Plan Area has a land use designation of “Bay Fair Transit-Oriented Development” (B-TOD) according to the Land Use Element of the 2035 General Plan. The intent of the B-TOD land use designation is to:

“create a new vision for this area, including retail, office, higher density housing, open space, and public land uses. A more urban development form is envisioned, with pedestrian-scaled streets and an orientation toward BART access and transit use. A maximum FAR of 3.0 applies, although multiple zoning districts are envisioned and lower maximums may apply in some of these districts. Maximum residential density in this category is dictated by floor area ratio limits rather than limits on housing units per acre.”

The specific policy and actions in the Land Use Element related to the Specific Plan Area include:

**Policy LU-8.10: Bay Fair Area.** Transform the area around the Bay Fair BART station, including Bayfair Center, other shopping centers, and properties along Hesperian, East 14th, and other major arterials, into a dynamic new transit oriented development area. Future development in this area should reposition Bayfair Center to reflect current trends in retailing; add a mix of higher-density residential, office, and other commercial uses; maximize the potential for BART use; and minimize dependence on autos for daily trips.

**Action LU-8.10.A: Bay Fair Station Transit Village.** Complete the Bay Fair BART Transit Village Specific Plan now underway. The Plan should outline a vision for the area's future development, include standards and guidelines for future development, and present a strategy for achieving desired end results. Following its adoption, undertake rezoning and capital improvements to facilitate implementation.

**Action LU-8.10.B: East 14th Street Streetscape Improvements.** Work collaboratively with Alameda County to improve East 14th Street in the Bay Fair area to make the area more attractive, distinctive, and friendly to pedestrians, bicyclists, and transit users.

**Action LU-8.10.C: Bay Fair BART Connections.** Improve the pedestrian and bicycle connection between the Bay Fair BART Station, adjacent transit waiting areas, Bayfair Center, and nearby neighborhoods and shopping districts.

The 2035 General Plan set a maximum Floor Area Ratio (FAR) of 3.0 for the B-TOD designation.

## 4.9.2 Impact Analysis

### a. Methodology and Significance Thresholds

According to Appendix G of the State CEQA Guidelines, the proposed Specific Plan would have a significant impact on land use if it would cause any of the following conditions to occur:

1. Physically divide an established community;
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
3. Conflict with any applicable habitat conservation plan or natural community conservation plan.

Implementation of the proposed Specific Plan would not physically divide an established community, nor is the Specific Plan Area protected by a habitat conservation plan, natural community conservation plan, or other adopted conservation plan. Effects associated with Thresholds 1 and 3 are addressed in Section 4.15, *Effects Found Not to Be Significant*. In addition, consistency with the BAAQMD's 2017 Clean Air Plan is discussed in Section 4.2, *Air Quality*, and consistency with the City's Climate Action Plan and the ABAG/MTC Regional Transportation Plan/Sustainable Communities Strategy (*Plan Bay Area 2040*) are discussed in Section 4.6, *Greenhouse Gas Emissions*.

## b. Project Impacts and Mitigation Measures

**Threshold:** Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

**Impact LU-1** THE PROPOSED SPECIFIC PLAN WOULD IMPLEMENT AND BE CONSISTENT WITH THE GOALS AND POLICIES OF THE 2035 GENERAL PLAN ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

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The 2035 General Plan land use designation for most of the Specific Plan Area is B-TOD. Some parcels along Hesperian Boulevard and East 14th Street in the Specific Plan Area are not designated as B-TOD in the 2035 General Plan but instead have land use designations of General Commercial, Corridor Mixed Use, or High Density Residential. With adoption of the Specific Plan, the 2035 General Plan would be amended such that these land uses would be superseded and the entirety of the Specific Plan Area would have the land use designation of B-TOD.

As described in Section 2, *Project Description*, a reasonable and conservative estimate of buildout associated with the proposed Specific Plan through the horizon year 2035 would include development of 2,540 housing units and 300,000 square feet of office space, as well as the removal of an estimated 161,000 square feet of retail space. The proposed Specific Plan would increase overall intensity and height of development in the Specific Plan Area compared to existing conditions. Effects associated with changing the land use designation for these parcels are analyzed throughout this EIR. As described in Section 4.1, *Aesthetics*, the proposed Specific Plan would not result in visual compatibility conflicts with proposed Specific Plan policies, standards, and guidelines and adherence to 2035 General Plan policies. As described in Section 4.10, *Noise*, no significant impacts with respect to changes in the noise environment would occur with implementation of mitigation from the City's 2035 General Plan EIR. According to the General Plan, the intent of the B-TOD designation is to "create a new vision for this area, including retail, office, higher density housing, open space, and public land uses." The 2035 General Plan also calls for "a more urban development form," "pedestrian-scaled streets," and "orientation toward BART access and transit use." Action LU-8.10 calls for completion of a Specific Plan that includes "standards and guidelines for future development and present a strategy for achieving desired results."<sup>3</sup> The proposed Specific Plan accomplishes Action LU-8.10.A and is designed to implement the General Plan's vision for the Specific Plan Area. In order to implement the General Plan's vision for the Specific Plan Area, the Specific Plan creates a Bay Fair TOD Zoning District (B-TOD). Adoption of the Specific Plan would

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<sup>3</sup> Note: the General Plan refers to the "Bay Fair Transit Village Specific Plan" but during the Specific Plan process this was changed to the current title of "Bay Fair TOD Specific Plan."

involve amending the San Leandro Zoning Code to create this zoning district. The B-TOD zoning district would be applied equally across the Specific Plan Area. Chapter 5, Development Standards and Guidelines, of the proposed Specific Plan includes detailed design standards and guidelines that would regulate development in the Specific Plan Area. Chapter 3, Mobility, of the proposed Specific Plan is designed to implement Action LU-8.10B and LU-8.10.C which call for streetscape improvements along East 14th Street and more BART station connections.

While the Specific Plan would lead to an increase in density and intensity of development, new development would be required to comply with maximum density requirements in the 2035 General Plan’s land use designation, such as a maximum Floor Area Ratio (FAR) of 3.0. Therefore, the proposed Specific Plan would be consistent with density limits in the 2035 General Plan. As described above and shown in Table 1, the proposed Specific Plan would be consistent with Policy LU-8.10 of the 2035 General Plan related to the B-TOD land use designation.

The 2035 General Plan includes specific goals and policies directed toward avoiding or mitigating environmental effects. The proposed Specific Plan, in order to maintain internal consistency with the 2035 General Plan, is required to be consistent with those goals and policies found in the General Plan. In accordance with the scope and purpose of this EIR, the policy consistency discussion contained herein focuses on those General Plan goals and policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these goals and policies creates a significant physical impact on the environment. The ultimate determination of whether the proposed project is consistent with the General Plan rests with Board of Zoning Adjustments and/or the City Council, therefore the goals and policies in Table 14 are determined to be either “potentially consistent” or “potentially inconsistent”. Only goals and policies relevant and applicable to the proposed project are included. Goals and policies that are redundant between elements are omitted, as well as goals and policies that call for City actions that are independent of review and approval or denial of the proposed project. Due to their general nature, consistency with 2035 General Plan goals have been determined based on their potential consistency with the applicable policies listed under each goal intended to implement that goal.

**Table 14 Policy Consistency with San Leandro 2035 General Plan**

General Plan Policy	Discussion
<b>Economic Development Element</b>	
<b>Goal ED-1. Attract jobs and investment across all economic sectors.</b>	
<p><b>Policy ED-1.8. Expanding the Local Office Market.</b> Expand San Leandro’s position as a regional office market, leveraging the city’s accessibility, amenities, fiber optic network, and relatively low lease rates. Focus office demand in areas within walking distance of the BART stations, particularly the Downtown San Leandro station.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would allow for and promote a range of uses in the area including a diverse mix of retail, housing, workplaces, and community spaces. Therefore, it would help expand San Leandro’s position as a regional office market.</p>
<b>Goal ED-4. Create attractive, economically vibrant commercial areas that are easily accessible to San Leandro residents and employees.</b>	
<p><b>Policy ED-4.8. Bayfair Center.</b> Support continued reinvestment in Bayfair Center, restoring the center’s role as a regional destination while reinventing it to reflect modern retail trends and incorporate a more pedestrian-oriented, mixed use format.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support and strengthen the Bayfair Center as well as housing, retail office, entertainment, and civic uses in the area through improved</p>

General Plan Policy	Discussion
	<p>access, better way-finding signage, and safe connections for pedestrians and bicyclists to public transit, services, and employers. Improving access to the Bayfair Center would allow for a greater number of visitors to the site. Buildings would be designed to respect the scale, character, and visuals of adjacent residential neighborhoods. The village would feature stores, services and restaurants for neighbors and workers, as well as active plazas and open, vibrant spaces throughout the area for public enjoyment.</p>
<p><b>Goal ED-5. Provide amenities that attract and retain businesses and encourage those working in San Leandro to also live in San Leandro.</b></p>	
<p><b>Policy ED-5.2. Housing Production.</b> Substantially increase the production of a variety of housing types meeting the needs of persons at all income levels.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would promote a range of housing options and affordability levels to mitigate the risk of displacement for existing residents in and around the Plan Area. The Specific Plan would use citywide resources and programs to assist current renters at risk of displacement in or near the Plan Area.</p>
<p><b>Policy ED-5.11. Civic Beautification.</b> Undertake streetscape improvements and place-making efforts near BART, along major arterial streets, and in established business districts. Such improvements should maximize the potential for increasing business activity.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would integrate art into new developments and streetscapes whenever feasible or appropriate. This would encourage community ownership and attachment to an area by providing memorable, publicly accessible destinations and landmarks. It would also improve the pedestrian experience, public space, aesthetics, and design quality to attract visitors, serve residents and promote walking.</p> <p>Another outcome of the proposed Specific Plan would be to support and improve the Bay Fair BART and bus stations as integral amenities for the surrounding neighborhoods, the City, the County, and the region.</p>

**Land Use Element**

<p><b>Goal LU-1. Maintain stable, safe, and attractive neighborhoods</b></p>	
<p><b>Policy LU-1.1. Housing Maintenance.</b> Support the on-going conservation, maintenance and upgrading of the city's housing inventory.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would help ensure compatibility with the residential neighborhoods adjacent to the planning area – including those in unincorporated Alameda County as well as the City of San Leandro – and encourage sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods. It would also promote a range of housing options and affordability levels to support a diverse housing inventory in the city.</p>
<p><b>Policy LU-1.3. Demographics and Land Use.</b> Recognize the effects of changing demographics, including larger family sizes and multi-generational households, on housing conditions, parking, yards, and other aspects of neighborhood appearance. Explore alternatives to traditional zoning standards to more effectively address issues the needs of larger households and the potential impacts of such households on nearby properties.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would help ensure compatibility with the residential neighborhoods adjacent to the planning area – including those in unincorporated Alameda County as well as the City of San Leandro – and encourage sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods. In addition, the Specific Plan would seek to ensure future zoning is aligned with the community vision, while allowing flexibility to adjust to changing trends and land ownership, in order to more effectively address the issues of changing demographics in the city.</p>

General Plan Policy	Discussion
<p><b>Policy LU-1.4. Collaboration with Community Groups.</b> Work closely and collaboratively with homeowners associations, neighborhood associations, and other community groups to address nuisances, eliminate blight, and ensure that community aesthetic standards are maintained.</p>	<p><b>Potentially Consistent.</b> Central to the creation of the Bay Fair TOD Specific Plan was an extensive community outreach process that included a Community Advisory Committee and Technical Advisory Committee. Outreach also included pop-up events, a website, online survey, stakeholder interviews, developer outreach, and community workshops.</p>
<p><b>Policy LU-1.9. Multi-Family Housing Upkeep.</b> Maintain and enforce high standards of property upkeep for existing and new multi-family rental housing development.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would improve safety in and around the Bay Fair area through a range of strategies including increased pedestrian activity, more “eyes on the street” better and more coordinated policing, better lighting, activation of vacant spaces, and an increased sense of ownership and stewardship by residents, workers, and visitors. This would result in property upkeep for existing and new multi-family rental housing developments.</p>
<p><b>Goal LU-2. Preserve and enhance the distinct identities of San Leandro neighborhoods</b></p>	
<p><b>Policy LU-2.1. Complete Neighborhoods.</b> Strive for “complete neighborhoods” that provide an array of housing choices; easy access to retail stores, commercial services, and medical care; quality public schools; great parks and open spaces; affordable transportation options; and civic amenities.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support the development of “complete neighborhoods” by allowing for a diverse mix of housing, retail, office, entertainment, and civic uses, with safe pedestrian and bicyclist connections to public transit, services and employers. The village would feature a range of stores, services, and restaurants for neighbors and workers, as well as active, vibrant plazas, parks, and open spaces throughout the area for public enjoyment.</p>
<p><b>Policy LU-2.2. Neighborhood Centers.</b> Retain and support small neighborhood-serving shopping centers, and improve the connections between these centers and adjacent residential areas. Work with local small businesses, commercial property owners and landlords, neighborhood associations, and residents to improve the appearance and economic performance of such centers to make them more pedestrian-friendly, and sustain them as part of the fabric of San Leandro neighborhoods.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support and strengthen housing, retail, office, entertainment, and civic uses in the area through improved access, better way-finding, and safe connections for pedestrians and bicyclists to public transit, services, and employers. Buildings would be designed to respect the scale and character of adjacent residential neighborhoods. The village would feature stores, services and restaurants for neighbors and workers, as well as active plazas and open spaces throughout the area for public enjoyment.</p>
<p><b>Policy LU-2.5. Pedestrian and Bicycle Improvements.</b> Promote improvements that make San Leandro neighborhoods more friendly to pedestrians and bicyclists, such as bike lanes, street trees, and crosswalks.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would seek to improve the pedestrian experience, public space, aesthetics, and design quality of the area to attract visitors, serve residents, promote walking, and to improve pedestrian, bicycle, transit, and vehicle connections through the creation of an interconnected street grid, with a focus on better pedestrian connections between the Bay Fair BART station and the adjacent shopping areas. This would result in a more pedestrian friendly area.</p>
<p><b>Policy LU-2.7. Location of Future Multi-Family Development.</b> Concentrate new multi-family development in the areas near the BART Stations and along major transit corridors such as East 14th Street. Ensure that such development enhances rather than detracts from the character of</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support and strengthen housing, retail, office, entertainment, and civic uses in the area through improved access, better way-finding,</p>

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surrounding neighborhoods.	and safe connections for pedestrians and bicyclists to public transit, services, and employers. Buildings would be designed to respect the scale and character of adjacent residential neighborhoods. The village would feature stores, services and restaurants for neighbors and workers, as well as active plazas and open spaces throughout the area for public enjoyment.
<p><b>Policy LU-2.9. Density Transitions.</b> Avoid abrupt transitions from high density to low density housing. Where high density development occurs, encourage such projects to step down in height and mass as they approach nearby lower density areas.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan seeks to ensure compatibility with the residential neighborhoods adjacent to the planning area – including those in unincorporated Alameda County as well as the City of San Leandro – and encourage sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods. The proposed Specific Plan would achieve this by providing transition standards for residential development, requiring a 45 degree “daylight Plane” defined as a 15-foot minimum setback at a 45-degree angle from a point 8 feet above the property line. This would prevent abrupt transitions from high to low density housing. The proposed Specific Plan would also include a Corridor Transition Overlay. The Residential Transition Overlay also provides physical buffers and design treatments to reduce their impacts on adjacent residential properties.</p>
<p><b>Policy LU-2.12. Off-Street Parking.</b> Ensure that a sufficient number of off-street parking spaces are provided in new residential development to minimize parking “overflow” into neighborhoods. The visual prominence of parking should be minimized in new development areas.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would implement parking management solutions that most efficiently use parking resources, including sharing of public and private parking spaces between different uses, and sharing between different use types such as residential, office, and commercial.</p>
<p><b>Policy LU-2.13. Gated Communities.</b> Unless overriding public safety considerations exist, discourage the development of “gated” communities or the gating of already developed neighborhoods or subdivisions.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would discourage the development of gated communities by ensuring compatibility with the residential neighborhoods adjacent to the planning area – including those in unincorporated Alameda County as well as the City of San Leandro – and by encouraging sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods.</p>
<p><b>Policy LU-2.15. Usable Open Space Provisions.</b> Require useable open spaces for community use in large new residential developments. Wherever feasible, such spaces should contain play equipment, children’s activity areas, and other amenities that draw people outdoors, create street life, and instill a sense of community. In higher density and mixed use areas, such spaces may provide for activities such as outdoor performances, farmers markets, outdoor dining, and community gatherings.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan mixed-use urban village would feature a range of stores, services and restaurants for neighbors and workers, as well as active plazas and open spaces throughout the area for public enjoyment. It would also increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature.</p>
<p><b>Policy LU-2.17. Constrained Sites.</b> Focus new housing development on underutilized or infill sites on the city’s flatter lands, rather than on previously undeveloped sites in the hills. Development on sites with significant geologic, hydrologic, or land stability constraints should be strongly discouraged.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would encourage housing development on underutilized or infill sites by ensuring compatibility with the residential neighborhoods adjacent to the planning area – including those in unincorporated Alameda County as well as the City of San Leandro – and by encouraging sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods.</p>

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<b>Goal LU-3. Provide housing opportunities and improve economic access to housing for all segments of the community.</b>	
<p><b>Policy LU-3.1. Mix of Unit Types.</b> Encourage a mix of residential development types in the city, including single family homes on a variety of lot sizes, as well as townhomes, row houses, live-work units, planned unit developments, garden apartments and medium to high density multi-family housing.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would promote a range of housing options and affordability levels to mitigate the risk of displacement for existing residents in and around the Plan Area. The Specific Plan would also use citywide resources and programs to assist current renters at risk of displacement in or near the Plan Area.</p>
<p><b>Policy LU-3.2 Mix of Price Ranges.</b> Encourage a mix of price ranges to provide housing choices for San Leandro residents of all incomes and ages. Opportunities to include affordable units and market rate units within the same development projects should be pursued.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would promote a range of housing options and affordability levels to mitigate the risk of displacement for existing residents in and around the Plan Area. The Specific Plan would also use citywide resources and programs to assist current renters at risk of displacement in or near the Plan Area.</p>
<p><b>Policy LU-3.3 Affordable Housing Design.</b> Design new affordable housing to blend in with the existing fabric of the community. Affordable housing should be located in a variety of neighborhoods rather than concentrated in one particular part of the city.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would ensure compatibility with the residential neighborhoods adjacent to the planning area – including those in unincorporated Alameda County as well as the City of San Leandro – and encourage sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods.</p>
<p><b>Policy LU-3.4 Promotion of Infill.</b> Encourage infill development on vacant or underused sites within residential and commercial areas.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would support a diverse mix of uses including retail, housing, workplaces, and community spaces to be development on infill and underused sites within residential and commercial areas.</p>
<p><b>Policy LU-3.5 Mixed Use on Transit Corridors.</b> Encourage mixed use projects containing ground floor retail and upper floor residential uses along major transit corridors. Such development should be pedestrian-oriented, respect the scale and character of the surrounding neighborhood, and incorporate architectural themes that enhance the identity of adjacent commercial districts.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. According to the guidelines for Ground-Floor Retail and Building Frontage in Chapter 5 of the proposed Specific Plan, active, ground-floor retail is strongly encouraged along East 14th Street, near the BART Station, and along the connecting streets between these two locations. In addition, retail frontages should be composed of architectural elements that enhance the public realm and provide a human-scaled street environment.</p>
<p><b>Policy LU-3.7 Housing for Active Seniors.</b> Provide additional housing options for seniors and empty nesters, including retirement communities for active senior living.</p>	<p><b>Potentially Consistent.</b> An objective of the proposed Specific Plan is to provide community facilities to support the level and type of additional growth, including senior centers. An objective of the proposed Specific Plan is also to promote a range of housing options. The proposed Specific Plan would not preclude development of senior housing.</p>
<p><b>Policy LU-3.8 Amenities and Social Services Within New Housing.</b> Encourage new affordable housing development to provide amenities for future residents, such as on-site recreational facilities and community meeting space. Where feasible, consider the integration of social services such as child care within such projects.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would provide community facilities necessary to support the level and type of additional growth, including schools, community and senior centers, child care centers, and public safety facilities and increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature.</p>
<p><b>Policy LU-3.9 Live-Work Development.</b> Provide opportunities for “live-work” development to provide a housing resource for artists, craftspersons, and persons working from home. The design of live-</p>	<p><b>Potentially Consistent.</b> The City’s 2035 General Plan promotes the strategy of evolving with changing workplace trends. The proposed Specific Plan does not specifically encourage live-work developments, but would not preclude</p>

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<p>work projects should be sensitive to the surrounding areas. Live-work is most appropriate as a buffer land use between residential and non-residential areas, in transit-oriented development areas, and in non-residential areas where the long-term viability of industry is compromised by small (less than one acre) parcels, buildings that cannot be easily adapted to higher-value uses, and proximity to sensitive uses such as schools and housing.</p>	<p>such arrangements.</p>
<p><b>Policy LU-3.10. Market-Rate Housing.</b> Encourage the provision of a significant amount of market-rate ownership and rental housing as part of an effort to maintain and diversify the city’s economic base.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would support both types of housing - market rate and affordable housing, and would seek to protect existing residents from involuntary displacement.</p>
<p><b>Goal LU-4. Ensure that new residential development contributes its appropriate share toward the provision of adequate schools, parks, and other public facilities.</b></p>	
<p><b>Policy LU-4.1. Concurrent Provision of Services.</b> To the extent permitted by law, allow new residential development to occur only when the public facilities needed to serve that development are available or will be provided concurrently with the development.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would improve and maintain basic infrastructure such as stormwater management facilities, flood control, and water, sewer, gas, and telecommunications service. Also, development would occur where infrastructure currently exists. Section 4.8, <i>Hydrology and Water Quality</i>, Impact HYD-3, has determined that the proposed Specific Plan would not have a significant impact to the existing drainage pattern or result in flooding. Section 4.14, <i>Utilities and Service Systems</i>, Impact UTIL-1 concluded that impacts related to wastewater conveyance and treatment would be less than significant. Impact UTIL-2 has concluded that EDMUD has the ability to provide a sufficient water supply and therefore potential impacts would be less than significant.</p>
<p><b>Policy LU-4.2. Fair Share Contributions.</b> Require new residential development to pay its fair share of the cost of capital improvements needed to serve that development.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan includes policies to improve and maintain basic infrastructure such as stormwater management facilities, flood control, and water, sewer, gas, and telecommunications service.</p>
<p><b>Policy LU-4.3. Public Facility Development.</b> Promote collaborative, creative solutions between the public and private sectors to develop additional schools, parks, and other public facilities in the city.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature. In addition, it would seek to provide a range of services to offer opportunities for higher education, business incubation, and vocational and employment training programs for all age groups.</p>
<p><b>Policy LU-4.4. Park and School Site Acquisition.</b> Consider acquiring vacant or underutilized sites for park or school development in addition to facilitating private development on those sites.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature. In addition, it would seek to provide a range of services to provide opportunities for higher education, business incubation, and vocational and employment training programs for all age groups.</p>



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<b>Goal LU-5. Provide for active, timely citizen participation in all stages of neighborhood planning.</b>	
<p><b>Policy LU-5.1. Coordination and Outreach.</b> Coordinate housing plans and programs with organizations that are broadly representative of people in the community, including homeowners, renters, housing advocates, businesses and institutions. Collaborative, productive relationships should be promoted between City staff, elected and appointed officials, and local neighborhood groups.</p>	
<p><b>Policy LU-5.2. Stewardship Projects.</b> Encourage community organizations to assist in implementing General Plan policies on housing and residential neighborhoods, including neighborhood beautification and improvement projects.</p>	<p><b>Potentially Consistent.</b> Central to the creation of the Bay Fair TOD Specific Plan was an extensive community outreach process that included a Community Advisory Committee and Technical Advisory Committee. Outreach also included pop-up events, a website, online survey, stakeholder interviews, developer outreach, and community workshops.</p>
<p><b>Policy LU-5.3. Individual Participation.</b> Encourage the participation of individuals as well as organizations in the planning process, since organizations may not always reflect individual needs and opinions.</p>	
<p><b>Policy LU-5.4. Coordination With Developers.</b> Work closely with developers and business interests to provide a constructive, cooperative attitude toward meeting the city’s housing needs. Require developers to initiate early and frequent communication with affected neighborhood residents, businesses, local school boards, and homeowners associations.</p>	
<b>Goal LU-7. Sustain dynamic innovation districts which place San Leandro on the leading edge of the Bay Area's manufacturing and technology economy.</b>	
<p><b>Policy LU-7.2. Adaptive Reuse.</b> Encourage private reinvestment in vacant or underutilized industrial and commercial real estate to adapt such property to changing economic needs, including the creation of flex/office space and space for technology-driven businesses.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan Area includes some areas of underutilized commercial space and large parking areas. The proposed Specific Plan is designed to increase intensity and redevelopment of underutilized parcels in the Specific Plan Area in order to encourage transit-oriented residential and office space.</p>
<p><b>Policy LU-7.3. Zoning Flexibility.</b> Ensure that industrial zoning regulations are flexible enough to achieve the vision of San Leandro’s industrial area as an “innovation ecosystem”, where new methods of production, operations, and design are supported.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would ensure future zoning is aligned with the community vision, while allowing flexibility to adjust to changing trends and land ownership.</p>
<p><b>Policy LU-7.4. Tax Base Enhancement.</b> Encourage business development that improves the City’s ability to provide the public with high-quality services and which minimizes increases in the tax burden for existing businesses and residents.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support housing, retail, office, entertainment, and civic uses.</p>
<p><b>Policy LU-7.9. Business Amenities.</b> Improve business amenities such as restaurants, support services for business, public transit, walkable streets, and bike lanes.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support and improve a diverse range of housing, retail, office, entertainment, and civic uses.</p>

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<b>Goal LU-8. Establish excellent community and neighborhood-serving retail and entertainment uses.</b>	
<p><b>Policy LU-8.1. Retail Hierarchy.</b> Maintain a range of retail uses in the City, consisting of:</p> <ul style="list-style-type: none"> <li>(a) Regional shopping concentrated around the existing centers at Bayfair, Marina Square, and Westgate;</li> <li>(b) Community retail uses centered in Downtown San Leandro, reinforcing the area’s image as the City center;</li> <li>(c) Neighborhood shopping districts located within subareas of the City, providing basic goods and services within easy access of neighborhood residents; and</li> <li>(d) Larger-scale general commercial activities such as building suppliers, lumberyards, and home improvement stores that occur on the edges of industrial areas.</li> </ul>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would continue to include regional shopping at the Bayfair Center. As described in Chapter 2 of the proposed Specific Plan, retail is expected to continue to have a significant presence in all scenarios, though the overall amount of retail in the Specific Plan Area (an estimated 1.2 million square feet) is expected to decrease by approximately 161,000 square feet. The vision of the proposed Specific Plan is for the Specific Plan Area to include neighborhood shopping districts that provide basic goods and services to future Specific Plan Area residents.</p>
<p><b>Policy LU 8.3. Corridor Mixed Use Areas.</b> Pursue the following land use and development principles in those areas designated “Corridor Mixed Use” on the General Plan Map:</p> <ul style="list-style-type: none"> <li>(a) An emphasis on pedestrian- and transit-oriented site design, rather than auto-oriented or “drive-through” design;</li> <li>(b) An emphasis on mixed use infill projects which incorporate upper story office or residential uses and ground floor commercial uses (the General Plan should be consulted for further description of the balance between residential and non-residential uses within each mixed use area);</li> <li>(c) A shift toward higher value neighborhood-serving retail uses and higher-density housing.</li> </ul>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support and improve a diverse range of housing, retail, office, entertainment, and civic uses.</p>
<p><b>Policy LU 8.6. Cultural Arts and Entertainment.</b> Provide additional opportunities for cultural, recreational, and entertainment uses in the City, including cinemas, theaters, live-performance venues, sports facilities, and art galleries.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature. The proposed Specific Plan includes Public Art Guidelines for <i>Art Integration</i> and <i>Iconic Public Art</i>, supporting the incorporation of art into new developments and to work with property owners to establish one or more iconic art installations in a public place within the project area. Land Use policies in the proposed Specific Plan would encourage entertainment, dining, and cultural uses within the plan area. Allowed uses in the plan area include Artist’s Studios, Commercial Recreation, Cultural Institutions, and Theaters. Conditionally permitted uses include Entertainment Events and Bars.</p>
<p><b>Policy LU 8.7. Pop-Up Activities and Temporary Uses.</b> Allow “popup” activities and other temporary uses in vacant commercial storefronts, in an effort to activate older and vacant buildings and provide space for new enterprises and activities that cannot feasibly occur elsewhere.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support housing, retail, office, entertainment, and civic uses. No proposed policies would restrict or discourage “popup” activities and other temporary uses in vacant commercial storefronts.</p>

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<p><b>Policy LU 8.8. Visitor Services.</b> Aggressively pursue the development of additional hotels, lodging, and conference facilities in the City. Hotels are particularly encouraged in locations with good freeway visibility, pedestrian connections to restaurants and other services, easy access to Oakland Airport or BART, and proximity to amenities such as the shoreline.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan would provide public space, outdoor dining, and dynamic retail experiences to create central gathering places that serve local and regional populations to make the area a local and regional destination. The proposed Specific Plan would also support and improve the Bay Fair BART and bus stations as integral amenities for the surrounding neighborhoods, the City, the County, and the region and support a diverse mix of uses including retail, housing, workplaces, and community spaces, encouraging a variety of essential goods and services such as grocery stores, pharmacies, banks, laundromats, social services, restaurants, and other businesses.</p>
<p><b>Policy LU 8.9. East 14th Street.</b> Facilitate the transformation of East 14th Street from an unbroken commercial “strip” into a series of distinct mixed use neighborhood centers, each with a unique design identity and mix of uses. The land use pattern should emphasize a more attractive and human scale of development throughout the corridor, with pedestrian-oriented buildings, streetscape and transit improvements, and a lively mix of higher density residential, commercial, and civic uses.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan includes design recommendations for East 14th Street intended to prioritize transit circulation given the high level of transit activity and the street’s designation as one of AC Transit’s Major Corridors. Pedestrian accommodations are also prioritized to ensure safe access to transit. Building Frontages policies require active, pedestrian-oriented ground-floor street frontages along East 14<sup>th</sup> Street including ground-floor retail that is “strongly encouraged along East 14<sup>th</sup> Street.” The Corridor Transition Overlay requires development to step down to East 14<sup>th</sup> Street to allow for a more attractive and human scale of development. Transition Guidelines state, “New frontages along East 14th Street should support the vision and character for East 14th Street articulated in Alameda County’s Ashland and Cherryland Business District Specific Plan – a vibrant mixed use environment with active shopfronts that serves the daily needs of surrounding residents.</p>
<p><b>Policy LU 8.10. Bay Fair Area.</b> Transform the area around the Bay Fair BART station, including Bayfair Center, other shopping centers, and properties along Hesperian, East 14th, and other major arterials, into a dynamic new transit oriented development area. Future development in this area should reposition Bayfair Center to reflect current trends in retailing; add a mix of higher-density residential, office, and other commercial uses; maximize the potential for BART use; and minimize dependence on autos for daily trips.</p>	<p><b>Potentially Consistent.</b> The proposed Specific Plan is planned as a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features. It would support and improve a diverse range of housing, retail, office, entertainment, and civic uses. As described in Section 4.6, <i>Greenhouse Gas Emissions</i>, the proposed Specific Plan would reduce per capita VMT in the Specific Plan Area.</p>
<b>Transportation Element</b>	
<b>Goal T-1 Coordinate land use and transportation planning.</b>	
<p><b>Policy T-1.1. Decision Making.</b> Ensure that future land use and development decisions are in balance with the capacity of the City’s transportation system and consistent with the City’s goal of reducing greenhouse gas emissions.</p>	<p><b>Potentially Consistent.</b> As described in Section 4.2, <i>Air Quality</i>, Section 4.6, <i>Greenhouse Gas Emissions</i>, and Section 4.13, <i>Transportation and Traffic</i>, the proposed Specific Plan would result in a reduction of per capita VMT compared to development envisioned under the City’s General Plan for the Specific Plan Area and would not result in significant GHG emissions. In addition, the proposed Specific Plan implements 2035 General Plan Action LU-8.10.B and LU-8.10.C to conduct East 14<sup>th</sup> Street streetscape improvements and improve pedestrian and bicycle connections between the Bay Fair</p>

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	BART station and adjacent areas. The mobility improvements under the proposed Specific Plan are consistent with the transportation system identified in the 2035 General Plan.
<p><b>Policy T-1.2. Keeping Pace With Growth.</b> Improve transportation infrastructure at a rate that keeps pace with growth.</p>	<p><b>Potentially Consistent.</b> As described in Section 4.13, <i>Transportation and Traffic</i>, the proposed Specific Plan would result in significant traffic impacts to intersections and roadways. However, the traffic analysis is conservative in that traffic modeling completed for this transportation impact analysis does not assume increases in biking, walking, or transit use in the Specific Plan Area although that is an important goal of the proposed Specific Plan. The proposed Specific Plan would improve pedestrian and bicycle infrastructure in the Specific Plan Area to keep pace with growth and would encourage growth in an area served by bus and rail transit, which would reduce overall per capita VMT compared to development envisioned under the 2035 General Plan. Generally, the mobility improvements associated with the proposed Specific Plan would result in transportation infrastructure improvements in the Specific Plan Area that are envisioned under the 2035 General Plan.</p>
<p><b>Policy T-1.4. Transit Oriented Development.</b> Ensure that properties adjacent to the City’s BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.</p>	<p><b>Potentially Consistent.</b> The vision of the proposed Specific Plan is to provide a “sustainable, vibrant, walkable, and safe transit-oriented village with a diversity of land uses serving residents, workers, and visitors.” Implementation of the policies, standards, and guidelines in the Specific Plan would involve developing public places and open space.</p>
<p><b>Policy T-1.7 Off-Street Parking Standards.</b> Implement variable parking standards that reflect such factors as proximity to transit, type of occupancy (seniors, etc.), number of bedrooms (for housing), and the expected level of parking demand. Parking requirements should reflect the City’s goal of reducing vehicle miles traveled.</p>	<p><b>Potentially Consistent.</b> The Private Parking standards in the Mobility Chapter of the proposed Specific Plan are designed to take into account the proximity of the Specific Plan Area to transit and allowing reductions in automobile parking requirements as a means to reduce VMT.</p>
<p><b>Policy T-1.8 Shared Parking.</b> Promote the concept of parking areas which are “shared” by multiple uses with different peak demand periods as a means of reducing the total amount of parking which must be provided.</p>	<p><b>Potentially Consistent.</b> Specific Plan Area-Wide Mobility Policy 10, Shared Parking, requires automobile parking ratios for development projects to reflect opportunities for shared parking between land uses or between development sites.</p>
<p><b>Policy T-1.10 Reduced Trip Generation.</b> 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.</p>	<p><b>Potentially Consistent.</b> The Mobility Chapter of the Proposed Specific Plan includes guidelines to encourage new and existing employers in the Specific Plan Area to manage transportation demand and reduce trips by providing bicycle support facilities, shuttle services, financial incentives, flexible work schedules, guaranteed ride home programs, and transportation coordinators.</p>

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<b>Goal T-2 Design and operate streets to be safe, attractive, and accessible for all transportation users whether they are pedestrians, bicyclist, transit riders or motorists, regardless of age or ability.</b>	
<b>Policy T-2.1 Complete Streets Serving All Users and Modes.</b> Create and maintain "complete" streets that provide safe, comfortable, and convenient travel through a comprehensive, integrated transportation network that serves all users.	<b>Potentially Consistent.</b> Specific Plan Area-Wide Mobility Policy 2, Complete Streets Network, proposes to "provide a network of "complete streets" to prioritize safety and access for drivers, transit users, pedestrians and bicyclists regardless of age, ability, or mode of transportation."
<b>Policy T-2.4 Connectivity.</b> Ensure that the design of streets and other transportation features helps to better connect the city's circulation network and facilitate safer and more convenient travel between San Leandro and surrounding communities.	<b>Potentially Consistent.</b> Specific Plan Area-Wide Mobility Policy 7, Pedestrian and Bicycle Connectivity, proposes to provide pedestrian and bicycle connections between and around the Bay Fair BART Station, adjacent transit waiting areas, Bayfair Center, and nearby neighborhoods and shopping districts.
<b>Goal T-3 Promote and accommodate alternative, environmentally- friendly methods of transportation, such as walking and bicycling.</b>	
<b>Policy T-3.1 Citywide Bikeway System.</b> Develop and maintain a bikeway system that meets the needs of both utilitarian and recreational users, reduces vehicle trips, and connects residential neighborhoods to employment and shopping areas, BART stations, schools, recreational facilities and other destinations throughout San Leandro and nearby communities.	<b>Potentially Consistent.</b> Standards related to the bicycle network in the proposed Specific Plan are intended to provide bicycle connections between BART, housing, business, and public spaces within the Specific Plan Area. According to Policy 1 under "Local Bicycle Network" in the Mobility Chapter, Any new development and new streets in the Specific Plan Area shall provide bicycle facilities and connections consistent with Figure 6 in Section 2, <i>Project Description</i> , of this EIR though the exact location and facility design may be adjusted in coordination with the City.
<b>Policy T-3.6 Pedestrian Environment.</b> Improve the walkability of all streets in San Leandro through the planning, implementing, and maintaining of pedestrian supportive infrastructure.	<b>Potentially Consistent.</b> Standards and guidelines in the proposed Specific Plan related to sidewalks and public frontages are designed to support pedestrian-oriented streets and public spaces and improve walkability in the Specific Plan Area.

As shown in Table 14, the proposed Specific Plan would be potentially consistent with all applicable General Plan goals and policies. State CEQA Guidelines Section 15125(d) requires that an EIR discuss any inconsistencies with applicable plans that the decision-makers should address. A project is considered consistent with the provisions and general policies of an applicable City or regional land use plan if it is consistent with the overall intent of the plan and would not preclude the attainment of its primary goals. A project does not need to be in perfect conformity with each and every policy.<sup>4</sup> More specifically, according to the ruling in *Sequoyah Hills Homeowners Association v. City of Oakland*, state law does not require an exact match between a project and the applicable general plan. Rather, to be "consistent," the project must be "compatible with the objectives, policies, general land uses, and programs specified in the applicable plan," meaning that a project must be in "agreement or harmony" with the applicable land use plan to be consistent with that plan. If a project is determined to be inconsistent with specific objectives or policies of a land use plan, but not inconsistent overall with the land use goals of that plan and would not preclude the attainment of the primary intent of the plan, that project would be considered generally consistent with the plan on an overall basis.

<sup>4</sup> *Sequoyah Hills Homeowners Association v. City of Oakland (1993) 23 Cal.App.4th 704, 719.*

As discussed in Section 4.2, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*, the proposed Specific Plan would be consistent with BAAQMD's 2017 Clean Air Plan, the City's Climate Action Plan, and the land use strategy of the ABAG/MTC Regional Transportation Plan/Sustainable Communities Strategy (*Plan Bay Area 2040*). Impacts with regards to consistency with these plans would be less than significant. As discussed above and shown in Table 14, the proposed Specific Plan is designed to implement the 2035 General Plan and is consistent with the objectives, policies, general land uses, and programs specified in the City's 2035 General Plan. Impacts with respect to consistency with adopted plans would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **c. Cumulative Impacts**

The proposed Specific Plan would be consistent with the goals and policies in the 2035 General Plan, as discussed in Impact LU-1. All other pending and future projects in San Leandro would be required to adhere to City zoning and development regulations and General Plan policies to mitigate environmental impacts where feasible. In addition, all pending and future projects would be reviewed for consistency with the 2035 General Plan and all other applicable regulatory land use actions prior to approval. Therefore, the proposed Specific Plan in combination with other development envisioned by the City's 2035 General Plan would not result in significant cumulative impacts with respect to consistency with land use plans. Impacts would not be cumulatively considerable.

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## 4.10 Noise

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This section evaluates the impacts of noise generated by future development under the proposed Specific Plan on nearby noise-sensitive land uses, as well as the effect of current and future noise levels on the proposed Specific Plan land uses.

### 4.10.1 Setting

#### a. Overview of Noise and Vibration Measurement

Noise is defined as unwanted sound that disturbs human activity. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with human hearing response, which is most sensitive to frequencies around 4,000 Hertz (similar to the highest note on a piano) and less sensitive to frequencies below 100 Hertz (similar to a transformer hum).

Sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB, and a sound that is 10 dB less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dBA changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while those along arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate (drop off) at a rate of 6 dB per doubling of distance from point sources such as industrial machinery. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dB per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dB per doubling of distance.

In addition to the instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period.

The time period in which noise occurs is also important since nighttime noise tends to disturb people more than daytime noise. Two commonly used noise metrics – the Day-Night average level (Ldn) and the Community Noise Equivalent Level (CNEL) - recognize this fact by weighting hourly Leqs over a 24-hour period. The Ldn is a 24-hour average noise level that adds 10 dB to actual nighttime (10:00 P.M. to 7:00 A.M.) noise levels to account for the greater sensitivity to noise during that time period. The CNEL is identical to the Ldn, except it also adds a 5 dB penalty for noise occurring during the evening (7:00 P.M. to 10:00 P.M.). Noise levels described by Ldn and CNEL typically do not differ by more than 1 dBA. In practice, CNEL and Ldn are often used interchangeably.



## Vibration

Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. Groundborne vibration related to human annoyance is generally related to root mean square (RMS) velocity levels expressed in vibration decibels (VdB). However, construction-related groundborne vibration in relation to its potential for building damage can also be measured in inches per second (in/sec) peak particle velocity (PPV) (Federal Transit Administration 2006). Based on the Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment* and the Caltrans' *1992 Transportation-Related Earthborne Vibration, Technical Advisory*, vibration levels decrease by 6 VdB with every doubling of distance.

The background vibration velocity level in residential and educational areas is usually around 50 VdB (FTA 2006). The threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. Groundborne vibration levels in excess of 95 VdB would damage extremely fragile historic buildings.

### b. Noise-Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The 2035 General Plan's Environmental Hazards Element identifies the following land uses as sensitive to noise: residential areas, schools, child care centers, hospitals, churches, libraries, nursing homes, and certain types of park and recreational areas. The City applies more stringent noise exposure guidelines to these land uses than to commercial or industrial uses that are not susceptible to certain impacts, such as sleep disturbance. Sensitive land uses generally should not be subjected to noise levels that would be considered intrusive in character.

Although commercial land uses predominate in the Specific Plan Area, noise-sensitive receptors occur in the following areas:

- The Summerhill Terrace Apartments are located in the southern corner of the Specific Plan Area, to the west of Hesperian Boulevard and north of the Union Pacific Railroad tracks.
- A row of multi-family residences lines the east side of Hesperian Boulevard from Thornally Drive to Springlake Drive
- The Hesperian Villas, a multi-family apartment complex, is located on the west side of Hesperian Boulevard, south of Cherrybrooke Commons.
- Several single-family residences are located on Olive Court between the east side of Hesperian Boulevard and the BART tracks.

In addition, residential neighborhoods in San Leandro and unincorporated Alameda County surround the Specific Plan Area to the west, north, and east.

### c. Existing Noise Conditions and Sources

The primary sources of noise in San Leandro are motor vehicles, trains, aircraft, and on-site operational sources.

#### Motor Vehicles

Mobile sources of noise, especially cars and trucks, are the most common and significant sources of noise in San Leandro. Motor vehicles traveling on Interstate 238 (I-238), which runs adjacent to the southern boundary of the Specific Plan Area, generate noise audible in the southern portion of the Specific Plan Area. Arterial roads such as East 14th Street and Hesperian Boulevard also carry high traffic volumes and usually generate noise exceeding 60 dB CNEL (City of San Leandro 2016f). As the north-south arterial axis of the Specific Plan Area, Hesperian Boulevard is the primary source of traffic noise.

#### Trains

The BART railway tracks intersect the center of the Specific Plan Area in a northwest-to-southeast direction, and the Bay Fair BART Station is located within the Specific Plan Area. The elevated BART tracks are not buffered to reduce noise. BART trains frequently pass through San Leandro, with 203 northbound and 203 southbound trains each weekday (City of San Leandro 2016f). Trains operating on non-commuter-focused railways owned by the Union Pacific Railroad also generate noise. One railway is located adjacent to and southwest of the BART right-of-way, and the other crosses the southern end of the Specific Plan Area in a northwest-to-southwest direction (City of San Leandro 2016i). Passing trains are among the loudest noise sources in the city, exceeding 95 dBA at 100 feet (City of San Leandro 2016f). Train horns may be even louder, approaching 110 dBA. Brakes, coupling impacts, and crossing guard warnings are also common sources of noise along the railroad corridors.

#### Aircraft

Noise from aircraft overflights is a concern in San Leandro mainly because of the proximity of Oakland International Airport. Runways at this major airport are located approximately 4.3 miles northwest of the Specific Plan Area. As shown in Figure 4.10-2 in the 2035 General Plan EIR, the 65 dBA CNEL noise contour associated with the airport extends to the southwest edge of San Leandro but does not approach the Specific Plan Area at the eastern end of the city. Residents are also affected by noise from planes landing and taking off at Hayward Executive Airport, a general aviation aircraft facility which is approximately 1.9 miles south of the Specific Plan Area, and to a lesser extent at San Francisco International Airport, which is 13.5 miles to the west (City of San Leandro 2016f). As shown in Figure 4.10-3 in the 2035 General Plan EIR, the Specific Plan Area is located outside of the 60 dBA CNEL noise contour for Hayward Executive Airport.

Although all of San Leandro's residential areas fall outside of the "Noise Impact Boundary" defined by the Federal Aviation Administration (FAA) and the Port of Oakland, many San Leandro residents are still concerned with high noise levels (San Leandro, 2035 General Plan, 2016). These concerns include late night arrivals and departures, low-flying aircraft, engine run-ups, and the frequency of overflights. While the 24-hour ambient noise levels are within levels deemed acceptable by the FAA, some areas experience short-duration incidents where noise levels exceed 70 dBA.

## On-Site Operational Noise

Equipment used in the operation of retail, other commercial, light industrial, and residential uses in the Specific Plan Area contributes to ambient noise. Many uses in industrial areas generate noise due to regular operations such as generators, fans, chillers, compressors, boilers, pumps, and air conditioning systems which may run for 24 hours a day, as well as loading dock activity. Noise from industrial uses can be generated on a continual basis, or intermittently, depending on the processes and types of machinery involved (City of San Leandro 2016i). In commercial areas, restaurants, retail stores, and other businesses can generate on-site noise from HVAC systems, loading docks, trash compactors, outdoor dining, music, and other sources. Residential neighborhoods generate noise from the use of home appliances, yard maintenance and home construction equipment, air conditioners, power tools, hot tubs, and other household activities. Loud music, yelling, and barking dogs are also the source of frequent complaints.

## Noise Measurements

In order to establish the existing noise conditions, noise level readings were taken by Rincon Consultants, Inc. staff at three locations in the Specific Plan Area using an ANSI Type II integrating sound level meter in accordance with industry standard protocols on July 5, 2017. These three noise measurements were collected during afternoon peak hours for traffic, between 4 and 6 p.m., and provide an estimate of the general noise environment within the Specific Plan Area. Locations were selected as representative of actual noise levels from major roadways in the Specific Plan Area, including Hesperian Boulevard and East 14th Street (see Figure 25). In addition, noise measurement 2 (see Figure 25) is located on Hesperian Boulevard and is close to the BART line and representative of train noise. These measurements provide baseline data against which modeled noise level projections can be compared. Table 15 lists the noise measurement locations and measured noise levels.

**Table 15 Noise Measurement Results**

Measurement Location <sup>1</sup>	Primary Noise Source	Distance from Centerline of Nearest Road	Sample Time	Leq dBA <sup>2</sup>
1	Hesperian Boulevard	55 feet	4:40 - 4:55 P.M.	70.0
2	Hesperian Boulevard <sup>3</sup>	55 feet	5:08 - 5:23 P.M.	70.0
3	East 14th Street	45 feet	5:40 - 5:55 P.M.	67.6

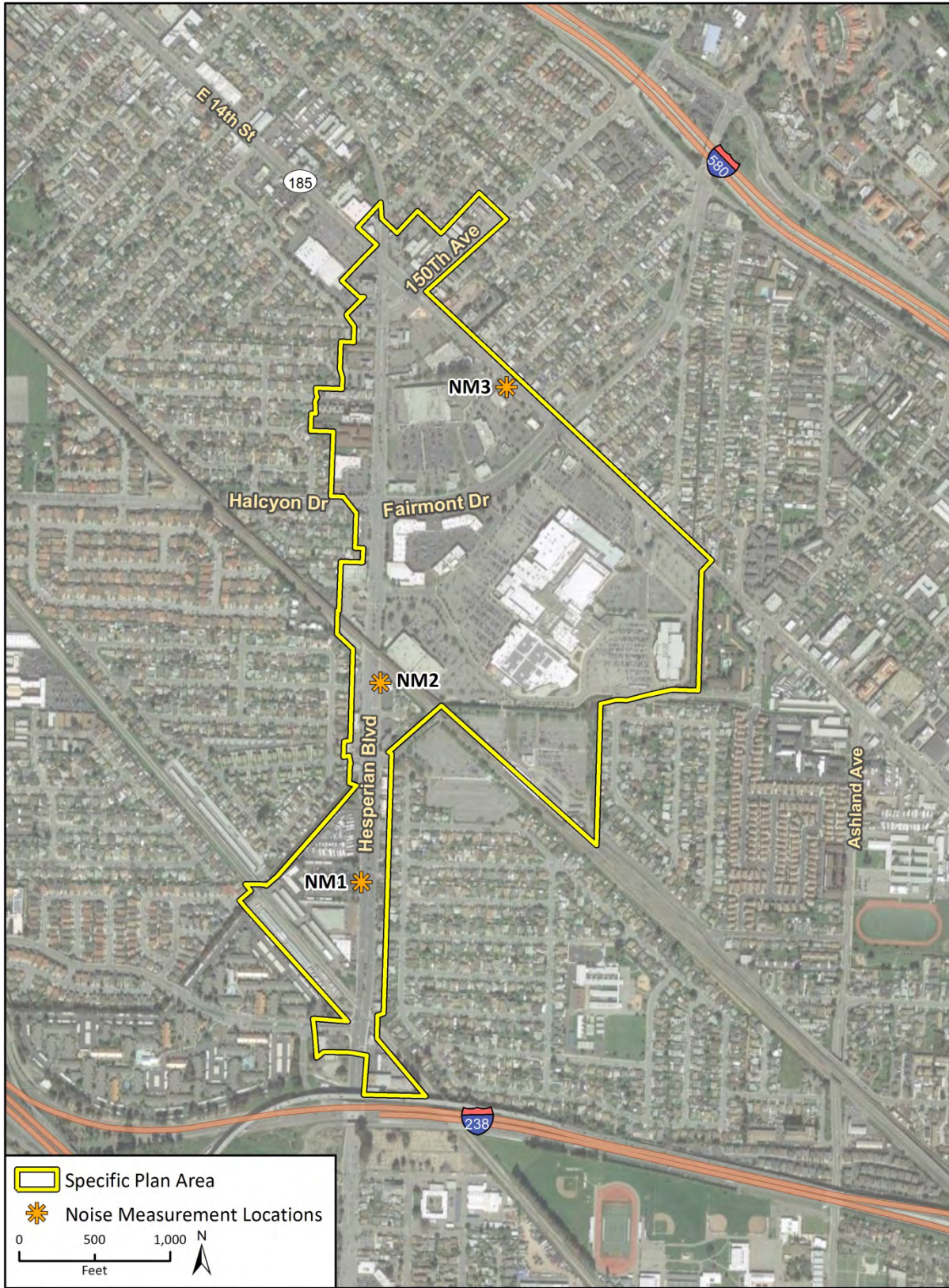
<sup>1</sup> Measurement locations are shown Figure 25

<sup>2</sup> All measurements were taken on July 5, 2017, using an ANSI Type II sound level meter.

<sup>3</sup> At this measurement location near the BART line, roadway noise reached a maximum of approximately 93 dBA, while BART train noise reached approximately 79 dBA. Roadway noise was the primary noise source.

Refer to the Appendix C for noise measurement results.

Figure 25 Noise Measurement Locations





## d. Regulatory Setting

### State

Title 24 of the California Code of Regulations codifies Sound Transmission Control requirements establishing uniform minimum noise insulation performance standards for new hotels, motels, dormitories, apartment houses, and dwellings other than single-family dwellings. Specifically, Section 1207.4 in Title 24 states that interior noise levels attributable to exterior noise sources shall not exceed 45 dBA CNEL or Ldn in any habitable room of a new building.

While there are no State standards for vibration, for continuous, frequent, and intermittent vibration, Caltrans considers the architectural damage risk level to be somewhere between 0.08 and 0.5 inches per second (in/sec) peak particle velocity (PPV) depending on the type of building that is affected.

### Local

#### *San Leandro 2035 General Plan*

The 2035 General Plan Environmental Hazards Element provides noise compatibility guidelines for land uses. These guidelines identify ambient noise levels at which various land uses are acceptable, conditionally acceptable, normally unacceptable, or clearly unacceptable (City of San Leandro 2016f). The guidelines recognize that mitigation may make certain uses acceptable, even where exterior noise levels are relatively high. The 2035 General Plan stresses that mitigation is especially relevant for “future housing sites located near BART, an area with relatively high ambient noise levels.” Figure 26 shows San Leandro’s noise compatibility guidelines.

The Environmental Hazards Element also has requirements pertaining to exterior and interior noise at residences. As per the California Building Code, the element sets an interior noise standard of 45 dBA CNEL for any habitable room. Where new residential development is proposed on sites with ambient noise exceeding 60 dBA CNEL, the 2035 General Plan requires an acoustical analysis to demonstrate how dwelling units have been designed to meet the interior standard of 45 dBA CNEL.

The following policies in the Environmental Hazards Element would apply to the proposed Specific Plan’s noise impacts:

- **Policy EH-7.2: Residential Interior Noise Standard.** As required by the State of California, ensure that interior noise levels in new residential construction do not exceed 45 dB Ldn. For non-residential construction, the acceptable interior noise levels should be determined on a case by case basis, depending on the type of activity proposed.
- **Policy EH-7.3: Residential Exterior Noise Standard.** Strive to maintain an exterior noise level of no more than 60 dB Ldn in residential areas. Recognizing that some San Leandro neighborhoods already exceed this noise level, encourage a variety of noise abatement measures that benefit these areas.
- **Policy EH-7.4: Degradation of Ambient Noise Levels.** If a neighborhood is well within acceptable noise standards, do not automatically allow noise levels to degrade to the maximum tolerable levels shown in Chart 7-2. A project’s noise impacts should be evaluated based on the potential for adverse community response, as well as its conformance to the adopted standards. For CEQA purposes, an increase of 3 dB Ldn should generally be considered a significant adverse impact.

Figure 26 San Leandro Land Use Compatibility Guidelines

Land Uses	CNEL (dBA)					
	55	60	65	70	75	80
Residential – Low Density Single-Family, Duplex, Mobile Homes	Green	Green	Blue	Blue	Yellow	Red
Residential – Multiple Family	Green	Green	Blue	Blue	Yellow	Red
Transient Lodging, Motels, Hotels	Green	Green	Blue	Blue	Yellow	Red
Schools, Libraries, Churches, Hospitals, Nursing Homes	Green	Green	Blue	Blue	Yellow	Red
Auditoriums, Concert Halls, Amphitheaters	Blue	Blue	Blue	Blue	Red	Red
Sports Arena, Outdoor Spectator Sports	Blue	Blue	Blue	Blue	Red	Red
Playgrounds, Neighborhood Parks	Green	Green	Green	Blue	Red	Red
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Green	Green	Green	Blue	Blue	Red
Office Buildings, Businesses, Commercial and Professional	Green	Green	Green	Blue	Yellow	Yellow
Industrial, Manufacturing, Utilities, Agricultural	Green	Green	Green	Green	Blue	Yellow

<div style="background-color: #90EE90; width: 30px; height: 30px; margin-bottom: 10px;"></div> <p><b>Normally Acceptable:</b> Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.</p>	<div style="background-color: #FFD700; width: 30px; height: 30px; margin-bottom: 10px;"></div> <p><b>Normally Unacceptable:</b> New construction or development should generally be discouraged. If new construction does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.</p>
<div style="background-color: #ADD8E6; width: 30px; height: 30px; margin-bottom: 10px;"></div> <p><b>Conditionally Acceptable:</b> New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and the needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.</p>	<div style="background-color: #FF0000; width: 30px; height: 30px; margin-bottom: 10px;"></div> <p><b>Clearly Unacceptable:</b> New construction or development generally should not be undertaken.</p>

Source: Governor's Office of Planning and Research, General Plan Guidelines, November 2003.

- **Policy EH-7.6: Minimizing Noise in New Housing Areas.** In the event that new housing is constructed in areas that exceed normally acceptable noise levels, require project design and construction measures that minimize noise intrusion.
- **Policy EH-7.9: Vibration Impacts.** Limit the potential for vibration impacts from construction and ongoing operations to disturb sensitive uses such as housing and schools.
- **Policy EH-8.3: Site Planning and Building Design.** Require new development or redevelopment near freeways, arterials, BART, and major bus routes to incorporate site planning and architectural design measures that reduce the exposure of future building occupants to traffic noise.
- **Policy EH-8.7: Sound Wall Design.** Where sound walls are used, encourage aesthetically pleasing and innovated designs and require citizen input in the siting and design process. Require future sound wall engineering and acoustical design studies to address and mitigate the potential for displacement of sound from impacted properties to other properties further away from the noise source.

### *San Leandro Municipal Code*

Chapter 4-1 of the SLMC regulates on-site operational noise and construction noise in San Leandro. The noise-related code does not set numerical noise limits and is aimed more at prohibiting “disturbing, excessive and offensive noises” so as to abate public nuisances from noise. Section 4-1-1110 of the Municipal Code identifies the following ten criteria to identify noise violations:

1. The sound level of the objectionable noise.
2. The sound level of the ambient noise.
3. The proximity of the noise to residential property.
4. The zoning of the area.
5. The population density of the area.
6. The time of day or night.
7. The duration of the noise.
8. Whether the noise is recurrent, intermittent, or constants.
9. Whether the noise is produced by an industrial, commercial, or noncommercial activity.
10. Whether the nature of the noise is usual or unusual.

Section 4-1-115(b) sets allowable hours of construction near residential uses. This section prohibits construction activity which is adjacent to or across a street or right of way from a residential use, except between the hours of 7 a.m. and 7 p.m. on weekdays, or between 8 a.m. and 7 p.m. on weekends.

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.

## 4.10.2 Impact Analysis

### a. Methodology and Significance Thresholds

The analysis of noise impacts considers the effects of both temporary construction-related noise and long-term noise associated with buildout of the Specific Plan. Impacts would be significant if they would exceed the following thresholds of significance, based on Appendix G of the *CEQA Guidelines*:

1. Expose persons to or generate noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies;
2. Expose persons to or generate excessive groundborne vibration or groundborne noise levels;
3. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
4. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
5. Expose people residing or working in the project area to excessive noise levels 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; or
6. Expose people residing or working in the project area to excessive noise levels within the vicinity of a private airstrip.

The Specific Plan Area is not located within any airport noise impact contours and would therefore not expose residents or workers to excessive noise levels from airport or private air strip operations. Effects associated with Thresholds 5 and 6 are addressed in Section 4.15, *Effects Found Not to Be Significant*.

### Noise Exposure in Excess of Local Standards

The exposure of new residents to ambient noise under buildout of the Specific Plan was compared to applicable City standards. Pursuant to the City's Environmental Hazards Element, noise exposure of up to 65 dBA CNEL is considered normally acceptable for multi-family residences, while 60-70 dBA CNEL is conditionally acceptable, and 70-75 dBA CNEL is normally unacceptable. Where ambient noise is in the conditionally acceptable range, the 2035 General Plan requires an acoustical analysis to demonstrate how dwelling units have been designed to meet the interior standard of 45 dBA CNEL for any habitable room. It is assumed that exterior materials used in modern buildings reduce exterior noise by about 25 dBA CNEL in the interior environment.

### Temporary Noise Increase from Construction

Temporary increases in ambient noise from construction activity under buildout of the Specific Plan were estimated based on reference noise levels reported by the FTA for various pieces of construction equipment. Reference noise levels at a distance of 50 feet from the source were applied from the FTA's *Transit Noise and Vibration Impact Assessment (2006)*. From this reference distance, noise levels were estimated at nearby sensitive receptors based on a standard noise attenuation rate of 6 dBA per doubling of distance from point sources. This analysis assumes the use of typical construction equipment for residential and commercial development. The project would



have a significant impact if construction noise occurs outside of allowable hours near residential uses, per SLMC Section 4-1-115(b), or substantially disturbs noise-sensitive receptors.

### Groundborne Vibration

The exposure of people to groundborne vibration during construction in the Specific Plan Area was estimated based on reference levels provided for construction equipment in the FTA’s *Transit Noise and Vibration Impact Assessment* (2006). A formula in this FTA document was used to calculate the attenuation of vibration from a reference distance of 25 feet to the distances of the nearest noise-sensitive receptors:

$$PPV = PPV_{ref} \times (25/D)^{1.5} \text{ (in/sec)}$$

This formula takes into account the reference vibration level ( $PPV_{ref}$ ), the distance from vibration-generating equipment to the receptor (D), and a constant value related to the attenuation rate through the ground (1.5).

The vibration analysis applies the following vibration thresholds established by the FTA for disturbance of people: 65 VdB for buildings where low ambient vibration is essential for interior operations (such as hospitals and recording studios), 72 VdB for residences and buildings where people normally sleep, including hotels, and 75 VdB for institutional land uses with primary daytime use (such as churches and schools). These thresholds apply to “frequent events,” which the FTA defines as vibration events occurring more than 70 times per day. The thresholds for frequent events are considered appropriate because of the scale and duration of potential construction activity.

In addition, this analysis applies FTA thresholds for potential damage from construction vibration (FTA 2006). Table 16 shows these thresholds, which are expressed in terms of maximum inches per second (in/sec) of peak particle velocity (PPV) and vibration decibels (VdB):

**Table 16 Vibration-Related Building Damage Thresholds**

Building Category	PPV (in/sec)	Approximately $L_v$ <sup>1</sup>
Reinforced-concrete, steel or timber (no plaster)	0.5	102
Engineered concrete and masonry (no plaster)	0.3	98
Non-engineered timber and masonry buildings	0.2	94
Buildings extremely susceptible to vibration damage	0.12	90

<sup>1</sup> Root mean square velocity in terms of vibration decibels (VdB) re 1 micro-inch per second.

in/sec = inches per second

PPV = peak particle velocity

Source: FTA 2006

### Permanent Noise Increase from On-Site Operational Activity

The exposure of noise-sensitive receptors to on-site operational noise from new residential and commercial development in the Specific Plan Area was estimated based on reference noise levels for on-site activity. A standard attenuation rate of 6 dBA per doubling of distance from point sources was assumed from the reference distance to the nearest noise-sensitive receptors. Noise levels from on-site operational activity were compared to existing measured ambient noise in the Specific

Plan Area. Increases from existing ambient noise were judged by criteria for “disturbing, excessive and offensive noises” in the City’s Municipal Code. In accordance with Policy EH-7.4, Degradation of Ambient Noise Levels, of the 2035 General Plan, an increase of 3 dB Ldn should generally be considered a significant adverse impact.

### Permanent Noise Increase from Traffic

Noise levels associated with existing and future traffic along area roadways were estimated by completing a screening analysis for project-generated traffic. Existing daily traffic volumes on the primary arterial roadways in the Specific Plan Area, East 14th Street and Hesperian Boulevard, were compared with the expected daily traffic volume under cumulative development both with and without implementation of the Specific Plan, using traffic volumes provided by Kittelson & Associates (see Appendix D). As described in Section 4.13, *Transportation and Traffic*, this EIR has not considered an existing plus project scenario because near-term development is not anticipated in the Specific Plan Area based on current market trends. Without a market to support development in the near term and most new development concentrated in the downtown area, the existing plus project scenario would not be representative of likely development in the near term so it was excluded from the analysis. Therefore, an Existing plus Plan analysis would not be of informational value.

Modeling of traffic noise indicates that when traffic volumes increase by certain percentages, traffic noise increases by predictable amounts. For example, a 10 percent increase in traffic volume would raise traffic noise by approximately 0.4 dBA, a 20 percent increase would raise traffic noise by about 0.8 dBA, a 50 percent increase would result in an approximately 1.8 dBA increase in traffic noise, and a 100 percent increase would increase traffic noise by about 3 dBA. This screening analysis evaluates the Specific Plan’s effect on traffic noise based on the FTA’s recommended standards. The FTA recommendations, listed in Table 17, are based on the idea that the allowable increase in exposure to traffic noise depends on existing noise levels; as the existing noise level rises, the allowable increase in noise exposure decreases.

**Table 17 Significance of Changes in Operational Roadway Noise Exposure**

Existing Noise Exposure (dBA Ldn or Leq)	Maximum Noise Exposure Increase (dBA Ldn or Leq)
45-50	7
50-55	5
55-60	3
60-65	2
65-74	1
75+	0

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment, 2006.

The FTA standards in Table 17 were applied to cumulative development and to the contribution of buildout under the Specific Plan to traffic noise. This analysis does not consider the project’s effect on existing traffic noise because the proposed Specific Plan would involve reconfiguring the existing roadway network.

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b> Would the Specific Plan expose persons to or generate noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?
--

**IMPACT N-1** NEW DEVELOPMENT FACILITATED BY THE PROPOSED SPECIFIC PLAN WOULD BE REQUIRED TO COMPLY WITH THE CITY'S LAND USE COMPATIBILITY GUIDELINES FOR EXPOSURE TO AMBIENT NOISE AND WITH THE CALIFORNIA BUILDING CODE'S STANDARD OF 45 dBA CNEL FOR INTERIOR NOISE IN HABITABLE ROOMS. THE IMPACT RELATED TO EXPOSING PEOPLE OR GENERATING NOISE LEVELS IN EXCESS OF STANDARDS WOULD BE *LESS THAN SIGNIFICANT*.

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Buildout under the proposed Specific Plan would have a significant noise impact if it exposes people to or generates noise levels in excess of standards established in the 2035 General Plan or Municipal Code, or by other applicable agencies. The 2035 General Plan Environmental Hazards Element states that when the ambient noise level is in the conditional acceptable range for a proposed land use, such new development should proceed only after a detailed analysis of noise reduction requirements and the inclusion of needed noise insulation features. New multi-family residential development in an area with ambient noise between 60 and 70 dBA CNEL would be subject to these requirements, as would new commercial development in an area with ambient noise between 67 and 77 dBA CNEL.

Where ambient noise is in the normally unacceptable range, the 2035 General Plan discourages new development. If new construction does proceed, it requires a detailed analysis of noise reduction requirements and the inclusion of needed noise insulation features. If this analysis finds that a proposed development in the Specific Plan Area could result in a significant impact from excessive noise exposure, then such a project would be required to undergo project-specific CEQA review at the time when that it is designed and proposed. These 2035 General Plan requirements for noise analysis and reduction would apply to new multi-family development where ambient noise is between 70 and 75 dBA CNEL and to new commercial development where ambient noise is above 75 dBA CNEL. As shown in Table 15, noise levels on East 14th Street were measured below 70 dBA and noise levels along Hesperian Boulevard were measured at 70 dBA Leq. Therefore, new residential projects along Hesperian Boulevard may be exposed to noise levels between 70 and 75 dBA CNEL. According to Figure 4.10-5, *San Leandro Roads Future Noise Contours*, in the Noise section of the City's 2035 General Plan EIR, noise levels along Hesperian Boulevard, East 14th Street, Fairmont Drive, Halcyon Drive, and I-238 may exceed 70 dBA CNEL during cumulative 2035 conditions. Future multi-family development along those corridors would be subject to the General Plan requirements for the inclusion of noise insulation features.

In addition, new development would be subject to the California Building Code's standard, as referenced in the 2035 General Plan, of 45 dBA CNEL for interior noise in habitable rooms. New development in the Specific Plan Area would only be allowed where it can comply with the above land use compatibility guidelines and standards, with the inclusion of noise insulation features where necessary. Furthermore, Policy EH-7.6 in the 2035 General Plan would require that new residential development include measures to minimize noise intrusion in areas that exceed normally acceptable noise levels.

New development facilitated by the proposed Specific Plan also would be subject to standards in the SLMC to minimize on-site operational noise. SLMC Section 4-1-1110 prohibits the generation of "any disturbing, excessive or offensive noise which causes discomfort or annoyance to reasonable

persons of normal sensitivity.” Adherence to this qualitative standard would ensure consistency with the City’s noise ordinance.

Therefore, the Specific Plan would not result in the exposure to people to noise levels in excess of standards in the San Leandro 2035 General Plan or Municipal Code. This impact would be less than significant.

### Mitigation Measures

No mitigation is required.

<b>Threshold:</b> Would the Specific Plan result in a substantial temporary or periodic increase in ambient noise levels in the Specific Plan Area and vicinity above levels existing without the Plan?
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**IMPACT N-2** CONSTRUCTION ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD INTERMITTENTLY GENERATE HIGH NOISE LEVELS WITHIN AND ADJACENT TO THE SPECIFIC PLAN AREA. HOWEVER, BUILDOUT OF THE PROPOSED SPECIFIC PLAN WOULD BE RESTRICTED TO THE CITY’S ALLOWED DAYTIME HOURS AND WOULD BE REQUIRED TO COMPLY WITH MITIGATION MEASURE NOI-4 IN THE 2035 GENERAL PLAN EIR TO MINIMIZE CONSTRUCTION NOISE. THEREFORE, THE IMPACT FROM CONSTRUCTION NOISE WOULD BE *SIGNIFICANT BUT MITIGABLE*.

During buildout of the proposed Specific Plan, residences and businesses located adjacent to new development would be exposed to temporary construction noise. Major noise-generating construction activities in the Specific Plan Area could include demolition, site grading and excavation, building erection, and paving. Construction activities result in the greatest disturbance when they occur during normal sleeping hours, in areas immediately adjacent to noise-sensitive land uses, or over extended periods of time. Construction could occur in close proximity to existing noise-sensitive receptors or future ones within the Specific Plan Area. Existing noise-sensitive receptors within the Specific Plan Area include the Summerhill Terrace Apartments, multi-family residences on the east side of Hesperian Boulevard from Thornally Drive to Springlake Drive, the Hesperian Villas, or single-family residences on Olive Court. In addition, construction could occur adjacent to noise-sensitive residences to the immediately west, north, and east of the Specific Plan Area.

Table 18 shows estimated maximum noise levels from construction equipment at distances of 25, 50, and 100 feet. The distance of 25 feet is conservatively representative of average noise levels at noise-sensitive receptors located adjacent to construction activity.

**Table 18 Maximum Estimated Noise Levels from Construction Equipment**

Equipment	Estimated Noise Levels at Nearest Sensitive Receptors (dBA Leq)		
	25 Feet	50 Feet	100 Feet
Air Compressor	87	81	75
Backhoe	86	80	74
Compactor (ground)	89	83	77
Concrete Mixer	91	85	79
Dump Truck	82	76	70
Excavator	87	81	75
Flat Bed Truck	80	74	68
Front End Loader	85	79	73
Generator	87	81	75
Grader	89	83	77
Paver	95	89	83
Pickup Truck	81	75	69
Pile-driver (Impact)	107	101	95
Pile-driver (Sonic)	102	96	90
Pneumatic Tools	91	85	79
Roller	86	80	74
Saw	76	70	64
Warning Horn	89	83	77
Welder/Torch	80	74	68

Source: FTA 2006.

Impact or sonic pile drivers, if used to install pile foundations during construction of multi-story buildings, could generate the highest noise levels of more than 100 dBA within 50 feet. The construction of buildings at least four stories in height (including subterranean levels) may require the use of pile drivers. The proposed Specific Plan would allow buildings up to eight stories tall, which could potentially be constructed using pile drivers. With the exception of pile drivers, the site grading and paving phases of construction would typically generate the highest noise levels. Pavers and graders would create noise estimated at 89 dBA Leq and 83 dBA Leq, respectively, at a distance of 50 feet. Construction noise would drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor. Intervening structures or terrain would also attenuate noise and would reduce noise levels.

Temporary noise levels during construction facilitated by the proposed Specific Plan would substantially exceed ambient measured noise along arterial roadways in the Specific Plan Area, which ranges from 67.6 to 70.0 dBA Leq during peak traffic hours. The construction of multi-story buildings also may last for extended periods of time. Although compliance with Section 4-1-115(b) of the City’s Municipal Code would limit the timing of construction activity to daytime hours, preventing disturbance during normal sleeping hours, construction noise could still be intrusive

because of its loud and repetitive nature (City of San Leandro 2016f). However, applicants for new development would be required to minimize construction noise to the extent feasible, in compliance with Mitigation Measure NOI-4 from the San Leandro 2035 General Plan EIR. This measure includes requirements to fit equipment with properly operating mufflers, air intake silencers, and engine shrouds; place stationary equipment and material delivery as far as practicable from residences; limit unnecessary engine idling; use smart back-up alarms or human spotters; and use low-noise emission equipment. In addition, as discussed in Impact N-3, new non-residential construction within 50 feet of sensitive receptors would be subject where applicable to a condition of approval to reduce vibration from the installation of pile foundations, which could require drilling of piles instead of using pile drivers. The substitution of drilling for pile drivers would have the effect of reducing noise levels from the construction of multi-story buildings near sensitive receptors. Therefore, the Specific Plan would have a less than significant impact from construction noise.

## Mitigation Measures

Mitigation Measure NOI-4 from the City's 2035 General Plan Final EIR is required.

### *NOI-4 Construction Noise*

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

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

## Significance After Mitigation

With Mitigation Measure NOI-4 from the 2035 General Plan Final EIR, individual projects developed under the proposed Specific Plan would demonstrate that they will not produce excessive noise levels during construction. Impacts would be less than significant.

**Threshold:** Would the Specific Plan expose persons to or generate excessive groundborne vibration or groundborne noise?

**IMPACT N-3 CONSTRUCTION ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD INTERMITTENTLY GENERATE GROUNDBORNE VIBRATION WITHIN AND ADJACENT TO THE SPECIFIC PLAN AREA. HOWEVER, ANTICIPATED VIBRATION LEVELS WOULD NOT EXCEED FEDERAL TRANSIT ADMINISTRATION THRESHOLDS FOR DISTURBANCE OF HUMAN ACTIVITY AT SENSITIVE LAND USES. NEW NON-RESIDENTIAL CONSTRUCTION ALSO WOULD BE SUBJECT TO A STANDARD CONDITION OF APPROVAL REQUIRED BY THE 2035 GENERAL PLAN TO LIMIT VIBRATION WITHIN 50 FEET OF SENSITIVE RECEPTORS. THEREFORE, THE SPECIFIC PLAN WOULD HAVE A LESS THAN SIGNIFICANT IMPACT FROM GROUNDBORNE VIBRATION.**

Construction activity during buildout of the proposed Specific Plan could intermittently generate strong vibration within and near the Specific Plan Area. The demolition, excavation, site grading, building erection, and paving phases of construction could involve the use of equipment that causes vibration.

Table 19 shows estimated maximum vibration levels at noise-sensitive receptors located 25, 50, 100, and 400 feet from construction activity. The 400-foot distance is representative of the nearest vibration-sensitive institutional use to the Specific Plan Area, the Romanian Baptist Church at 14871 Bancroft Avenue.

**Table 19 Vibration Levels for Construction Equipment at Noise-Sensitive Receptors**

Equipment	Estimated VdB at Nearest Sensitive Receptors			
	25 Feet	50 Feet	100 Feet	400 Feet
Pile-driver (Impact, typical)	104	95	86	68
Pile-driver (Sonic, typical)	93	84	75	56
Vibratory Roller	94	85	76	58
Large Bulldozer	87	78	69	51
Loaded Trucks	86	77	68	49
Small Bulldozer	58	48	39	21

Sources: FTA 2006.

As shown in Table 19, pile driving could produce the strongest vibration during construction. This equipment would generate estimated vibration levels of greater than 100 VdB at a distance of 25 feet and 95 VdB at 50 feet. The use of vibratory rollers during paving also would generate estimated vibration levels of 94 VdB at 25 feet and 85 VdB at 50 feet. Vibration levels from pile drivers, vibratory rollers, bulldozers, and loaded trucks could exceed 72 VdB at residences located within 50 feet. However, construction under the proposed Specific Plan would be subject to the City's allowed hours of construction near residential uses: 7 a.m. and 7 p.m. on weekdays, and 8 a.m. and

7 p.m. on weekends. Adherence to these daytime hours would avoid substantial disturbance of sleep at residences. It is also estimated that vibration could reach 68 VdB at the Romanian Baptist Church, if pile drivers were used at the northern edge of the Specific Plan Area. Under this conservative scenario, vibration would not exceed the FTA standard of 75 VdB at this sensitive institutional land use.

New non-residential construction in the Specific Plan Area also would be subject to standard conditions within 50 feet of sensitive receptors. Pursuant to Action EH-7.9A in the San Leandro 2035 General Plan, best available technology for construction equipment would be required to reduce vibration to a level consistent with FTA standards for annoyance and architectural damage. Methods to reduce construction-related vibration would include the use of smaller and well-maintained equipment, static rollers instead of vibratory rollers for paving, drilling of piles instead of pile driving, limited construction hours, and guidelines for the positioning of vibration-generating equipment. The City applies Action EH-7.9A as a condition of approval for new non-residential construction where applicable. All new projects in the Specific Plan Area would be subject to this condition where applicable. Therefore, vibration from construction activity would not result in ongoing annoyance or architectural damage in excess of FTA standards. This impact would be less than significant.

## Mitigation Measures

No mitigation is required.

<b>Threshold:</b> Would the Specific Plan result in a substantial permanent increase in ambient noise levels in the Specific Plan Area and vicinity above levels existing without the Plan?
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**IMPACT N-4 BUILDOUT OF THE PROPOSED SPECIFIC PLAN WOULD GENERATE NEW VEHICLE TRIPS IN THE SPECIFIC PLAN AREA. HOWEVER, THE SPECIFIC PLAN'S PROPOSED "ROAD DIET" ON HESPERIAN BOULEVARD WOULD REDUCE ITS ROADWAY CAPACITY, THEREBY REDUCING TRAFFIC NOISE. ALTHOUGH CUMULATIVE GROWTH WOULD SUBSTANTIALLY INCREASE TRAFFIC VOLUMES AND ASSOCIATED TRAFFIC NOISE ON ARTERIAL ROADWAYS IN THE SPECIFIC PLAN AREA, THE SPECIFIC PLAN WOULD NOT CONSIDERABLY CONTRIBUTE TO THIS EFFECT. THEREFORE, THE SPECIFIC PLAN WOULD HAVE A LESS THAN SIGNIFICANT IMPACT RELATED TO TRAFFIC NOISE.**

The proposed Specific Plan would affect ambient traffic noise by facilitating growth in vehicle trips and by altering existing roadway configurations. As discussed in Section 2, *Project Description*, buildout of the Specific Plan would involve development of an estimated 2,540 housing units and 300,000 square feet of new office space, but would also result in a loss of an estimated 161,000 square feet of retail space. This increase in residential and commercial density in the Specific Plan Area would generate new vehicle trips in the Specific Plan Area. Existing arterial routes and new local streets near the Bay Fair BART Station would accommodate the majority of new trips. The proposed Specific Plan also recommends reducing traffic capacity on Hesperian Boulevard. On this arterial roadway, the number of through lanes in each direction would be reduced from three to two to provide space for bike lanes and landscaping.

Table 20 shows the proposed Specific Plan's cumulative contribution to traffic volumes on the primary arterial routes in the Specific Plan Area, East 14th Street and Hesperian Boulevard, according to traffic data from Kittelson & Associates (2017).



**Table 20 Cumulative Contribution to Daily Area Roadway Traffic Levels in Future Year 2035**

Roadway Segment	Existing Daily Trips	Cumulative + Project Increase	Percentage Increase from Cumulative Trips	Percent of Cumulative Increase Due to Project
<b>East 14th Street</b>				
143rd to 150th Avenue	18,700	9,306	+49.8%	+2.3%
150th Avenue to Fairmont Drive	14,070	9,040	+64.3%	+5.8%
Fairmont Drive to Bayfair Drive	14,410	9,854	+68.4%	+3.4%
<b>Hesperian Boulevard</b>				
East 14th Street to 150th Avenue	7,771	2,889	+37.2%	+16.1%
150th Avenue to Fairmont Drive	15,254	7,856	+51.5%	-5.4%
Fairmont Drive to Bayfair Drive	19,972	18,448	+92.4%	+5.1%
Bayfair Drive to Thornally Drive	19,520	11,096	+56.8%	-4.4%
Thornally Drive to Springlake Drive	24,665	12,248	+49.7%	-3.9%
Springlake Drive to Lewelling Boulevard	25,740	13,910	+54.0%	-8.5%

Source: Kittelson & Associates, 2017; see Appendix D.

As shown in Table 20, cumulative growth in combination with implementation of the Specific Plan would increase daily traffic volumes by up to an estimated 68.4 percent on East 14th Street and 92.4 percent on Hesperian Boulevard. A 70 percent increase would raise traffic noise by about 2.3 dBA Leq, and a 90 percent increase would result in an approximately 2.8 dBA Leq increase in traffic noise. Based on the estimated growth in cumulative traffic, traffic noise would increase by more than 2 dBA Leq on East 14th Street from Fairmont Drive to Bayfair Drive and by nearly 3 dBA on Hesperian Boulevard from Fairmont Drive to Bayfair Drive. Because existing ambient noise was measured at between 65 and 75 dBA Leq on these roadways during peak hours, an increase of at least 1 dBA Leq would be significant according to FTA criteria. Therefore, the cumulative traffic noise impact would be significant.

Although cumulative growth would substantially increase traffic noise in the Specific Plan Area relative to existing conditions, the proposed Specific Plan would not considerably contribute to this effect. As shown in Table 20, it is estimated that the Specific Plan would contribute up to 5.8 percent of increased traffic on East 14th Street and up to 16.1 percent on Hesperian Boulevard. A 20 percent increase in traffic volumes would raise traffic noise by about 0.8 dBA Leq, which would not exceed the FTA criteria of 1 dBA Leq. Furthermore, the Specific Plan's greatest contribution to increased traffic would be localized on the small segment of Hesperian Boulevard between East 14th Street and 150th Avenue, which is not adjacent to noise-sensitive residential land uses. On the remainder of Hesperian Boulevard in the Specific Plan Area, implementation of the Specific Plan would largely reduce traffic volumes relative to cumulative conditions. This reduction in traffic

volumes can be attributed to the proposed road diet on Hesperian Boulevard, which would reduce the capacity for motor vehicles on the primary source of traffic noise in the Specific Plan Area. Therefore, the proposed Specific Plan would not have a substantial adverse effect on traffic noise in the Specific Plan Area. This impact would be less than significant.

## Mitigation Measures

No mitigation is required.

**Threshold:** Would the Specific Plan result in a substantial permanent increase in ambient noise levels in the Specific Plan Area and vicinity above levels existing without the Plan?

**IMPACT N-5** OPERATIONAL ACTIVITIES ASSOCIATED WITH BUILDOUT OF THE SPECIFIC PLAN WOULD GENERATE NOISE THAT MAY PERIODICALLY BE AUDIBLE TO NOISE-SENSITIVE RECEPTORS NEAR THE SPECIFIC PLAN AREA. NOISE SOURCES WOULD INCLUDE STATIONARY EQUIPMENT, SUCH AS ROOFTOP VENTILATION AND HEATING SYSTEMS, AND DELIVERY AND TRASH HAULING TRUCKS. HOWEVER, OPERATIONAL NOISE WOULD NOT EXCEED AMBIENT NOISE LEVELS AT NEARBY NOISE-SENSITIVE RECEPTORS. THEREFORE, OPERATIONAL NOISE IMPACTS WOULD BE LESS THAN SIGNIFICANT.

New residential, commercial, and other development in the Specific Plan Area would introduce on-site noise sources such as rooftop-mounted heating, ventilation, and air conditioning (HVAC) equipment; and trucks for deliveries and trash hauling.

## Heating, Ventilation, and Air Conditioning Equipment

Rooftop-mounted HVAC equipment serving new development in the Specific Plan Area could be located adjacent to existing or new residences. Noise levels from commercial HVAC systems are typically in the range of 60 to 70 dBA Leq at a distance of 15 feet from the source (Illingworth & Rodkin, Inc. 2015). Based on this noise range, it is assumed that noise-sensitive receptors located as close as 50 feet to HVAC units would not be exposed to equipment noise exceeding 60 dBA Leq. As shown in Table 15, existing ambient noise levels along arterial roadways in the Specific Plan Area were measured at approximately 67-70 dBA Leq. The estimated noise level from HVAC equipment at the nearest noise-sensitive receptors would not exceed these measured ambient noise levels. Therefore, the addition of HVAC systems would not cause an increase of 3 dBA and impacts would be less than significant.

## Delivery and Trash Hauling Trucks

Maximum noise levels generated by passages of medium duty delivery trucks generally range from 61 to 70 dBA Leq at a distance of 25 feet, depending on the speed at which the truck is driving (Olson 1972). The average noise level for a single idling truck generally ranges from 72 to 77 dBA Leq at a distance of 25 feet. Based on an attenuation rate of 6 dBA per doubling of distance, the maximum anticipated noise levels from delivery and hauling trucks on Allston Way at a distance of 50 feet would range from 66 to 71 dBA Leq. This range of noise levels would be similar to the existing measured ambient noise levels of 67-70 dBA Leq along arterial roadways in the Specific Plan Area. Loading docks also would be screened from the public right-of-way and adjacent properties to reduce noise, pursuant to Parking and Loading Design Guideline 11 in the proposed Specific Plan. Therefore, the impact from on-site noise generated by delivery and trash hauling trucks would not cause ambient noise levels to increase by 3 dBA and impacts would be less than significant.

## Mitigation Measures

No mitigation is required.

### c. Cumulative Impacts

Under cumulative growth, new noise-sensitive land uses could be located in areas that exceed normally acceptable noise levels. However, as discussed in Impact N-1, new development in San Leandro would only be allowed where it can comply with the City's land use compatibility guidelines and standards, with the inclusion of noise insulation features where necessary. Furthermore, Policy EH-7.6 in the 2035 General Plan would require measures to minimize noise intrusion to new housing constructed in areas that exceed normally acceptable noise levels. The use of techniques to minimize noise intrusion at all new development in the Specific Plan Area would be expected to maintain an acceptable noise environment. Therefore, cumulative development would not have a significant impact related to exceedance of noise standards.

Cumulative development near the Specific Plan Area would generate temporary noise and vibration during construction. However, construction noise and vibration are localized and rapidly attenuate in an urban environment. It is also anticipated that construction of other projects outside the Specific Plan Area would not occur at the same time and sufficiently close to projects within the Specific Plan Area to result in a cumulative impact. In addition, applicants for new development throughout San Leandro, including in the Specific Plan Area, would be required to minimize construction noise to the extent feasible, in compliance with Mitigation Measure NOI-4 from the San Leandro 2035 General Plan EIR.

The cumulative impact on traffic noise is discussed in Impact N-4. While cumulative growth in traffic volumes on roadways in the Specific Plan Area would significantly increase traffic noise, vehicle trips generated by buildout of the proposed Specific Plan would not considerably contribute to this impact.

Cumulative development would also add sources of on-site operational noise in and near the Specific Plan Area. It is expected that new residential, commercial, and other development would involve the operation of HVAC equipment and loading and trash hauling trucks. However, like development under the Specific Plan, typical operational noise associated with cumulative development would not increase ambient noise levels by over 3 dBA. Impacts associated with operational noise would not be cumulatively considerable. .

## 4.11 Population and Housing

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This section describes the population, housing, and employment characteristics of San Leandro and evaluates the potential impacts related to population, housing, and employment that could result from adoption and implementation of the proposed Specific Plan. As described in Section 2, *Project Description*, a reasonable and conservative estimate of buildout associated with the proposed Specific Plan through the horizon year 2035 would include development of 2,540 housing units and 300,000 square feet of office space, as well as the removal of an estimated 161,000 square feet of retail space.

### 4.11.1 Setting

#### a. Current City Population and Housing

Table 21 provides the most recent estimates of population and housing for both the City of San Leandro and Alameda County as a whole. According to the California Department of Finance (DOF) 2017 estimates, San Leandro has an estimated 32,508 housing units and 30,717 households (occupied housing units), while the City’s estimated 2017 population is 88,274. The estimated 2017 population of Alameda County is 1,645,359 (DOF 2017).

**Table 21 Current Housing and Population in San Leandro and Alameda County**

	City of San Leandro	County of Alameda <sup>1</sup>
Population	88,274	1,645,359
Housing Units	32,509	596,936
Occupied Housing Units	30,717	572,218
Vacant Housing Units	1,689	23,460
Average persons per Household	2.85	2.79
Owner-occupied Units <sup>2</sup>	2.87	2.84
Renter-occupied Units <sup>2</sup>	2.58	2.54

<sup>1</sup> Alameda County population estimates include both incorporated cities and unincorporated areas.

<sup>2</sup> Owner-occupied Units and Renter-Occupied Units data taken from U.S. Census Bureau

Sources: DOF, 2017; U.S. Census, 2010a, 2010b, ABAG 2016b.

#### b. Population and Housing Projections

Table 21 shows population, households, and employment projections for 2035 for San Leandro as reported in the City’s 2035 General Plan EIR. With implementation of the 2035 General Plan from its base year of 2015 to the horizon year of 2035, the City is projected to add 14,790 residents, 5,370 households, and 12,130 jobs (City of San Leandro 2016i). For the Specific Plan Area, the 2035 General Plan assumed the addition of 1,100 housing units and an estimated 773 jobs.

**Table 22 2035 General Plan Population, Housing, and Jobs Projections**

	2015	2035	Change from 2015-2035
Population	84,950	101,250	14,790 (17%)
Households	31,315	36,685	5,370 (17%)
Jobs	42,865	54,995	12,130 (28%)

Source: Table 4.11-3, Proposed Plan Estimated Population, Household, and Employment, San Leandro, 2016i

Table 23 shows the housing and jobs estimates for San Leandro and Alameda County based on the latest ABAG growth forecast included in Plan Bay Area 2040. Plan Bay Area 2040 does not include population estimates. However, according to *Projections 2013*, the growth forecast in the original Plan Bay Area, the 2035 population of San Leandro is estimated to be 103,300 (San Leandro 2013i).

**Table 23 ABAG Housing and Employment Projections**

	2010		2040		2010-2040 Growth	
	City of San Leandro	Alameda County	City of San Leandro	Alameda County	City of San Leandro	Alameda County
Households	30,700	545,000	37,300	734,100	6,600	189,100
Jobs	49,700	705,700	59,600	953,100	9,900	247,400

Source: Plan Bay Area 2040, ABAG and MTC 2017b

### c. Regulatory Setting

#### California Housing Law

California Housing Element law (Government Code Sections 65580 to 65589.8) includes provisions related to the requirements for housing elements of local government general plans. Among these requirements are an assessment of housing needs and an inventory of resources and constraints relevant to meeting these needs. Additionally, in order to assure that counties and cities recognize their responsibilities in contributing to the attainment of the State housing goals, the California Government Code calls for local jurisdictions to plan for, and facilitate the construction of, their fair share of the region’s projected housing needs, known as the Regional Housing Needs Allocation (RHNA) (City of San Leandro 2016b).

#### Association of Bay Area Governments

ABAG is the regional planning agency for the San Francisco Bay Area, which is composed of the nine Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma and contains 101 cities. ABAG produces growth forecasts in four-year cycles so that other regional agencies, including the MTC and the BAAQMD, can use the forecasts to make funding and regulatory decisions (City of San Leandro 2016i).

The ABAG projections are the basis for the Regional Transportation Plan (RTP), regional Ozone Attainment Plan, the BAAQMD’s Clean Air Plan, and the EBMUD’s Urban Water Management Plan. In this way, ABAG projections have practical consequences that shape growth and environmental quality. General plans, zoning regulations, and growth management programs of local jurisdictions inform the ABAG projections. The projections are also developed to reflect the impact of “smart growth” policies and incentives that could be used to shift development patterns from historical

trends toward a better jobs-housing balance, increased preservation of open space, and greater development and redevelopment in urban core and transit-accessible areas throughout the region. ABAG calculates the RHNA for individual jurisdictions within Alameda County, including San Leandro (City of San Leandro 2016i).

### *Plan Bay Area*

Plan Bay Area 2040 was adopted on July 26, 2017. Plan Bay Area 2040 is a limited and focused update of the region's previous integrated RTP/SCS, Plan Bay Area, adopted in 2013 (ABAG and MTC 2017a). The original Plan Bay Area included an SCS which set a development pattern for the region, which when integrated with the transportation network with other transportation measures and policies, would reduce GHG emissions from transportation (excluding goods movement) beyond the per capita reduction targets identified by CARB under SB 375. Implementation of the 2013 Plan Bay Area would achieve a 16 percent capita reduction of GHG emissions by 2035 and a 10 percent per capita reduction by 2020 from 2005 conditions (City of San Leandro 2016i). Plan Bay Area 2040 is a limited and focused update that builds upon the growth pattern and strategies developed in the original Plan Bay Area but with updated planning assumptions that incorporate key economic, demographic and financial trends from the last four years (ABAG and MTC 2017a)

In 2008, MTC and ABAG initiated a regional effort (FOCUS) to link local planned development with regional land use and transportation planning objectives. Through this initiative, local governments identified Priority Development Areas (PDAs). The PDAs form the implementing framework for Plan Bay Area. The PDAs are areas along transportation corridors which are served by public transit that allow for opportunities for development of transit-oriented development, infill development within existing communities that are expected to take in the majority of future development. Overall, over two-thirds of all regional growth by 2040 is allocated within PDAs. The PDAs throughout the Bay Area are expected to accommodate 78 percent (or over 509,000 units) of new housing and 62 percent (or 690,000) of new jobs. Designated PDA's in San Leandro include the East 14th Street Corridor and the Downtown area, and, while the Specific Plan Area (City of San Leandro 2016i) is currently a potential PDA.

### **San Leandro 2035 General Plan**

The 2035 General Plan Housing Element contains goals and policies that address the city's current and future housing needs, including a housing program that responds identified needs within the limitations posed by available resources. The goals are directed towards maintenance, preservation, improvement and development of housing, creating new housing opportunities, providing housing assistance where needed and as feasible, and promoting development of sustainable neighborhoods. The Housing Element includes the following relevant policy and action, among others:

**Policy 56.07 Landlord-Tenant Relations.** Maintain measures that discourage the displacement of San Leandro renters as a result of sudden or steep rent increases

**Action 56.07-C: Monitoring and Reducing Displacement.** Monitor the risk and frequency of displacement and develop programs to mitigate this risk as needed

### **San Leandro Zoning Code**

The City's Zoning Code implements the land use designations of the 2035 General Plan by establishing zoning districts and regulations for the City. The Zoning Code includes the zoning map,

which establishes and delineates various districts within the city, and zoning regulations that apply development standards to the different zones delineated on the zoning map. By establishing development standards for the City, the Zoning Code serves to regulate the density of San Leandro's neighborhoods and prevent overcrowding (City of San Leandro 2016i). The Zoning Code also stipulates review criteria for preventing impacts to available housing supply, especially for low and moderate income households, and resident displacement.

#### 4.11.2 Analysis

##### a. Methodology and Significance Thresholds

In accordance with Appendix G of the *CEQA Guidelines*, the proposed Specific Plan would result in a significant impact on the environment if it would:

- a. Induce substantial 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), or
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, or
- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

##### b. Project Impacts and Mitigation Measures

**Threshold:** Would the Specific Plan induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**Impact PH-1** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN MAY LEAD TO GROWTH WITHIN THE SPECIFIC PLAN AREA THAT COULD ADD UP TO 2,540 RESIDENTIAL UNITS AND AN ESTIMATED 7,239 RESIDENTS AND 725 JOBS TO THE SPECIFIC PLAN AREA BY 2035. HOWEVER, THE PROPOSED SPECIFIC PLAN WOULD NOT CAUSE SUBSTANTIAL POPULATION GROWTH IN THE CITY. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Full implementation of the proposed Specific Plan would encourage increased density and intensity of existing land uses, potentially resulting in the addition of up to 2,540 housing units and 300,000 square feet of non-residential, office space development, as described in Section 2, *Project Description*.

Based on the average of 2.85 persons per household (see Table 1) in San Leandro, the proposed addition of 2,540 residential units would generate an increase of approximately 7,239 residents. This would bring the city population to 95,513, an 8.2 percent increase from the current 2017 population. This population increase would be added incrementally over the anticipated 20-year period of full project buildout. The addition of 2,540 residential units would also increase the number of housing units in the city to roughly 35,049, a 7.8 percent increase.

Further, the addition of office space would increase the number of employees in the City at full buildout of the Specific Plan. Employment generation for office and retail land uses was developed using empirical data collected as part of a comprehensive study prepared for the Southern California Association of Governments, which estimates employment densities for various land uses (Natelson Company 2001). Table 24 shows the corresponding estimated square footage for each employee

based on different land use types, and the expected changed in employment in the Specific Plan Area under the proposed Specific Plan.

**Table 24 Employee Generation Assumptions**

Employment Density Study Land Use Category	Median Square Feet Per Employee <sup>1</sup>	Specific Plan Square Footage	Estimated Employee Generation
High-Rise Office	300	300,000	1,000
Other Retail/Svc.	585	(161,000)	(275)
Total Net Increase in Employees			725

<sup>1</sup> Employment density rates from the Natelson Company, Inc. 2001

As shown in Table 24, it is estimated that the addition of 300,000 square feet of office space and removal of 161,000 square feet of retail under implementation of the Specific Plan would result in a net increase of approximately 725 new jobs within the Specific Plan Area.

Table 25 shows the growth associated with the Specific Plan compared to the 2035 General Plan projections.

**Table 25 Specific Plan Growth Comparison**

	2017 Existing	Specific Plan Growth	2035 With Specific Plan	2035 General Plan Projections <sup>3</sup>
Population	88,274 <sup>1</sup>	7,239	95,513	101,250
Households	32,509 <sup>1</sup>	2,540	35,049	36,685
Jobs	42,865 <sup>2</sup>	725	43,590	54,995

<sup>1</sup> See Table 21

<sup>2</sup> See Table 22. 2017 jobs estimates for San Leandro not available so the 2015 estimate was used

<sup>3</sup> See Table 22

As shown, overall, the 7,239 new residents, 2,540 housing units, and 725 jobs associated with the Specific Plan added to the 2017 existing population, housing, and jobs in the City would be within the growth projected under the 2035 General Plan. In addition, growth accommodated under the Specific Plan would not exceed ABAG’s 2035 population projection of 103,300 for San Leandro.

The 2035 General Plan assumed 1,100 new units and 773 jobs in the Specific Plan Area. The proposed Specific Plan would add fewer jobs than was anticipated under the 2035 General Plan. However, by adding 2,540 housing units, the proposed Specific Plan would exceed the population and housing assumptions of the 2035 General Plan. Specific Plan growth in conjunction with 2035 General Plan buildout in the rest of San Leandro could lead to growth which would exceed the overall 2035 General Plan projections. However, with adoption of this Specific Plan which aims to encourage transit-oriented development in the City, growth assumed under the General Plan would occur in a greater amount in the Specific Plan Area than other areas. Therefore, overall growth would be the same as was assumed under the General Plan but would shift from other areas of the City to the Specific Plan Area. Further, as explained in Section 2, *Project Description*, buildout assumptions for the proposed Specific Plan are conservative. Growth that may actually occur as a result of the Specific Plan may be less than anticipated. Lastly, the Specific Plan Area is a potential PDA that was targeted for transit-oriented development in the City’s 2035 General Plan and by ABAG. As discussed in Section 4.9, *Land Use and Planning*, the specific plan implements the vision of the 2035 General Plan by encouraging growth in the Specific Plan Area and as discussed in Section



4.6, *Greenhouse Gas Emissions*, the land use goals of the proposed Specific Plan are consistent with the goals of *2040 Plan Bay Area*. Therefore, impacts would be less than significant.

## Mitigation Measures

Mitigation measures are not required.

<b>Threshold:</b>	Would the Specific Plan displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
<b>Threshold:</b>	Would the Specific Plan displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**Impact PH-2** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD NOT DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING UNITS OR PEOPLE, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE. IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD INCREASE THE SPECIFIC PLAN AREA'S HOUSING STOCK. IMPACTS RESULTING FROM TEMPORARY DISPLACEMENT WOULD BE REDUCED WITH ADHERENCE TO PROPOSED SPECIFIC PLAN POLICIES AND EXISTING CITY PROGRAMS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The predominant land use in the Specific Plan Area is commercial with the exception of the multi-family residences and mobile home park on Hesperian between the BART tracks and I-238 and the single-family residences on Olive Court. There are approximately 100 residential units currently within the Specific Plan Area. Implementation of the proposed Specific Plan would involve an additional estimated 2,540 residential dwellings in the Specific Plan Area, an increase compared to current conditions.

A primary objective of the Specific Plan is to promote housing options that are affordable to households at all income levels and mitigate the risk of displacement for existing residents in and around the Specific Plan Area. This would be accomplished through encouraging development of a variety of housing types provided at a broad range of affordability levels which would be compatible with existing housing types and neighborhoods in the surrounding community. The B-TOD zoning proposed under the Specific Plan, would allow for a mixture of medium- and high-density in-fill and new development of mixed-use residential buildings near existing or future commercial centers and transit stops. The exact location and size of future residential development is currently unknown as the B-TOD zoning would apply equally across the entirety of the Specific Plan Area.

The proposed Specific Plan would not change the zoning of parts of Specific Plan Area that currently have residential uses to be non-residential. Therefore, the Plan would not directly result in the conversion of residential to non-residential uses. However, depending on the location of future projects, residents in one of the approximately 100 units in the Specific Plan Area could be temporarily displaced to accommodate higher-density residential development. To minimize displacement effects, the Specific Plan includes specific policies encouraging the adoption of a tenant relocation assistance ordinance and use of citywide resources and programs to assist current renters or homeowners at risk of displacement in or near the Specific Plan Area. Further, the Plan would encourage new market rate and workforce housing while preserving and enhancing existing affordable housing to further prevent potential displacement. Such policies include the following:

### *Housing Mix, Affordability, and Anti-Displacement Policies*

- **Mix of Housing Affordability Levels.** Encourage a broad range of affordability levels – including both market rate housing and deed-restricted affordable housing – throughout the Bay Fair area. The long-term housing mix for the Bay Fair area should accommodate a range of family income levels.
- **Displacement of Existing Residents.** Use citywide resources and programs, such as the Rent Review Ordinance and tenant-landlord/fair housing counseling services, to assist current renters or homeowners at risk of displacement in or near the Specific Plan Area.
- **Preserve Existing Affordable Housing.** Encourage the maintenance and preservation of existing income-restricted and market rate affordable housing within the Specific Plan Area through incentives and financial assistance.

In addition to increasing the overall housing stock within the Specific Plan Area, the proposed Specific Plan would encourage a diverse mix of ownership and rental housing, as well as a range of housing types and sizes for a variety of household sizes and stages of life. As mentioned above, the Specific Plan includes policies to preserve existing affordable housing stock, to allow and support construction of smaller, more affordable unit sizes, and to encourage provision of both new market-rate and deed-restricted affordable housing.

Because implementation of the proposed Specific Plan would both increase the City's housing stock with units in a range of affordability and also attempt to preserve housing affordability for existing residents, impacts related to the displacement of housing and population would be less than significant.

### **Mitigation Measures**

Mitigation measures are not required.

### **c. Cumulative Impacts**

#### **Housing, Population, and Employment**

As discussed in Section 3, *Environmental Setting*, cumulative development includes development associated with the 2035 General Plan. As discussed above under Impact PH-1, the proposed Specific Plan would exceed the population and housing assumptions of the 2035 General Plan. Specific Plan growth in conjunction with 2035 General Plan buildout in the rest of San Leandro could lead to growth which would exceed the overall 2035 General Plan projections. However, with adoption of this Specific Plan which aims to encourage transit-oriented development in the City, growth assumed under the General Plan would occur in a greater amount in the Specific Plan Area than other areas. Therefore, overall growth would be the same as was assumed under the General Plan but would shift from other areas of the City to the Specific Plan Area. In addition, the buildout assumptions for this EIR are conservative in nature. Cumulative growth impacts of Specific Plan buildout in conjunction with 2035 General Plan buildout would be less than significant.

#### **Displacement of Housing and Population**

As mentioned previously, depending on the location and size of future development associated with the proposed Specific Plan, the Plan could displace people and housing. Cumulative development projects throughout the San Leandro could similarly displace residences and populations. The City's

2035 General Plan EIR states that, similar to the proposed Specific Plan, there are no current plans for displacement of housing under the General Plan, but there is the potential that proposed policies and programs of the plan could encourage increased residential growth that could temporarily displace existing housing units. However, current policies under the 2035 General Plan encourage and promote use of infill development to ensure adequate housing opportunities, and the proposed Specific Plan includes key objectives to adopt a tenant relocation assistance ordinance, utilize citywide resources and programs to assist residents at risk of displacement near the Specific Plan Area as well as encourage preservation of existing housing stock. As a result, implementation of the proposed Specific Plan would not generate significant impacts to the displacement of substantial numbers of existing housing units or people. Further, as the proposed Specific Plan would increase the city housing supply by 2,540 units, its contribution to cumulative impacts related to the displacement of people and housing would be less than significant.

## 4.12 Public Services, Schools, and Recreation

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This section evaluates the proposed Specific Plan's potential impacts to police protection services, fire protection services, public schools, libraries, and parks and recreation facilities.

### 4.12.1 Setting

#### a. Fire Protection

Fire protection services in the Specific Plan Area are provided by the Alameda County Fire Department (ACFD). The ACFD is responsible for providing fire services to unincorporated Alameda County territory, with the exception of the Fairview area. ACFD also provides fire services to the cities of San Leandro, Newark, Union City, Emeryville and Dublin as well as the U.C. Berkeley Lawrence National Laboratory and the Lawrence Livermore National Laboratory.

ACFD's total service area is approximately 508 square miles with a population of 394,000. The Department also has four battalions, 29 fire stations, 27 engine companies, seven ladder truck companies and one heavy rescue vehicle (Terra 2015). First-Responder Paramedic services are available on a 24-hour per day, 365-day per year basis throughout the entire ACFD service area. Additionally, ACFD has three Specialized Response Teams: Hazardous Materials, Urban Search & Rescue, and Water Rescue.

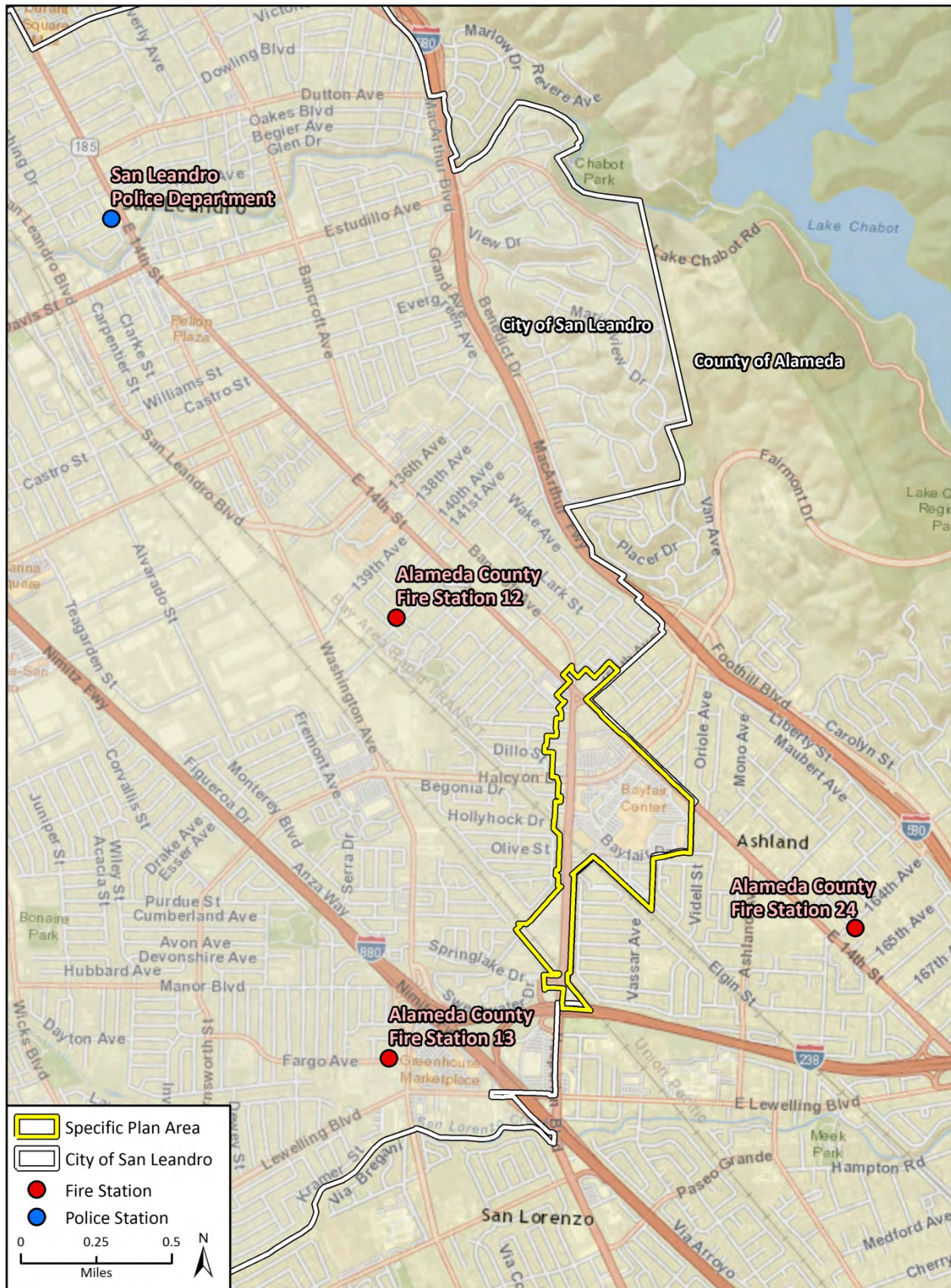
Figure 27 shows the location of ACFD's facilities in relation to the Specific Plan Area. There are two fire stations in the City of San Leandro staffed by ACFD that serve the Specific Plan Area: ACFD Stations 12 and 13. ACFD Station 12 is located at 1065 143rd Avenue. This station houses one engine company, a truck company, and the Battalion Chief for Battalion 4. ACFD Station 13 is located at 637 Fargo Avenue. The station houses one engine company and serves an area of approximately 3.25 square miles. ACFD Station 24 is also located near the Specific Plan Area at 1430 164th Avenue. This station consists of an engine company and a Heavy Rescue unit. However, this station is located in unincorporated Alameda County. Its service area includes the unincorporated community of Ashland, adjacent to the Specific Plan Area, as well as major sections of Interstate 580 and Interstate 238 (ACFD 2016).

The ACFD has an established response time goal of 5 minutes for the 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 of the time for full first alarm assignment responses (17 firefighters). These response time goals allow a sizable firefighting force to converge on a structure or wildland fire, keeping it to its point of origin or 10 acres or less. For fiscal year 2016/2017, ACFD met response time goals for all incidents 89.8 percent of the time and for emergency incidents 90.1 percent of the time (Terra 2017).

In fiscal year 2016/2017, ACFD stations responded to 9,931 calls in San Leandro. Over 70 percent of emergency responses by the ACFD in San Leandro pertained to emergency medical services/rescue (7,326 calls). Approximately 2 percent of calls were related to fires (204 calls) (ACFD 2017).

The City's 2035 General Plan Community Services and Facilities Element identifies Station 13 as needing to be updated to meeting seismic standards. Stations 9 and 12 also need improvements; but, other stations are relatively new or are in good condition.

Figure 27 Police and Fire Station Locations Map



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Fig8 Fire Police

## Fire Protection Regulatory Setting

### *State*

**Public Safety.** Division 1 of Title 19, Public Safety of the California Code of Regulations (CCR) pertains to fire and life safety and constitutes the Basic Building Design and Construction Standards of the Office of the State Fire Marshal. Title 19 includes prevention and engineering measures for new construction. Title 19 is regularly reviewed and updated by the Office of the State Fire Marshal.

### **CALIFORNIA BUILDING CODE**

The State of California provides minimum standards for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 (California Building Standards Code) of the CCR. The CBC is based on the International Building Code, but has been amended for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local building officials for compliance with the CBC. Typical fire safety requirements of the CBC include: the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

### **CALIFORNIA FIRE CODE**

The California Fire Code (CFC) incorporates, by adoption, the International Fire Code (IFC) of the International Code Council, with California amendments. This is the official Fire Code for the State and all political subdivisions. It is located in Part 9 of Title 24 of the CCR. The CFC is revised and published every three years by the California Building Standards Commissions.

### **CALIFORNIA HEALTH AND SAFETY CODE**

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards. This Code also requires that local jurisdictions enforce the State Building Standards Code, which provides standards for fire-resistant building and roofing materials and other fire-related construction methods, as discussed above.

### **CALIFORNIA FIRE PLAN**

The California Fire Plan is the State's "road map" for reducing the risk of wildfire. The overall goal of the plan is to reduce total costs and losses from wildland fire in California through focused pre-fire management prescriptions and increased initial attack success. The current plan was finalized in 2010. The Plan provides guidance to local jurisdictions in meeting State goals.

### *Regional and Local*

### **ALAMEDA COUNTY FIRE DEPARTMENT FIRE AND EMERGENCY SERVICES STRATEGIC BUSINESS PLAN**

The ACFD's Fire and Emergency Services Strategic Business Plan includes strategic initiatives, goals, and objectives aimed at maximizing the performance of the department and evaluating the long-term direction of the ACFD. The plan includes strategic initiatives related to staffing, training, and performance management, among others.



### SAN LEANDRO MUNICIPAL CODE

The San Leandro Municipal Code (SLMC), organized by title, chapter, article, and section contains all ordinances for San Leandro. Title 1, General Provisions and Administration, and Title 3, Health and Safety, include regulations relevant to fire protection services in San Leandro:

- Section 1-2-129, Functions of Fire Department: this section of the SLMC outlines the terms of the agreement for fire protection services between the City of San Leandro and the ACFD. According to Section 1-2-129, the Alameda County Fire Chief is mandated to take on the obligations and liabilities of the San Leandro Fire Chief. These obligations could be incurred by the general law of the State, through the Charter of the City of San Leandro, through the SLMC, or through any un-codified ordinance or administrative rule. Essentially, this section of the SLMC makes it clear that the ACFD is responsible for fire protection services in San Leandro.
- Article 7-5-800, Fire Code: this Chapter outlines the standards and regulations of the San Leandro Fire Code. Section 3-3-800 & 810 incorporates the 2016 edition of Title 24 of the California Fire Code by reference and adopts these documents as the Fire Code of the City of San Leandro.

### SAN LEANDRO 2035 GENERAL PLAN

The City's 2035 General Plan contains the following goals, policies, and actions related to fire protection services within the Specific Plan Area:

#### **Goal CSF-1 Provide and Maintain High-quality Police, Fire, and Emergency Medical Services**

**Policy CSF – 1.1 Levels of Service.** 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: ... (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 full first alarm assignment response (17 firefighters).

**Action CSF-1.1.A: Fire Station Renovations.** Pursue the comprehensive renovation or upgrading of Fire Stations 9, 12, and 13 to respond to modern technology, energy efficiency, new equipment, administrative space, and gender-neutral facility needs, and to ensure the functionality of the facility following a natural disaster. Periodically evaluate the need to replace, renovate, or expand other fire protection facilities.

**Policy CSF – 1.2 Community Policing.** Support a community-based approach to police and fire services. This approach should emphasize a high level of communication and interactions between officers, local residents, neighborhood groups, schools, and businesses.

**Policy CSF – 1.3 Positive Public Image.** Promote a positive image of the local Police and Fire Departments through public information and outreach, effective media relations, and active participation of the Police and fire Departments in community events.

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

**Policy CSF – 1.7 Mutual Aid.** Maintain mutual aid agreements for police and fire service with other jurisdictions to ensure that the capacity exists to adequately respond to local emergencies.

**Policy CSF – 1.8 Staffing Diversity.** Strive to maintain Police and Fire Department staffing which ensures high quality service while reflecting the gender and ethnic diversity of the community.

**Policy CSF – 1.9 Paramedic Services.** Continue to maintain a high level of emergency medical services within the local Fire Department.

## b. Police Protection

The Specific Plan Area is served by the San Leandro Police Department (SLPD), which serves the entire City of San Leandro. SLPD's headquarters and Communications Center, or dispatch, are located at 901 East 14th Street in the Civic Center complex. San Leandro is divided into seven beats for patrol deployment functions. The Department's headquarters are located approximately 2.15 miles northwest of the Specific Plan Area along E. 14th Street. Figure 27 shows the locations of the nearest police facilities to the Specific Plan Area.

According to the City Council's Adopted Budget for Fiscal Years 2018 and 2019 (2017), the City approved the police department to employ 135 full-time personnel, including one chief, two captains, 6 lieutenants, 13 sergeants, and 71 officers. There are approximately 0.8 sworn officers per 1,000 residents, which is lower than the Department's desired ratio of 1.04 per 1,000. Law enforcement functions include patrol, criminal investigations, traffic, professional standards and training, crime prevention, support services and various police services. Based on statistics from March 2017, SLPD's average response time to emergency calls stands at two minutes and 57 seconds (Robert McManus 2017).

Additional policing of the Specific Plan Area is undertaken by the Bay Area Rapid Transit (BART) Police Department's (BPD) Bay Fair BART Substation. The BPD serves as the primary law enforcement authority for the BART District, which includes 107 miles of trackway, 45 stations, and 47,000 parking stalls. The system spans through Alameda, Contra Costa, San Francisco, and San Mateo Counties. In order to best serve BART customers and employees, the BPD has adopted a Zone Geographical Policing Structure. There are six Zones, each one commanded by a Zone Lieutenant with a team of patrol Sergeants, Police Officers and Community Service Officers who are all responsible and accountable for providing 24/7 service to their areas within the BART District. The Bay Fair BART station resides in the northwestern section of Zone 3 of the BART District.

The neighborhoods in the community of Ashland southeast of the Specific Plan Area in unincorporated Alameda County are served by the Alameda County Sheriff's Office (ACSO). The ACSO serves the entire unincorporated area of Alameda County. The closest ACSO station to the Specific Plan Area is the Eden Township Substation, located at 15001 Foothill Boulevard at 150th Street, which functions as the Sheriff's main station for municipal police services. In addition, the Emergency Services Dispatch Center is located across the street from the Eden Township Substation at 2000 150th Avenue, and the Community Crime Prevention Unit Office is located in the Ashland Community Center at 1530 167th Avenue.

## Police Protection Regulatory Setting

The San Leandro 2035 General Plan contains the following goals and policies related to police protection services:



**Goal CSF-1. Provide and Maintain High-quality Police, Fire, and Emergency Medical Services**

**Policy CSF – 1.1 Levels of Service.** 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.

**Policy CSF – 1.2 Community Policing.** Support a community-based approach to police and fire services. This approach should emphasize a high level of communication and interactions between officers, local residents, neighborhood groups, schools, and businesses.

**Policy CSF – 1.3 Positive Public Image.** Promote a positive image of the local Police and Fire Departments through public information and outreach, effective media relations, and active participation of the Police and fire Departments in community events.

**Policy CSF – 1.4 Safe Environment for Youth.** Support the proactive involvement of the Police Department in creating a safe and healthy environment for youth in San Leandro. Partnerships between the Police Department, School Districts, and private schools should be maintained through such programs as the Teen Police Academy, the Ashland REACH Center, and the assignment of student school resource officers to the local high and middle Schools. Active participation by students and their parents in these programs will be strongly encouraged.

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

**Policy CSF – 1.6 Crime Prevention Through Environmental Design.** Incorporate Crime Prevention Through Environmental Design (CPTED) principles in the design of new development and City facilities. This includes the use of lighting, landscaping, site planning, and design features to reduce the potential for crime.

**Policy CSF – 1.7 Mutual Aid.** Maintain mutual aid agreements for police and fire service with other jurisdictions to ensure that the capacity exists to adequately respond to local emergencies.

**Policy CSF – 1.8 Staffing Diversity.** Strive to maintain Police and Fire Department staffing which ensures high quality service while reflecting the gender and ethnic diversity of the community.

**c. Public Schools**

San Leandro is served by two school districts: the San Leandro Unified School District (SLUSD) and the San Lorenzo Unified School District (SLZUSD). The SLUSD serves about three-quarters of the City's students, while the SLZUSD serves the remaining one-quarter. Most of the SLZUSD is beyond San Leandro's boundaries, since it also includes the unincorporated communities of San Lorenzo, Ashland, Cherryland and parts of the city of Hayward.

The SLUSD operates eight elementary schools, two middle schools, and three high schools, as well as four other facilities that include administrative offices, a community education center, and an

athletic field complex. It also provides educational services to San Leandro residents through an independent study program for Grades 9-12 and a variety of adult education programs (City of San Leandro 2016g). Schools operated by SLUSD that serve the Specific Plan Area include Jefferson Elementary School, Monroe Elementary School, Bancroft Middle School, John Muir Middle School, and San Leandro High School.

The SLZUSD serves K-5 students at Corvallis and Dayton Elementary Schools and Grades 6-8 students at Washington Manor Middle School. The District also owns the former Lewelling Elementary School site at 750 Fargo Avenue, which was leased to the privately-owned K-12 Chinese Christian School (CCS) until 2015. CCS has relocated its operations to Alameda and the Lewelling campus is now leased to a private pre-school and elementary school (Woodroe Woods School). SLZUSD does not operate a high school within the San Leandro city limits; most 9-12 Grade students attend Arroyo High School in San Lorenzo. Students in the southern part of the Bal District (near 150th Avenue) also are located within the SLZUSD, attending Hillside Elementary School in the Ashland area (City of San Leandro 2016g). Schools operated by SLZUSD that serve the Specific Plan Area include Hesperian Elementary School, Corvallis Elementary School, Grant Elementary School, Edendale Middle School, Washington Manor Middle School, and San Lorenzo High School. Figure 28 shows the locations of all nearby schools that service the Specific Plan Area. Table 26 shows the current 2017 enrollment and operating capacities of these schools.

**Table 26 Current (2017) Enrollment and Capacities of Bay Fair Area Attended Districts and Schools**

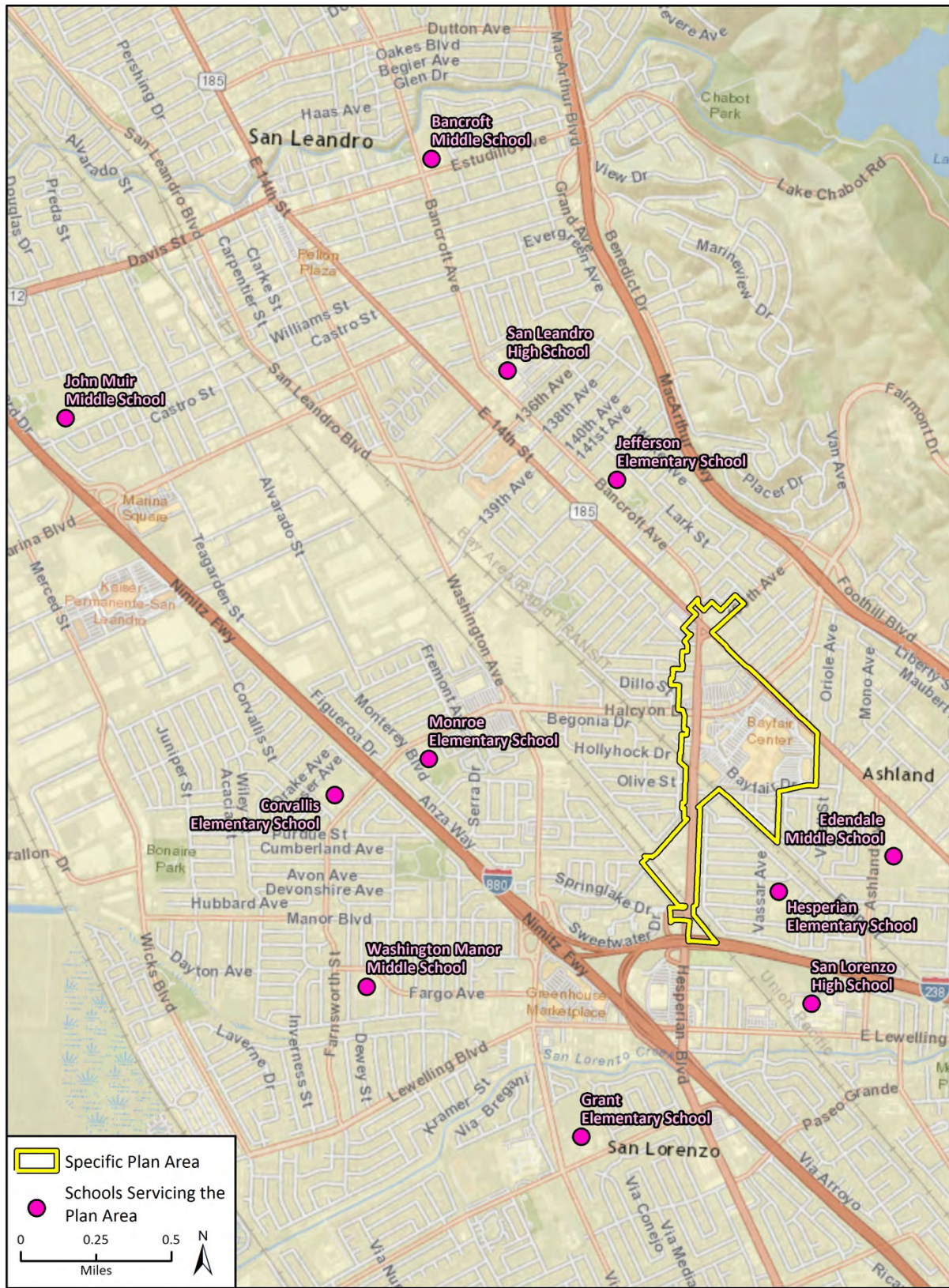
School	Current Enrollment <sup>1</sup> (2016-2017)	Operating Capacity <sup>2</sup> (2015)	% Capacity Utilization
<b>San Leandro Unified School District</b>			
Jefferson Elementary School	614	656	93.5%
Monroe Elementary School	385	452	85.1%
Bancroft Middle School	952	1,184	80.4%
John Muir Middle School	970	1,536	63.1%
San Leandro High School	2,608	3,108	83.9%
<b>San Lorenzo Unified School District</b>			
Hesperian Elementary School	625	*	–
Corvallis Elementary School	527	731	72.1%
Grant Elementary School	405	*	–
Edendale Middle School	706	*	–
Washington Manor Middle School	807	986	81.8%
San Lorenzo High School	1,394	2,016	69.1%

<sup>1</sup> Current Enrollment Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), report generated April 25, 2017.

<sup>2</sup> Current Operating capacities Source: San Leandro FEIR (2016), San Leandro Unified School District Demographic Study, 2015. Accessed April 28, 2017.

\* No data can be found for the current or past operating capacity for Hesperian Elementary, Grant Elementary, and Edendale Middle Schools.

Figure 28 Public Schools that Serve the Specific Plan Area



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Fig9 Schools

## Schools Regulatory Setting

### *State*

#### **CALIFORNIA SENATE BILL 50**

California Senate Bill 50 (SB 50) places limitations on the power of local governments to require mitigation of school facilities by developers. Under the provisions of SB 50, school districts can collect fees to offset the cost of expanding school capacity which becomes necessary as development occurs. These statutory mitigation fees are determined based on the square footage of proposed uses. As a part of this Bill, school districts must base their long-term facilities needs and costs on long-term population growth in order to qualify for this source of funding. Payment of statutory mitigation fees is deemed to be adequate mitigation of school impacts under CEQA.

#### **CALIFORNIA GOVERNMENT CODE (SECTION 65995(B)) AND EDUCATION CODE (SECTION 17620)**

SB 50 amended California government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess statutory mitigation fees within school district boundaries. Government Code Section 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. On January 22, 2014 the State Allocation Board (SAB) approved increasing the allowable amount of statutory school facilities fees (Level I School Fees) from \$3.20 to \$3.36 per square foot of assessable space for residential development of 500 square feet or more, and from \$0.51 to \$0.54 per square foot of chargeable covered and enclosed space for commercial/industrial development.

#### **MITIGATION FEE ACT (CALIFORNIA GOVERNMENT CODE (SECTIONS 66000 THROUGH 66008))**

Enacted as AB 1600, the Mitigation Fee Act requires a local agency establishing, increasing, or imposing a statutory mitigation fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development project on which it is to be levied. This act became enforceable on January 1, 1989.

#### **CALIFORNIA STATE ASSEMBLY BILL 97 (AB 97)**

Approved in July 2013, Assembly Bill (AB) 97 revises existing regulations related to financing for public schools, by requiring State funding for county superintendents and charter schools that previously received a general-purpose entitlement. The bill authorizes local educational agencies to spend, for any local educational purpose, the funds previously required to be spent for specialized categorical education programs, including, among others, programs for teacher training and class size reduction.

### *Regional and Local*

#### **SAN LEANDRO MUNICIPAL CODE**

SLMC Title 7, Maps, Buildings, and Subdivisions, Article 7-8, Dedications and Reservations, of the SLMC contains sections that outline the school site dedication requirements and procedures for proposed subdivisions. Under SLMC Section 7-1-880, a developer must dedicate land, as deemed

necessary by the City Council, to the school district as a condition of approval of a final map. A final map is required for major subdivisions resulting in five or more parcels. The land shall be dedicated by the developer to the school district at the time of approval of the final map, as outlined by SLMC Section 7-1-885.

#### **SAN LEANDRO UNIFIED SCHOOL DISTRICT MEASURE M**

Measure M was a \$50.1 million school facilities bond passed by San Leandro voters in 2010. These funds are to be distributed to all of the schools in the San Leandro Unified School District (SLUSD), primarily for upgrades and expansion of athletic facilities. Some of the projects to be paid for by Measure M funds include a synthetic track and field at John Muir Middle School, a par course for Bancroft Middle School, a new swim center, track and field at San Leandro High School, the SLUSD Pacific Sports Complex at Burrell Field, and renovations at every elementary school.

#### **d. Libraries**

San Leandro's library system includes one main library and three branch libraries totaling approximately 75,200 square feet of library space. San Leandro's 70,000 square foot Main Library is located at 300 Estudillo Avenue. The library is staffed by 17 full-time employees and 46 part-time staff. The library utilizes over 200 volunteers each year contributing more than 13,800 hours of service.

In 2016 the Library reported nearly 600,000 visitors and over 66,000 reference transactions. The department offered over 900 programs in the course of the year with a total attendance of over 45,000. The library has over 357,000 items in its collection with an annual circulation of 470,277. San Leandro also has three branch libraries including the Manor Branch (approximately 2,100 square feet in size and located at 1241 Manor Boulevard), Mulford-Marina Branch (approximately 2,000 square feet and located at 13699 Aurora Drive) and the South Branch (approximately 1,100 square feet in size and located at 14799 E. 14th Street).

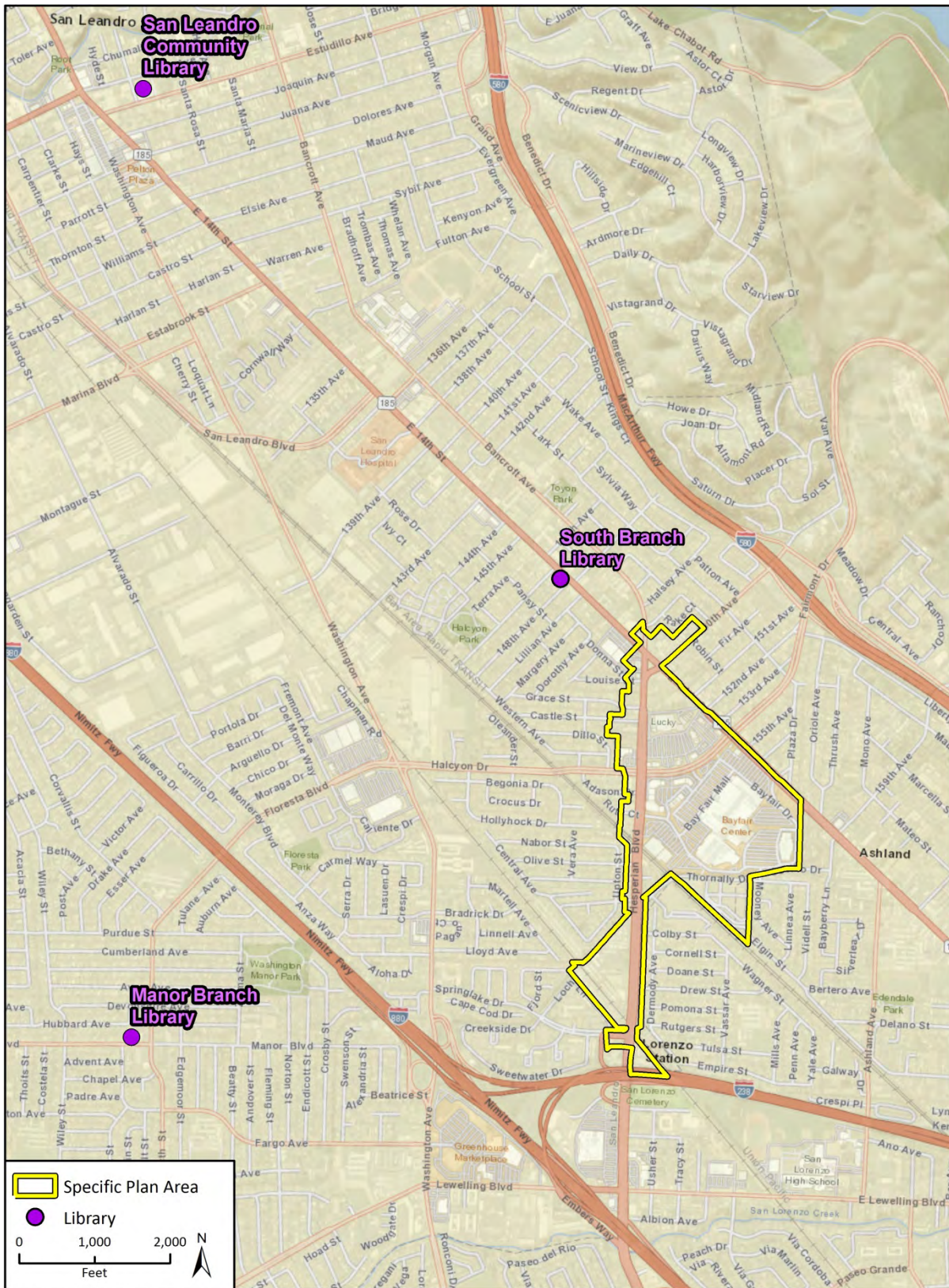
The South Branch is the closest library to the Specific Plan Area and is located approximately 0.5 miles northwest of the Specific Plan Area. Figure 29 shows the location of South Branch Library in relation to the Plan Area. According to the City's 2035 General Plan, both the Mulford-Marina Branch and the South Branch are aging and undersized facilities in need of replacement.

According to the San Leandro Branch Libraries Master Plan (2002), the following Recommended Service Guidelines (listed as bullet points below) serve as flexible benchmarks to help the City's Library System and its community partners determine the best mix of library services needed in each neighborhood service area. The San Leandro Branch Libraries Master Plan (2002) was based on a forecasted population growth to 86,000 by the year 2020 and an estimated "service population" (the number of people living in areas that the library branch will serve) of 55,500 by 2020. However, the population of San Leandro already exceeds this forecast with an estimated 2017 population of 88,274 (see Section 4.11, *Population and Housing*).

Both the 2035 General Plan Community Services and Facilities Element and the San Leandro Branch Libraries Master Plan (2002) provide information about and measure performance for the wider Library System rather than the individual branches. Below is the list of Recommended Service Guidelines expressed in the San Leandro Branch Libraries Master Plan:



Figure 29 Library Locations that Serve the Specific Plan Area



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Fig7 Library

- Improved Book and Audiovisual Collections: *3.4 volumes for every resident.*
- More Seats for Library Customers: *3.4 seats for every 1,000 residents.*
- Additional Public Computers and Technology Training: *1.4 public computers for every 1,000 residents with a minimum of 10 public computers in each branch library.*
- More Space for Children’s Storytelling Programs: *25 seats and a dedicated storytelling space for 25 children in each branch library.*
- Additional Space for Community Meetings and Other Events: *Up to 100 seats per facility.*

In addition, the Libraries Master Plan includes square footage per capita guidelines which represent the total amount of space required to house each of the library service components: collection size, seating, programming and meeting room space, computers and other equipment, service desks, staff work space, and storage needs. According to the Libraries Master Plan, public libraries that serve communities that are similar in population size and demographics to those in San Leandro and that offer the full spectrum of print, programming, and electronic services need approximately 0.7 to 0.9 square feet per capita overall to meet the demand for library services citywide. Based on a 2017 City population of 88,274 residents, the current square feet of library space per capita is 0.85, which is within the recommended range.

## Libraries Regulatory Setting

### *State*

The Mello-Roos Communities Facilities Act of 1982. The Mello-Roos Community Facilities Act, Government Code Section 53311 et seq., provides an alternative method of financing certain public capital facilities and services through special taxes. This state law empowers local agencies to establish Community Facilities Districts (CFDs) to levy special taxes for facilities such as libraries (City of San Leandro 2016i).

### *Local*

The following Policies from the 2035 General Plan Community Services and Facilities Element, and their subsequent action(s), further exemplify the City’s intent to improve and maintain its library services.

**Policy CSF – 3.1 Library Expansion and Upgrades.** Support the expansion and upgrading of public library facilities and services to keep pace with changes in information technology and community needs.

**Action CSF- 3.1.A: Library Modernization.** Continue to pursue the modernization of San Leandro’s libraries to incorporate emerging technology and best practices in library design.

**Action CSF – 3.1.B: Library Master Plan.** Consider the development of a Citywide Library System Master Plan.

**Action CSF 3.1.C: Equipment Acquisition.** On an ongoing basis, secure funding for technology improvements, hardware, building furnishings, and other upgrades to ensure that the City’s libraries remain cutting edge and responsive to public needs.

**Policy CSF – 3.2 Library Innovation.** Consider innovative approaches to generating funds or space for new or upgraded library facilities, including public private partnerships, colocation with other public facilities, and joint development.

**Action CSF – 3.2.A: Mulford and South Branch Replacement.** Continue to explore options for replacing or modernizing the Mulford Branch and South Branch libraries. Opportunities to incorporate modern new branch library facilities as part of future mixed development at the Shoreline and in the Bay Fair area should be encouraged and supported.

**Policy CSF – 3.3 Adequate Funding.** Ensure that library funding remains adequate to sustain or increase existing services levels, including staffing, programming, and technology upgrades. Maintain or exceed American Library Association standards throughout the City’s library system.

**Action CSF – 3.3.A: Use of New Technology.** Invest in new technology such as Radio Frequency Identification (REID) and automated return sorters to improve service for patrons and encourage library use.

**Action CSF – 3.3.B: Library Kiosks.** Explore electronic library kiosks with downloadable (“e-book”) materials in high-volume pedestrian areas such as the BART stations, Downtown, and Bay Fair Center, and in areas without easy access to the Main Library or branch libraries.

**Policy CSF – 3.4 Libraries as Neighborhood Centers.** Promote programs and events that affirm the role of the City’s libraries as community and neighborhood gathering places and that reflect the City’s diverse population.

**Policy CSF – 3.5 Resources for Self-Improvement.** Ensure that San Leandro’s libraries and other community institutions provide a setting for the open exchange of ideas and information and provide an opportunity for residents of all backgrounds to improve their skills and knowledge.

## e. Parks and Recreation

San Leandro is home to a world-class golf course, a scenic shoreline trail system, a large regional park, and number smaller neighborhood and community parks. Although parks are recognized as essential to San Leandro’s quality of life, some parks need rehabilitation and updating while others require design changes to address safety issues and use conflicts. Some neighborhoods lack convenient access to parks and would benefit from additional open space and recreational facilities. In addition to the parks, San Leandro contains open space areas and diverse ecosystems including wetlands near the shoreline, riparian woodlands along San Leandro Creek, and grasslands in the hills and at Oyster Bay Regional Shoreline (City of San Leandro 2016e).

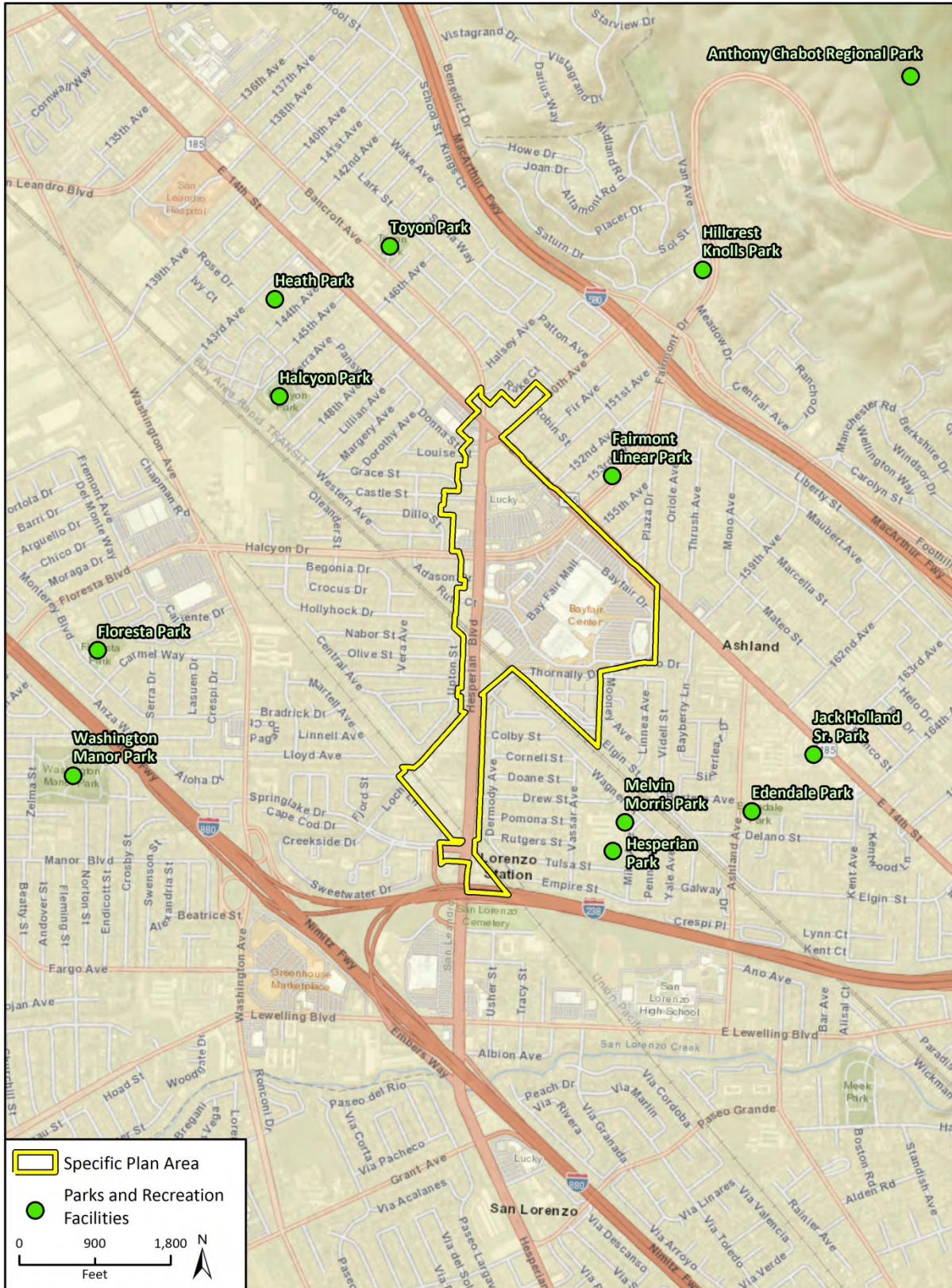
San Leandro has 104 acres of City-owned parks, including three community parks, 12 neighborhood parks, seven mini-parks, and four special use recreation areas. The City also operates a 178-acre municipal golf course and a 462-berth public marina (City of San Leandro 2016e). The locations of recreational facilities in the in the vicinity of the Specific Plan Area are shown in Figure 30.

The City of San Leandro has established the following Level of Service standards for the City’s park system (City of San Leandro 2016e):

- At least 5.0 acres of improved parkland should be provided for every 1,000 residents.
- A park should be accessible within one-half mile of each San Leandro resident.



Figure 30 Location of Recreational Facilities that Service the Specific Plan Area



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Fig 30 Parks Rec

In 2015, there were 88,400 residents in San Leandro and 383 acres of active parkland, equating to a ratio of 4.33 acres per 1,000 residents. Based on the projected 2035 population of 102,300, the City would need a total of 511 acres of parkland to meet the 5 acre per 1,000 residents standard. This is an increase of 128 acres over the existing inventory (City of San Leandro 2016e). The City of San Leandro intends to achieve the aforementioned Level of Service standards through four strategies:

1. The City of San Leandro will work with East Bay Regional Park District (EBRPD) on the continued improvement of Oyster Bay Regional Shoreline. EBRPD has designated 133 acres of Oyster Bay as a "Recreation" Unit and additional facilities and usable open space are planned in this area.
2. The City will work with EBRPD and other agencies in the development of the East Bay Greenway, a planned linear trail extending from Oakland to Hayward.
3. The city will collect a park in-lieu fee or requiring on-site parkland dedication within new development. New parks will be essential to adequately meeting the needs of all San Leandro residents.
4. The City will supplement the traditional system of parks with new types of parks, such as promenades at the Shoreline Development, urban plazas, Creekside parks, community gardens, and enhancements to utility rights-of-way.

## Parks and Recreation Regulatory Setting

### *State*

The Quimby Act allows cities and counties to require a dedication of land, the payment of in-lieu fees, or a combination of both, from new development to be used for the provision of parks and recreational purposes. Cities and counties can require land or in-lieu fees for a minimum of three acres per 1,000 residents resulting from new development, with the possibility of increasing the requirement to a maximum of five acres per 1,000 residents if the city or county already provides more than 3 acres per 1,000 residents.

### **AB 1600**

A 1982 statute, AB 1600, allows local agencies to adopt broad development impacts fees, including fees to fund parks and recreation facilities. AB 1600 requires agencies to clearly show a reasonable relationship between the public need for a recreation facility or park land, and the type of development project upon which the fee is imposed. The City has adopted parks and recreation impact fees that are applicable to both residential and commercial development. Future projects permitted under the proposed Specific Plan would be required to pay these fees, which are collected at building permit issuance.

### **THE MELLO-ROOS COMMUNITIES FACILITIES ACT OF 1982**

The Mello-Roos Community Facilities Act, Government Code Section 53311 et seq., provides an alternative method of financing certain public capital facilities and services through special taxes, this state law empowers local agencies to establish Community Facilities Districts (CFDs) to levy special taxes for facilities such as libraries. Such a district exists within San Leandro, however, not within the Specific Plan Area. If the City of San Leandro determines the establishment necessary of another CFD that encompasses the Specific Plan Area in whole or in part, the Mello-Roos Communities Facilities Act may be invoked to secure alternative funding.

*Regional and Local*

**SAN LEANDRO MUNICIPAL CODE**

SLMC Title 7, Maps, Buildings, and Subdivisions, Article 7-13, Park Facilities Development Impact Fee, outlines requirements for the payment of fees for park and recreational facilities and sets standards for the use of fee revenues. Under Section 7-13-100, the City can require the payment of fees for the construction or rehabilitation of park and recreational facilities as a condition to the approval of a building permit. Per Section 7-13-105, the revenues raised by payment of park impact fees shall be used to pay for design, engineering, right-of-way acquisition, and construction of public facilities.

## 4.12.2 Impact Analysis

### a. Methodology and Significance Thresholds

The following criteria are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the proposed Specific Plan would:

- 1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times or other performance objectives for any of the following public services:
  - a) Fire protection
  - b) Police protection
  - c) Schools
  - d) Parks
  - e) Other public facilities
- 2) 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; or
- 3) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

In terms of Threshold 1(e) regarding impacts to “other public facilities,” such facilities include libraries and other public utility infrastructure. Impacts related to libraries are discussed in this section. Impacts related to public stormwater facilities are addressed in Section 4.8, *Hydrology and Water Quality*, and impacts related to public wastewater, water, and solid waste facilities are discussed in Section 4.14, *Utilities and Service Systems*.

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b>	Would the Specific Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times or other performance objectives for fire protection?
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**IMPACT PS-1**      **IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD INTRODUCE DEVELOPMENT INTENSITY AND POPULATION GROWTH IN THE SPECIFIC PLAN AREA, GENERATING ADDITIONAL NEED FOR ALAMEDA COUNTY FIRE DEPARTMENT PROTECTION SERVICES. HOWEVER, COMPLIANCE WITH THE CITY'S 2035 GENERAL PLAN POLICIES AND ACTIONS WOULD ENSURE IMPACTS TO FIRE PROTECTION SERVICES WOULD BE LESS THAN SIGNIFICANT.**

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Implementation of the proposed Specific Plan would add an estimated 2,540 residential units and would result in an estimated net increase of 139,000 square feet of non-residential development. This increase in residences and non-residential development would increase demand for fire protection services. As discussed in Section 4.11, *Population and Housing*, the proposed Specific Plan would intensify residential development within the Specific Plan Area compared to what was assumed under the City's 2035 General Plan EIR. The increase in traffic, density, and building heights associated with the proposed Specific Plan could result in response time goals not being met. As described above in the Setting section, over 70 percent of ACFD's calls in San Leandro are for emergency medical services. The population increase would result in increased demand for emergency medical services.

The City's 2035 General Plan Community Services and Facilities Element identifies Station 13 as needing to be updated to meeting seismic standards but other stations are relatively new or are in good condition. According to the EIR for the 2035 General Plan, "Although ACFD indicated that Station 13 would need to be updated, ACFD confirmed that the proposed Plan should not require the expansion of existing facilities in order to maintain acceptable service ratios, response times, or other performance objectives." The City's 2035 General Plan Action CSF-1.1.A requires the City to pursue the comprehensive renovation or upgrading of Fire Stations 12 and 13 to respond to modern technology, energy efficiency, new equipment, administrative space, and gender-neutral facility needs, and to ensure the functionality of the facility following a natural disaster. The Action calls for the City to periodically evaluate the need to replace, renovate, or expand other fire protection facilities. Therefore, as also discussed in the City's 2035 General Plan EIR, 2035 General Plan policies and actions would ensure that adequate facilities are available to accommodate growth under the Specific Plan.

Further, future development under the proposed Specific Plan would be required to comply with basic building designs and standards for commercial and residential buildings as mandated by the CBC and the San Leandro Fire Code, under SLMC Section 3-3-100. In addition, future development under the proposed Specific Plan would also be required to comply with abatement of fire-related hazards and pre-fire management prescriptions as outlined under the California Health and Safety Code and the California Fire Plan. In addition, new development under the Specific Plan would be subject to ACFD review to ensure compliance with the Fire Code and adequate levels of service can be provided in accordance with SLMC Section 3-3-100 and 2035 General Plan Policy CSF-1.5 (City of San Leandro 2016i). Lastly, Policy CSF – 1.9 in the 2035 General Plan calls for the City to "continue to maintain a high level of emergency medical services within the local Fire Department."

Compliance with existing regulations and implementation General Plan goals, policies, and actions, would ensure that ACFD facilities, staff, and equipment would be adequate to accommodate implementation of the proposed Specific Plan.

Should ACFD and the City determine that additional facilities are needed to provide fire protection and emergency medical services to the Specific Plan Area, it is assumed that these facilities would be located within the Specific Plan Area. Specific sites for future facilities have not been identified. Therefore, an evaluation of the environmental impacts of implementation of the facilities is not feasible at this time. The Specific Plan Area is entirely developed and urbanized and it is likely that future facilities would be developed on infill sites or would replace an existing structure. Therefore, it is unlikely that the construction of new facilities could cause additional significant environmental impacts than those identified in this EIR. If ACFD determines at a future time that expanded facilities or new facilities are needed, and identifies an appropriate site, a complete evaluation of potential environmental impacts would be conducted under CEQA.

Impacts to fire protection services would be less than significant.

### Mitigation Measures

No mitigation measures required.

<b>Threshold:</b>	Would the Specific Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times or other performance objectives for police protection?
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**IMPACT PS-2      IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD ADD NEW RESIDENTIAL AND NON-RESIDENTIAL USES TO THE SPECIFIC PLAN AREA, GENERATING ADDITIONAL NEED FOR THE SAN LEANDRO POLICE DEPARTMENT'S PROTECTION SERVICES. HOWEVER, WITH ADHERENCE TO THE CITY'S 2035 GENERAL PLAN POLICIES, IMPACTS TO POLICE PROTECTION SERVICES WOULD BE LESS THAN SIGNIFICANT.**

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Under Specific Plan buildout, the Specific Plan Area would add an estimated 2,540 new residential units through 2035. An increase of 2,540 residential units would generate approximately 7,239 new residents (see Section 4.11, *Population and Housing*). When added to the current 2017 population, the proposed Specific Plan would increase the City of San Leandro's total population to an estimated 95,513 residents, an increase of 8.2 percent. Based on existing staffing levels of 71 officers serving 88,400, or 0.8 sworn officers per 1,000 residents, the SLPD would need 5 additional officers to maintain current staffing level ratios, or an additional 28 officers to achieve the department's desired ratio of 1.04 officers per 1,000 residents, upon buildout of the proposed Specific Plan, while dedicating at least several of those additional deputies within the Specific Plan Area.

The SLPD is mostly funded through the City's General Fund, except for a small portion of its budget received through revenue allocated from the Educational Revenue Augmentation Fund (ERAF). Other revenue for the SLPD comes from impact fees, contract service fees, property taxes, vehicle license fees and State and federal aid. Implementation of the proposed Specific Plan, which would increase demand for police protection services, may cause service deficiencies unless adequate funding for service and facility improvements is provided prior to occupancy of new development.

As discussed in Section 4.11, *Population and Housing*, though the proposed Specific Plan would intensify development within the Specific Plan Area, growth associated with the Specific Plan is



within the growth assumptions of the City's 2035 General Plan EIR and ABAG growth projects. The 2035 General Plan includes goals and policies designed to ensure that adequate funding and sites are reserved to maintain the five minute response time level of service standard. As discussed above, currently the average response time to high priority emergency calls for the SLPD is an average of 2 minutes and 57 seconds. Thus, under existing conditions, the five minute level of service standard established by the 2035 General Plan is already being fulfilled and is expected to continue to be fulfilled with the development of the Specific Plan. Should SLPD and the City determine that additional facilities are needed to provide police protection services to the Specific Plan Area, it is assumed that these facilities would be located within the Specific Plan Area. Specific sites for future police protection facilities have not been identified. The impact of development in the Specific Plan Area is analyzed in this EIR. Therefore, an evaluation of the environmental impacts of implementation of the facilities is not feasible at this time. The Specific Plan Area is entirely developed and urbanized and it is likely that future facilities would be developed on infill sites or would replace an existing structure. Therefore, it is unlikely that the construction of new police facilities could cause additional significant environmental impacts than those identified in this EIR. If the SLPD determines at a future time that expanded facilities or new facilities are needed, and identifies an appropriate site, a complete evaluation of potential environmental impacts would be conducted under CEQA. Impacts to police protection services under the Specific Plan would be less than significant.

### Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b>	Would the Specific Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times or other performance objectives for schools?
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**IMPACT PS-3            IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD ADD AN ESTIMATED 1,778 STUDENTS TO THE SPECIFIC PLAN AREA. HOWEVER, WITH PAYMENT OF STATE-MANDATED SCHOOL IMPACT FEES, IMPACTS RELATED TO PUBLIC SCHOOL OPERATING CAPACITY WOULD BE LESS THAN SIGNIFICANT.**

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Implementation of the proposed Specific Plan would introduce an estimated 2,540 additional residential units in the Specific Plan Area. The SLZUSD and SLUSD operate eleven schools that serve the Specific Plan Area. The SLZUSD typically uses a student generation rate of 0.7 students per unit for all housing types (Alameda County 2009). SLUSD student generation rates were not provided in the City's 2035 General Plan EIR. Therefore, the SLZUSD student generation rate of 0.7 students was used for this analysis. Based on these generation rates, the proposed Specific Plan would generate a total of 1,778 new students. These students would be distributed throughout the schools that serve the Specific Plan Area depending on their grade level and on their location.

As shown in Table 26, most schools that serve the Specific Plan Area are not over capacity. Depending on which school the new students attend, the increase in students could create capacity issues for these schools or exacerbate existing capacity issues. Therefore, the proposed Specific Plan could potentially create the need for additional school capacity or possible expansion of an existing school, the construction of which could cause environmental impacts.

However, for future development in the Specific Plan Area that would involve a residential component and may generate students, the project applicant would be required to pay an in-lieu school impact fee. In accordance with Section 65995(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." Therefore, pursuant to CGC §65994(h), impacts relating to school capacity would be less than significant.

## Mitigation Measures

The applicable State-mandated school impact fees would be collected at the time of building permit issuance. No mitigation beyond this standard is required.

**Threshold:** Would the Specific Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times or other performance objectives for other government facilities such as libraries?

**IMPACT PS-4 IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD INCREASE THE SERVICE POPULATION OF THE SOUTH BRANCH LIBRARY BY AS MUCH AS 7,239 CUSTOMERS. HOWEVER, BECAUSE EXISTING LIBRARIES HAVE ADEQUATE CAPACITY TO SERVE POPULATION INCREASES UNDER THE PROPOSED SPECIFIC PLAN, IMPACTS TO THE SAN LEANDRO LIBRARY SYSTEM WOULD BE LESS THAN SIGNIFICANT.**

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The South Branch library, the closest to the Specific Plan Area, is one of four facilities that make up a citywide library system comprising the Main Library, Mulford-Marina Branch Library, Manor Branch Library, and South Branch Library. The total amount of library space for the City's library system is approximately 75,200 square feet. According to the San Leandro Libraries Master Plan, the recommended square feet per capita overall to meet the demand for library services citywide is 0.7 to 0.9. Based on a 2017 City population of 88,274 residents, the current square feet of library space in San Leandro per capita is 0.85, which is within the recommended range. With the addition of 7,239 new residents associated with the proposed Specific Plan, the library space per capita will drop to 0.79. This is still within the recommended range of 0.7 to 0.9 square feet per capita. In addition, the San Leandro library system offers a wide range of materials available through its online databases. Thus, an increase in a service population does not necessarily result in an additional book or magazine collection, which often requires additional library space (City of San Leandro 2016i). Therefore, the City's library system would have adequate capacity to serve new residents associated with the proposed Specific Plan and impacts to the library system would be less than significant.

Although overall impacts to the city's library system would be less than significant, according to the San Leandro Branch Libraries Master Plan (2002), the South Branch Library's small size and lack of dedicated spaces for group study, storytelling, or other programs result in crowded conditions and excessive noise. The library lacks enough seating, tables or computers for public use and the facility is not Americans with Disabilities Act (ADA) -compliant. The South Branch Library does not have a public restroom and crowded staff work areas prevent staff from adequately serving customers. According to the San Leandro ADA Self Evaluation and Transition Plan (2011), the South Branch

Library falls within Facility Priorities Group 4, which establishes plans for improving the facility during fiscal years 2024 through 2027.

The City's 2035 General Plan Action CSF-3.2.A, Mulford and South Branch Replacement, under Policy CSF-3.2, expresses the City's intention to continue to explore options for replacing or modernizing the two library branches, including within the Specific Plan Area (City of San Leandro 2016g). There are no specific projects, policies, or implementation actions in the Specific Plan to develop a new library within the Specific Plan Area. However, should a library be developed with the Specific Plan Area, library construction would involve redevelopment or reuse of an existing site with the Specific Plan Area. Environmental impacts associated with construction and operation of new uses in the Specific Plan Area are considered and analyzed throughout this EIR.

Accordingly, overall impacts to the City's library system would be less than significant with implementation of the proposed Specific Plan.

### Mitigation Measures

No mitigation measures are required

<b>Threshold:</b>	Would the Specific Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times or other performance objectives for parks?
<b>Threshold:</b>	Would the Specific Plan increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
<b>Threshold:</b>	Would the Specific Plan include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**IMPACT PS-5 IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD ADD AN ESTIMATED 2,540 RESIDENTIAL UNITS AND AN ESTIMATED 7,239 RESIDENTS TO THE SPECIFIC PLAN AREA, WHICH WOULD INCREASE USE OF RECREATIONAL FACILITIES AND CONTRIBUTE TO THEIR PHYSICAL DETERIORATION. PAYMENT OF IN-LIEU PUBLIC PARK FEES AND THE ESTABLISHMENT OF NEW OPEN SPACE AREAS WITHIN THE SPECIFIC PLAN AREA WOULD REDUCE IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.**

Implementation of the proposed Specific Plan would result in an estimated 2,540 new residential units in the Specific Plan Area through 2035 which add an estimated 7,239 additional residents (see Section 4.11, *Population and Housing*). This increase in population could lead to increased use of recreational facilities and could contribute to the physical deterioration of these facilities.

As stated under Subsection 4.12(e), *Parks and Recreation*, the City has established two Level of Service standards for the City's park system:

- At least 4.86 acres of improved parkland should be provided for every 1,000 residents.
- A park should be accessible within one-half mile of each San Leandro resident.

Based on the City's 5:1 ratio for acres of park land for every one thousand residents, the estimated increase in population by 7,239 residents would generate demand for an additional 36.2 acres of



parkland. According to SLMC Title 7, Section 13, new residential development in the City shall dedicate land or provide park in-lieu fees subject to the Park Facilities Development Impact Fee, based on the City's park acreage minimum for new development (4.86 acres per 1,000 residents).

In support of the open space and parkland level of service standards established by the SLMC, the proposed Specific Plan sets forth *Desired Outcomes* and *Planning Framework* strategies that integrate improvements to open space and parkland in various ways. For example, *Desired Outcome 1: More Parks and Open Space* expresses the Specific Plan's intent to increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature. Additionally, *Planning Framework Strategy 3, Create a Grid of Smaller Blocks*, aims to establish mid-block, publicly-accessible connections that could be streets, alleys, pedestrian-and-bicycle-only connections, or publicly-accessible linear open spaces. Lastly, *Planning Framework Strategy 4, Create Special, Memorable Public Places and Open Space*, seeks to create places, streets, and spaces that meet the needs of people at all stages of life; are safe and visually attractive; are accessible to users of different abilities; have their own distinctive identity; and contribute to local character. Therefore, implementation of the Specific Plan would provide a framework for developing additional open space in the Specific Plan Area as the Specific Plan is implemented.

Furthermore, the following Public Open Space Guidelines, contained in the proposed Specific Plan, would help shape the buildout of the proposed Specific Plan:

1. **Open Space Development.** New public open spaces should be coordinated with private development projects and planned infrastructure improvements.
2. **Provision of Open Space.** Whenever possible, new development should provide on-site public open space rather than in-lieu fees.
3. **Connected Open Spaces.** New public open spaces should be accessible from and located within a comfortable walking and biking distance of residents and shoppers.
4. **Sustainability.** New public open spaces should be designed to incorporate best practices in sustainability, including water use and conservation, stormwater management, landscaping, and drought tolerant planting.
5. **Estudillo Canal Stormwater Facility.** New open space located along the Estudillo Canal should function as a stormwater management feature.
6. **Amenities.** Seating, shading, and other amenities should be integrated into new public parks and plazas.
7. **Range of Park Types.** Encourage park and public space design consistent with Bay Fair's intended mix of uses. This includes resident-oriented spaces such as playgrounds, dog parks, gardens, and sports facilities as well as visitor-oriented spaces such as event spaces, plazas, public seating areas, public spaces for markets and commerce, and flexible community gathering spaces.
8. **Public Space Use.** The design of the parks and plazas in the Bay Fair are should promote public gather, enjoyment, and active use by a broad range of the community.
9. **Open Space Lighting.** Appropriate pedestrian-scale lighting should be provided in any new parks, plazas, and other open spaces.
10. **Safe Parks.** Utilize CPTED (Crime Prevention through Environmental Design) strategies to improve safety in new and existing parks by adding appropriate lighting and visibility in park

facilities; activating parks with programs/community gardens/community events; increasing natural surveillance by trimming surrounding vegetation and allowing views in and out of park spaces; and removing graffiti and maintaining parks.

Compliance with SLMC requirements to dedicate park space or pay in-lieu park fees as well as the framework and guidelines in the Specific Plan to develop public parks and open space in the Specific Plan Area would reduce potential impacts to existing parks and ensure future residences are served by adequate park and recreation space.

Because the timing of future development associated with the Specific Plan is not known at this time, the potential exists for residential development to occur prior to the construction of additional parks to help meet the needs of the Specific Plan Area as development occurs. However, Plan Area residents would be able to use other City parks and recreational facilities. In addition, the EBRPD also provides large regional parks and recreational areas near the Specific Plan Area, such as Lake Chabot Regional Park, which would accommodate the increase in population and demand for recreational facilities.

Furthermore, future project developers would be required to pay an in-lieu public parks fee pursuant to the San Leandro Dedications and Reservations Ordinance. Payment of in-lieu park fees would result in funding equivalent to the provision of neighborhood and community parks in accordance with the City's standards. Following payment of in-lieu fees, impacts to recreational resources, including the physical deterioration of existing facilities and the need for new facilities, would be less than significant.

## Mitigation Measures

No mitigation measures are required.

### c. Cumulative Impacts

This cumulative impacts analysis takes into account development under the proposed Specific Plan in conjunction with development under the City's 2035 General Plan. According to the EIR for the City's 2035 General Plan, all impacts related to public services (fire protection services, police protection services, schools, and libraries) and parks and recreation were found to be less than significant with adherence to existing regulations, requirements in the SLMC, and 2035 General Plan policies. As discussed in Section 4.11, *Population and Housing*, the proposed Specific Plan would increase development in the Specific Plan Area compared to what was analyzed in the 2035 General Plan EIR. However, the growth assumptions of the Specific Plan are conservative and the proposed Specific Plan would shift growth from other areas of the City to the Specific Plan Area. Therefore, growth associated with the proposed Specific Plan is within the overall growth assumptions for the City in the 2035 General Plan EIR. The proposed Specific Plan implements the vision for the Specific Plan Area identified in the City's General Plan. With the policies and provisions of the 2035 General Plan in place, in addition to adherence to payment of in-lieu fees and compliance with existing regulations, impacts to public services and facilities associated with the proposed Specific Plan would be less than significant. Other cumulative development in the City would also be required to pay in-lieu fees to provide public services as appropriate. Therefore, cumulative impacts to public services and facilities, including the physical deterioration of existing facilities and the need for new facilities, would be less than significant.

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## 4.13 Transportation and Traffic

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This section evaluates the proposed Specific Plan's potential impacts to local transportation and circulation system. The analysis is based on the information included in the Traffic Impact Analysis (TIA) prepared by Kittelson & Associates, Inc. in September 2017. The study is included in Appendix D.

### 4.13.1 Setting

#### a. Existing Street Network

The street network within the Specific Plan Area is defined by several primary roadways that serve both regional and local trips. From a regional context, the Specific Plan Area is located adjacent to several interstates and highways that provide direct roadway connections to other portions of the Bay Area. These regional connections include to and from the South Bay via Interstate 880 (I-880); to and from the Tri-Valley via Interstate 238 (I-238) to Interstate 580 (I-580); and to and from Oakland via I-880 and I-580.

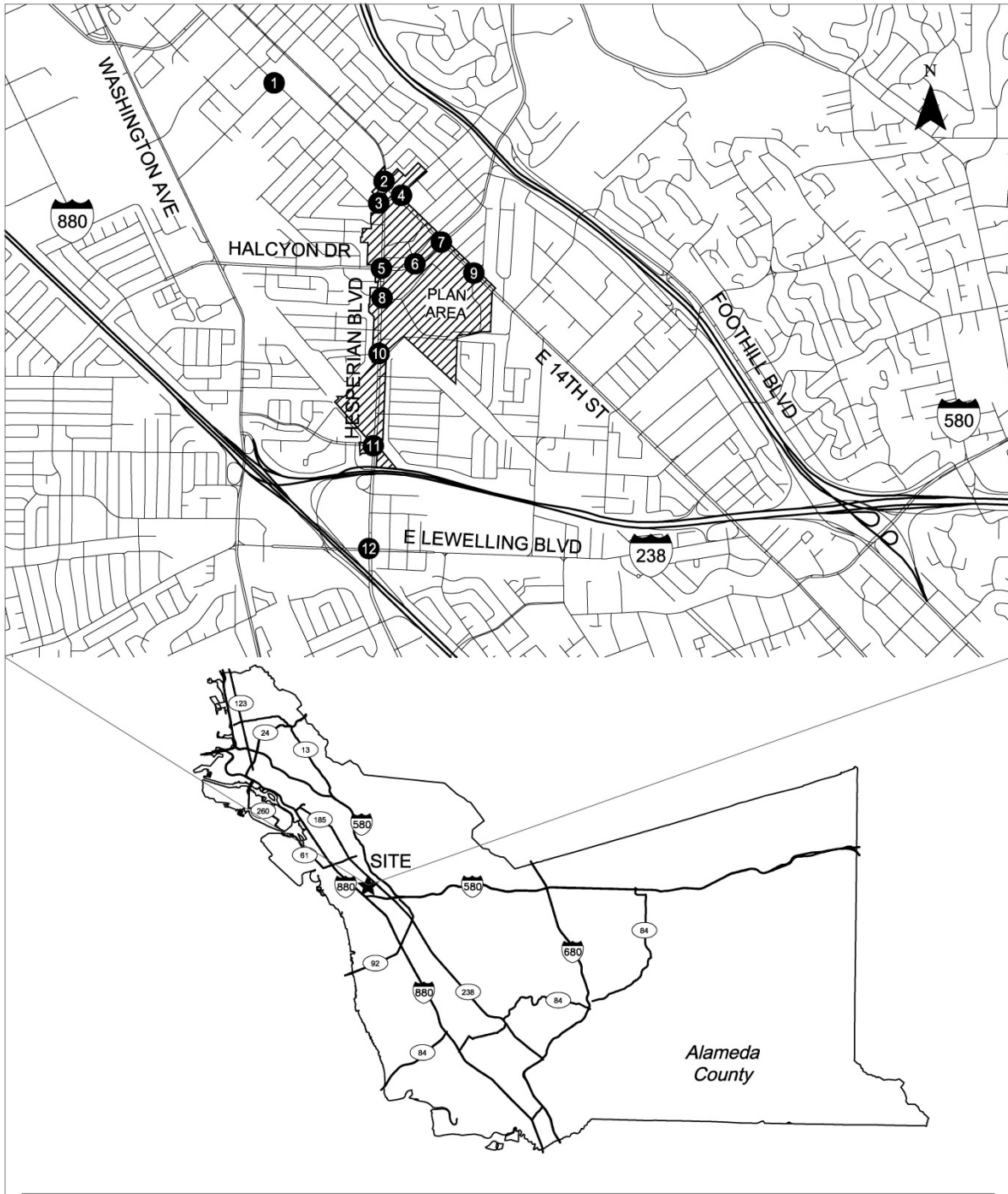
As shown in Figure 27, several of the streets within the study area for the TIA have interchange connections to these regional roadways, and are therefore affected by regional traffic patterns.

The following are the primary freeways, arterials, and collector streets within the TIA study area.

#### Freeway

- **I-238** is a six- to seven-lane freeway with a posted speed limit of 65 miles per hour. The east-west freeway serves as a connection between I-880 and I-580. The average daily traffic on I-238 between the East 14th Street junction and the Hesperian Boulevard junction is between 105,000 and 147,000 vehicles per day. The Specific Plan Area is served by the interchanges at East 14th Street and Hesperian Boulevard. Bicyclists and pedestrians are not allowed on this facility.
- **I-580** is an eight- to ten-lane freeway with a posted speed limit of 65 miles per hour. The north-south freeway 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 (SR) 13, 24, and 94. The Specific Plan Area is served by the interchanges at 150th Avenue. The average daily traffic on I-580 in the vicinity of the 150th Avenue interchange ranges between 120,100 and 160,000 vehicles per day. Bicyclists and pedestrians are not allowed on this facility.
- **I-880** is an eight- to ten-lane freeway with a posted speed limit of 65 miles per hour. The north-south freeway 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, State Routes 92, 237 and 17. The Specific Plan Area is served by interchanges at Washington Avenue and off-ramps at Hesperian Boulevard. The average daily traffic on I-880 in the vicinity of the Washington Avenue interchange ranges between 172,000 and 237,000 vehicles per day. Bicyclists and pedestrians are not allowed on this facility.

Figure 31 Traffic Study Area Freeways, Roadways, and Intersections



Source: Kittelson & Associates, Inc., 2017

## Arterials

- **East 14th Street (State Route 185)** is a north-south arterial that provides access to I-238 south of the Specific Plan Area. East 14th Street also connects with the City of Oakland to the north and unincorporated Alameda County and the City of Hayward to the south. East 14th Street is designated as a truck route, and Caltrans is responsible for the design, operations and maintenance of this street. The City of San Leandro has some ability to influence the design of East 14th Street, depending on the City's level of investment in the corridor. East 14th Street south of Bayfair Drive has four through lanes, a left turn lane and a median. The vehicle lanes are 10 to 12 feet and there are sidewalks on both sides. There are no bicycle lanes, and parallel parking exists on both sides of the street. The Countywide Multimodal Arterial Plan classifies the primary mode on East 14th Street as transit within the Specific Plan Area.
- **Hesperian Boulevard** is a north-south arterial that connects the Specific Plan Area to I-880 in the south and serves the cities of Hayward and Union City. Hesperian Boulevard is designated as a truck route by the City of San Leandro. From East 14th Street south to Fairmont Drive, Hesperian Boulevard has four through lanes and a median. From Fairmont Drive south, there are six through lanes. Vehicle lanes along Hesperian Boulevard range from 10 feet to 12 feet and there are sidewalks on both sides. There are Class II bike lanes northbound and southbound; on-street parking is provided along the section south of the BART rail corridor. The Countywide Multimodal Arterial Plan classifies the primary mode on Hesperian Boulevard as trucks between East 14th Street and Fairmont Drive, pedestrian between Fairmont Drive and Thornally Drive, and transit south of Thornally Drive.
- **Fairmont Drive** is an east-west arterial that provides access from the Specific Plan Area to I-580. Fairmont Drive is part of a longer corridor extending from west of I-880 to Castro Valley in the east. Fairmont Drive east of Bayfair Drive has a six-lane cross section with a median. The vehicle lanes along Fairmont Drive range from 11 feet to 14 feet. There are no bicycle facilities located on Fairmont Drive. West of Hesperian Boulevard, Fairmont Drive changes to Halcyon Drive. The Countywide Multimodal Arterial Plan classifies the primary mode on Fairmont Drive as pedestrian within the Specific Plan Area.
- **Halcyon Drive** is a residential arterial street that connects Hesperian Boulevard and Fairmont Drive with Washington Avenue to the west. Halcyon Drive is classified as a truck route by the City of San Leandro. Within the Specific Plan Area, Halcyon Drive is a four-lane divided street with bicycle lanes on both sides between Hesperian Boulevard and the UPRR tracks. The Countywide Multimodal Arterial Plan classifies the primary mode on Halcyon Drive as bicycle within the Specific Plan Area.
- **150th Avenue** is an arterial that provides access to the Specific Plan Area from I-580. 150th Avenue generally runs parallel to Fairmont Drive between I-580 and Hesperian Boulevard and is designated as a truck route by the City of San Leandro. Near the Specific Plan Area, 150th Avenue is a four-lane street with on-street parking. Class III bicycle routes currently exist along the street. The Countywide Multimodal Arterial Plan classifies the primary mode on 150th Avenue as trucks between East 14th Street and Robin Street and automobile east of Robin Street.

## Collectors

- **Bayfair Drive** is a collector street that extends through the Bayfair Center site and connects Hesperian Boulevard and East 14th Street. Bayfair Drive forms part of the loop for Bayfair Center and provides direct access to parking aisles for the center. The majority of Bayfair Drive within the Specific Plan Area is a two-lane street with intermittent sidewalks and no bicycle lanes.
- **Springlake Drive** is an east-west collector street that connects Hesperian Boulevard to Washington Avenue. Springlake Drive is a two-lane median divided street with on-street parking, sidewalks on both sides and bicycle lanes.
- **Thornally Drive** is a collector street that provides access to the parking areas for the Bay Fair BART Station. Thornally Drive includes an underpass connecting either side of the Union Pacific and BART rail corridors. Within the Specific Plan Area, Thornally Drive is a two-lane street that is marked as a Class III bicycle route. The Estudillo Canal is located along the north side of Thornally Drive between the BART station and Bayfair Center.

### b. Existing Roadway Traffic Volumes and Automobile Levels of Service

For the purposes of evaluating the transportation improvements and other policy directives that will ultimately result from the proposed Specific Plan, conditions at a set of intersections were analyzed based upon the anticipated volumes and distributional patterns of Specific Plan traffic from the 2035 General Plan. The intersection and freeway segment locations are listed below, and the study intersections are presented in Figure 27.

1. East 14th Street & 143rd Avenue
2. East 14th Street & Hesperian Boulevard/Bancroft Avenue
3. Hesperian Boulevard & 150th Avenue
4. East 14th Street & 150th Avenue
5. Hesperian Boulevard & Halcyon Drive/Fairmont Drive
6. Bayfair Way & Fairmont Drive
7. East 14th Street & Fairmont Drive
8. Hesperian Boulevard & Bayfair Drive
9. East 14th Street & Bayfair Drive
10. Hesperian Boulevard & Thornally Drive
11. Hesperian Boulevard & Springlake Drive
12. Hesperian Boulevard & Lewelling Boulevard

The existing operation conditions of the study intersections were assessed based on traffic count data collected. Traffic counts of this study are from three different sources: the San Leandro Halcyon Drive Industrial TIA, the San Leandro 2035 General Plan EIR, and new counts collected in May 2017. Intersection turning movement volumes were collected during typical weekday morning (AM) peak period (7:00 AM to 9:00 AM) and afternoon (PM) peak period (4:00 PM to 6:00 PM). Since the San Leandro Halcyon Drive Industrials TIA (2016) and 2035 General Plan (2015) were conducted less than three years ago, the traffic turning movement counts are still considered valid. The lane configuration and existing intersection volumes are shown in Figure 32, Figure 33, and Figure 34.

Figure 32 Existing AM and PM Peak Hour Intersection Volumes - Intersections 1-4

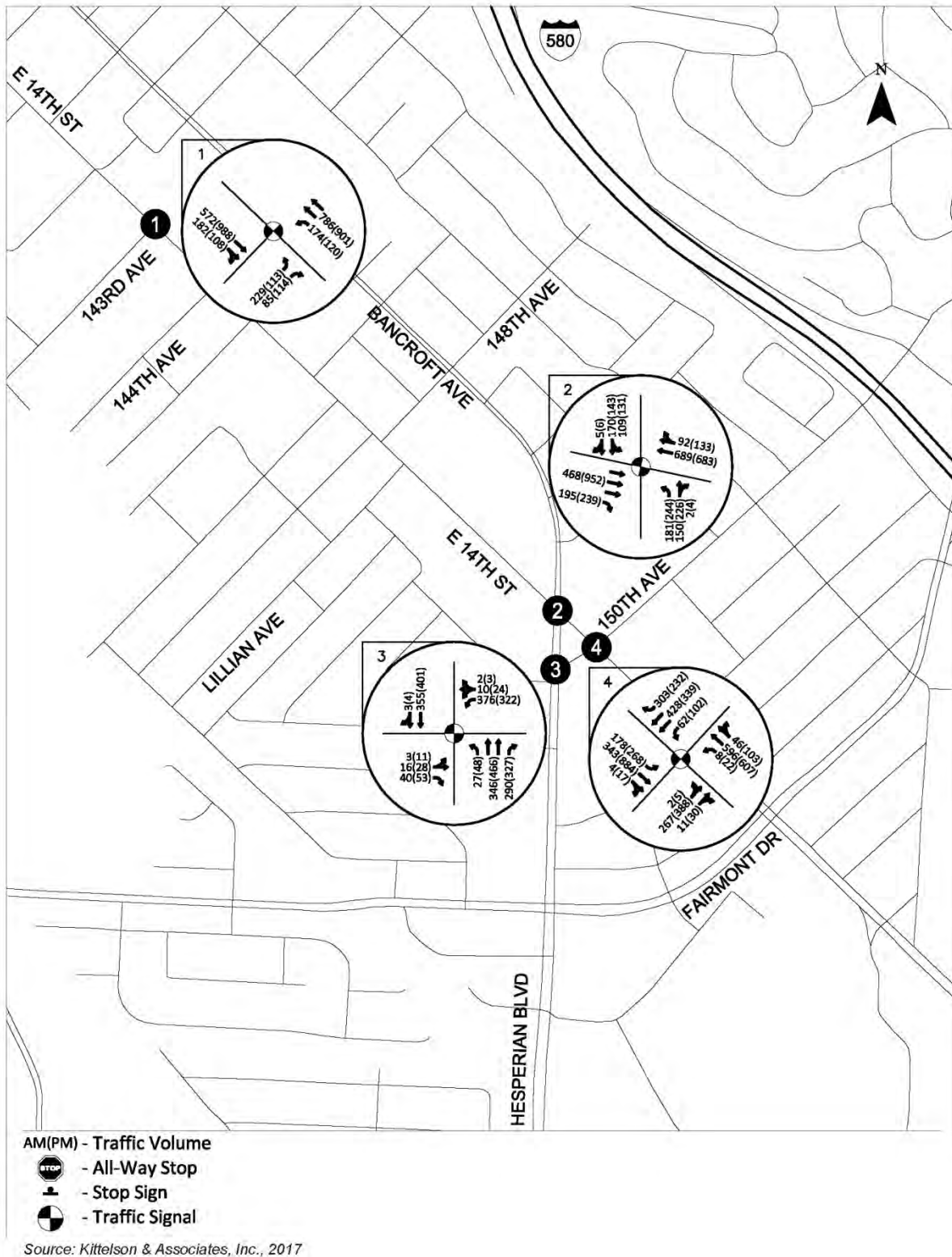




Figure 33 Existing AM and PM Peak Hour Intersection Volumes – Intersections 5-9

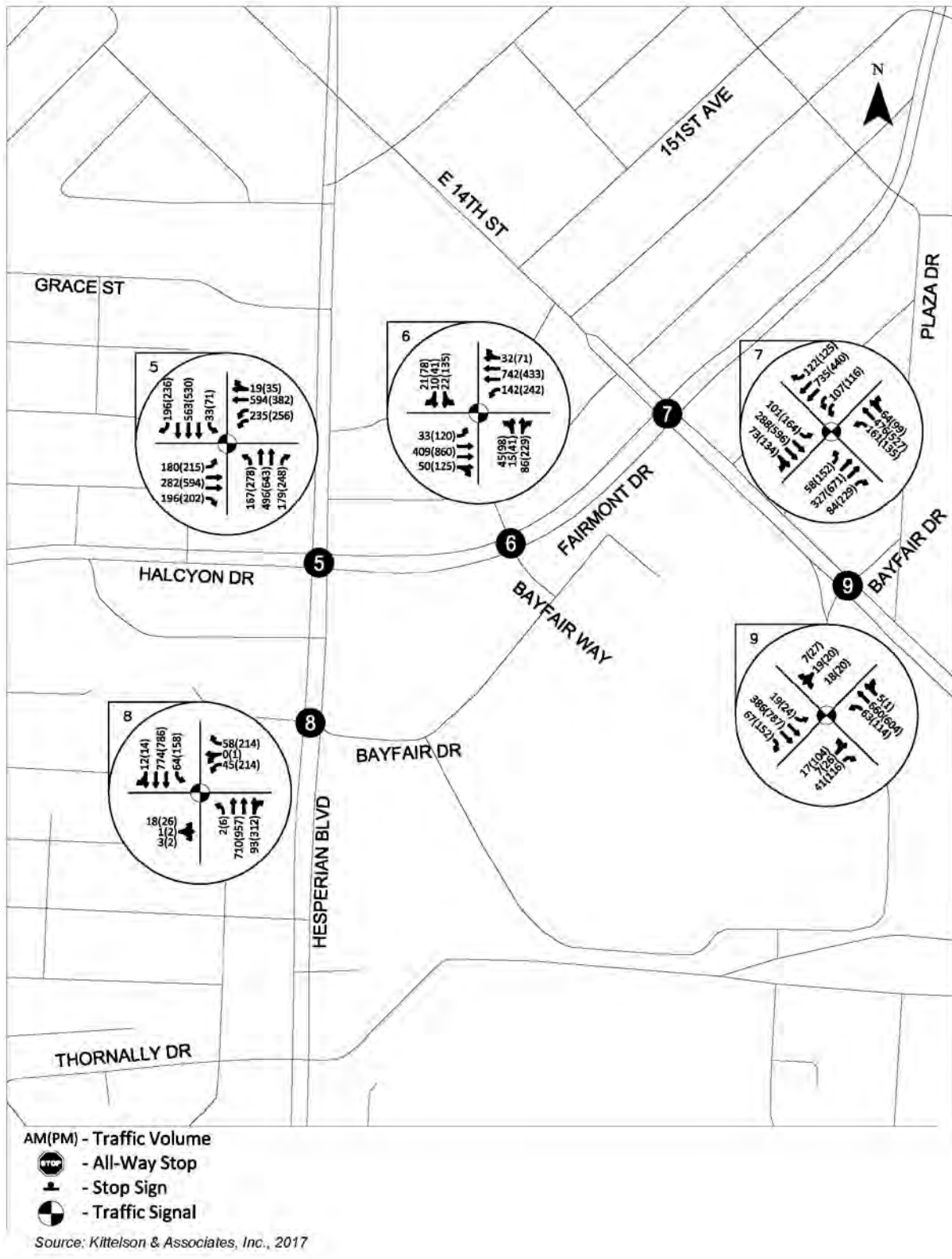
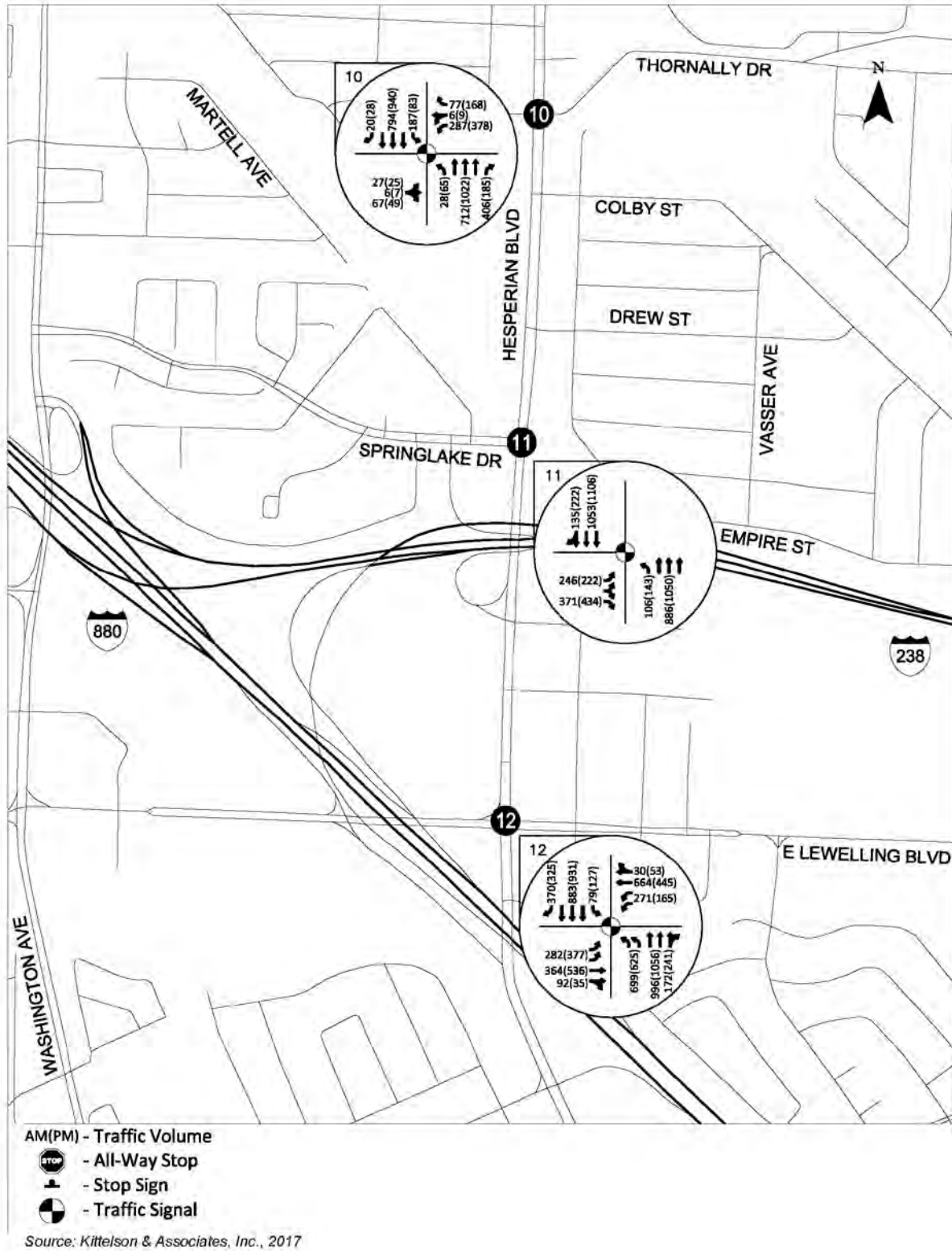


Figure 34 Existing AM and PM Peak Hour Intersection Volumes – Intersections 10-12



The concept of “Level of Service” (LOS) is used to characterize how well the roadway network operates for motor vehicles. LOS is a qualitative measure of the effect of a number of factors, including speed and travel time, traffic interruptions, freedom to maneuver, driving comfort and convenience. Levels of service are designated "A" through "F" from best to worst, which cover the entire range of traffic operations that might occur. Level of Service (LOS) "A" through "E" generally represents traffic volumes at less than roadway capacity, while LOS "F" represents over capacity and/or forced flow conditions.

Intersection analyses were conducted using the operational methodology outlined in the 2000 Highway Capacity Manual or HCM (Transportation Research Board 2000) and Synchro software tool as required by the City of San Leandro. Since all study intersections of this study are signalized, only signalized criteria will be discussed. The HCM procedure calculates a weighted average stop delay in seconds per vehicle at a signalized intersection, and assigns a level of service designation based upon the delay.

Table 27 presents the relationship of average delay to level of service for signalized intersections.

**Table 27 Level of Service Definition for Intersections**

Average Delay Per Vehicle (seconds)	LOS	Description of Traffic Conditions
≤10.0	A	Free flowing. Most vehicles do not have to stop.
>10.0 and ≤20.0	B	Minimal delays. Some vehicles have to stop, although waits are not bothersome.
>20.0 and ≤35.0	C	Acceptable delays. Significant numbers of vehicles have to stop because of steady, high traffic volumes. Still, many pass without stopping.
>35.0 and ≤55.0	D	Tolerable delays. Many vehicles have to stop. Drivers are aware of heavier traffic. Cars may have to wait through more than one red light. Queues begin to form, often on more than one approach.
>55.0 and ≤80.0	E	Significant delays. Cars may have to wait through more than one red light. Long queues form, sometimes on several approaches.
≤80.0	F	Excessive delays. Intersection is jammed. Many cars have to wait through more than one red light, or more than 60 seconds. Traffic may back up into “up-stream” intersections.

Source: Transportation Research Board, *Highway Capacity Manual*, Washington, D.C., 2000

The automobile LOS for several intersections within the Specific Plan Area were calculated as part of the 2035 General Plan. Table 28 summarizes the LOS for the weekday AM and weekday PM peak hours based on available data. As shown in the table, most of key TIA study area intersections currently operate at LOS E or better. The East 14th Street/150th Avenue intersection operates below the standard at LOS F during the weekday PM peak hour. The Hesperian Boulevard/Thornally Drive intersection operates below the standard at LOS F during the weekday AM peak hour.

**Table 28 Existing Intersection Level of Service**

No	North/South Street	East/West Street	Control	Existing LOS		LOS Standard
				AM	PM	
1	East 14 <sup>th</sup> Street <sup>[1]</sup>	143 <sup>rd</sup> Avenue	Signalized	B	B	E
2	Hesperian Boulevard/Bancroft Avenue <sup>[2]</sup>	East 14 <sup>th</sup> Street	Signalized	C	C	E
3	Hesperian Boulevard <sup>[2]</sup>	150 <sup>th</sup> Avenue	Signalized	C	B	E
4	East 14 <sup>th</sup> Street <sup>[1]</sup>	150 <sup>th</sup> Avenue	Signalized	C	F	E
5	Hesperian Boulevard <sup>[2]</sup>	Halcyon Drive/ Fairmont Drive	Signalized	D	D	E
6	Bayfair Way <sup>[3]</sup>	Fairmont Drive	Signalized	B	B	E
7	East 14 <sup>th</sup> Street <sup>[1]</sup>	Fairmont Drive	Signalized	D	D	E
8	Hesperian Boulevard <sup>[3]</sup>	Bayfair Drive	Signalized	B	C	E
9	East 14 <sup>th</sup> Street <sup>[3]</sup>	Bayfair Drive	Signalized	B	B	E
10	Hesperian Boulevard <sup>[3]</sup>	Thornally Drive	Signalized	F	D	E
11	Hesperian Boulevard <sup>[2]</sup>	Springlake Drive	Signalized	B	B	E
12	Hesperian Boulevard <sup>[2]</sup>	Lewelling Boulevard	Signalized	D	D	E

Sources: [1] Halcyon Drive Industrial TIA, Kittelson & Associates, Inc., 2016; [2] San Leandro 2035 General Plan EIR, 2015; [3] New Counts

Table 29 presents the level of service on the study arterial segments under existing conditions. Most study segments are experiencing LOS E or better conditions with the exception of the following intersections operating at LOS F:

- Northbound East 14th Street, south of Estudillo Avenue, during the weekday AM and weekday PM peak hours
- Northbound Washington Avenue, south of San Leandro Boulevard, during the weekday AM peak hour
- Southbound Washington Avenue, south of San Leandro Boulevard, during the weekday PM peak hour

**Table 29 Arterial Segment Level of Service – Existing Conditions**

Segment	Condition	2017 Existing	
		AM	PM
<b>Northbound/Eastbound</b>			
East 14th Street, south of Estudillo Avenue	Volume	<b>1,148</b>	<b>1,148</b>
	LOS	<b>F</b>	<b>F</b>
East 14th Street, south of Fairmont Drive	Volume	1,095	1,095
	LOS	D	D
Washington Avenue, south of San Leandro Boulevard	Volume	<b>1,068</b>	691
	LOS	<b>F</b>	E
Hesperian Boulevard, south of East 14th Street	Volume	668	855
	LOS	C	C
Lewelling Boulevard, east of Washington Avenue	Volume	76	121
	LOS	C	C
<b>Southbound/Westbound</b>			
East 14th Street, south of Estudillo Avenue	Volume	848	848
	LOS	D	D
East 14th Street, south of Fairmont Drive	Volume	1,040	1,040
	LOS	D	D
Washington Avenue, south of San Leandro Boulevard	Volume	666	<b>937</b>
	LOS	D	<b>F</b>
Hesperian Boulevard, south of East 14th Street	Volume	775	780
	LOS	C	C
Lewelling Boulevard, east of Washington Avenue	Volume	351	464
	LOS	C	C

Source: Kittelson & Associates, Inc., 2017

**Bold text indicates substandard operations.**

### c. Existing Freeway Volumes and Level of Service

Conditions at a set of freeway mainline segments were analyzed based upon the anticipated volumes and distributional patterns of Specific Plan traffic from the 2035 General Plan. The intersection and freeway segment locations are listed below, and the study intersections are presented in Figure 27.

- I-238 eastbound, mainline segment between Hesperian Boulevard and State Route (SR) 185
- I-238 westbound, mainline segment between SR 185 and Hesperian Boulevard
- I-580 northbound, mainline segment between 150th Avenue and Benedict Drive
- I-580 southbound, mainline segment between Benedict Drive and 150th Avenue
- I-580 northbound, mainline segment between I-238 and Liberty Street
- I-580 southbound, mainline segment between Liberty Street and I-238
- I-880 northbound, mainline segment between Marina Boulevard and Davis Street
- I-880 southbound, mainline segment between Davis Street and Marina Boulevard

- I-880 northbound, mainline segment between Washington Avenue and Marina Boulevard
- I-880 southbound, mainline segment between Marina Boulevard and Washington Avenue

For both circulation system performance and Congestion Management Program (CMP) analyses, the freeway mainline segments were analyzed using the methodology outlined in the HCM (Transportation Research Board 2010) as implemented by the Highway Capacity Software (HCS) tool to calculate the density in terms of passenger cars per mile per lane for the study freeway segments. Table 4 shows the relationship of freeway density to level of service. LOS analyses for designated Metropolitan Transportation System (MTS) arterial segments were also performed based on the service volume table shown in Table 4. A volume to capacity ratio was calculated using the volumes from the Alameda Countywide Model and using the LOS F service volume threshold shown in Table 4 as the estimate for roadway capacity.

**Table 30 Level of Service Definitions for Freeway Mainline Segments**

Level of Service	Density (passenger vehicles per mile per lane)
A	≤11
B	>11-18
C	>18-26
D	>26-35
E	>35-45
F	>45 (demand exceeds capacity)

Source: Transportation Research Board, *Highway Capacity Manual*, Exhibit 10-7, Washington, D.C., 2010

Table 31 presents the level of service on the study freeway segments under existing conditions. Most study segments are experiencing LOS D or better conditions with the exception of the I-238 eastbound segment between Hesperian and SR-185. This mainline segment experiences LOS E during the weekday AM peak hour and LOS F during the weekday PM Peak.

**Table 31 Freeway Level of Service – Existing Conditions**

Freeway	Location	Speed Limit <sup>1</sup>	Weekday AM Peak Hour			Weekday PM Peak Hour		
			Volume <sup>2</sup>	Density <sup>3</sup>	LOS	Volume <sup>2</sup>	Density <sup>3</sup>	LOS
I-238 EB	Hesperian Boulevard to SR-185	65	6,023	41.2	E	7,440	73.5	F
I-238 WB	SR-185 to Hesperian Boulevard	65	3,303	18.6	C	2,913	16.4	B
I-580 NB	150 <sup>th</sup> Avenue to Benedict Drive	65	7,146	32.3	D	7,455	34.5	D
I-580 NB	I-238 to Liberty Street	65	6,689	29.4	D	6,978	31.2	D
I-580 SB	Benedict Drive to 150 <sup>th</sup> Avenue	65	7,516	33.4	D	7,272	31.7	D
I-580 SB	Liberty Street/164 <sup>th</sup> Avenue to I-238	65	7,034	30.2	D	6,807	28.9	D
I-880 NB	Marina Boulevard to Davis Street	65	7,034	24.1	C	7,656	26.6	D
I-880 NB	Washington Avenue to Marina Boulevard	65	7,196	24.7	C	7,833	27.3	D
I-880 SB	Davis Street to Marina Boulevard	65	7,353	20.9	C	6,514	18.5	C
I-880 SB	Marina Boulevard to Washington Avenue	65	7,523	26.0	D	6,664	22.7	C

<sup>1</sup>Speed = Miles per Hour (mph)

<sup>2</sup>Volume = Passenger Cars per Hour (pcph)

<sup>3</sup>Density = Passenger Cars per Mile per Lane (pcpmpl)

#### d. Existing Transit Facilities

The Specific Plan Area is served by a variety of transit types, including heavy rail, on-street buses, and on-demand paratransit shuttles. Local and regional transit operators include Alameda-Contra Costa Transit District (AC Transit) and Bay Area Rapid Transit (BART). These services are described below. The existing transit network is illustrated in Figure 35.

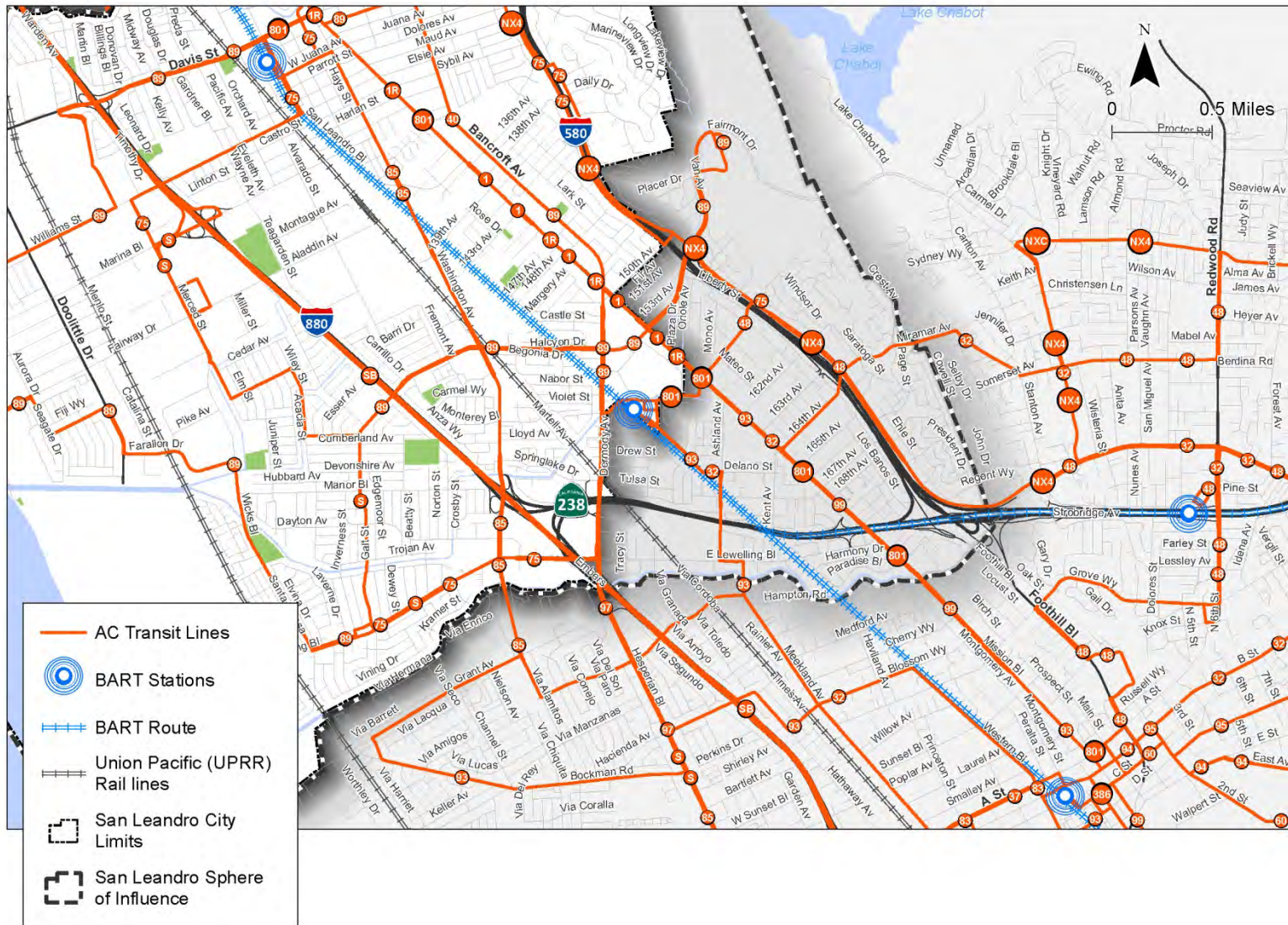
#### Bay Area Rapid Transit

The Bay Fair BART Station is one of two BART stations in San Leandro. The station is served by the Richmond-Fremont and Dublin/Pleasanton-Millbrae lines and connects riders to downtown Oakland, San Francisco, the San Francisco International Airport, and the Peninsula. The station is an important transfer point to eastern portions of Alameda County via the Dublin/Pleasanton line, as well as a regional link to central Alameda County. The planned extension from Fremont to Silicon Valley will further enhance the importance of this station.

According to the April 2017 ridership information provided by BART, there are approximately 5,731 daily weekday boardings at the Bay Fair BART Station. According to the 2008 BART Station Profile Study, approximately 16 percent of people walked to the station, 10 percent rode transit, and 2 percent arrived by bike, and 70 percent arrived by car (52 percent drove alone, 13 percent were dropped off, and 5 percent carpooled). Nearly 20 percent of those driving alone to the station drove less than 0.5 mile (about a 10-minute walking trip), a distance that would generally be considered



Figure 35 Rail and Transit Network



Source: Kittelson & Associates, Inc., 2017



within the transit “walkshed.” Major barriers to increasing non-auto mode share include circuitous routing, inadequate wayfinding, and safety and security concerns.

The Bay Fair BART Station provides 1,665 parking spaces in two surface parking lots (892 on the west side and 773 on the east side). As of August 2017, the daily parking fee is \$3.00. Based on information provided by BART, the parking lots typically fill up by 8:00 AM on weekdays. There are currently 70 bicycle parking spaces at the Bay Fair BART station, provided through a combination of racks, electronic lockers and keyed lockers. A total of 120 spaces are recommended under the BART Bike Parking Capital Program (April 2015).

## AC Transit

The Bay Fair BART station serves as the location of an AC Transit Intermodal Terminal, a key transfer point for BART-to-bus and bus-to-bus connections. The Intermodal Terminal currently has 14 bus bays serving 11 AC Transit routes. Existing (FY 2015-2016) transit service in the Specific Plan Area is summarized in Table 32. Generally, curbside transit stops are identified with posted signs and do not include passenger amenities such as shelter, seating, landscaping, bicycle parking, or pedestrian-scale lighting.

Most of the lines running through the Specific Plan Area connect to the Intermodal Terminal. According to data included in the Bay Fair BART Transit-Oriented Development (TOD) & Access Plan (March 2007), approximately 56 percent of bus patrons transfer to BART and 38 percent transfer between buses at the Bay Fair BART Station Intermodal Terminal.

**Table 32 Existing AC Transit Weekday Service**

Route	Beginning and End Points		Peak / Off-Peak Frequency <sup>1</sup> (in minutes)	Average Daily Ridership <sup>2</sup>
	North/East	South/West		
1	Downtown Berkeley BART	Bay Fair BART	15 / 20	11,374
1R	Downtown Berkeley BART	Bay Fair BART	12	10,314
32	Bay Fair BART	Hayward BART	60	647
40	Downtown Oakland	Bay Fair BART	8-20	9,032
48	Bay Fair BART	Hayward BART	60	340
75	San Leandro BART	Bay Fair BART	60	549
89	San Leandro BART	Bay Fair BART	30	1,168
93	Bay Fair BART	Hayward BART	60	584
97	Bay Fair BART	Union City BART	20	4,294
99	Bay Fair BART	Fremont BART	20 / 30	4,506
801	Downtown Oakland	Fremont BART	NA / 30-60	423

Notes: NA indicates value not applicable.

1 Frequency in minutes. Peak and Off-Peak frequency provided only when they differ.

2 Average daily ridership provided in passengers per day based on automatic passenger count data for FY 2015-2016.

Source: 2016 Annual Ridership and Route Performance Report, AC Transit, 2016

## **FLEX Shuttle and East Bay Paratransit**

The East Bay Paratransit Consortium (EBPC) was formed by AC Transit and BART to jointly provide paratransit services as mandated by the Americans with Disabilities Act (ADA) of 1990 in the overlapping service areas of the two agencies. These services are generally provided to anyone in the two districts who is unable to use conventional fixed-route transit services, or who need special assistance in using transit. Service is by advance reservation only and is provided “door to door,” although, trips may be shared with other riders (i.e., unlike a taxi, this is not an exclusive ride service).

The City of San Leandro also offers transportation for seniors and people with disabilities through the FLEX Shuttle service.

### **e. Planned Transit Improvements**

The following is a summary of planned transit improvements near the Bay Fair BART Station.

#### **Bay Fair Connector/BART Metro and Station Modernization**

The Bay Fair Connector/BART METRO project will increase capacity and operational flexibility systemwide. The Bay Fair Connector project is in the conceptual design and planning stage, but currently defined alternatives include a third set of tracks on the station’s east side to accommodate future operational needs. This project would enable a one-seat ride from San Francisco to the Tri-Valley area.

The Station Modernization Program will invest resources into existing stations and surrounding areas to increase capacity in order to serve more riders and enhance quality of life in the station area. The program will address all aspects of the station, including buildings, escalators and elevators, circulation and signage/wayfinding, lighting, and other station equipment replacement and upgrades.

#### **Bay Fair BART Station Development Options**

As part of the 2007 *Bay Fair BART TOD & Access Plan*, three options were developed to address elements of the circulation network that create a barrier to transit access and discourage pedestrian activity in the area. Recommendations common across the three development options are summarized below.

- Improve safety and security in the BART pedestrian underpass
  - Options 1 and 2. Safety and security would be improved with enhanced lighting, video surveillance, and other treatments
  - Option 3. Safety and security would be improved through the connection of the BART parking lots and removal of the underpass
- Create “Grand Main Streets” with streetscape, raised crosswalks, and wide sidewalks
- Increase bicycle parking at the station
- Provide simple, visible and readable signage throughout the station area
- Initiate planned AC Transit BRT service
- Re-evaluate local bus service to consider adding service and reconfiguring routes to capture more riders in future growth areas and consider signal priority for transit

- Consider off-peak BART pricing strategies to increase ridership
- Add Key Way for more direct vehicle access between BART and East 14th Street
- Implement bike friendly indications on access streets
- Increase BART replacement parking

## AC Transit Corridor Operations Analysis

AC Transit is implementing bus rapid transit (BRT) along International Boulevard/East 14th Street as well as other service improvements within the Specific Plan Area.

### *Service Improvements*

Service improvements are planned for eight AC Transit lines (1/1R, 32, 48, 75, 89, 93, 97, and 99) that operate on streets within the Specific Plan Area. Planned improvements include increased service frequency, extended hours of operations and merging and realigning of lines. These improvements have been recommended to better serve existing riders, capture new riders, and improve operational efficiency (AC Transit 2015).

### *East Bay Bus Rapid Transit (BRT)*

The International Boulevard/East 14<sup>th</sup> Street BRT project is located north of the Specific Plan Area and will improve the efficiency of transit service through features such as dedicated bus lanes and transit signal priority. The BRT alignment stretches 9.5 miles from downtown Oakland to San Leandro BART. Local and rapid service (AC Transit Line 1/1R) will be maintained between Bay Fair BART and Downtown Oakland until the International Boulevard BRT Project comes online.

## Hesperian Boulevard Streetscape Improvement Project

The Hesperian Boulevard Streetscape Improvement project is located south of the Specific Plan Area from the I-880 overcrossing to A Street in Hayward. The project includes wider sidewalks, new crosswalks, curb ramps, and bulb outs, pedestrian-scale lighting, Class II bike lanes, landscaping and street trees, bus shelters, and accommodations for future AC Transit improvements. Construction is scheduled to be completed by 2018 (Alameda County Public Works Agency 2014).

## South Alameda County Major Corridors Travel Time Improvement Project

The South Alameda County Major Corridors Travel Time Improvement Project will enhance corridor traffic and transit operations on Hesperian Boulevard, Union City Boulevard, Alvarado Boulevard, Dyer Street, Alvarado-Niles Road and Decoto Road to improve AC Transit Line 97 operations. Specific improvements include implementation of Adaptive Signal Control and Transit Signal Priority systems, which use technology to reduce wait time at traffic signals for transit vehicles by holding green lights longer or shortening red lights, as well as coordination of traffic signal timing along the corridor.

Relocation of certain bus stops may also be necessary if impacts to the adjoining businesses or properties cannot be mitigated. All of these improvements will be constructed within the existing right of way.

This project will improve 61 signalized intersections, including three in San Leandro, three under Caltrans' jurisdiction, nine in Alameda County's unincorporated area, 19 in the City of Hayward, and

27 in Union City. The three San Leandro signals are located on Hesperian Boulevard at the Thornally Drive, Drew Street, and Springlake Drive intersections.

The project is currently under design, and construction is expected to begin and finish in 2019. Improvements at the identified intersections in Alameda County will be coordinated with completion of the County’s upcoming Hesperian Boulevard Streetscape Project.

**f. Existing Bicycle Facilities**

The existing bikeways in the planning area are limited. Existing and proposed bicycle facilities within the Specific Plan Area and surrounding area are illustrated in Figure 36 and summarized in Table 33. There are approximately 1.6 miles of existing bicycle facilities and 2.3 miles of proposed facilities in the Specific Plan Area.

**Table 33 Existing and Planned Bicycle Facilities**

Type of Facility	Street	From	To
<b>Existing Facilities</b>			
Class II	Hesperian Boulevard	Bancroft Avenue	Springlake Drive
	Halcyon Drive	Adason Drive	Hesperian Boulevard
	Springlake Drive	Washington Avenue	Hesperian Boulevard
Class III	Bancroft Avenue	146 <sup>th</sup> Avenue	150 <sup>th</sup> Avenue
	Thornally Drive	Hesperian Boulevard	Coelho Drive
Class III	150th Avenue	Freedom Avenue	East 14th Street
<b>Planned Facilities</b>			
Class I	East Bay Greenway <sup>1</sup>	North City Limits	South City Limits
Class II	Fairmont Avenue <sup>2</sup>	Hesperian Boulevard	East 14 <sup>th</sup> Street
	Hesperian Boulevard <sup>1</sup>	Springlake Drive	Lewelling Boulevard
Class III	East 14 <sup>th</sup> Street	Chumalia Street	159 <sup>th</sup> Avenue
	Coelho Drive	Bayfair Drive	East 14 <sup>th</sup> Street
	Cohelo Drive	Bayfair Drive	South City Limits

<sup>1</sup> Designated route of regional significance: Alameda County Bike Route

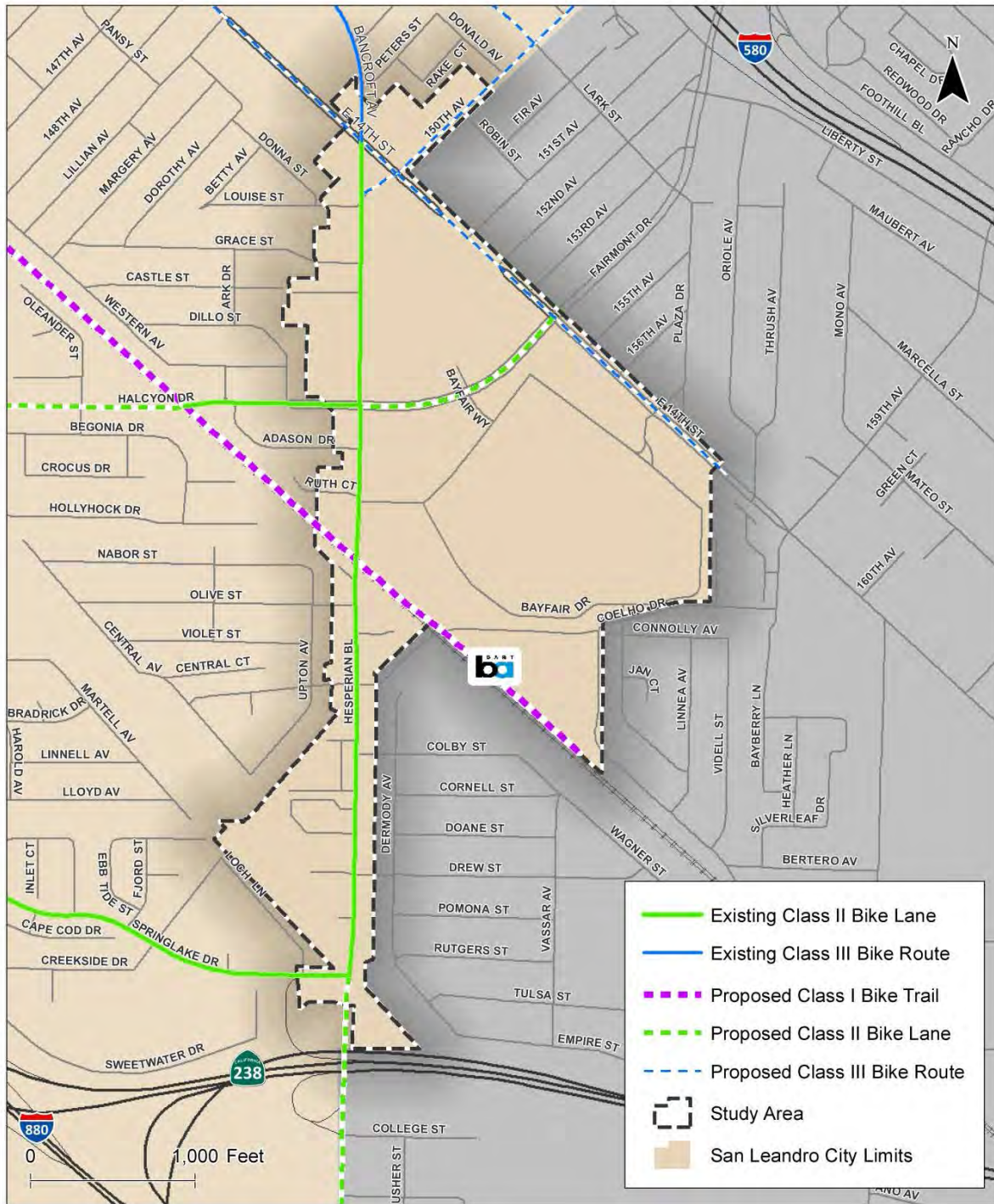
<sup>2</sup> Designated route of regional significance: Alameda County Bike Route and Metropolitan Transportation Commission Regional Bike Route

Source: Kittelson 2017

**g. Planned Bicycle Facilities**

Figure 36 presents the planned bicycle facilities. Bicycle facilities currently planned within the Specific Plan Area include the East Bay Greenway (Greenway). Planning efforts are currently ongoing to extend the northern limit to the Lake Merritt BART station and the southern limit to the South Hayward BART station. Within the Specific Plan Area, the Bay Fair station segment (Segment 13) is planned to run along the Union Pacific Railroad right-of-way from Hesperian Boulevard to Elgin Street.

Figure 36 Existing and Planned Bicycle Facilities



Source: Kittelson & Associates, Inc., 2017

## **h. Existing Pedestrian Facilities**

Eight-foot sidewalks are provided along most streets within the Specific Plan Area. However, obstructions such as lamp posts, bus stops, signs, signal cabinets, and other objects or elements within the “furnishing” zone reduce the effective width that can be used for pedestrian travel. In some locations along Fairmont Drive, these obstructions reduce the effective sidewalk width to less than three feet.

Most sidewalks in the Specific Plan Area do not provide a buffer (e.g., parking lane or landscaping) to separate pedestrians from moving traffic. Additionally, there are several locations with discontinuous sidewalks or where the sidewalk ends abruptly; most instances are along Bayfair Drive within the Bayfair Center parking areas. The discontinuous sidewalks force pedestrians to walk along the edge of the roadway or causes pedestrians to cross at undesignated locations.

Marked crosswalks with standard striping are provided at most signalized intersections. Some exceptions include the 150th Avenue/Hesperian Boulevard/Bancroft Avenue/East 14th Street intersection (west leg) and the Bayfair Drive/East 14th Street intersection (northwest leg).

Curb ramps (diagonal or perpendicular) are provided at most intersections within the Specific Plan Area. However, the majority of existing curb ramps within the Specific Plan Area are not ADA-compliant and do not have detectable warnings with contrasting colors.

## **i. Regulatory Setting**

This section summarizes applicable local and municipal plans and regulations that apply to the Specific Plan Area. This information provides a context for the impact discussion related to the proposed Specific Plan’s consistency with applicable policies, plans, laws and regulations.

### **Federal**

The US Department of Transportation (USDOT) provides a number of grant programs, primarily for the construction and upgrading of major highways and transit facilities. Many of these grants are administered by the state and regional governments. Use of federal grant funding also invokes the National Environmental Protection Act (NEPA) in some cases. The Federal Highway Administration (FHWA) sets design standards (such as interchange spacing) for interstate highways, such as I-880. The Federal Railroad Administration within the USDOT establishes safety rules regarding the operation of railroads (e.g., maximum train speeds, maximum allowed highway crossing blockage time).

### **State Policies and Regulations**

The California Department of Transportation (Caltrans) has jurisdiction over state highways. Caltrans constructs and maintains all state highways, and sets design standards that are often copied by local government. The Metropolitan Transportation Commission (MTC) is the state-designated metropolitan planning organization for the nine-county San Francisco Bay Area; it has authority for regional planning, distributing and administering federal and state funds for all modes of transportation, and assuring that projects are consistent with the Regional Transportation Plan.

#### *Caltrans Authority of the State Highway System*

Caltrans is responsible for planning, design, construction and maintenance of all interstate freeways and state routes. It sets design standards that are often used by local governments. In the Specific

Plan Area, East 14th Street (State Route 185) is under Caltrans jurisdiction. Caltrans requirements are described in their Guide for Preparation of Traffic Impact Studies (Caltrans, 2002), which covers the information needed for Caltrans to review the impacts to State highway facilities, including freeway and arterial segments, on- and off-ramps, and signalized intersections.

Caltrans builds, maintains, and operates the State Highway system in California with a goal to allow for the safe and efficient use of the State transportation system for all users. Caltrans has set standards for the operational goals of its facilities pertaining to intersection, arterial segment, and freeway segment level of service. These standards are set forth in the Caltrans Guide for the Preparation of Traffic Impact Studies. This document establishes procedures to uniformly review the operational standards of Caltrans-maintained facilities in terms of measures of effectiveness.

#### *Statewide Transportation Improvement Plan*

The Statewide Transportation Improvement Plan (STIP) is a capital improvement program that plans transportation projects related to state facilities in California for the next five years. The program is updated every two years with new construction projects as more funding is provided. The California Transportation Commission approves the fund estimate and then Caltrans and regional planning agencies submit plans for transportation improvement projects. If the projects are programmed in the STIP, then relevant agencies can begin the implementation process.

#### *California's Complete Streets Law*

The Complete Streets Law was signed in by Governor Schwarzenegger as Assembly Bill 1358 and requires that cities include the needs of all users, including bicyclists and pedestrians, when updating local general plans. Caltrans specifically adopted Deputy Directive 64, which addresses the needs of people of all ages and abilities concerning transportation planning. It also recognizes that transportation improvement projects are opportunities to improve safety, access, and mobility for motorists, bicyclists, pedestrians, and transit users. The Complete Streets Implementation Action Plan provides an overview of the program (Caltrans 2010).

## **Regional Policies and Regulations**

#### *Metropolitan Transportation Commission (MTC)*

The MTC is designated by the state as the regional transportation planning agency for the nine-county San Francisco Bay Area. MTC is responsible for updating the Regional Transportation Plan, which plans the future transit, highway, roadway, railroad, bicycle and pedestrian facilities. MTC portions out federal funding to local agencies for transportation projects and determines their compliance with the Regional Transportation Plan.

#### *Regional Transportation Plan (RTP) and Sustainable Communities Strategy*

MTC recently updated its Regional Transportation Plan which was adopted by ABAG and MTC in July 2017. This new plan, Plan Bay Area 2040, specifies how future transportation spending will occur through 2040 (ABAG and MTC 2017). The new plan incorporates a California mandated Sustainable Communities Strategy. It also focuses on reducing greenhouse gas emissions as it relates to transportation, per the requirements set out in the California Sustainable Communities and Climate Protection Act of 2008. Part of this effort includes the goal to increase non-auto mode share. Other main transportation goals of the plan include reducing vehicle operating and maintenance costs due to pavement conditions and reduce per-rider transit delay due to aged infrastructure.

### *MTC: Transit-Oriented Development and Complete Streets Policies*

MTC adopted Resolution 3434 in July 2005, which discusses its policy on transit-oriented development (TOD) for regional transit expansion projects. The goal of the policy is to improve the cost-benefits of transit expansions by ensuring those transportation agencies, local jurisdictions, and the public work together. The plan will specify corridor-level thresholds to determine minimum residential and commercial development adjacent to transit stations. The plan will also address key issues within TOD's, such as land use changes, access improvements, circulation improvements, and multi-modal design features.

MTC adopted Resolution 3765 in 2006 which states that future projects consider bicycle and pedestrian needs. Associated with this is a Routine Accommodation checklist, which developers must complete at the beginning stages of the project to ensure that all transportation modes have been accommodated for.

MTC adopted Resolution 4202 in 2015, which outlines project selection policies and project programming for the One Bay Area Grant program (OBAG 2). OBAG 2 dedicates funds to support Plan Bay Area, including Priority Development Area (PDA) Planning and Implementation. PDAs are places identified by Bay Area communities as areas for investment, new homes and job growth. The Bay Fair BART Transit Village is designated as a potential Transit Town Center PDA by the Association of Bay Area Governments (ABAG) as of July 2017.

### *Bay Area Rapid Transit*

BART provides regional access throughout the Bay Area. BART trains provide direct access between Contra Costa County, Alameda County, San Francisco County, and San Mateo County. Within the Specific Plan Area, the Bay Fair BART station provides access to residents, businesses, and visitors.

### **BART MULTIMODAL ACCESS DESIGN GUIDELINES (MADG)**

BART is in the process of developing design guidelines and recommended standards for planning for pedestrian, bicycle, transit, and vehicle access within BART's stations areas. The Multimodal Access Design Guidelines focus on design elements that create a safe and comfortable experience for station area users, prioritizing human activity (BART July 2017).

### **BART TRANSIT-ORIENTED DEVELOPMENT GUIDELINES**

BART developed guidelines for planning and development around BART stations in May 2017. These guidelines refer to several policies and principles, including BART's Transit-Oriented Development Policy. It established BART's priorities for TOD on and near BART property and presents recommendations during the planning and development process (BART July 2016).

### **BART STATION ACCESS POLICY**

BART adopted the BART Station Access Policy in June 2016. This policy describes the process to which BART patrons arrive at the BART station and leave to their final destinations. The policy is meant to incorporate planning of the user's entire journey with partnering of local agencies to make the transition from BART to the final destination a smooth transition. It establishes an investment framework regarding walking, bicycling, transit, drop-off and pick-up, taxi, and parking based on station type.



### **BART: POLICY ON JOINT DEVELOPMENT AND REPLACEMENT PARKING**

BART prepared a policy on replacing BART parking in 2005 to address the growing issues that BART will face in the future to meet user demands. Ridership is expected to grow for BART in the coming years, which will require additional parking. Transit-oriented development also creates new issues to portioning out available land adjacent to BART stations. This policy provides guidelines on how to address the issues, a methodology for access and replacement parking analysis, and sample case studies. These policies will help to govern the redevelopment of the Bay Fair BART station site (Wilson 2005).

#### *Alameda County Transportation Commission*

The Alameda County Transportation Commission (Alameda CTC) coordinates transportation planning efforts throughout Alameda County and programs local, regional, state and federal funding for project implementation. It prepares the Congestion Management Program (CMP), a plan mandated by California law to describe the strategies to address congestion problems on the CMP network, which includes state highways and principal arterials. The CMP requires analysis of Metropolitan Transportation System (MTS) roadway and transit system and uses level of service standards as a means to measure congestion and has established LOS standards to determine how local governments meet the standards of the CMP.

Alameda CTC is the governing agency for the oversight on transportation projects and planning in Alameda County. These projects improve the highway corridors, arterial street network, public transit, and pedestrian and bicycle facilities. Long-range planning is outlined in the Alameda Countywide Transportation Plan (CWTP), which looks at a 25-year horizon for the Alameda County transportation system (Alameda CTC 2016). The Alameda CTC also develops the Transportation Expenditure Plan to allocate necessary funding for future capital projects. The Alameda CWTP states the main goals are for the transportation system to be (Alameda CTC 2014):

- Multimodal
- Accessible, Affordable, and Equitable for people of all ages, incomes, abilities, and geographies
- Integrated with land use patterns and local decision-making
- Connected across the county, within and across the network of streets, highways and transit, bicycle and pedestrian routes
- Reliable and Efficient
- Cost Effective
- Well Maintained
- Safe
- Supportive of a Healthy and Clean Environment

#### *Alameda County Congestion Management Program*

The Alameda County Congestion Management Program (CMP) specifically lays out the strategies to implement the Countywide Transportation Plan. The CMP is updated every two years and sets guidelines on level of service standards, analysis of land uses on the transportation network, managing the transportation demand, and developing a seven-year Capital Improvement Program

(CIP). The program also develops a travel demand model to assess the future impacts in the Cumulative year (Alameda CTC 2015).

#### *California Public Utilities Commission (CPUC)*

The CPUC has regulatory oversight authority over a number of design and operational aspects of railroads and at-grade highway crossings in the state. CPUC also administers a limited fund for constructing highway/rail grade separations.

### **City of San Leandro Policies and Regulations**

The City of San Leandro is the local agency with discretion of the growth near the Bay Fair station. The City has a General Plan that outlines the goals for future sustainable growth and the City of San Leandro Municipal code enforces the rules and regulations. With the exception of State highways that are under Caltrans' jurisdiction, streets in the Specific Plan Area are generally under the jurisdiction of the City of San Leandro.

#### *San Leandro 2035 General Plan*

The Transportation Element of the City's 2035 General Plan addresses the movement of people and goods in and around San Leandro. The updated Element is more balanced in its treatment of each mode of travel (automobile, bicycling, walking, public transit, etc.) and also looks at environmental health, equity, greenhouse gas reduction, and the quality of public space around transportation routes. The main goals of the element are outlined below:

**Goal T-1:** Coordinate land use and transportation planning.

**Goal T-2:** Design and operate streets to be safe, attractive, and accessible for all transportation users whether they are pedestrians, bicyclist, transit riders or motorists, regardless of age or ability.

**Goal T-3:** Promote and accommodate alternative, environmentally-friendly methods of transportation, such as walking and bicycling.

**Goal T-4:** Ensure that public transportation is safe, convenient, and affordable and provides a viable alternative to driving.

**Goal T-5:** Improve major transportation arteries for circulation in and around the city.

**Goal T-6:** Minimize the adverse effects of business, industrial, and through traffic on neighborhood streets.

**Goal T-7:** Improve traffic safety and reduce the potential for collisions on San Leandro Streets.

**Goal T-8:** Coordinate local transportation planning with other agencies and jurisdictions.

#### *Bicycle and Pedestrian Master Plan*

The City's Bicycle and Pedestrian Master Plan was adopted in February 2011. While an update of the Plan is in progress, it is not yet adopted. Therefore, this EIR relies on the adopted 2011 Plan. It contains an assessment of existing conditions for bicyclists and pedestrians and provides recommendations for biking and walking facilities, the interface between bicyclists and transit, and programs. It contains the following goals, accompanied by specific policies:

**Goal 1:** Support bicycling and walking and the development of a comprehensive bicycle and pedestrian transportation system as a viable alternative to the automobile.

**Goal 2:** Implement bicycle and pedestrian improvements maximizing the amount of funding for which San Leandro is eligible.

**Goal 3:** Develop a bicycle system that meets the needs of utilitarian and recreation users, helps reduce vehicle trips, and links residential neighborhoods with local and regional destinations.

**Goal 4:** Create a well-connected pedestrian environment by improving the walkability of all streets in San Leandro through the planning, implementing, and maintaining of pedestrian supportive infrastructure that meets the needs of all users.

**Goal 5:** Maximize bicycle and pedestrian access to transit.

Goal 6: Improve bicycle and pedestrian safety.

**Goal 7:** Develop detailed and ranked bicycle and pedestrian improvements.

**Goal 8:** Raise awareness of the benefits of walking and biking by developing a coordinated public outreach strategy to encourage bicycling and walking.

**Goal 9:** Develop land use policies and development standards that promote bicycling and walking for utilitarian and recreation trips.

## 4.12.2 Impact Analysis

### a. Methodology and Significance Thresholds

The following criteria are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the proposed Specific Plan would:

1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit;
2. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads and highways;
3. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks;
4. Substantially increase traffic hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment);
5. Result in inadequate emergency access; or
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Thresholds 3, 4, and 5 are discussed in Section 4.15, *Effects Found Not to be Significant*. Thresholds 1, 2, and 6 are addressed in this section.

## Intersection Operations Thresholds

The following significance thresholds established by the City and Caltrans were used to evaluate the effects of the proposed Specific Plan on intersection operations.

### *City of San Leandro Jurisdiction*

The City's 2035 General Plan sets the LOS standard for City-controlled, signalized intersections at LOS D or better.

For intersections within Alameda CTC's priority development areas (PDA), such as the Bay Fair potential PDA, the City's LOS standard for signalized intersections is LOS E.

For those intersections operating below the standard without proposed Specific Plan traffic, the impact would be considered significant when the new trips added by the proposed Specific Plan would cause the volume-to-capacity (V/C) ratio to increase by 0.05 or more.

### *Caltrans Jurisdiction*

As stated in the Caltrans Traffic Impact Study Guide, "Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State highway facilities; however, Caltrans acknowledges that this may not always be feasible. If an existing State highway facility is operating at less than the appropriate target LOS, the existing measure of effectiveness should be maintained." The Caltrans Guide sets an LOS standard of LOS C. However, given the traffic volumes and the congestion levels of San Francisco Bay Area facilities, for the purposes of this analysis, the City has determined, in its discretion, to use the City's standard of LOS E within the Bay Fair PDA as the LOS standard for intersections under Caltrans jurisdiction. For those intersections operating below the standard without proposed Specific Plan traffic, the impact would be considered significant when the new trips added by the proposed Specific Plan would cause the volume-to-capacity (V/C) ratio to increase by 0.05 or more.

The LOS standard for each study intersection is indicated in Table 34. An impact would be potentially significant if it exceeded the LOS standard.

**Table 34 Study Intersection LOS Standards**

Study Intersection	Intersection	Jurisdiction	CMP	LOS Standard
1	East 14th Street & 143rd Avenue	Caltrans	Yes	E
2	Hesperian Blvd/ Bancroft Ave & E 14th Street	Caltrans	Yes	E
3	Hesperian Boulevard & 150th Avenue	San Leandro	Yes	E
4	E 14th Street & 150th Avenue	Caltrans	Yes	E
5	Hesperian Boulevard & Halcyon Drive/ Fairmont Drive	San Leandro	Yes	E
6	Bayfair Way & Fairmont Drive	San Leandro	No	E
7	East 14th Street & Fairmont Drive	Caltrans	Yes	E
8	Hesperian Boulevard & Bayfair Drive	San Leandro	Yes	E
9	E 14th Street & Bayfair Drive	Caltrans	Yes	E
10	Hesperian Boulevard & Thornally Drive	San Leandro	Yes	E
11	Hesperian Boulevard & Springlake Drive	San Leandro	Yes	E
12	Hesperian Boulevard & Lewelling Boulevard	San Leandro	Yes	E

Source: Kittelson & Associates, Inc., 2017

### Freeway and Arterial Segment Operations Thresholds

As stated in the Caltrans Traffic Impact Study Guide, “Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State highway facilities; however, Caltrans acknowledges that this may not always be feasible (Caltrans 2002). If an existing State highway facility is operating at less than the appropriate target LOS, the existing Measure of Effectiveness (MOE) should be maintained.” While the Caltrans Guide sets a LOS C standard, given the traffic volumes and the congestion levels of San Francisco Bay Area freeways, for the purposes of this analysis, the City has determined, in its discretion, to use LOS D as the LOS standard. For those freeway segments operating below the standard without proposed Specific Plan traffic, the impact would be considered significant when:

- The new trips added by the proposed Specific Plan increases the density by more than 5 passenger cars/mile/lane.

### CMP Segment Operations Thresholds

The LOS standard for freeway and arterial segments in the Alameda CTC CMP is LOS E. For those segments operating below the standard without proposed Specific Plan traffic, an impact would be considered significant when the addition of proposed Specific Plan trips causes:

- The V/C ratio along a freeway or arterial segment to increase by 0.03 or more, or
- An increase in transit passengers by 1 percent or more on buses or trains already at maximum load capacity.

## Analysis Scenarios

Intersection level of service analysis was performed to assess the performance of the circulation system for the weekday morning (AM) and weekday afternoon (PM) peak hours at selected locations for the following three scenarios. These scenarios are described in more details in their respective sections:

- Existing (2017) conditions
- Cumulative (2035) conditions
- Cumulative (2035) with proposed Specific Plan conditions

This EIR has not considered an existing plus project scenario because near-term development is not anticipated in the Specific Plan Area based on current market trends. Additionally, the City is currently focused on implementing planned development in the downtown area which the City and its 2035 General Plan project as the primary area of residential and commercial growth through 2035. Without a market to support development in the near term and most new development concentrated in the downtown area, the existing plus project scenario would not be representative of likely development in the near term so it was excluded from the analysis. Therefore, an Existing plus Plan analysis would not be of informational value.

## Specific Plan Trip Generation, Distribution, and Assignment

Since the proposed Specific Plan includes a mix of new uses and a reduction of some existing uses, trip generation for the proposed Specific Plan was computed using the Alameda CTC Countywide Model as updated for the recent 2035 General Plan, in 2016. The model computes trips for all modes, including pedestrian, bicycle, transit, and automobile trips. In addition, the model computes internalization, mixed use reductions, pass-by trips, and mode split to transit and non-motorized modes. The model computes weekday daily, weekday AM and weekday PM peak hour trips.

Under Cumulative conditions, the model estimates the Specific Plan Area would generate approximately 37,400 daily trips on a typical weekday. Under Cumulative plus Proposed Specific Plan conditions, the Specific Plan Area would increase by about 5,600 daily trips to a total of approximately 43,000 trips on a typical weekday. Of these new trips, approximately 447 trips would occur during the weekday AM peak hour and approximately 559 trips during the weekday PM peak hour.

The Countywide Model also was used to distribute proposed Specific Plan trips to and from the Specific Plan Area as well as to assign proposed Specific Plan trips to the roadway network.

## Vehicle Miles Traveled (VMT)

SB 743 will eventually require impacts to transportation network performance to be analyzed by their potential to reduce GHG emissions, develop multimodal transportation networks, and promote a diversity of land uses. SB 743 identified possible alternative metrics, including VMT and VMT per capita, which can help identify how projects (land development and infrastructure) affect GHG emissions, but do not provide information about how the transportation network performs or functions with respect to efficiency or user experience. SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans (i.e., the general plan), studies, or on-going network monitoring, but once the new CEQA Guidelines are adopted, LOS metrics may no longer constitute the sole basis for CEQA impacts. However, the State Office of Planning and Research has not finalized its guidelines, standards, or definitions for analyzing VMT impacts and

none are currently in effect. Therefore, this section provides a VMT discussion for informational purposes only and not as part of the CEQA findings of significance discussion.

## b. Project and Cumulative Impacts and Mitigation Measures

**Threshold:** Would the Specific Plan conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?

**Impact T-1 INCREASES IN TRAFFIC IN THE SPECIFIC PLAN AREA UNDER CUMULATIVE (YEAR 2035) CONDITIONS COMPARED TO GROWTH ANTICIPATED UNDER THE EXISTING 2035 GENERAL PLAN WOULD CAUSE INTERSECTION OPERATING CONDITIONS TO EXCEED ONE OR MORE SIGNIFICANCE THRESHOLDS AT THREE SIGNALIZED STUDY AREA INTERSECTIONS. MITIGATION WOULD REDUCE IMPACTS AT THE HESPERIAN BOULEVARD/HALCYON DRIVE/FAIRMOUNT DRIVE AND EAST 14TH STREET/FAIRMONT DRIVE INTERSECTIONS. HOWEVER, NO FEASIBLE MITIGATION MEASURES ARE AVAILABLE TO REDUCE IMPACTS AT THE HESPERIAN BOULEVARD/THORNALLY DRIVE INTERSECTION AND THE EAST 14TH STREET/FAIRMONT DRIVE INTERSECTION IS WITHIN CALTRANS CONTROL AND THE CITY CANNOT GUARANTEE IMPLEMENTATION OF MITIGATION. THEREFORE, IMPACTS AT THESE INTERSECTIONS WOULD BE SIGNIFICANT AND UNAVOIDABLE.**

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Analyses of cumulative 2035 conditions, without and with the proposed Specific Plan, were performed to study how the transportation system near the Specific Plan Area would operate under Cumulative conditions and with the implementation of the proposed Specific Plan.

### Cumulative Intersection Operations

The weekday AM and PM peak hour intersection turning movement volumes and lane configurations for Cumulative conditions without the project are provided in Figure 37, Figure 38, and Figure 39 and with the proposed Specific Plan are provided in Figure 40, Figure 41, and Figure 42. The information was used to evaluate intersection operations and identify potential impacts by the proposed Specific Plan based on the City's significance thresholds, as described previously. The analysis results are summarized in Table 35.

Figure 37 Cumulative Conditions AM and PM Intersection Volumes – Intersections 1-4

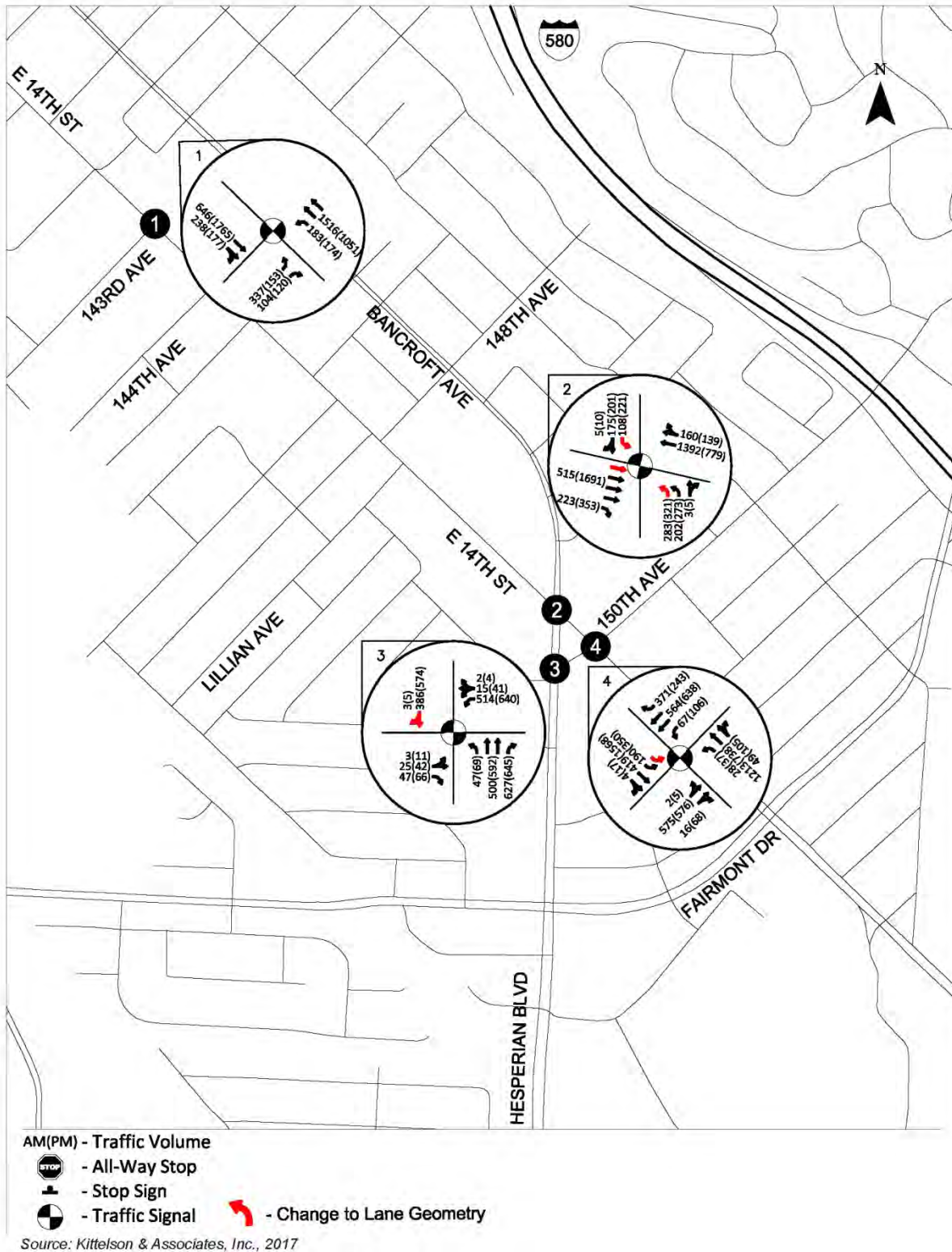




Figure 38 Cumulative Conditions AM and PM Intersection Volumes – Intersections 5-9

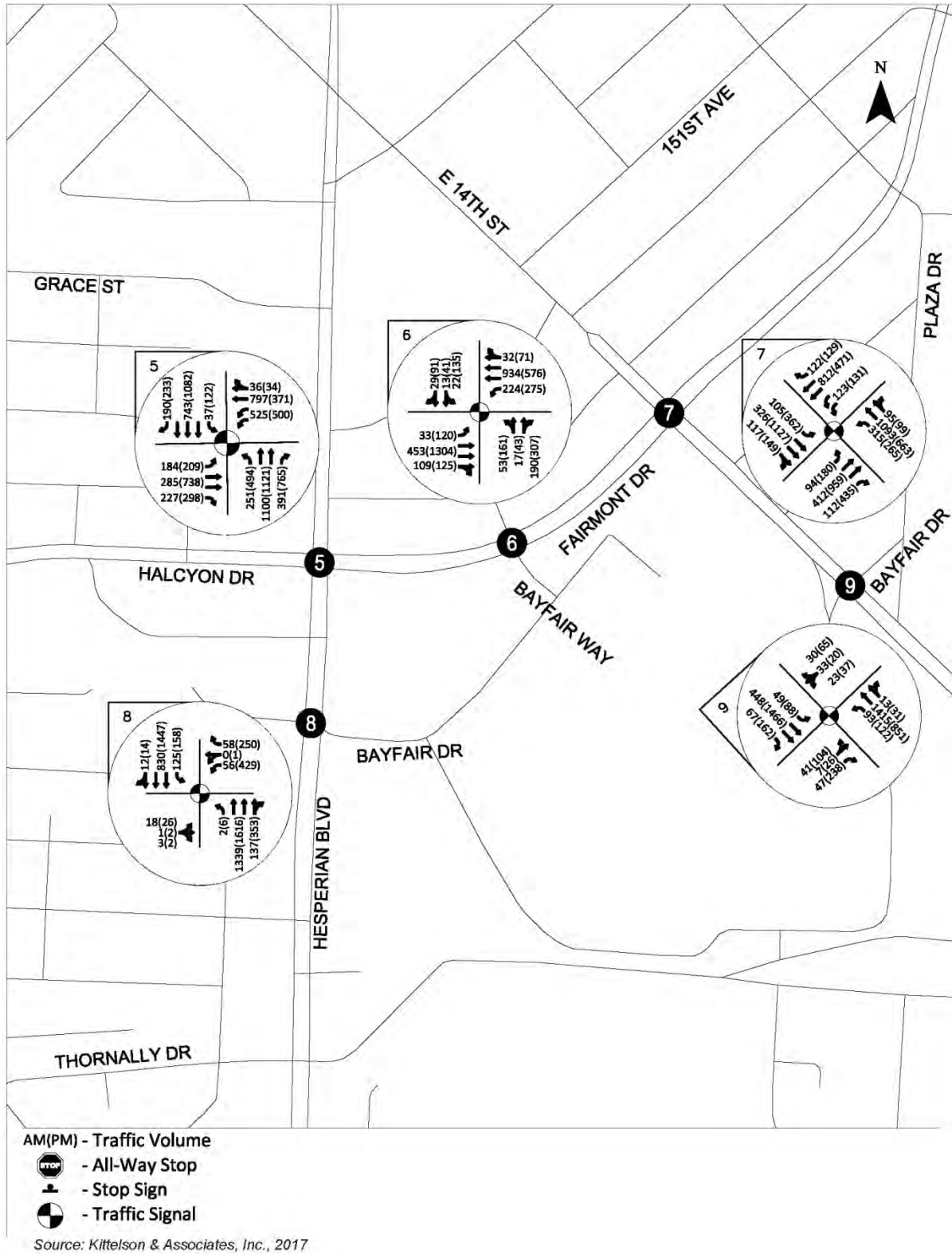


Figure 39 Cumulative Conditions AM and PM Intersection Volumes – Intersections 10-12

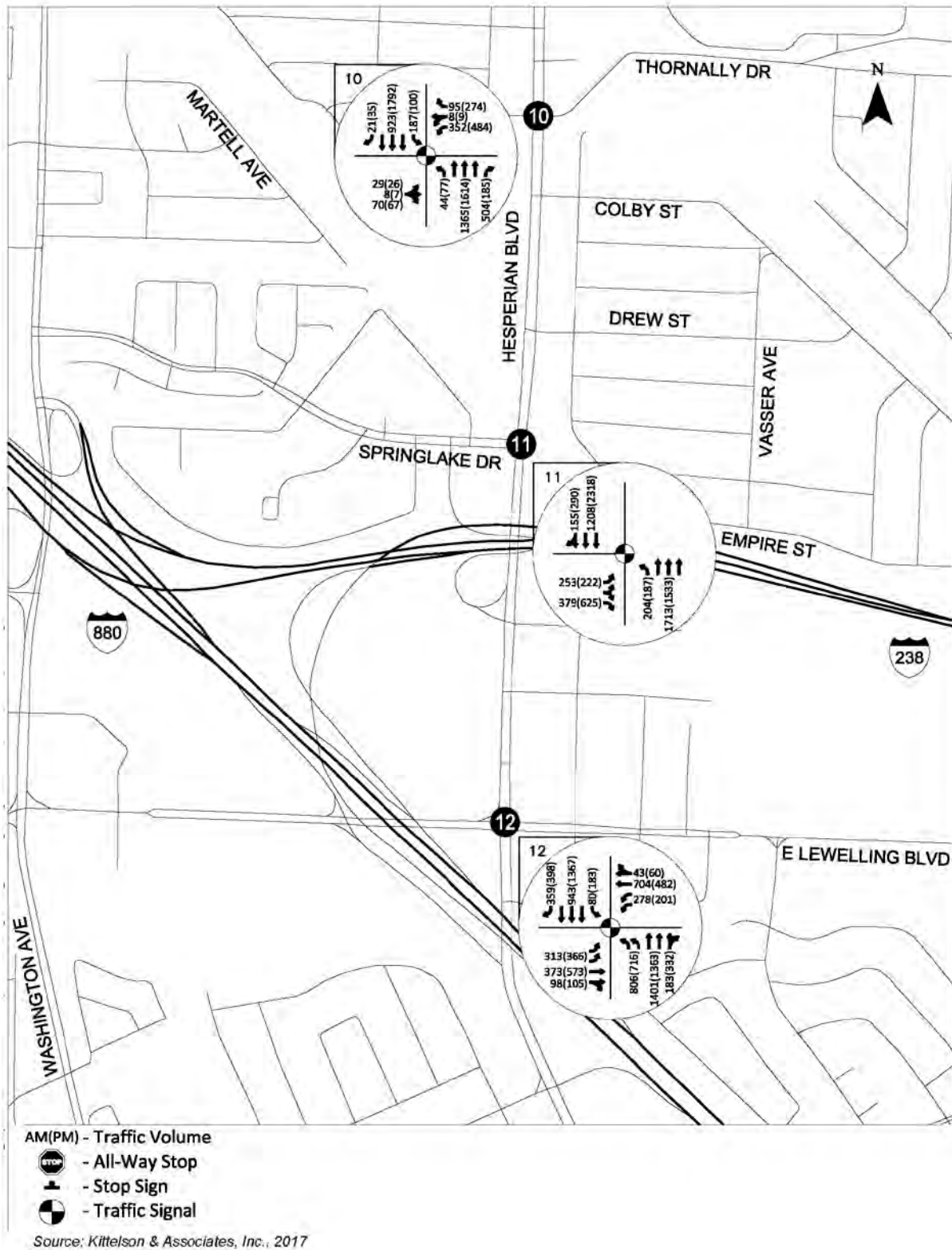


Figure 40 Cumulative plus Project AM and PM Intersection Volumes - Intersections 1-4

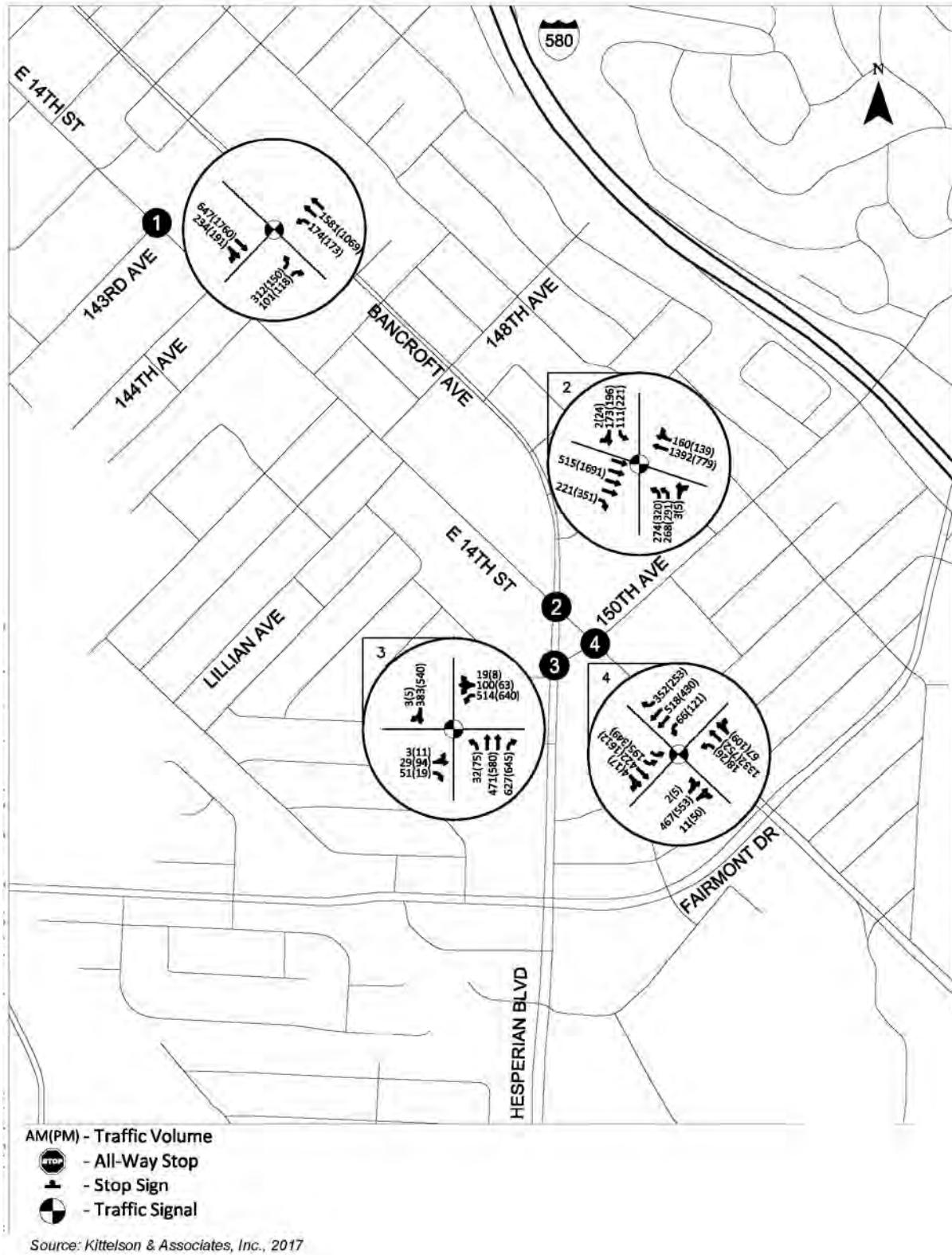


Figure 41 Cumulative plus Project AM and PM Intersection Volumes – Intersections 5-9

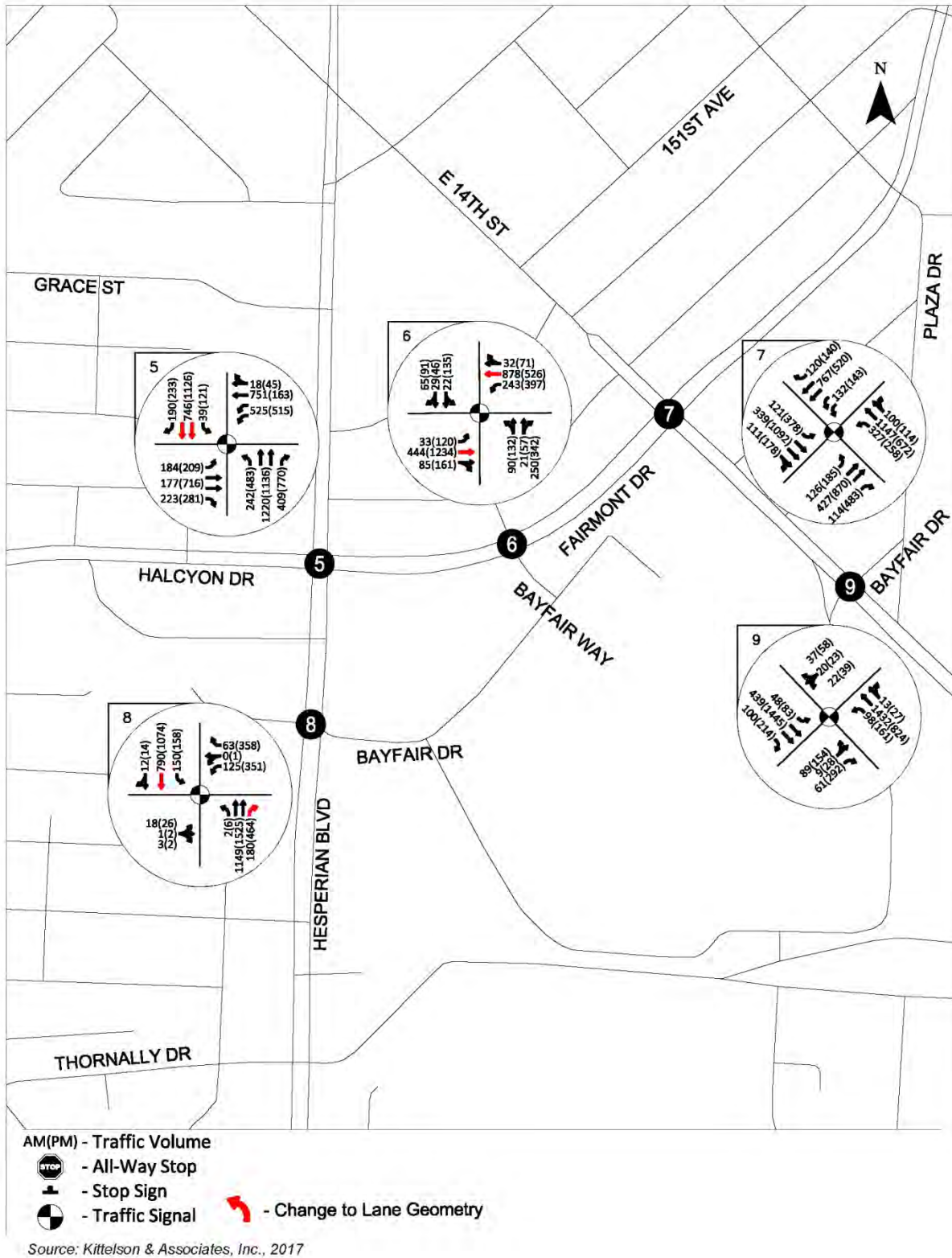
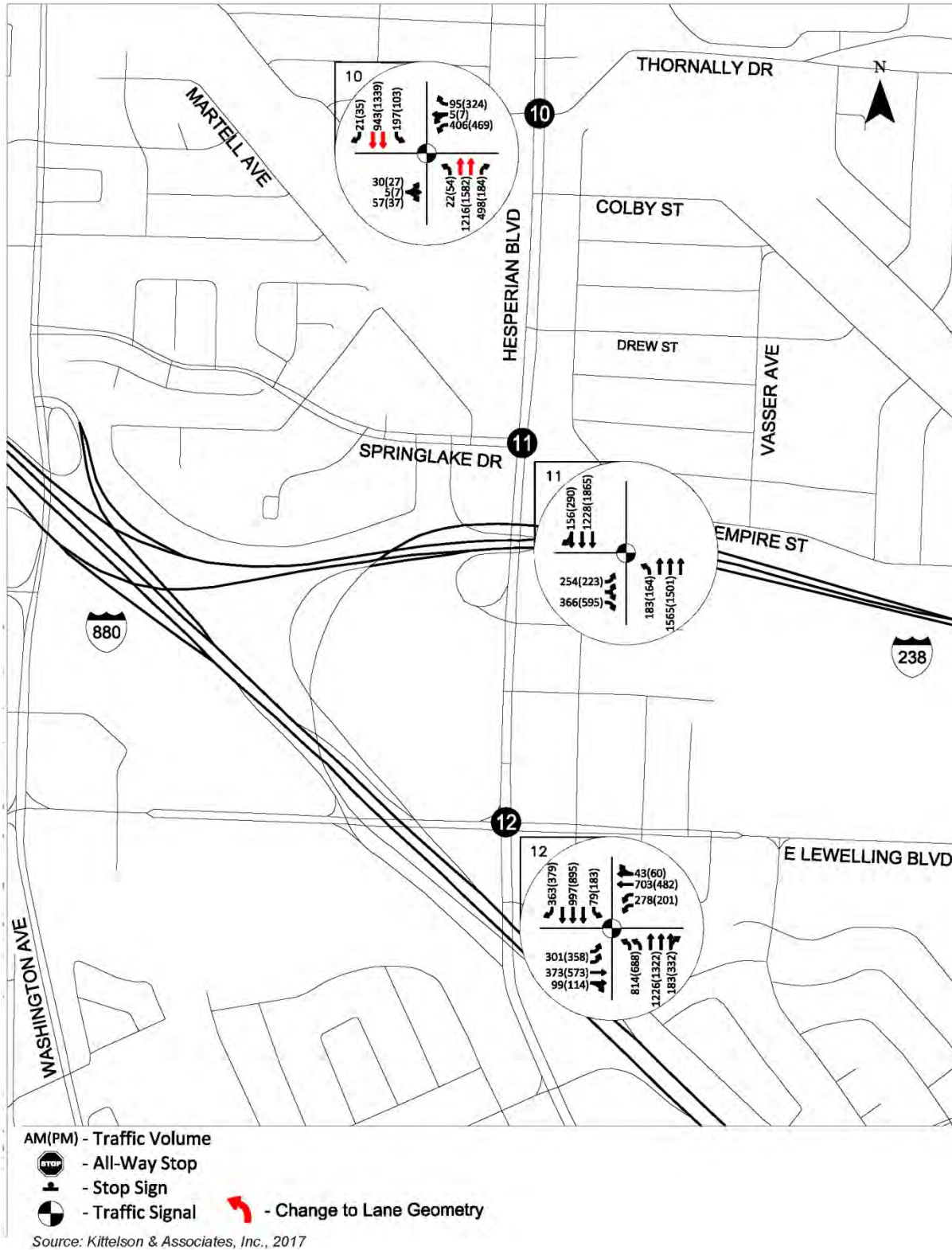


Figure 42 Cumulative plus Project AM and PM Intersection Volumes - Intersections 10-12





**Table 35 Intersection Level of Service for Cumulative Conditions, without and with Proposed Specific Plan**

#	Intersection	Peak Hour	Cumulative Conditions			Cumulative plus Proposed Specific Plan Conditions			Change in V/C
			Delay	LOS	V/C	Delay	LOS	V/C	
1	E 14 <sup>th</sup> Street & 143 <sup>rd</sup> Avenue	AM	20.4	C	0.85	19.2	B	0.86	N/A
		PM	65.8	E	0.93	65.4	E	0.93	N/A
2	Hesperian Boulevard & Bancroft Avenue & East 14 <sup>th</sup> Street	AM	34.6	C	0.82	41.1	D	0.86	N/A
		PM	26.6	C	0.64	27.4	C	0.65	N/A
3	Hesperian Boulevard & 150 <sup>th</sup> Avenue	AM	18.0	B	0.48	20.6	C	0.52	N/A
		PM	22.8	C	0.66	25.4	C	0.68	N/A
4	East 14 <sup>th</sup> Street & 150 <sup>th</sup> Avenue	AM	<b>109.1</b>	<b>F</b>	<b>0.75</b>	119.1	F	0.76	0.01
		PM	<b>237.2</b>	<b>F</b>	<b>1.04</b>	277.3	F	1.01	-0.03
5	Hesperian Boulevard & Halcyon Drive/ Fairmont Drive	AM	<b>109.3</b>	<b>F</b>	<b>1.16</b>	116.0	F	1.17	0.01
		PM	<b>95.9</b>	<b>F</b>	<b>1.19</b>	<b>130.2</b>	<b>F</b>	<b>1.25</b>	<b>0.06</b>
6	Bayfair Way & Fairmont Drive	AM	31.5	C	0.39	35.2	D	0.53	N/A
		PM	37.8	D	0.69	75.9	E	0.91	N/A
7	East 14 <sup>th</sup> Street & Fairmont Drive	AM	<b>86.0</b>	<b>F</b>	<b>1.04</b>	<b>95.0</b>	<b>F</b>	<b>1.09</b>	<b>0.05</b>
		PM	<b>132.0</b>	<b>F</b>	<b>1.21</b>	129.7	F	1.18	-0.03
8	Hesperian Boulevard & Bayfair Drive	AM	15.6	B	0.53	19.7	B	0.65	N/A
		PM	69.9	E	0.90	54.0	D	0.85	N/A
9	East 14 <sup>th</sup> Street & Bayfair Drive	AM	14.4	B	0.64	17.3	B	0.70	N/A
		PM	22.3	C	0.75	27.2	C	0.81	N/A
10	Hesperian Boulevard & Thornally Drive	AM	<b>126.9</b>	<b>F</b>	<b>0.87</b>	<b>212.6</b>	<b>F</b>	<b>0.98</b>	<b>0.11</b>
		PM	<b>191.4</b>	<b>F</b>	<b>0.93</b>	<b>292.2</b>	<b>F</b>	<b>1.02</b>	<b>0.09</b>
11	Hesperian Boulevard & Springlake Drive	AM	21.1	C	0.72	20.1	C	0.69	N/A
		PM	57.5	E	0.90	21.4	C	0.76	N/A
12	Hesperian Boulevard & Lewelling Boulevard	AM	53.8	D	0.95	54.7	D	0.96	N/A
		PM	57.1	E	0.91	48.6	D	0.88	N/A

Delay = Weighted average delay in seconds of all intersection approaches

LOS = Level of service

V/C = Volume-to-capacity ratio

N/A indicates where V/C criterion is not relevant, as LOS is E or better.

**Bold font indicates substandard operations.**

**Shaded cell indicates potentially significant impact.**

Source: Kittelson & Associates, 2017

Under Cumulative conditions, the following four intersections are projected to operate below the standard at LOS F during the weekday AM and weekday PM peak hours:

- East 14th Street/150th Avenue (#4)
- Hesperian Boulevard/Halcyon Drive/Fairmont Drive (#5)
- East 14th Street/Fairmont Drive (#8)
- Hesperian Boulevard/Thornally Drive (#10)

All other intersections would operate acceptably within the standard during the weekday AM and weekday PM peak hours.

With the addition of proposed Specific Plan traffic and street network improvements, the same four intersections would continue to operate below the standard at LOS F during the weekday AM and weekday PM peak hours. The following locations would experience an increase in V/C of more than 0.05 during the peak hours noted:

- Hesperian Boulevard/Halcyon Drive/Fairmont Drive (#5, weekday PM peak hour)
- East 14th Street/Fairmont Drive (#7, weekday AM peak hour)
- Hesperian Boulevard/Thornally Drive (#10, weekday AM and weekday PM peak hours)

Therefore, since the V/C would be increased by more than 0.05, which is the City’s threshold of significance for signalized intersections, impacts at these intersections are potentially significant. All other intersections would operate acceptably within the standard during the weekday AM and weekday PM peak hours.

### Vehicle Miles Traveled

As discussed above under “Methodology and Significance Thresholds,” there are currently no adopted guidelines, standards, or definitions of impact related to VMT. Nonetheless, for informational purposes, this section includes a discussion of VMT. The Alameda Countywide Model was used to help evaluate the change in VMT for the proposed Plan. Total daily VMT and VMT per capita based on the model are presented in Table 36. As shown, VMT per capita for existing conditions is 32.6 miles per service population. By 2035, the VMT is forecast to drop to 30.0 miles per service population. The proposed Specific Plan further reduces VMT to 22.1 miles per service population which is 32 percent lower than existing conditions. This exceeds the Regional Transportation Plans 2035 performance objective goal of a 10 percent reduction.

**Table 36 VMT Per Capita – Existing and Projected**

	Existing 2017	Cumulative 2035 No-Project	Cumulative 2035 with Proposed Plan
Daily VMT	226,370	271,636	310,008
Per capita persons (population + jobs) <sup>1</sup>	6,943	9,060	14,031
VMT Per Capita	32.6	30.0	22.1

<sup>1</sup> Population and jobs numbers are larger than what is shown in the Population and Housing section because the traffic analysis zones (TAZ) in the traffic model are bigger than the actual Specific Plan Area and numbers are based on the traffic model results. However, the change in VMT and per capita VMT is equivalent to the change in VMT for the Specific Plan Area.

Source: Kittelson & Associates, Inc., 2017

### Mitigation Measures

Mitigation measures were identified in the TIA for intersections potentially impacted by the addition of traffic from the proposed Specific Plan. Opportunities for physical mitigation measures such as restriping of intersection approaches to add turn lanes and improving traffic control devices were investigated. The emphasis was to identify physical and/or operational improvements that could be easily implemented. Mitigation measures that were considered at the Hesperian Boulevard/Thornally Drive Intersection (#10) included modifications to intersection traffic control or

restriping of the approaches to provide turn-lanes. These potential mitigation measures were either ineffective in reducing the impact to a level below significance or were determined to be infeasible based on the constrained right-of-way that precludes widening or the addition of vehicular capacity at this location without the removal of bike lanes. Therefore there are no feasible improvements that can be implemented within the available right-of-way at the Hesperian Boulevard/Thornally Drive Intersection.

In addition, other feasible mitigation measures, such as trip reduction or TDM programs, were considered. However, Chapter 3, Mobility, of the proposed Specific Plan already includes TDM guidelines to encourage residential and employer TDM programs for new projects in the Specific Plan Area. Further, the effectiveness of TDM programs cannot be guaranteed. Therefore, it cannot be guaranteed TDM programs would reduce impacts to a level below significance.

The following mitigation measures would be required:

*T-1 Hesperian Boulevard/Halcyon Drive/Fairmont Drive*

The City of San Leandro shall implement a signal timing improvement project within the coordinated signal group for the intersection of Hesperian Boulevard and Halcyon Drive . The improvement shall occur when the proposed road diet on Hesperian Boulevard is implemented.

*T-2 East 14th Street/Fairmont Drive*

The City of San Leandro shall coordinate with Caltrans to implement a signal timing improvement project within the coordinated signal group for the intersection of East 14th Street and Fairmont Drive by funding actual cost. This mitigation measure is to occur when new projects within the Specific Plan Area generate a cumulative total of approximately 350 AM peak hour trips.

## Significance After Mitigation

*Hesperian Boulevard/Halcyon Drive/Fairmont Drive*

Implementation of Mitigation Measure T-1 would reduce the V/C ratio to 0.04 above that of the Cumulative condition in the weekday PM peak hour. This would be below the City's threshold of a V/C increase of 0.05 or more. Therefore, the cumulative impact would be reduced to a less than significant level.

*East 14th Street/Fairmont Drive*

Implementation of Mitigation Measure T-2 would reduce the V/C ratio to that of the Cumulative condition in the weekday AM peak hour. However, because this intersection is under the jurisdiction of Caltrans, the implementation and timing of the mitigation measure is not under the City's control. Therefore, this impact would remain significant and unavoidable:

*Hesperian Boulevard/Thornally Drive*

Addition of a northbound through lane at the intersection would reduce the V/C ratio to within the standard. However, the available right-of-way at the intersection would not accommodate an additional through lane without removal of the bike lanes included as part of the street network improvements in the proposed Specific Plan. Therefore, an additional through lane would not be installed with implementation of the proposed Specific Plan and other feasible mitigation, such as



trip reduction programs, could not be guaranteed to reduce impacts to a level below significance. The impact would remain significant and unavoidable.

**Threshold:** Would the Specific Plan conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads and highways?

**Impact T-2 DEVELOPMENT FACILITATED BY THE PROPOSED SPECIFIC PLAN WOULD INCREASE TRAFFIC ON CMP FREEWAY AND ARTERIAL SEGMENTS UNDER CUMULATIVE (YEAR 2040) CONDITIONS. NO SIGNIFICANT IMPACTS WOULD OCCUR AT CMP FREEWAY SEGMENTS. HOWEVER, WITH THE PROPOSED SPECIFIC PLAN, FOUR ARTERIAL SEGMENTS WOULD EXCEED ONE OR MORE CMP THRESHOLDS. THERE ARE NO FEASIBLE IMPROVEMENTS THAT COULD BE IMPLEMENTED WITHIN THE AVAILABLE RIGHT-OF-WAY OF THE SIGNIFICANTLY AFFECTED INTERSECTIONS THAT WOULD REDUCE IMPACTS. THEREFORE, IMPACTS AT THESE SEGMENTS WOULD BE SIGNIFICANT AND UNAVOIDABLE.**

Alameda CTC Congestion Management Program (CMP) Land Use Analysis was performed to identify potential impacts of the proposed Specific Plan on the Metropolitan Transportation System (MTS) roadway network and the MTS transit operators. MTS roadways in the TIA study area include I-880, I-238, I-580, East 14th Street, Washington Avenue, Hesperian Boulevard, and Leelling Boulevard. Vehicle impacts were assessed at selected roadway locations including two segments of I-880, one segment of I-238, two segments of I-580, two segments of East 14th Street, and one segment each of Washington Avenue, Hesperian Boulevard, and Leelling Boulevard.

Traffic counts representative of year 2017 were used to establish existing conditions. Traffic forecasts for Year 2040 conditions were extracted at the selected MTS roadway segments from the latest version of the Countywide Model, dated August 2015. The forecasts differ from those applied to the Circulation System Performance analysis in that no adjustments or changes were made to the Countywide Model in accordance with the CMP guidelines. Consequently, the CMP analysis results do not account for land use developments or roadway improvements not already in the model. The proposed Specific Plan forecasts at the roadway segments were developed by incorporating the proposed Specific Plan land use and street network improvements into the Countywide Model.

The LOS results along with peak hour volumes and density on the freeway analysis segments for the Year 2040 Cumulative conditions, with and without proposed Specific Plan, are provided in Table 37 and on the MTS arterial segments in Table 38.

Table 37 MTS Freeway LOS Results for 2040

Freeway	Location		Year 2040 Cumulative Conditions			Year 2040 Cumulative with Proposed Specific Plan Conditions			Change in V/C
			Volume <sup>1</sup>	Density <sup>2</sup>	LOS	Volume	Density	LOS	
I-238 EB	Hesperian Boulevard to SR-185	AM	2,049	11.4	B	2,069	11.4	B	N/A
		PM	4,689	33.3	D	4,700	33.4	D	N/A
I-238 WB	SR-185 to Hesperian Boulevard	AM	5,119	40.9	E	5,090	40.9	E	N/A
		PM	3,544	21.1	C	3,541	21.2	C	N/A
I-580 NB	150 <sup>th</sup> Avenue to Benedict Drive	AM	8,824	<b>74.3</b>	<b>F</b>	<b>8,809</b>	<b>74.1</b>	<b>F</b>	<b>-0.002</b>
		PM	6,784	32.5	D	6,699	32.3	D	N/A
I-580 NB	I-238 to Liberty Street	AM	7,437	41.0	E	7,438	41.1	E	N/A
		PM	5,192	21.0	C	5,240	21.2	C	N/A
I-580 SB	Benedict Drive to 150 <sup>th</sup> Avenue	AM	5,553	22.9	C	5,483	22.5	C	N/A
		PM	8,676	<b>69.3</b>	<b>F</b>	<b>8,633</b>	<b>69.0</b>	<b>F</b>	<b>-0.005</b>
I-580 SB	Liberty Street/164 <sup>th</sup> Avenue to I-238	AM	4,583	18.0	C	4,541	17.9	B	N/A
		PM	7,958	<b>50.5</b>	<b>F</b>	<b>8,027</b>	<b>51.1</b>	<b>F</b>	<b>0.009</b>
I-880 NB	Marina Boulevard to Davis Street	AM	9,223	<b>51.1</b>	<b>F</b>	<b>9,208</b>	<b>50.8</b>	<b>F</b>	<b>-0.002</b>
		PM	7,394	30.2	D	7,365	29.9	D	N/A
I-880 NB	Washington Avenue to Marina Boulevard	AM	9,250	<b>69.6</b>	<b>F</b>	<b>9,230</b>	<b>69.9</b>	<b>F</b>	<b>-0.002</b>
		PM	7,177	32.6	D	7,143	32.5	D	N/A
I-880 SB	Davis Street to Marina Boulevard	AM	5,845	21.6	C	5,830	21.4	C	N/A
		PM	7,801	39.7	E	7,820	39.8	E	N/A
I-880 SB	Marina Boulevard to Washington Avenue	AM	5,259	27.8	D	5,243	27.8	D	N/A
		PM	7,740	<b>104.9</b>	<b>F</b>	<b>7,742</b>	<b>104.0</b>	<b>F</b>	<b>0.000</b>

<sup>1</sup> Volume = Passenger Cars per Hour (pcph)

<sup>2</sup> Density = Passenger Cars per Mile per Lane (pcpmpl)

Bold text indicates substandard operations.

N/A indicates where V/C criterion is not relevant, as LOS is E or better.

Source: Kittelson & Associates, Inc., 2017

**Table 38 MTS Arterial LOS, 2040 Cumulative Conditions, without and with Proposed Specific Plan**

Segment		Year 2040 Cumulative Conditions		Year 2040 Cumulative with Proposed Specific Plan Conditions	
		AM	PM	AM	PM
<b>Northbound/Eastbound</b>					
East 14 <sup>th</sup> Street, south of Estudillo Avenue	Volume	<b>1,987</b>	<b>1,295</b>	<b>2,039</b>	<b>1,337</b>
	LOS	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
	V/C Change	--	--	0.03*	<b>0.03</b>
East 14 <sup>th</sup> Street, south of Fairmont Drive	Volume	<b>2,309</b>	1,258	<b>2,356</b>	1,279
	LOS	<b>F</b>	D	<b>F</b>	D
	V/C Change	--	--	0.02	0.02
Washington Avenue, south of San Leandro Boulevard	Volume	<b>1,351</b>	<b>1,033</b>	<b>1,359</b>	<b>1,028</b>
	LOS	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
	V/C Change	--	--	0.01	0.00
Hesperian Boulevard, south of East 14 <sup>th</sup> Street	Volume	1,771	2,050	<b>1,766</b>	<b>2,080</b>
	LOS	D	D	<b>F</b>	<b>F</b>
	V/C Change	--	--	<b>0.00</b>	<b>0.01</b>
Lewelling Boulevard, east of Washington Avenue	Volume	<b>1,553</b>	<b>1,609</b>	1,455	1,490
	LOS	<b>F</b>	<b>F</b>	D	E
	V/C Change	--	--	-0.06	-0.07
<b>Southbound/Westbound</b>					
East 14 <sup>th</sup> Street, south of Estudillo Avenue	Volume	982	<b>1,665</b>	997	<b>1,739</b>
	LOS	D	<b>F</b>	D	<b>F</b>
	V/C Change	--	--	0.02	<b>0.04</b>
East 14 <sup>th</sup> Street, south of Fairmont Drive	Volume	1,124	<b>2,164</b>	1,135	<b>2,209</b>
	LOS	D	<b>F</b>	D	<b>F</b>
	V/C Change	--	--	0.01	0.02
Washington Avenue, south of San Leandro Boulevard	Volume	<b>946</b>	<b>1,238</b>	<b>910</b>	<b>1,237</b>
	LOS	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
	V/C Change	--	--	-0.04	0.00
Hesperian Boulevard, south of East 14 <sup>th</sup> Street	Volume	1,513	1,705	1,464	<b>1,722</b>
	LOS	D	D	D	<b>F</b>
	V/C Change	--	--	-0.03	<b>0.01</b>
Lewelling Boulevard, east of Washington Avenue	Volume	<b>1,733</b>	1,396	<b>1,669</b>	1,276
	LOS	<b>F</b>	D	<b>F</b>	D
	V/C Change	--	--	-0.04	-0.09

\*V/C change is round up to 0.03; therefore, the segment operates within the standard.

**Bold text indicates substandard operations.**

**Shaded cell indicate a significant impact.**

Source: Kittelson & Associates, Inc., 2017

## MTS Freeway Segments

Under Year 2040 Cumulative conditions, most freeway segments would operate within the standard. The following segments would operate at LOS F, which is below the standard, during the peak hours noted:

- I-580 northbound segment between 150th Avenue and Benedict Drive (weekday AM peak hour)
- I-580 southbound segment between Benedict Drive and 150th Avenue (weekday PM peak hour)
- I-580 southbound segment between Liberty Street/164th Avenue and I-238 (weekday PM peak hour)
- I-880 northbound segment between Marina Boulevard and Davis Street (weekday AM peak hour)
- I-880 northbound segment between Washington Avenue and Marina Boulevard (weekday AM peak hour)
- I-880 southbound segment between Marina Boulevard and Washington Avenue (weekday PM peak hour)

With the addition of proposed Specific Plan traffic and street network improvements, the change in the V/C ratios for these segments would be less than 0.03, and no additional segments would operate below the standard. Therefore, the impacts of the proposed Specific Plan would be less than significant.

## MTS Arterial Segments

The MTS arterial segment analysis results are presented in Table 38. As shown in the table, the following arterial segments would operate below the standard under Year 2040 Cumulative conditions during the peak hours noted:

- Northbound East 14th Street, south of Estudillo Avenue (weekday AM and weekday PM peak hours)
- Southbound East 14th Street, south of Estudillo Avenue (weekday PM peak hour)
- Northbound East 14th Street, south of Fairmont Drive (weekday AM peak hour)
- Southbound East 14th Street, south of Fairmont Drive (weekday PM peak hour)
- Northbound Washington Avenue, south of San Leandro Boulevard (weekday AM and weekday PM peak hours)
- Southbound Washington Avenue, south of San Leandro Boulevard (weekday AM and weekday PM peak hours)
- Eastbound Lewelling Boulevard, east of Washington Avenue (weekday AM peak hour)
- Westbound Lewelling Boulevard, east of Washington Avenue (weekday AM peak hour)

With the addition of proposed Specific Plan traffic and street network improvements, most of these segments operating below the standard would continue to operate below the standard but would not experience an increase in the V/C ratio of 0.03 or more. Therefore, impacts associated with the proposed Specific Plan at those locations would be less than significant.

However, two of the segments already operating below the standard under Year 2040 Cumulative conditions would experience an increase in the V/C ratio of 0.03 or more. These segments are:

- Northbound East 14th Street, south of Estudillo Avenue (weekday PM peak hour)
- Southbound East 14th Street, south of Estudillo Avenue (weekday PM peak hour)

In addition, two segments would deteriorate to LOS F with the addition of proposed Specific Plan traffic and street network improvements, and would operate below the standard. These segments are:

- Northbound Hesperian Boulevard, south of East 14th Street (weekday AM and weekday PM peak hours)
- Southbound Hesperian Boulevard, south of East 14th Street (weekday PM peak hour)

Therefore, the proposed Specific Plan's impacts to East 14th Street, south of Estudillo Avenue, and to Hesperian Boulevard, south of East 14th Street, are potentially significant.

## Mitigation Measures

Mitigation measures were identified in the TIA for intersections potentially impacted by the addition of traffic from the proposed Specific Plan. Opportunities for physical mitigation measures such as restriping of intersection approaches to add turn lanes and improving traffic control devices were investigated. The emphasis was to identify physical and/or operational improvements that could be easily implemented. Mitigation measures that were considered included modifications to intersection traffic control or restriping of the approaches to provide turn-lanes. These potential mitigation measures were either ineffective in reducing the impact to a level below significance or were determined to be infeasible based on the constrained right-of-way that precludes widening or the addition of vehicular capacity at this location. There are no feasible physical improvements that could be implemented within the available right-of-way of the significantly affected intersections that would reduce impacts.

In addition, other feasible mitigation measures, such as trip reduction or TDM programs, were considered. However, Chapter 3, Mobility, of the proposed Specific Plan already includes TDM guidelines to encourage residential and employer TDM programs for new projects in the Specific Plan Area. Further, the effectiveness of TDM programs cannot be guaranteed. Therefore, it cannot be guaranteed TDM programs would reduce impacts to a level below significance.

## Significance After Mitigation

### *Northbound East 14th Street, South of Estudillo Avenue*

The addition of proposed Specific Plan traffic and street network improvements would cause the segment V/C ratio to increase by 0.03 during the weekday PM peak hour, which exceeds the Alameda CTC's standard for CMP roadways. The addition of a northbound lane along the segment would reduce the V/C ratio to within the standard. However, the available right-of-way along the segment would not accommodate an additional lane, and adding additional right-of-way would potentially impact other modes. Therefore, an additional lane would not be installed with implementation of the proposed Specific Plan and other feasible mitigation, such as trip reduction programs, could not be guaranteed to reduce impacts to a level below significance., The impact would remain significant and unavoidable.

*Southbound East 14th Street, South of Estudillo Avenue*

The addition of proposed Specific Plan traffic and street network improvements would cause the segment V/C ratio to increase by 0.03 during the weekday PM peak hour, which exceed the Alameda CTC's standard for CMP roadways. The addition of a southbound lane along the segment would reduce the V/C ratio to within the standard. However, the available right-of-way along the segment would not accommodate an additional lane, and adding additional right-of-way would potentially impact other modes. Therefore, an additional lane would not be installed with implementation of the proposed Specific Plan and other feasible mitigation, such as trip reduction programs, could not be guaranteed to reduce impacts to a level below significance. The impact would remain significant and unavoidable.

*Northbound Hesperian Boulevard, South of East 14th Street*

The addition of proposed Specific Plan traffic and street network improvements would cause the segment LOS to deteriorate from LOS D to LOS F during the weekday AM and weekday PM peak hours, which exceed the City's standard. The addition of a northbound vehicle lane along the segment would reduce the segment LOS to within the standard. However, the available right-of-way along the segment would not accommodate an additional vehicle lane without removal of the bike lanes included as part of the street network improvements in the proposed Specific Plan. Therefore, an additional vehicle lane would not be installed with implementation of the proposed Specific Plan and other feasible mitigation, such as trip reduction programs, could not be guaranteed to reduce impacts to a level below significance. The impact would remain significant and unavoidable.

*Southbound Hesperian Boulevard, South of East 14th Street*

The addition of proposed Specific Plan traffic and street network improvements would cause the segment LOS to deteriorate from LOS D to LOS F during the weekday PM peak hour, which exceeds the City's standard. The addition of a northbound vehicle lane along the segment would reduce the segment LOS to within the standard. However, the available right-of-way along the segment would not accommodate an additional vehicle lane without removal of the bike lanes included as part of the street network improvements in the proposed Specific Plan. Therefore, an additional vehicle lane would not be installed with implementation of the proposed Specific Plan and other feasible mitigation, such as trip reduction programs, could not be guaranteed to reduce impacts to a level below significance. The impact would remain significant and unavoidable.

<b>Threshold:</b> Would the Specific Plan conflict with adopted policies, plans, or programs regarding public transit or otherwise decrease the performance or safety of such facilities?
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**Impact T-3** THE PROPOSED SPECIFIC PLAN WOULD NOT CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS REGARDING PUBLIC TRANSIT AND WOULD NOT DEGRADE OR DECREASE THE PERFORMANCE OF THE BART SYSTEM. HOWEVER, BECAUSE OF THE SIGNIFICANT INCREASE IN VEHICLE DELAY AT THE INTERSECTION OF HESPERIAN BOULEVARD AND THORNALLY DRIVE AS DISCUSSED UNDER IMPACT T-1, BUSES WOULD ALSO EXPERIENCE SIGNIFICANT OPERATIONAL DELAYS APPROACHING THIS INTERSECTION. THEREFORE, IMPACTS TO BUS OPERATION WOULD BE SIGNIFICANT AND UNAVOIDABLE.

The two primary transit agencies serving San Leandro are AC Transit and BART. Amtrak service via the Capitol Corridor passes through San Leandro but the nearest station is the Coliseum Station in Oakland. AC Transit has numerous routes serving the Specific Plan Area, including; 1, 1R, 32, 40, 48, 75, 89, 93, 97, 99 and 801; while the Bay Fair BART station directly serves the Specific Plan Area.

Future service includes the AC Transit BRT along International Boulevard/ East 14th Street from Oakland to the San Leandro BART station, and the BART extension to San Jose.

## Transit Capacity

In addition to the impact of vehicles on transit operations, the CMP guidelines require a determination for whether a proposed Specific Plan would cause the existing transit service to exceed its available capacity. All combined AC Transit routes and were considered for these purposes.

### *AC Transit*

The proposed Specific Plan is estimated to generate 344 new AC Transit bus trips per day compared to the 2035 no-project with approximately 35 occurring in each peak hour. Given these trips are spread on multiple routes from/to the Specific Plan Area each operating at an average headway of 30 minutes in the peak hour, and 15 minutes for the BRT, the proposed Specific Plan is likely to contribute an average of under 5.0 additional passengers per bus, which is not expected to exceed AC Transit’s capacity at the maximum load segments within San Leandro. Therefore, impacts of the proposed Specific Plan on AC Transit service capacity would be less than significant.

### *BART*

The Bay Fair BART station is located within the Specific Plan Area. According to the April 2017 ridership information provided by BART, there are currently approximately 5,731 daily weekday boarding’s at the Bay Fair BART Station. Under Cumulative conditions, the model estimates this will increase to 18,911 daily weekday boarding’s. Under Cumulative plus Proposed Specific Plan conditions, the model estimates this will further increase to 20,422 daily weekday boardings. As presented in Table 39, the proposed Specific Plan is expected to increase daily BART ridership in 2035 by 1,511 new riders at the station, with approximately 151 trips (10%) occurring during the weekday AM peak hour and approximately 151 trips (10%) occurring during the weekday PM peak hour. BART service would be fully operational to San Jose by 2035. Based on four future routes that will pass through San Leandro, and assuming 12 trains per hour in each direction, the proposed Specific Plan would contribute on average 6.3 additional passengers per train. The capacity of each train is 1,000 seated and standing passengers. Per BART’s 2008 Station Profile Study, the maximum load factors during the peak hours on BART are at 100 percent. Assuming this condition continues with the future expanded service, the projected ridership increase due to the proposed Specific Plan of 6.3 passengers per train would increase BART ridership on trains at the Bay Fair station by less than 1 percent. Therefore, the impacts of the proposed Specific Plan would be less than significant.

**Table 39 Proposed Specific Plan Trips on BART**

Period	Proposed Specific Plan Trips	BART Trains	Additional Passengers per Train	Percent Increase in Passengers per Train <sup>1</sup>
Weekday AM Peak Hour	151	24	6.3	0.6%
Weekday PM Peak Hour	151	24	6.3	0.6%

Source: Kittelson & Associates, 2017

<sup>1</sup> Train capacity assumed to be 1,000 passengers

## Transit Access and Egress

Since the proposed Specific Plan is not making changes to connections to the Bay Fair BART station, the proposed Specific Plan would provide the same adequate pedestrian connection between the proposed Specific Plan land use sites and transit stops. Therefore, the impacts of the proposed Specific Plan to transit access and egress would be less than significant.

## Future Transit Service

Future transit service to San Leandro would include the BART extension to San Jose as well as the AC Transit BRT route from Oakland to the San Leandro BART station along East 14<sup>th</sup> Street. Proposed Specific Plan improvements along this route would not preclude implementation of these planned service improvements. Therefore, the impacts of the proposed Specific Plan to future transit service would be less than significant.

## Consistency with Adopted Transit, Bicycle, and Pedestrian Plans

The proposed Specific Plan's consistency with transit operators' adopted plans was assessed. The proposed Specific Plan is not expected to generate additional BART trips to a point that would exceed the current maximum load capacity of the BART trains by more than one percent. Implementation of the proposed Specific Plan also would not affect any future plans established by BART. AC Transit's future plans also would not be inhibited by the proposed Specific Plan. Therefore, the impacts of the proposed Specific Plan to planned improvements to BART and AC Transit service would be less than significant.

The Alameda Countywide Bicycle Plan, Countywide Pedestrian Plan, and Countywide Transit Plan, all enacted by the Alameda CTC, as well as *Plan Bay Area 2040*, the Regional Transportation Plan enacted by the MTC in 2013, contain strategies designed to support alternative modes of transportation, including walking, bicycling, and public transit. The proposed Specific Plan identifies and prioritizes improvements to enhance the pedestrian and bicycle environment.

The proposed Specific Plan includes strategies that, once adopted, would implement the following strategies from the Alameda Countywide Bicycle Plan, Countywide Pedestrian Plan, and Countywide Transit Plan, and would ensure adequate bicycle, pedestrian, and public transit facilities are available in the Specific Plan Area.

- **Countywide Bicycle Plan Strategy 1.7:** Encourage local jurisdictions to adopt policies, guidelines, standards and regulations that result in bicycle-friendly communities, and, where applicable, transit-oriented land use development; and provide them with technical assistance and resources to do so
- **Countywide Pedestrian Plan Strategy 1.8:** Encourage local jurisdictions to adopt policies, guidelines, standards and regulations that result in pedestrian-friendly communities, and, where applicable, transit-oriented land use development; and provide them with technical assistance and resources to do so
- **Countywide Transit Plan, Streets Plus Strategy #2:** Encourage transit-oriented community planning along transit corridors and transit-dense areas

The proposed Specific Plan is a plan for transit-oriented development. Therefore, by its nature it implements the above strategies. As described in Chapter 2, of the proposed Specific Plan, a strategy to improve mobility for all modes along existing major streets is integrated throughout the



proposed Specific Plan as a planning framework. Chapter 3, Mobility, of the proposed Specific Plan includes standards and guidelines to improve the pedestrian and bicycle networks in the Specific Plan Area. Therefore, implementation of the proposed Specific Plan would support the strategies mentioned above and would not conflict with plans, programs and policies regarding bicycle, pedestrian, or transit facilities, or decrease the performance and safety of such facilities.

Therefore, impacts to bicyclists, pedestrians, and transit service providers resulting from implementation of the proposed Specific Plan would be less than significant.

### **Effects of Vehicle Traffic on Mixed Flow Transit Operations**

An assessment was made to determine if vehicle trips generated by the proposed Specific Plan would cause congestion that reduces transit vehicle operations. AC Transit currently operates 11 bus lines in the area that include 1, 1R, 32, 40, 48, 75, 89, 93, 97, 99 and 801. While proposed Specific Plan traffic is dispersed around the Bayfair Center and BART station area, traffic increases would occur along Hesperian Boulevard, East 14th Street, Halcyon Drive, and Bay Fair Drive. Generally, traffic increases resulting from the proposed Specific Plan range from 0.0 percent to 4.0 percent on arterial segments already at LOS F. As discussed previously, the proposed Specific Plan would cause potentially significant impacts to intersections in the Plan area on East 14th Street and on Hesperian Boulevard. Mitigation Measure T-1 and T-2 were identified to reduce the impact on East 14th Street and one impact on Hesperian Boulevard to less than significant. However, the Hesperian Boulevard/Thornally Drive intersection would experience an increase in delay and a change in the V/C ratio that would not be mitigated. This change in operations at the intersection would affect mixed flow transit operations. Therefore, the impact of the proposed Specific Plan on mixed flow transit operations would be significant and unavoidable.

### **Mitigation Measures**

As discussed under Impact T-1, no feasible mitigation measures exist at the Hesperian Boulevard/Thornally drive intersection. In addition, the effectiveness of TDM programs cannot be guaranteed and it cannot be guaranteed TDM programs would reduce impacts to a level below significance.

### **Significance After Mitigation**

Addition of a northbound through lane at the intersection would reduce the V/C ratio to within the standard and therefore would not significantly impact transit operations. However, the available right-of-way at the intersection would not accommodate an additional through lane without removal of the bike lanes included as part of the street network improvements in the proposed Specific Plan. Therefore, an additional through lane would not be installed with implementation of the proposed Specific Plan and other feasible mitigation, such as trip reduction programs, could not be guaranteed to reduce impacts to a level below significance. The impact would remain significant and unavoidable.

## 4.14 Utilities and Service Systems

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This section analyzes potential impacts associated with implementation of the proposed Specific Plan to utility and service systems, including water and wastewater infrastructure as well as solid waste.

### 4.14.1 Setting

#### a. Water Supply

##### Surface Water

Water supply to the Specific Plan Area is provided by the East Bay Municipal Utility District (EBMUD). Based on historical averages, approximately 90 percent of the water delivered by EBMUD originates from the Mokelumne River watershed, which is fed primarily from the melting snowpack of the Sierra Nevada. The Mokelumne River Watershed upstream of Camanche Dam is relatively narrow and steep and is located northeast of the Sacramento-San Joaquin River Delta on the western slope of the Sierra Nevada; above Camanche Dam, the Mokelumne River drains over 600 square miles of mountains and foothills. The remaining 10 percent originates as runoff from the protected watershed lands and reservoirs in the East Bay Hills (City of San Leandro 2016g).

EBMUD has water right permits and licenses for delivery of up to a maximum of 325 million gallons per day (mgd), or 997 acre-feet per day, from the Mokelumne River, subject to availability of Mokelumne River runoff and the senior water rights of other users. EBMUD's position in the hierarchy of Mokelumne River water users is determined by a variety of agreements between Mokelumne River water right holders and the terms of the appropriate water right permits and licenses. Conditions that could, depending on hydrology, restrict EBMUD's ability to receive its full entitlement include: 1) upstream water use by senior water right holders, 2) downstream water use by riparian and senior appropriators and other downstream obligations, including protection of public trust resources, 3) variability in precipitation and runoff, and 4) downstream fishery flow requirements (EBMUD 2015; 2017a).

##### Supplemental Water Supply and Demand Management

During prolonged droughts the Mokelumne River supply cannot meet EBMUD's projected customer demands. Therefore, when EMBUD supplies are relatively low, water is received from the Central Valley Project (CVP) through the Freeport Regional Water Project in accordance with a Long-Term Renewal Contract (LTRC No. 14-06-200-5183A-LTR1) with the U.S. Bureau of Reclamation. In 2011, EBMUD brought the Freeport Regional Water Project online to allow delivery of water from the Sacramento River to customers during dry years. Specifically, the LTRC provides for up to 133,000 acre feet of CVP supply in a single dry year, not to exceed a total of 165,000 acre feet in three consecutive dry years (EMBUD 2017b, see Appendix E).

EBMUD is also developing the Bayside Groundwater Project in phases to provide a source of supplemental water supply in dry years. Construction of the first phase was completed in 2010, allowing EBMUD to inject treated potable water into a deep aquifer in the South East Bay Plan Groundwater Basin for later extraction, treatment, and use during severe droughts. A permit from the California Department of Public Health (CDPH) is required before the groundwater can be extracted and treated for municipal use. EBMUD's drought planning calls for using the Bayside

Phase 1 Project during the third year of multi-year droughts to provide up to one million gallons of water per day to meet customer demands (EBMUD 2017b, see Appendix E). Chapter 5 of the 2015 UWMP also lists other potential supplemental water projects (EBMUD 2015).

## Water Conservation and Recycled Water

EBMUD implements water conservation programs to provide reliable water supply and to meet the statewide per capita water use reduction goals of SBx7-7, a California state law that requires the state to reduce urban water consumption by 20 percent by the year 2020. EBMUD's Water Conservation Program includes projects and services targeting both supply-side and demand-side water use. The demand-side water conservation programs include four major strategies: water management services (e.g. tools and services that encourage customers to conserve); conservation incentives (e.g., rebates, on-bill financing, conservation fixtures); education and outreach (education and outreach targeting landscape professionals, plumbers, and conservation services and incentives); and regulations and legislation (e.g., water efficiency standards and best practices that seek to reduce water consumption) (EBMUD 2015).

## Water Distribution

EBMUD's water supply system consists of a network of reservoirs, aqueducts and pipelines, water treatment plants (WTPs), pumping plants, and other distribution facilities that convey Mokelumne River water from Pardee Reservoir, where it is contained by Pardee Dam, to Camanche Reservoir, where it is contained by Camanche Dam, and distributed to EBMUD customers. Raw water from these reservoirs is transported in tunnels and aqueducts via gravity flow to one of EBMUD's three in-line filtration WTPs or to one or more of the EBMUD terminal reservoirs. After the WTPs, water is distributed throughout EBMUD's service area, which is divided into more than 120 pressure zones ranging in elevation from sea level to 1,450 feet above mean sea level (amsl). About 50 percent of treated water is distributed to customers by gravity. The water distribution network includes 4,100 miles of pipe, 140 pumping plants and 170 neighborhood reservoirs (tanks storing treated drinking water) having a total capacity of 830 million gallons. EBMUD operates and maintains all treatment, storage, pumping, and distribution facilities within its service area and is responsible for all facilities up to the location of the water meter (EBMUD 2015).

There are no major water storage facilities in San Leandro; the City is served by nearby facilities in Castro Valley and Oakland, including the Dunsmuir Reservoir just outside the northeastern city limit. Pipelines in San Leandro range from 4 to 36 inches in diameter (City of San Leandro 2016i).

## Water Supply Regulatory Setting

### *State*

Drinking water quality is regulated by the CDPH, the SWRCB, and the Regional Water Quality Control Board (RWQCB), San Francisco Bay Region (Region 2). The California Code of Regulations, Title 22 (State Drinking Water Standards) is the primary body of state legislation providing water system standards, including standards for water supply, storage capacity, and water quality. Other considerations include the Porter-Cologne Water Quality Control Act, the Safe Drinking Water Act, and the SWRCB Non-degradation Policy.

The Urban Water Management Planning Act of 1983 amended California Water Code to require all urban water suppliers in California to prepare and adopt an Urban Water Management Plan (UWMP) and update it every five years. This requirement applies to all suppliers providing water to

more than 3,000 customers or supplying more than 3,000 acre-feet per year (AFY) of water. EBMUD adopted its first UWMP in 1985, and has been updating the plan every five years since then, adjusting for current and projected water usage, water supply programs, and conservation and recycling programs. Water demand projections described in the UWMP account for anticipated future water demands within the EBMUD service territory, and changes in land uses including but not limited to densification and associated increases in water usage.

Senate Bill (SB) 610 (2002) amended California Water Code to require detailed analysis of water supply availability for certain types of development projects. The primary purpose of SB 610 is to improve the linkage between water and land use planning by ensuring greater communication between water providers and local planning agencies, and ensuring that land use decisions for certain types of development projects are fully informed as to whether sufficient water supplies are available to meet project demands. SB 610 requires the preparation of a Water Supply Assessment (WSA) for a project that is subject to CEQA and meets certain requirements, including residential developments of more than 500 dwelling units.

Assembly Bill 1881, the Model Water Efficient Landscape Ordinance (WELO), required cities and counties to adopt landscape water conservation ordinances by January 31, 2010, or to adopt a different ordinance that is at least as effective in conserving water as the ordinance. The City of San Leandro adopted the Bay-Friendly Landscape Ordinance in accordance with AB 1881. The ordinance incorporates landscape protocols developed by the Alameda County Waste Management Authority and all parameters in the WELO. The ordinance became effective as of February 1, 2010.

Executive Order B-29-15 required the State to revise the Model WELO to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, graywater usage, on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf (City of San Leandro 2016i; California Department of Water Resources 2015).

### *Regional and Local*

EBMUD is the public water agency serving the proposed Specific Plan area, and regulates water efficiency for water service customers. All applicants/proponents for new and expanded water services are required to comply with specifications in the Water Efficiency Requirements checklist provided as Section 31. In order to meet WELO requirements, all landscaping meeting the 2,500-square-foot threshold must comply with the EBMUD's Section 31 Water Service Regulations for Outdoor Water Use. EBMUD will not furnish water service for new or expanded service unless all the applicable water-efficiency measures described in the Water Service Regulations are installed (at the project proponent's expense).

Although the Specific Plan itself does not propose construction of individual projects, residential buildout assumptions for the Specific Plan, as summarized in Section 2, *Project Description*, would exceed 500 residential units. The EBMUD prepared a WSA in accordance with SB 610 for the proposed Specific Plan, as summarized under the Impact Analysis discussion below and included in Appendix E. Should future projects in the Specific Plan Area meet the threshold requirements for preparation of a WSA, a project-specific WSA would be required to be prepared by individual project proponents.

### **SAN LEANDRO 2035 GENERAL PLAN**

The City's 2035 General Plan Community Services and Facilities Element contains the following goal, policies, and actions related to water supply:

**Goal CSF-6.** Ensure that local water, sewer, storm drainage, solid waste, energy, and telecommunication facilities are well maintained; improvements meet existing and future needs; and land use decisions are contingent on the adequacy and maintenance of such facilities.

**Policy CSF-6.1. Development Impacts.** Permit new development only when infrastructure and utilities can be provided to that development without diminishing the quality of service provided to the rest of the City.

**Policy CSF-6.2. 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.

**Action CSF-6.2.A: Infrastructure Impact Fee and Rate Updates.** Regularly update fees and rates for sewer, solid waste, and other public services to ensure that revenues are sufficient to cover operating and maintenance costs.

**Policy CSF-6.3. Coordination.** Coordinate local infrastructure planning with EBMUD, the Oro Loma Sanitary District, Alameda County, and other service providers to ensure that infrastructure remains adequate to serve existing and planned development.

**Policy CSF-6.6. Reclaimed Water System.** Continue the expansion of the reclaimed water system, and the delivery of high-quality reclaimed water for landscaping, industrial use, and other non-potable applications as they become financially feasible. Employ advanced technology so that reclaimed water can eventually be made available to all households.

## b. Wastewater

The Oro Loma Sanitary District (OLSD) provides wastewater collection and treatment services for 13 square miles, including the Specific Plan Area. In 2007, OLSD completed the Wastewater Treatment Plant Capacity Restoration Project, which upgraded the plant for consistency with new regulations, and increased treatment capacity of the plant. The wastewater treatment plant, jointly owned by OLSD and the Castro Valley Sanitary District, has a total plant capacity of 20 mgd, and currently treats an average of 11.8 mgd on dry weather flow days (Bocsan 2017). The OLSD wastewater treatment plant is maintained and operated per guidance provided in the Sewer System Management Plan (SSMP), which provides direction for maintenance, repairs, rehabilitation, and funding, as well as for hydraulic modeling to use in system design planning, capacity studies to anticipate where and how system improvements are needed, and contingency plans for emergency response (OLSD 2014).

The OLSD wastewater treatment plant directs treated wastewater to an outfall controlled by East Bay Dischargers Authority (EBDA), a joint powers authority, which discharges treated effluent to the San Francisco Bay. The San Francisco RWQCB established wastewater treatment requirements for the OLSD wastewater treatment plant and the EBDA outfall in an NPDES Permit (Order No. R2-2012-0004), adopted in 2012. The NPDES Order sets a framework for operation of the plant and effluent from the plant (City of San Leandro 2016i).

An existing sewer trunk line maintained by OLSD bisects the Specific Plan Area as shown in Figure 7.3 of the Specific Plan. Wastewater generated north of Thornally Drive between Hesperian Boulevard and East 14th Street flows through a new gravity system in a southerly direction and

discharges to the existing trunk system. Wastewater generated west of Hesperian Boulevard is collected in existing sewer trunks under Hesperian Boulevard.

## Wastewater Regulatory Setting

### *State*

Standards for wastewater treatment plant effluent are established using state and federal water quality regulations. After treatment, wastewater effluent is either disposed of or reused as recycled water. The RWQCBs set the specific requirements for community and individual wastewater treatment and disposal and reuse facilities through the issuance of Waste Discharge Requirements (WDR), required for wastewater treatment facilities under the California Water Code Section 13260. The CDPH is also involved in permitting water reuse facilities. Requirements for disposal are set to protect present and potential beneficial uses of the water which receives the effluent. The CDPH sets specific requirements for treated effluent reuse, or recycled water, through Title 22 of the California Code of Regulations (mentioned above with regards to drinking water quality standards). These requirements are primarily set to protect public health.

The California Code of Regulations Title 22, Division 4, Chapter 3, Sections 60301 through 60355 are used to regulate recycled wastewater and are administered jointly by the CDPH and the RWQCBs. Title 22 contains effluent requirements for four levels of wastewater treatment, from undisinfected secondary recycled water to disinfected tertiary recycled water. Higher levels of treatment have higher effluent standards, allowing for a greater number of uses under Title 22, including irrigation of freeway landscaping, pasture for milk animals, parks and playgrounds, and vineyards and orchards for disinfected tertiary recycled water.

Salt concentrations (such as chloride, nitrogen, sodium, etc.) in the effluent are regulated based on the Water Quality Control Plan (Basin Plan) for the San Francisco Bay Basin, which also considers local groundwater quality (discussed in Section 4.8, *Hydrology and Water Quality*). Recycled water quality goals for salts and other constituents would vary depending on the intended irrigation recipients. The RWQCB develops waste discharge requirements based on the Basin Plan, designed to protect beneficial uses of the State waters. The RWQCB Basin Plan contains an anti-degradation policy so that existing quality shall be maintained.

### *Regional and Local*

#### **SAN LEANDRO 2035 GENERAL PLAN**

The City's 2035 General Plan Community Services and Facilities Element contains the following policies and actions related to wastewater, in addition to the goal, policies, and actions listed above under the Water Regulatory Setting:

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

**Action CSF-6.4.A: Infiltration/Inflow Capital Improvements.** Continue improvements to the City's wastewater collection system to correct infiltration and inflow problems and expand the reclaimed water delivery system. Ensure that high operating efficiency is retained in both the wastewater collection and treatment systems.

**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.

**c. Solid Waste**

Solid waste and recycling collection service and programming in the Specific Plan Area is overseen by the Alameda County Waste Management Authority. The City of San Leandro has two distinct service areas for refuse and recycling services, the San Leandro Sanitary District and the OLSA. The Specific Plan Area is in the Oro Loma Sanitary District, which provides residential and commercial trash, recycling and green waste services (City of San Leandro 2017). As of 2014, CalRecycle reported that 93 percent of the City’s solid waste disposal waste went to a total of four landfills. There are active four landfills serving the City: Altamont Landfill, Forward Sanitary Landfill, Potrero Hills Landfill, and Vasco Road Sanitary Landfill. Table 40 shows the maximum capacity for all four landfills. As shown, total remaining landfill capacity is approximately 52.3 million cubic yards at Altamont Landfill, 17.6 million cubic yards at Forward Landfill, 11 million cubic yards at Potrero Hills Landfill, and 6.3 million cubic yards at Vasco Road Sanitary Landfill, approximately 53, 43, 17, 24 percent of total permitted landfill capacity, respectively.

**Table 40 City-Service Landfill Capacity**

Site	Maximum Permitted Throughput per Day*		Maximum Permitted Capacity		Remaining Capacity	
	CY**	Tons	CY	Tons	CY	Tons
Altamont Landfill Resource Recovery Facility (estimated closure date January 1, 2025)	13,938	11,150	124,400,000	99,520,000	65,400,000	52,320,000
Forward Landfill, Inc. (estimated closure date January 1, 2020)	10,835	8,668	51,040,000	40,832,000	22,100,000	17,680,000
Potrero Hills Landfill (estimated closure date February 18, 2048)	5,413	4,330	83,100,000	66,480,000	13,872,000	11,097,600
Vasco Road Sanitary Landfill (estimated closure date August 31, 2019)	3,148	2,518	32,970,000	26,376,000	7,959,079	6,367,263
<b>Total</b>	<b>33,333</b>	<b>26,666</b>	<b>291,510,000</b>	<b>233,208,000</b>	<b>109,331,079</b>	<b>87,464,863</b>

\* CalRecycle. Facility/Site Listing: Retrieved

<http://www.calrecycle.ca.gov/SWFacilities/Directory/SearchList/List?COUNTY=Alameda&OPSTATUS=Active>

\*\* CalRecycle (2017) 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 (EPA 2016) are used to provide all figures in both Tons and Cubic Yards. EPA identifies a standard conversion factor for Municipal Solid Waste (MSW) compacted to “Landfill Density” of 1,700 pounds per cubic yard, equating to approximately 0.8 ton per cubic yard of compacted MSW. Source: EPA (U.S. Environmental Protection Agency) 2015, Standard Volume-to-Weight Conversion Factors, [https://www.epa.gov/sites/production/files/2016-04/documents/volume\\_to\\_weight\\_conversion\\_factors\\_memorandum\\_04192016\\_508fnl.pdf](https://www.epa.gov/sites/production/files/2016-04/documents/volume_to_weight_conversion_factors_memorandum_04192016_508fnl.pdf). Accessed May 19, 2017.

## Solid Waste Regulatory Setting

### *State*

#### **CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT**

The California Integrated Waste Management Act of 1989 (AB 939), set a requirement for cities and counties throughout the State to divert 50 percent of all solid waste from landfills by January 1, 2000 through source reduction, recycling, and composting. To help achieve this, the Act required that each city and county prepare and submit a Source Reduction and Recycling Element. AB 939 also established the goal for all California counties to provide at least 15 years of on-going landfill capacity.

In 2007, SB 1016 subsequently amended AB 939, now requiring 50 percent diversion requirement to be calculated in a per capita disposal rate equivalent. CalRecycle sets a target per capita disposal rate for each jurisdiction. Each jurisdiction must submit an annual report to CalRecycle with an update of its progress in implementing diversion programs and its current per capita disposal rate (CalRecycle 2017).

In 2011, AB 341 was passed setting a State policy goal of not less than 75 percent of solid waste that is generated to be source reduced, recycled, or composted by the year 2020.

#### **MANDATORY COMMERCIAL ORGANICS RECYCLING**

In 2014, AB 1826 required businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by business, including multi-family residential dwellings that consist of five or more units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

#### **GLOBAL WARMING SOLUTIONS ACT OF 2006**

In 2006, the Global Warming Solutions Act or AB 32, adopted by the Air Resources Board, included a Mandatory Commercial Recycling Measure. The Mandatory Commercial Recycling Measure focuses on diverting commercial waste as a means to reduce greenhouse gas (GHG) emissions, with a goal of reducing GHG emissions by five metric tons of carbon dioxide equivalents (MT of CO<sub>2</sub>e), consistent with the 2020 targets set by AB 32. CalRecycle adopted this Measure on January 17, 2012.

In 2012, SB 1018, required both businesses that generate 4 cubic yards or more of commercial solid waste per week and multi-family residences with five or more units to arrange for recycling services.

#### **CALGREEN BUILDING CODE**

In 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (Part 11, Title 24, known as "CALGreen") was adopted as part of the California Building Standards Code. Section 4.408, Construction Waste Reduction Disposal and Recycling, mandates that in the absence of a more stringent local ordinance, a minimum of 50 percent of non-hazardous construction and demolition debris must be recycled or salvaged. The Code requires the applicant to have a waste management plan, for on-site sorting or construction debris, which is submitted to the City of San Leandro for approval.



*Regional and Local*

**ALAMEDA COUNTY INTEGRATED WASTE MANAGEMENT PLAN**

As required by AB 939, Alameda County adopted a Countywide Integrated Waste Management Plan (CoIWMP) in 1997. The plan identifies solid waste facilities and “waste sheds” within Alameda County. It describes the countywide plan for reaching the state-mandated 50 percent recycling goal and the county-mandated 75 percent recycling goal. Waste reduction and disposal facilities in the county that require Solid Waste Facility Permits must conform to policies and siting criteria contained in the CoIWMP. CoIWMP includes, by reference, source reduction and recycling elements, household hazardous waste elements and non-disposal facility elements for each city and the unincorporated county area, as well as a plan that describes countywide diversion programs and landfill disposal needs (Alameda County 2017).

**CITY OF SAN LEANDRO MUNICIPAL CODE**

The following provision from the Municipal Code helps minimize solid waste generation and conserve resources in San Leandro:

Chapter 3-19, The City's Green Building Ordinance, requires a minimum Leadership in Energy & Environmental Design (LEED) rating of "Silver" for construction projects valued at over \$3 million on City-owned facilities. LEED is a rating system created by the U.S. Green Building Council that ranks different levels of design and construction aimed at improving a building's energy efficiency.) The ordinance promotes healthy and efficient City facilities through design, construction and operation, and helps the City reduce its energy consumption and carbon emissions. Green buildings use recycled-content materials, consume less energy and water, have better indoor air quality, and use fewer natural resources than conventional buildings. The Chapter finds that the most immediate and meaningful way to advance this cause is to include green building elements in City projects, and to encourage private projects to include green building elements.

**CITY OF SAN LEANDRO GREEN BUILDING CHECKLIST**

A Green Building Checklist to ensure compliance with the 2013 California Green Building Standard Code, also known as CALGreen, is listed on the City's website for both residential and commercial projects. Starting January 1, 2014, new construction, additions, and alterations are subject to CALGreen requirements. The checklist must be submitted with and incorporated into the plan sets, and any items that are marked on the checklists must then be referenced and detailed in the plans (City of San Leandro 2017e).

**VOLUNTARY GREEN BUILDING GUIDELINES FOR PRIVATE DEVELOPMENT**

In 2006, the San Leandro City Council endorsed several leading guidelines developed by outside organizations for commercial and residential green building practices as well as sustainable landscaping. The endorsed guidelines include: 1) Build it Green GreenPoint Rated Guidelines (residential), 2) US Green Building Council (LEED) Guidelines (commercial), and 3) StopWaste Bay-Friendly Landscaping Guidelines. The guidelines are available on the City's web site (City of San Leandro 2017f).

**SAN LEANDRO 2035 GENERAL PLAN**

In addition to the goal, policies, and actions related to solid waste in the City's 2035 General Plan Community Services and Facilities Element listed above under the Water Regulatory Setting, the

City's 2035 General Plan Open Space, Conservation, and Parks Element contains the following goal, policies, and actions related to solid waste:

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

**Policy OSC-7.1: Recycling.** Actively promote recycling, composting, and other programs that reduce the amount of solid waste requiring disposal in landfills.

**Action OSC-7.1-A: Source Reduction and Recycling Programs.** Continue to implement source reduction and recycling programs, consistent with the Stopwaste.org Strategic Plan

**Action OSC-7.1-B: Waste Reduction Programs.** Encourage special bulky waste pick-up events, citywide garage sales, programs offering rebates for inefficient appliances or polluting vehicles, disincentives to excessive packaging, and other waste collection activities that reduce pollution and improper waste disposal.

**Action OSC-7.1-C: Commercial and Multi-Family Residential Programs.** Continue to expand recycling programs for multi-family dwellings and commercial-industrial customers, and to implement construction and demolition debris recycling and e-waste recycling programs. Commercial and industrial recycling programs should include a significant public information and education component and should be coordinated through the Chamber of Commerce and other business organizations.

**Action OSC-7.1-D: Food Waste Recycling.** Continue to operate green waste and food waste recycling programs.

## 4.14.2 Impact Analysis

### a. Methodology and Significance Thresholds

Assessment of impacts is based on review of site information and conditions, analysis provided in EBMUD's current UWMP, the WSA prepared by EBMUD for the Specific Plan project, and City information regarding utility-related issues, including water supply and facilities, wastewater facilities, and solid waste. According to Appendix G of the *State CEQA Guidelines*, a significant impact would occur if implementation of the proposed Specific Plan would result in one or more of the following circumstances:

1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
4. Have insufficient water supplies available to serve the project from existing entitlements and resources, or if new or expanded entitlements are needed;
5. 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;

6. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; or
7. Not comply with federal, state, and local statutes and regulations related to solid waste.

Impacts regarding stormwater drainage facilities (Threshold question 3) are discussed in Section 4.8, *Hydrology and Water Quality*.

## b. Project Impacts and Mitigation Measures

<b>Threshold:</b>	Would the Specific Plan exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
<b>Threshold:</b>	Would the Specific Plan require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
<b>Threshold:</b>	Would the Specific Plan result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**Impact UTL-1** DEVELOPMENT ASSOCIATED WITH BUILDOUT UNDER THE PROPOSED SPECIFIC PLAN WOULD GENERATE NEW SOURCES OF WASTEWATER, WHICH WOULD FLOW THROUGH THE EXISTING ORO LOMA SANITARY DISTRICT (OLSD) CONVEYANCE SYSTEM TO THE OLSD WASTEWATER TREATMENT PLANT. THE WASTEWATER TREATMENT PLANT HAS ADEQUATE CAPACITY TO SERVE DEVELOPMENT ASSOCIATED WITH THE SPECIFIC PLAN. LOCAL CONVEYANCE INFRASTRUCTURE WOULD BE UPGRADED AS PART OF IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN AND WOULD HAVE CAPACITY TO SERVE NEW DEVELOPMENT IN THE SPECIFIC PLAN AREA. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

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Development associated with the proposed Specific Plan would generate a new source of wastewater, which would flow through the existing OLSD conveyance system to the OLSD wastewater treatment plant.

### Wastewater Treatment

The OLSD provides wastewater collection and treatment for the Specific Plan Area. Wastewater collected by the OLSD system is directed through the OLSD wastewater treatment plant, for treatment prior to discharge. The OLSD wastewater treatment plant has a total treatment capacity of 20 mgd, and currently treats an average of 11.8 mgd on dry weather flow days (Bocsan 2017). Table 41 shows estimated wastewater flows generated by buildout of the proposed Specific Plan Area, based on proposed land uses.

**Table 41 Estimated Wastewater Generation**

Use	Bay Fair TOD Specific Plan Buildout	Average Wastewater Demand <sup>1</sup>	Expected Wastewater Generation	
			Gallons/Day	Million Gallons/Day
Office	300,000 square feet	0.0744	22,320	0.0223
Residential <sup>2</sup>				
Apartment: High Rise	1,905 dwelling unit	110.4	210,312	0.2103
Apartment: Low-Rise	635 dwelling unit	143.52	91,135	0.0911
Subtotal			323,767	0.3237
Retail (removal of)	(161,000) square feet	0.173	(27,853)	(0.0279)
Total			295,914	0.2959

<sup>1</sup> Assume wastewater is 80 percent of water use shown in Table 42.

<sup>2</sup> Assume 75 percent high-rise apartments and 25 percent low-rise apartments for the specific Plan area.

Note: numbers may not add up due to rounding. ( ) denotes subtraction

As indicated above, buildout under the proposed Specific Plan is expected to generate up to approximately 0.296 mgd of wastewater, which accounts for approximately 3.6 percent of the plant’s 8.2 mgd remaining treatment capacity. The existing wastewater treatment capacity of the OLSD wastewater treatment plant would be sufficient to accommodate anticipated types of development included under the proposed Specific Plan. Therefore, buildout of the proposed Specific Plan Area would not result in the need to expand the capacity of the OLSD wastewater treatment plant or exceed the wastewater treatment requirements of the SFRWQCB.

## Wastewater Conveyance

Wastewater conveyance services in the Specific Plan Area are provided by the OLSD, which has a maintenance and capital improvement plan that provides for the continuing rehabilitation and replacement of sewer pipelines and other facilities, and includes specifications for manhole sealing, manhole raising to grade, private property repair, sewer grouting, sewer lining, sewer replacement and lower lateral replacement (Alameda County 2009).

Specific Plan buildout would increase wastewater conveyance demand on the existing OLSD system by 0.296 mgd, as described above. According to Chapter 6, *Infrastructure and Services*, of the proposed Specific Plan, the OLSD has indicated that the existing trunk systems have sufficient capacity for growth-related flow anticipated from the Specific Plan Area; however, there are limited public sewer mains within the Specific Plan Area to serve redevelopment. Therefore, the Specific Plan assumes new sewer mains would be constructed to serve the new construction. As described in Chapter 7, *Implementation*, of the proposed Specific Plan, one implementation action is to “Construct wastewater backbone before or during roadway, bicycle and pedestrian corridor construction.” The precise sizing of the wastewater conveyance pipes would be determined at the time of installation and would be subject to the approval of the City to ensure that the system would be adequate. Construction of wastewater conveyance pipes would occur within developed areas, such as street corridors, that already contain underground infrastructure for utilities. Impacts of individual new sewer main construction projects are analyzed as proposed and would be less than significant due to the already developed nature of the area. General impacts associated with construction of buildout and improvements associated with the Specific Plan are discussed throughout this EIR.

An overall goal of the Specific Plan is to improve and maintain basic infrastructure such as sewer. Future development associated with the Specific Plan would be required to adhere to applicable Specific Plan goals, policies, and implementation actions related to wastewater collection and treatment, as summarized below.

*Chapter 6, Infrastructure and Services, Wastewater Collection and Treatment Policies*

- 1. Timing of Upgrade.** Sewer infrastructure upgrades should occur in advance of roadway, bicycle and pedestrian corridor improvements.
- 2. Locating Sewer Mains and Manholes.** Generally, sewer mains and manholes should be located within major and minor streets. The TOD discourages street connections in place of bicycle and pedestrian corridors. For this reason, it may be necessary to route sewer main through these corridors. Minimize, to the greatest extent possible the amount of sewer main and number of manholes within bicycle and pedestrian corridors.
- 3. Manhole Access.** Provide maintenance vehicle access to all manholes located within bicycle and pedestrian corridors.

*Chapter 7, Implementation, Implementation Actions*

- **(Short-Term) Infrastructure Phasing Study.** Identify development phases under the Bay Fair Specific Plan to determine necessary phasing of underground infrastructure including but not limited to water supply, storm drainage and wastewater collection.
- **Prepare Wastewater Collection System Study.** Prepare Wastewater Collection System Sewer Study to identify system demands, necessary sewer trunk reconstruction, collection system pipe sizes, and location of connections to trunk system.
- **Wastewater Collection System Backbone.** Construct wastewater backbone before or during roadway, bicycle and pedestrian corridor construction.

Additionally, future development associated with the Specific Plan would be required to adhere to 2035 General Plan Policies. Policy CSF-6.1 requires the City to permit new development only when infrastructure and utilities can be provided to that development without diminishing the quality of service provided to the rest of the City. Policy CSF-6.2 requires future development to pay its fair share of the costs to improve water, sewer, storm drainage, and other infrastructure systems needed to serve a particular development. These policies would ensure that development is not approved until it can be demonstrated that adequate wastewater collection capacity exists, or until a financial commitment to create such capacity has been secured. Therefore, with implementation of Specific Plan and General Plan policies, new development associated with the Specific Plan would have adequate wastewater conveyance systems to serve future planned development in the Specific Plan Area. Accordingly, impacts related to wastewater conveyance would be less than significant.

## Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b>	Would the Specific Plan require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
<b>Threshold:</b>	Would the Specific Plan have insufficient water supplies available to serve the project from existing entitlements and resources, or if new or expanded entitlements are needed?

**Impact UTL-2 DEVELOPMENT UNDER THE PROPOSED SPECIFIC PLAN WOULD INCREASE WATER DEMAND. EXISTING AND PROJECTED WATER SUPPLY WOULD BE ADEQUATE TO SERVE THE SPECIFIC PLAN AREA DEMANDS BEYOND 2035 (THE HORIZON YEAR OF THE SPECIFIC PLAN) THROUGH THE YEAR 2040 AND EXISTING OR PLANNED WATER CONVEYANCE INFRASTRUCTURE IS SUFFICIENT TO DELIVER PROJECTED WATER SUPPLY REQUIREMENTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

Historical waster use in the Specific Plan Area is approximately 230,000 gallons per day (gpd) (EBMUD 2017b). As shown in Table 42, below, the projected average daily water demand associated with Specific Plan buildout is estimated to increase by approximately 370,000 gpd (EBMUD 2017b). The Specific Plan water demands in Table 42 are based on an estimated 18-year lifetime, although the actual rate and amount of development will be dependent on market conditions and regulatory processes (see Section 2.3.5, of Chapter 2, *Project Description*).

**Table 42 Estimated Specific Plan Water Demand**

Use	Bay Fair TOD Specific Plan Buildout		Average Water Demand <sup>1</sup> (gpd/unit)	Average Daily Water Demand (gpd)
	Quantity	Unit		
Office	300,000	square feet	0.093	27,900
Residential <sup>2</sup>				
Apartment: High Rise	1,905	dwelling Unit	138	262,890
Apartment: Low-Rise	635	dwelling Unit	179.4	113,919
Subtotal				404,709
Retail (removal of)	(161,000)	square feet	0.216	(34,776)
Total				369,933

<sup>1</sup> Flowrate factors are based on reference material provided by EBMUD: .93 gpd/sf for office, 50 gpd/ person in high-rise apartments, 65 gpd/person for low-rise apartments, 0.216 gpd/sf for retail

<sup>2</sup> Assume 75 percent high-rise apartments and 25 percent low-rise apartments for the Specific Plan area, estimated persons per household using ABAG's 2035 household size: 2.76 persons per household, found in Table 3-2 of the City's 2035 General Plan Draft EIR.  
( ) denotes subtraction

EBMUD prepared a WSA for the proposed Specific Plan, dated July 11, 2017 (Appendix E). The water demand projections in the WSA for the proposed Specific Plan account for anticipated future water demands within the Specific Plan Area's boundaries and for variations in demand-attributed changes in development patterns. Table 43 provides a summary of WSA's water demand and supply projections, in five-year increments, for a 25-year planning horizon with consideration to varying climatic (drought) scenarios.

**Table 43 Preliminary EBMUD Baseline Supply and Demand Analysis**

	2015	2020	2025	2030	2035	2040
<b>Normal Year</b>						
Mokelumne System	>190	>217	>218	>222	>229	>230
Demand Totals	190	217	218	222	229	230
Difference	0	0	0	0	0	0
<b>Single Dry Year or First Year of Multi-Year Drought</b>						
Mokelumne System	145	169	170	173	179	179
CVP Supplies <sup>2</sup>	36	35	35	35	35	35
Bayside <sup>3</sup>	0	0	0	0	0	0
Supply Totals	181	204	205	209	214	215
Planning Level Demand <sup>1</sup>	190	217	218	222	229	230
Rationing <sup>4</sup>	5%	6%	6%	6%	7%	7%
Demand Totals	180	203	204	208	213	214
Need for Water (TAF) <sup>5</sup>	0	0	0	0	0	0
<b>Second Year of Multi-Year Drought</b>						
Mokelumne System	81	103	103	107	112	113
CVP Supplies <sup>2</sup>	71	71	71	71	71	71
Bayside <sup>3</sup>	0	0	0	0	0	0
Supply Totals	152	174	174	178	183	184
Planning Level Demand <sup>1</sup>	190	217	218	222	229	230
Rationing <sup>4</sup>	20%	20%	20%	20%	20%	20%
Demand Totals	152	174	175	178	184	185
Need for Water (TAF) <sup>5</sup>	0	0	0	0	0	0
<b>Third Year of Multi-Year Drought</b>						
Mokelumne System	111	132	132	125	120	104
CVP Supplies <sup>2</sup>	40	40	40	40	40	40
Bayside <sup>3</sup>	1	1	1	1	1	1
Supply Totals	152	174	173	166	162	145
Planning Level Demand <sup>1</sup>	190	217	218	222	229	230
Rationing <sup>4</sup>	20%	20%	20%	20%	20%	20%
Demand Totals	152	174	174	178	183	184
Need for Water (TAF) <sup>5</sup>	0	0	2	13	24	48

<sup>1</sup> Planning Level Demand accounts for projected savings from water recycling and conservation programs as discussed in the 2015 UWMP, Chapters 6 and 7, respectively. Customer demand values are based on the Mid Cycle Demand Assessment, October 2014.

<sup>2</sup> Projected available CVP supplies are taken according to the Drought Management Program Guidelines discussed in Chapter 3.

<sup>3</sup> For the purposes of this modeling effort, it is assumed that the Bayside Groundwater Project would be brought online in the third year of a drought.

<sup>4</sup> Rationing reduction goals are determined according to projected system storage levels in the Drought Management Program Guidelines discussed in the 2015 UWMP, Chapter 3.

<sup>5</sup> Need for Water includes unmet customer demand as well as shortages on the Lower Mokelumne River.

As shown in Table 43 and summarized in EBMUD's WSA, based on the supply availability and reliability assessments in the 2015 UWMP, EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Specific Plan Area during normal and wet years. However, deficits are projected for multi-year droughts (EBMUD 2017b).

EBMUD's system storage generally allows EBMUD to continue serving its customers during dry-year events. EBMUD typically imposes water use restrictions based on the projected storage available at the end of September and, based on recent changes to its Demand Management Plan (DMP) Guidelines, may also implement water restrictions in response to a State of California mandate. By imposing water restrictions in the first dry year of potential drought periods, EBMUD attempts to minimize water use restrictions in subsequent years if a drought persists. Throughout dry periods, EBMUD must continue to meet its current and subsequent-year fishery flow release requirements and obligations to downstream agencies (EBMUD 2017b).

The UMWP 2015 includes DMP Guidelines that establish the level of water use restrictions EBMUD may implement under varying conditions. Under DMP Guidelines, water use restrictions may be determined based upon either projected end-of-September Total System Storage (TSS) or water use restriction mandates from the SWRCB (EBMUD 2017b). When state-mandated water use restrictions exceed the reductions that would otherwise be called for based upon end-of-September TSS, EBMUD's water use reduction requirements may be guided by the applicable state mandates. Under either scenario, while EBMUD strives to keep water use reductions at or below 15 percent, if the drought is severe, mandatory water use reductions could exceed 15 percent (EBMUD 2017b).

Despite the WSA's findings that deficits are projected for multi-year droughts, compliance with the above-described water conservation goal and policies of the General Plan would help ensure sufficient supplies are maintained in the proposed Specific Plan Area. In addition, the approval of new development within the Specific Plan Area would continue to be conditional on the availability of sufficient water, in accordance with Policy CSF 6.1. The City currently implements this by confirming that sufficient water is available for a proposed project prior to approving the project. By withholding project approval based on water supply availability, implementation of the Specific Plan would avoid overextending water supplies to the area.

Furthermore, the proposed Specific Plan includes area-wide policies, design standards and guidelines, and implementation actions to reduce water use. These include:

*Chapter 6, Infrastructure and Services, Water Supply Policies*

- 5. Outdoor Recycled Water Plumbing.** Encourage the installation of "purple piping" plumbing that accommodates future recycled water service in all outdoor landscaping areas that will require watering.

*Chapter 6, Infrastructure and Services, Reclaimed Water Policies*

- 1. General Plan Policy CSF-6.6, Reclaimed Water System.** Continue the expansion of the reclaimed water system, and the delivery of high quality reclaimed water for landscaping, industrial use, and other non-potable applications as they become financially feasible. Employ advanced technology so that reclaimed water can eventually be made available to all households.
- 2. Green Street Infrastructure.** The availability of reclaimed water is beneficial to water conservation and for supporting street rain gardens during dry period. Vegetation, including grasses, flowers, trees and bushes, can be maintained with reclaimed water in place of municipal drinking water.



- 3. Residential and Commercial Irrigation.** With the availability of reclaimed water and as permitted by health codes, irrigation of landscaping should be required from reclaimed water source and metered with dedicated water meters, if metered usage is required by the City or the water district.

*Chapter 5, Development Standards + Guidelines, Site Design and Setback Standards:*

- 5. Outdoor Water Efficiency.** All new outdoor landscaping shall comply with the City's Bay-Friendly Water Efficient Landscape Ordinance (WELO).

*Chapter 5, Development Standards + Design Guidelines, Building Performance, Performance Standards:*

- 2. LEED for Neighborhood Development.** LEED for Neighborhood Development (LEED-ND) certification is required for any new development over five acres in size, and LEED-ND is encouraged for any project involving 2 buildings or more. For projects under five (5) acres in size, encourage features consistent with LEED-ND criteria such as walkable streets, green infrastructure, multi-modal transportation facilities, energy- and water-efficient buildings, and access to diverse uses and public space.

*Chapter 3 Mobility, Sidewalk and Public Frontage Guidelines*

- 14. Landscaping Character.** The following guidance applies to landscaping in public frontage areas:
  - Drought-tolerant plant materials should be incorporated to reduce water use and irrigation requirements.
  - Whenever possible, use native and Bay-Friendly planting palettes.
  - Implement rainwater harvesting and other features that provide a stormwater retention co-benefit.
  - Mature existing trees should be preserved whenever possible.
  - Trees should be placed to maximize climate benefits and energy savings. Deciduous trees should be located to allow sunlight to reach buildings during winter, and to provide shade during summer.

*Chapter 5, Development Standards + Design Guidelines, Building Performance, Performance Guidelines:*

- 2. Indoor Water Reuse.** New construction is encouraged to use on-site graywater systems to facilitate indoor water capture and reuse.
- 3. Stormwater Harvesting.** Buildings are encouraged to re-use collected rainwater.

*Chapter 5, Development Standards + Design Guidelines, Public Open Space Guidelines:*

- 4. Sustainability.** New public open spaces should be designed to incorporate best practices in sustainability, including water use and conservation, stormwater management, landscaping, and drought tolerant planting.

*Chapter 5, Development Standards + Design Guidelines, Private Open Space Guidelines:*

- 4. Outdoor Water Efficiency.** Beyond the required WELO reductions, the City strongly encourages additional efforts to reduce outdoor water usage.
- 5. Planting and Landscape Character.** The following guidelines apply to front and side landscaping:
  - Drought-tolerant plant materials should be incorporated into new sites to reduce water use and irrigation requirements.
  - Whenever possible, use native and Bay-Friendly planting palettes.
  - Implement rainwater harvesting and other features that provide a stormwater retention co-benefit.
  - Mature, existing trees should be preserved whenever possible.
  - Trees should be placed to maximize climate benefits and energy savings. Deciduous trees should be located to allow sunlight to reach buildings during winter months, and to provide shade during summer months.

Implementation of these policies in the proposed Specific Plan would encourage water conservation for new development and in proposed open space areas. Further, new development would be subject to other green building and water conservation requirements described in the Water Regulatory Setting. The WSA for the proposed Specific Plan prepared by EBMUD shows that there is sufficient water supply to serve Specific Plan and overall service area demand. During multi-year droughts, the Specific Plan users, as well as other EBMUD customers, will be subject to a Demand Management Plan and other water conservation requirements that will address any shortage in supply. Based on the substantial evidence discussed above, there are sufficient water supplies available to serve the proposed Specific Plan; impacts related to water supply would be less than significant.

### Mitigation Measures

No mitigation measures are required.

<b>Threshold:</b>	Would the Specific Plan be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?
<b>Threshold:</b>	Would the Specific Plan comply with federal, state, and local statutes and regulations related to solid waste?

**Impact UTL-3** IMPLEMENTATION OF THE PROPOSED SPECIFIC PLAN WOULD GENERATE AN INCREASE OF APPROXIMATELY 1.1 TONS OF SOLID WASTE PER DAY, OR 20 CUBIC YARDS PER DAY. HOWEVER, BECAUSE LANDFILLS THAT SERVE SAN LEANDRO HAVE ADEQUATE CAPACITY TO SERVE DEVELOPMENT UNDER THE PROPOSED SPECIFIC PLAN, IMPACTS RELATED TO SOLID WASTE FACILITIES WOULD BE LESS THAN SIGNIFICANT.

Implementation of the proposed Specific Plan would result in the addition of approximately 2,540 residential units and 300,000 square feet of office use, and the removal of approximately 161,000 square feet of commercial retail. CalRecycle estimates that multi-family residential uses generate an average of four pounds of solid waste per unit per day, office uses generate 0.006 pounds per

square feet per day, and commercial retail generates 0.046 pounds per square foot per day (Cal Recycle 2017).

As shown in Table 44, prior to implementation of recycling programs or State mandated diversion requirements, Specific Plan buildout would generate an estimated 1,800 pounds, or 0.9 tons, of solid waste per day from office uses and 10,160 pounds of solid waste, or 5.1 tons, of solid waste per day from residential uses. Accounting for the removal of the existing commercial retail on site, which generates 7,406 pounds, or 3.7 tons, of solid waste per day, buildout of the proposed Specific Plan, would result in up to 2.3 tons, or 4.6 cubic yards, of solid waste per day. In accordance with California’s Integrated Waste Management Act of 1989, cities and counties are required to divert 50 percent of all solid wastes from landfills. Therefore, assuming 50 percent of generated waste is diverted, development associated with the Specific Plan would send an estimated 1.1 tons of solid waste per day to area landfills, equating to approximately 2,280 pounds of solid waste per day.

**Table 44 Proposed Specific Plan Solid Waste Generation**

Use	Bay Fair TOD Specific Plan Buildout		Generation Rate <sup>2</sup>	Solid Waste (pounds per day)	Solid Waste (tons per day)	Solid Waste (cubic yards per day)*
	Quantity	Units				
Office <sup>1</sup>	300,000	square feet	6 pounds/1,000 square feet/day	1,800	0.9	1.8
Multi-family Apartment	2,540	dwelling units	4.0 pounds/unit/day	10,160	5.1	10.2
Subtotal				11,960	6.0	12.0
Retail (removal of)	(161,000)	square feet	0.046 pounds/square feet/day	(7,406)	(3.7)	(7.4)
<b>Total</b>				<b>4,554</b>	<b>2.3</b>	<b>4.6</b>
<b>Total Assuming 50% Diversion Rate</b>				<b>2,277</b>	<b>1.1</b>	<b>2.2</b>

<sup>1</sup> The employees for retail uses within the Plan Area also takes into consideration the removal of 161,000 square feet of retail uses or 275 employees. Refer to Population and Housing, Section 4.11.

<sup>2</sup> Source for Generation rates <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Residential>

\* Based on the conversion factor described under Table 4.15-1, County-Service Landfill Capacity for “landfill density” Municipal Solid Waste, of approximately 750 to 1,250 pounds per cubic yard, or an average of 1,000 pounds per cubic yard.

( ) denotes subtraction

As discussed in Section 1.2.1 above, the Altamont Landfill Resource Recovery Facility, Forward Landfill, Inc., Potrero Hills Landfill, and the Vasco Road Sanitary Landfill provide waste disposal services to the City of San Leandro. Table 21 indicates that the Altamont Landfill Resource Recovery Facility has approximately 65,400,000 cubic yards of remaining disposal capacity, the Forward Landfill has a remaining capacity of 22,100,000 cubic yards, Potrero Hills Landfill has a remaining capacity of 13,872,000 cubic yards, and Vasco Road Sanitary Landfill has a remaining capacity of 7,959,079 cubic yards. Eventual buildout of the Specific Plan would need to dispose of approximately 2.2 cubic yards per day of solid waste, equating to approximately 803 cubic yards per year, or 14,454 cubic yards over the 18-year implementation period for buildout of the proposed Specific Plan. This total project waste disposal need is approximately 1.3 percent of the current total remaining landfill capacity for the four landfills.

Continued compliance with applicable regulations and the 2035 General Plan goals, policies, and actions, listed in Settings, Section 1.2.1, Solid Waste, would ensure the Specific Plan complies with federal, state, and local statutes and regulations related to solid waste and would lead to increased recycling and waste diversion. Therefore, anticipated rates of solid waste disposal from the proposed Specific Plan would have a less than significant impact in regard to permitted landfill capacity.

## Mitigation Measures

No mitigation measures are required.

## c. Cumulative Impacts

### Wastewater

Cumulative buildout associated with the City's 2035 General Plan will continue to increase demands on the existing wastewater treatment and conveyance facilities. According to the EIR for the City's 2035 General Plan, buildout associated with the General Plan and future cumulative development within OLSA's service area would not result in significant cumulative impacts such that a new or expanded wastewater treatment plant would be required. The OLSA wastewater treatment plant, which has provided wastewater conveyance and treatment while accounting for community growth for over 100 years, would continue to provide service to its jurisdiction, including the Specific Plan Area, with cumulative growth. Although the proposed Specific Plan would increase development in the Plan Area compared to what was analyzed in the EIR for the City's General Plan, as described, current capacity of the OLSA wastewater treatment plant is sufficient to serve growth-related flow anticipated from the Plan Area. However, there are limited public sewer mains within the Plan Area to serve redevelopment. The Specific Plan assumes policies and implementation actions to develop new sewer mains to serve the new construction. With implementation of the Specific Plan as well as 2035 General Plan policies, as described under Impact UTL-1, the proposed Specific Plan would not result in cumulatively considerable impacts related to wastewater infrastructure. Future, continued implementation of system improvements occurring per guidance of the OLSA SSMP would ensure sufficient conveyance and treatment capacity to meet cumulative needs. Cumulative impacts would be less than significant (not cumulatively considerable).

### Water

The analysis provided under Impact UTL-2 is cumulative in nature and considers water demand associated with the development included under the proposed Specific Plan, as well as water demands associated with other developments (existing and projected) within EBMUD's service area. The EIR for the City's 2035 General Plan found that impacts related to water service would be less than significant (City of San Leandro 2016i). Although the proposed Specific Plan would increase development in the Plan Area compared to what was analyzed in the 2035 General Plan EIR, as described above, EBMUD confirmed in the WSA prepared for the proposed Specific Plan that water demand for the Specific Plan Area is accounted for in EBMUD's 2015 UWMP water demand projections. The UWMP 2015 includes DMP Guidelines that establish the level of water use restrictions EBMUD may implement under varying conditions. As stated in the WSA, the proposed Specific Plan would be subject to the same drought restrictions that apply to all EBMUD customers. In addition, the proposed Specific Plan would be subject to EBMUD's regulations aimed at encouraging efficient water use, such as Sections 29 and 31 of EBMUD's Regulations Governing

Water Service. Section 29, “Prohibiting Wasteful Use of Water,” promotes efficient water use by EBMUD customers and includes additional restrictions on wasteful uses of potable water. Section 31, “Water Efficiency Requirements,” identifies the types of water efficiency requirements (i.e., maximum flow rates for flow control devices) for water service (EBMUD 2017b).

In addition, in compliance with Policy CSF-6.1 under Goal CSF-6 of the 2035 General Plan, new development will be permitted only when infrastructure and utilities can be provided to that development without diminishing the quality of service to the rest of the City. No project would be approved for development until the availability of sufficient water supply is confirmed. Therefore, the proposed project would not result in cumulatively considerable water supply impacts, and the proposed Specific Plan would not contribute to cumulative water supply impacts.

## **Solid Waste**

Cumulative buildout associated with the City’s 2035 General Plan will continue to increase solid waste generation. According to the EIR for the City’s 2035 General Plan, buildout associated with the General Plan would not result in significant impacts related to solid waste (City of San Leandro 2016i). Although the proposed Specific Plan would increase development in the Specific Plan Area, compared to what was analyzed in the 2035 General Plan EIR, as discussed under Impact UTL-3, area landfills have capacity to accommodate additional solid waste and potential impacts of buildout of the Specific Plan would be less than significant. Cumulatively, other areas which utilize the same landfills as the proposed Specific Plan would likely also continue to experience growth and associated increases in solid waste generation. State-mandated solid waste diversion rates (for recycling) would continue to minimize the quantity of waste directed to area landfills, and compliance applicable regulations and with General Plan goals, policies, and actions would maintain or improve upon existing solid waste diversion rates.

Three of the four landfills that serve San Leandro (Altamont Landfill, Forward Landfill, and Vasco Road Sanitary Landfill) are expected to close before the horizon year of the City’s 2035 General Plan and the proposed Specific Plan. However, the Protrero Hills Landfill is not expected to close until 2048. In addition, there are 16 landfills that received waste from the City in 2014 and 21 landfills that received waste from the City in 2013. If one or more of the four landfills were unavailable in the future, it is likely the City’s solid waste volume could be increased at one or more of the landfills that already serve San Leandro (City of San Leandro 2016i). In addition, the City would continue to promote recycling and reduce the amount of solid waste placed in landfills, including through the General Plan goals, policies, and actions with regards to solid waste collection, recycling, and disposal (City of San Leandro 2016i). Thus, cumulative impacts to solid waste facilities would be less than significant (not cumulatively considerable).

## 4.15 Effects Found Not to Be Significant

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*CEQA Guidelines* Section 15128 require an EIR to briefly describe any possible significant effects that were determined not to be significant and were, therefore, not discussed in detail in the EIR. This section addresses the potential environmental effects of the proposed Specific Plan that have been found not to be significant. The items listed below that were found not to be significant are contained in the environmental checklist form included in Appendix G of the most recent update of the *CEQA Guidelines*. Any items not addressed in this section were addressed in Section 4, *Environmental Impact Analysis*, of this EIR. Section 4 also includes an expanded discussion of the settings under each environmental factor listed.

### 4.15.1 Aesthetics

#### a. Setting

Caltrans has not designated a State scenic highway within San Leandro. The closest scenic highway is the section of the I-580 Freeway starting at the northern border of San Leandro and extending north to State Route 24 in Oakland (Caltrans 2011). The portion of the Interstate-580 Freeway within the vicinity of the Plan Area is listed as an eligible State Scenic highway by Caltrans, but has not been officially designated as a scenic highway (Caltrans 2011). The location of the I-580 in relation to the Plan Area is shown in Figure 10 in Section 4.1, *Aesthetics*. At its nearest point to the Plan Area, I-580 is located approximately 2,000 feet to the northeast of East 14th Street. Section 17.104.090 of the Municipal Code defines the I-580 Freeway's scenic corridor as extending up to 90 feet east of the highway in the vicinity of the Plan Area. Therefore, the scenic corridor associated with the I-580 Freeway does not include the Plan Area.

#### b. Checklist Questions

According to Appendix G of the *CEQA Guidelines*, an impact is considered significant if the project would have:

1. A substantial adverse effect on a scenic vista;
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
3. Substantially degrade the existing visual character or quality of the site and its surroundings; or,
4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

#### c. Answers to Checklist Questions

All of the checklist questions except item 2 are discussed in Section 4.1 of the EIR.

2. The Specific Plan Area is not within a State scenic highway nor is it visible from any officially designated scenic highway. Further, there are no rock outcroppings or any other scenic resources on or in proximity to the Specific Plan Area. There are some ornamental trees in onsite landscaped areas and in parking areas, but these trees are not considered scenic resources. They are typical of landscaped ornamental trees in urban areas of Northern

California. Therefore, any potential removal of some of the trees onsite would not damage scenic resources and no impact would occur.

#### 4.15.2 Agricultural Resources

##### a. Setting

San Leandro is a highly urbanized city within Alameda County. The 2035 General Plan land use map and zoning map do not identify any agriculture or forestry resources within San Leandro. In addition, the Farmland Mapping and Monitoring Program of the California Resources Agency does not identify lands within San Leandro as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Further, there are no areas of forestland or forest and rangeland identified within the city (City of San Leandro 2016i).

##### b. Checklist Questions

Would the project:

1. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?
3. 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))?
4. Result in the loss of forest land or conversion of forest land to non-forest use?
5. 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?

##### c. Answers to Checklist Questions and Conclusions

- 1.-5. There are no agricultural lands within the Specific Plan Area. None of the properties within the Specific Plan Area are under a Williamson Act contract. Also, no properties are zoned for timberland or contain forest land or significant stands of trees (City of San Leandro 2016i). Therefore, there would be no impacts with respect to agricultural lands, Williamson Act contracts, timberland, or forest resources and no mitigation in these areas is necessary. These topics do not require further study in the EIR.

#### 4.15.3 Air Quality

This issue is discussed in Section 4.2 of the EIR.

#### 4.15.4 Biological Resources

This issue is discussed in Section 4.3 of the EIR.

#### 4.15.5 Cultural, Tribal Cultural, and Paleontological Resources

This issue is discussed in Section 4.4 of the EIR.

#### 4.15.6 Geology and Soils

This issue is discussed in Section 4.5 of the EIR.

#### 4.15.7 Greenhouse Gas Emissions

This issue is discussed in Section 4.6 of the EIR.

#### 4.15.8 Hazards and Hazardous Materials

##### a. Setting

Setting information is provided in Section 4.7.1 of the EIR.

##### b. Checklist Questions

Would the project:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
2. 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?
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?
4. Be located on a site which 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?
5. 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 for people residing or working in the project area?
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
8. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

##### c. Answers to Checklist Questions and Conclusions

All of the checklist questions except items 5, 6, and 9 are discussed in Section 4.7 of the EIR.

- 6., 7. The Specific Plan Area is not located within the vicinity of a private air strip. The Plan Area is located over four miles southeast of the Oakland International Airport and 1.9 miles north of the Hayward Airport. The Specific Plan Area is not within the airport land use planning area for either airport (City of San Leandro 2016i). Therefore, the project would not result in



exposure of project occupants to hazards from such facilities. No impacts related to airports or private airstrips would occur.

8. The Specific Plan Area is in an urban area in the East Bay of the San Francisco Bay Area. No wildlands are in or adjacent to the Specific Plan Area. The Specific Plan Area is not located within wildfire hazard severity zone (City of San Leandro 2016i). Therefore, the project does not have the potential to expose people to a significant risk as a result of wildland fires. No impacts would occur and these impacts require no further study in the EIR.

#### 4.15.9 Hydrology and Water Quality

This issue is discussed in Section 4.8 of the EIR.

#### 4.15.10 Land Use and Planning

##### a. Setting

Setting information is provided in Section 4.9 of the EIR.

##### b. Checklist Questions

Would the project:

1. Physically divide an established community;
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
3. Conflict with any applicable habitat conservation plan or natural community conservation plan.

##### c. Answers to Checklist Questions and Conclusions

Checklist question 2 is discussed in Section 4.9 of the EIR.

1. The Specific Plan Area is an urban, developed area within the City of San Leandro. The proposed Specific Plan does not propose any elements that would physically divide the established communities within the Specific Plan Area. The purpose of the proposed Specific Plan is to transform the Specific Plan Area into a mixed-use urban village anchored by compact, transit-oriented buildings and public space that are attractive and have highly sustainable features, establishing more of a community than presently exists. As such, no impact to an established community would occur and this issue is not discussed further in the EIR.
3. The Specific Plan Area is an urban, developed area within the City of San Leandro. There is no habitat conservation plan or natural community conservation plan within the Specific Plan Area. As such, no impact to a habitat conservation plan or natural community conservation plan would occur and this issue is not discussed further in the EIR.

## 4.15.11 Mineral Resources

### a. Setting

San Leandro is a highly urbanized city within Alameda County. According to the City's 2035 General Plan, the city's principal mineral resources are volcanic rock, such as basalt, andesite, and rhyolite. The only quarry in close proximity to San Leandro is located just beyond the eastern city limit on Lake Chabot Road and ceased operation in the 1980s. While the quarry site does contain additional rock resources, future quarrying activity is unlikely due to the potential environmental impacts and stringent permitting requirements (City of San Leandro 2016i). There are no known mineral resources extraction or mining operations within the Plan Area.

### b. Checklist Questions

Would the project:

1. 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?
2. 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?

### c. Answers to Checklist Questions and Conclusions

- 1., 2. The Specific Plan Area is not designated as a significant mineral resources zone and mineral resource extraction in this area would be generally incompatible with existing and planned uses (City of San Leandro 2016i). As such, no mineral resource impacts would occur. This topic does not require further study in the EIR.

## 4.15.12 Noise

### a. Setting

Setting information is provided in Section 4.10, *Noise*, of the EIR.

### b. Checklist Questions

Would the project:

1. Expose persons to or generate noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies;
2. Expose persons to or generate excessive groundborne vibration or groundborne noise levels;
3. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
4. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
5. Expose people residing or working in the project area to excessive noise levels 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; or

6. Expose people residing or working in the project area to excessive noise levels within the vicinity of a private airstrip.

### c. Answers to Checklist Questions and Conclusions

All of the checklist questions except items 5 and 6 are discussed in Section 4.10 of the EIR.

- 5., 6. The Specific Plan Area is located within approximately 1.9 miles of the Hayward Executive Airport and 4.3 miles of Oakland International Airport. As shown in Figures 4.10-2 and 4.10-3 in the 2035 General Plan EIR, the Specific Plan Area is outside of any airport noise impact contours associated with these airports. Therefore, buildout of the proposed Specific Plan would not expose residents or workers to excessive noise levels from airport or private airstrip operations. The project would not expose persons to significant noise impacts with respect to airports or private airstrips. These impacts require no further study in the EIR. Impacts related to all other noise items are discussed in Section 4.10 of this EIR.

#### 4.15.13 Population and Housing

This issue is discussed in Section 4.11 of the EIR.

#### 4.15.14 Public Services, Schools, and Recreation

This issue is discussed in Section 4.12 of the EIR.

#### 4.15.15 Transportation and Traffic

##### a. Setting

Setting information is provided in Section 4.13, *Transportation and Traffic*, of the EIR.

##### b. Checklist Questions

Would the project:

1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit;
2. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads and highways;
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks;
4. Substantially increase traffic hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment);
5. Result in inadequate emergency access; or
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

### c. Answers to Checklist Questions and Conclusions

The answers to checklist questions 1, 2, and 6 are in Section 4.13, *Transportation and Traffic*.

3. The Specific Plan Area is located approximately five miles southeast of the Oakland International Airport and three miles north of the Hayward Executive Airport. There are no airports within the Specific Plan Area. No impact with respect to air traffic patterns would occur.
4. The types of land uses included in the proposed Specific Plan are generally similar to existing and surrounding uses and thereby are compatible with the existing uses in the Specific Plan Area and in the surrounding area. Therefore, the impact of the proposed Specific Plan with respect to hazards as a result of incompatible uses would be less than significant (Kittelson & Associates 2017).

The City would work on a project level to identify new street connections within the Specific Plan Area, as included in the proposed Specific Plan. A thorough review of all street network connections will be performed during the course of implementation of the proposed Specific Plan to ensure that all future street network designs comply with City standards. The proposed Specific Plan would involve improvements to bicycle and pedestrian facilities, which would reduce hazards to bicyclists and pedestrians. Therefore, the impact of the proposed Specific Plan with respect to design hazards would be less than significant (Kittelson & Associates 2017).

5. The proposed Specific Plan involves changes to lane configurations on Hesperian Boulevard and East 14th Street and new street connections as described in Section 2, Project Description. The City would work to determine the exact future lane configurations. The design of roadways would be reviewed by the San Leandro Police Department and Alameda County Fire Department to ensure emergency access standards are met. Development associated with the proposed Specific Plan would be required to conform to traffic and safety regulations that specify adequate emergency access measures. The proposed Specific Plan involves roadway improvements that would improve vehicular access and circulation. The Plan Area is located along existing roadway lacking any identified significant safety hazards. The Specific Plan would facilitate infill development that would not be expected to hinder emergency access or evacuation. Adherence to existing state and federal regulations and the City's 2035 General Plan policies and goals would reduce impacts. Therefore, the impacts of the proposed Specific Plan would be less than significant.

#### 4.15.16 Utilities and Service Systems

This issue is discussed in Section 4.14 of the EIR.

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## 5 Other CEQA Required Discussions

This section discusses other issues for which CEQA requires analysis in addition to the specific issue areas discussed in Section 4, *Environmental Impact Analysis*. These additional issues include the Specific Plan’s potential to induce growth and create significant and irreversible impacts on the environment.

### 5.1 Growth Inducement

CEQA Guidelines Section 15126(d) requires a discussion of a proposed Specific Plan’s potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed Specific Plan’s growth inducing potential is therefore considered significant if Specific Plan-induced growth could result in significant physical effects in one or more environmental issue areas.

#### 5.1.1 Population and Economic Growth

As discussed in Section 4.11, *Population and Housing*, implementation of the proposed Specific Plan would introduce an estimated 2,540 housing units and would result in a net increase in 139,000 square feet of non-residential space. Based on the average of 2.85 persons per household in the City of San Leandro and standard employee generation rates, the proposed Specific Plan would add an estimated 7,239 residents and 725 jobs to San Leandro in 2035. Table 45 compares the anticipated growth under the proposed Specific Plan to 2035 General Plan and 2035 and 2040 ABAG projections.

**Table 45 Specific Plan Growth Comparison**

	2017 Existing	Specific Plan Growth	2035 With Specific Plan	2035 General Plan Projections <sup>3</sup>	2035 ABAG Projections <sup>4</sup>	2040 ABAG Projections <sup>5</sup>
Population	88,274 <sup>1</sup>	7,239	95,513	101,250	103,300	N/A
Households	32,509 <sup>1</sup>	2,540	35,049	36,685	37,080	37,300
Jobs	42,865 <sup>2</sup>	725	43,590	54,995	51,120	59,600

<sup>1</sup> See Table 21 in Section 4.11, *Population and Housing*

<sup>2</sup> See Table 22 in Section 4.11, *Population and Housing*. 2017 jobs estimates for San Leandro not available so the 2015 estimate was used.

<sup>3</sup> See Table 22 in Section 4.11, *Population and Housing*

<sup>4</sup> Source: ABAG, Plan Bay Area, Projections 2013, City Table, Alameda County; City of San Leandro 2016i

<sup>5</sup> Source: ABAG, Plan Bay Area 2040. See Table 23 in Section 4.11, *Population and Housing*. *Plan Bay Area 2040* does not provide population estimates.

The 2035 General Plan assumed 1,100 new units in the Specific Plan Area. Therefore, the proposed Specific Plan would result in a net increase of 1,440 units compared to what was analyzed in the EIR for the 2035 General Plan. Although population, housing, and jobs associated with the proposed Specific Plan added to the existing population, housing, and jobs in San Leandro would be below

2035 General Plan and 2035 and 2040 ABAG projections, growth associated with the proposed Specific Plan in combination with overall growth in San Leandro under the 2035 General Plan may exceed 2035 General Plan projections and ABAG projections.

However, a goal of the City is to foster transit-oriented development. The City's downtown area and the Specific Plan Area are targeted for TOD growth. The City completed the Downtown TOD Strategy in 2007 prior to the adoption of the City's 2035 General Plan. The proposed Specific Plan aims to encourage transit-oriented development in the Specific Plan Area. Following adoption of the Specific Plan, growth in the City would be aimed at the two TOD areas in the City, the Downtown area and the Specific Plan Area. Therefore, growth assumed under the 2035 General Plan would occur in a greater amount in the Specific Plan Area than other areas of San Leandro. As a result, overall growth would be the same as was assumed under the 2035 General Plan but would shift from other areas of the City to the Specific Plan Area. Additionally, the Specific Plan Area is a potential Priority Development Area (PDA) that was targeted for transit-oriented development in the City's 2035 General Plan and by ABAG. In general, the proposed Specific Plan is consistent with the land use goals of the ABAG/MTC Regional Transportation Plan/Sustainable Communities Strategy (*Plan Bay Area 2040*) which encourages transit-oriented development (see Section 4.6, *Greenhouse Gas Emissions*). Further, as explained in Section 2, *Project Description*, buildout assumptions for the proposed Specific Plan are conservative. Growth that may actually occur as a result of the Specific Plan may be less than anticipated.

Finally, it is the purpose of the Specific Plan to guide growth and development near existing transit centers in an effort to reduce urban sprawl and VMT. Therefore, by its nature, the proposed Specific Plan is intended to reduce the potential for uncontrolled growth in San Leandro and in the region and the environmental impacts associated with uncontrolled growth.

### 5.1.2 Removal of Obstacles to Growth

The Specific Plan Area is located in a fully urbanized area that is served by existing infrastructure. As discussed in Section 4.14, *Utilities and Service Systems*, and Section 4.8, *Hydrology and Water Quality*, existing infrastructure in San Leandro would be adequate to serve development under the proposed Specific Plan. No additional utility infrastructure or facilities beyond those necessary to accommodate the project would be required. Furthermore, the proposed Specific Plan is intended to encourage transit-oriented development that utilizes existing public transportation infrastructure. No new roads would be required, other than those improving connectivity within the Specific Plan Area. Because the proposed Specific Plan constitutes redevelopment within an urbanized area and does not require the extension of new infrastructure through undeveloped areas, project implementation would not remove an obstacle to growth.

## 5.2 Irreversible Environmental Effects

The *CEQA Guidelines* require that EIRs contain a discussion of significant irreversible environmental changes. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the proposed project.

The proposed Specific Plan would involve future infill development on currently developed lands in the City of San Leandro. Construction activities associated with planned development that would be accommodated under the 2035 General Plan would involve the use of building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and is not unique to San Leandro or the proposed Specific Plan.

The addition of new residential and non-residential development in the Specific Plan Area would irreversibly increase local demand for non-renewable energy resources such as petroleum and natural gas. Increasing efficient building fixtures and automobile engines, as well as implementation of policies included in the 2035 General Plan, are expected to offset the demand to some degree. It is not anticipated that growth accommodated under the proposed Specific Plan would significantly affect local or regional energy supplies (see Section 5.3).

Growth facilitated by the proposed Specific Plan would require an irreversible commitment of law enforcement, fire protection, water supply, and wastewater treatment. As discussed in Sections 4.12, *Public Services, Schools, and Recreation*, and 4.14, *Utilities and Service Systems*, impacts to public services and utilities would be reduced to a less than significant level with implementation of policies included in the proposed Specific Plan and 2035 General Plan.

The additional vehicle trips associated with growth through 2035 would incrementally increase local traffic, noise levels, and regional air pollutant emissions. As discussed in Section 4.2, *Air Quality*, the proposed Specific Plan would be consistent with BAAQMD's 2017 Clean Air Plan and implementation of 2035 General Plan policies and regional air pollution programs would reduce the air pollutant emissions associated with individual future development projects to below significance thresholds. As discussed in Section 4.10, *Noise*, implementation of proposed policies and mitigation measures from the City's 2035 General Plan would reduce the noise impacts associated with future growth to a less than significant level. As discussed in Section 4.13, *Transportation and Traffic*, mitigation measures would reduce traffic intersection impacts at most intersections to a less than significant level. However, traffic queuing impacts at some intersections within the Specific Plan Area would remain significant and unavoidable.

## 5.3 Energy Effects

Public Resources Code Section 21100(b)(2) and Appendix F of the *CEQA Guidelines* require that EIRs include a discussion of the potential energy consumption and/or conservation impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful or unnecessary consumption of energy.

California is one of the lowest per capita energy users in the United States, ranked 49<sup>th</sup> in the nation, due to its energy efficiency programs and mild climate (U.S. Energy Information Administration [EIA] 2015). California generated 290,567 gigawatt-hours (GWh) of electricity in 2016 (California Energy Commission [CEC] 2017) and 2,381,700 trillion British thermal units (Btu) of natural gas in 2015, of which 409,429 Btu were consumed by residential users (EIA 2017a). Additionally, in 2015, the most recent year of data provided by the EIA, California's transportation sector consumed 1,733.2 trillion Btu of motor gasoline in (EIA 2015). According to the EIA, one gallon of motor gasoline is equivalent to 120,476 Btu (EIA 2017b). Therefore, California's transportation sector consumed approximately 14,386,267,804.4 gallons of motor gasoline in 2015. The single largest end-use sector for energy consumption in California is transportation (38.7 percent), followed by industry (24.4 percent), commercial (18.6 percent), and residential (18.3 percent).

Electricity and natural gas service in the City of San Leandro is currently provided by Pacific Gas & Electric (PG&E). PG&E provides natural gas and electric service to approximately 16 million people throughout a 70,000-square mile service area in northern and central California (PG&E 2017a). In 2016, PG&E's power mix included 33 percent renewable energy sources (PG&E 2017b). Starting in October 2018, energy service in San Leandro will be sourced from the East Bay Community Energy (EBCE), a community-governed power supplier. EBCE is committed to providing electricity from a



high percentage of renewable sources such as solar, wind, and geothermal (EBCE 2017). Therefore, in the future, the electricity power mix may include more alternative energy sources.

Development facilitated by the proposed Specific Plan would involve the use of energy during associated construction and operation phases. Energy use during construction would be primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. Temporary grid power may also be provided to construction trailers or electric construction equipment. Long-term operation of development projects would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. In addition, the increase in vehicle trips associated with potential development would increase fuel consumption.

Table 46 shows the estimated electricity and natural gas demand for buildout of the Specific Plan compared to statewide demand. Electricity and natural gas consumption were estimated using CalEEMod, as described in Section 4.2, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*. Based on the modeling assumptions described in Sections 4.2 and 4.6, development facilitated by the proposed Specific Plan would utilize approximately 11.9 Gigawatt hours (GWh) of electricity and approximately 34,121 million Btu of natural gas per year during operation. As shown in Table 46, energy consumption for buildout under the proposed Specific Plan would represent less than 0.01 percent of statewide annual demand for electricity and less than 0.01 percent of statewide annual demand for natural gas.

**Table 46 Plan Energy Use Relative to Statewide Energy Use**

Form of Energy	Units	Annual Plan Related Energy Use	Annual Statewide Energy Use	Project Percent of Statewide Energy Use
Electricity	Gigawatt hours	11.9 <sup>1</sup>	290,567 <sup>2</sup>	<0.01%
Natural Gas	Million British thermal units	34,121 <sup>1</sup>	2,381,700,000 <sup>3</sup>	<0.01%

1 CalEEMod output (provided in Appendix B)

2 California Energy Commission (CEC). 2017. *Total System Electric Generation*. Available at: [http://www.energy.ca.gov/almanac/electricity\\_data/total\\_system\\_power.html](http://www.energy.ca.gov/almanac/electricity_data/total_system_power.html). Accessed July 18, 2017.

3 U.S. Energy Information Administration (EIA). 2017. *Natural Gas Consumption by End Use*. Available at: [https://www.eia.gov/dnav/ng/ng\\_cons\\_sum\\_dcu\\_SCA\\_a.htm](https://www.eia.gov/dnav/ng/ng_cons_sum_dcu_SCA_a.htm). Accessed July 18, 2017.

A large portion of the energy use associated with development facilitated by the proposed Specific Plan would result from fuel consumption from new vehicle trips. Table 47 shows the estimated annual operational fuel consumption due to vehicle travel from the proposed Specific Plan buildout. Fuel consumption was estimated using the default fleet vehicle mix and the total annual mitigated annual VMT from the CalEEMod trip generation estimates, and average fuel efficiencies for each vehicle category (refer to Tables 4.4 included in Appendix B, which shows the default fleet vehicle mix used by CalEEMod). Based on these assumptions, the Specific Plan would result in the consumption of approximately 1,622,000 gallons of vehicle fuel per year during full operation, which represents approximately 0.01 percent of annual statewide transportation fuel consumption.

**Table 47 Project Operational Vehicle Fuel Consumption**

Vehicle Type	Percent of Vehicle Trips <sup>1</sup>	Annual Vehicle Miles Traveled <sup>2</sup>	Average Fuel Efficiency (miles/gallon) <sup>3</sup>	Total Annual Fuel Consumption (gallons)
Passenger Cars	56.61%	15,976,458	23.3	685,685
Light/Medium Trucks	32.61%	9,203,185	17.1	538,198
Heavy Trucks/Other	10.21%	2,881,463	7.3	394,721
Motorcycles	0.52%	146,754	43.4	3,381
<b>Total</b>	<b>100%</b>	<b>28,221,971</b>	<b>-</b>	<b>1,621,985</b>
State Motor Vehicle Fuels				14,386,267,804 <sup>4</sup>
Plan Percent of Statewide Energy Use				<0.01%

<sup>1</sup> Percent of vehicle trips found in Table 4.4 “Fleet Mix” in CalEEMod outputs (see Appendix B)

<sup>2</sup> Mitigated annual VMT found in Table 4.2 “Trip Summary Information” in CalEEMod outputs (see Appendix B). Annual VMT per vehicle type = Mitigated annual VMT \* Percent of vehicle trips per vehicle type.

<sup>3</sup> Source: US DOT, Bureau of Transportation Statistics. 2013. National Transportation Statistics 2013, Tables 4-12 and 4-13. Washington DC. Vehicle classes provided in CalEEMod do not correspond exactly to vehicle classes in USDOT fuel consumption data, except for motorcycles. Therefore, it was assumed that passenger cars correspond to the light-duty, short-base vehicle class, light/medium trucks correspond to the light-duty long-base vehicle class, and heavy trucks/ other correspond to the single unit, 2-axle 6-tire or more class.

<sup>4</sup> California Energy Commission 2014

Note: Total may not add up due to rounding.

In addition, construction activities would also result in short-term fuel consumption from worker trips, operation of diesel-powered equipment, and hauling trips.

### Appendix F Requirements and Energy Conservation Standards

Appendix F of the *CEQA Guidelines* requires inclusion in an EIR of relevant information that addresses “potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy” (Public Resource code Section 21100[b][3]). Although the *CEQA Guidelines* do not include formal thresholds for evaluating the significance of potential energy-related impacts, the following discussion addresses direct energy impacts of the project as framed in Appendix F of the *CEQA Guidelines* by evaluating whether the project would result in the wasteful or inefficient consumption of energy

**Threshold:** Would the Specific Plan result in the wasteful and inefficient use of non-renewable resources during construction and operation of projects facilitated by the Plan?

Long-term operation of development projects facilitated by the proposed Specific Plan would result in the annual consumption of approximately 11,900 megawatt hours of electricity, 34,121 million Btu of natural gas, and 1,621,985 gallons of vehicle fuel each year. Increasingly efficient building fixtures and automobile engines, as well as implementation of policies included in the City’s 2035 General Plan, are expected to offset the energy demand facilitated by buildout under the proposed Specific Plan to some degree. The development facilitated by the proposed Specific Plan would be subject to energy conservation requirements in the California Energy Code (Title 24, Part 6, of the California Code of Regulations [CCR], California’s Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (CalGreen) (Title 24, Part

11, of the CCR). Adherence to Title 24 requirements would ensure that buildout of the proposed Specific Plan would not result in wasteful and inefficient use of non-renewable resources due to building operation.

The standards and guidelines shown in Table 48 are included in Chapter 5, *Development Standards and Guidelines*, of the proposed Specific Plan would reduce future energy use in the Specific Plan Area:

**Table 48 Building Performance Standards in the Proposed Specific Plan**

<b>Performance Standard #1</b>	<b>CalGreen</b> New development shall achieve the mandatory elements of CalGreen as required by state law, but should seek opportunities to exceed, pursue, and achieve CalGreen Tier 1 or 2.
<b>Performance Standard #2</b>	<b>LEED for Neighborhood Development</b> LEED for Neighborhood Development (LEED-ND) certification is required for any new development over five acres in size, and LEED-ND is encouraged for any project involving two buildings or more. For projects less than five acres in size, encourage features consistent with LEED-ND criteria such as walkable streets, green infrastructure, energy- and water-efficient buildings, and access to diverse uses and public spaces.
<b>Performance Standard #3</b>	<b>Solar-Ready Buildings</b> All new buildings shall be built with solar-ready electrical systems/hardware and provide adequate roof surface area for these systems.
<b>Performance Standard #5</b>	<b>Sustainable Roofs</b> New construction, additions, and alterations shall follow the CalGreen guidance for solar-reflective roofs to reduce heat island effect. Vegetated roofs may also be used.
<b>Performance Guideline #1</b>	<b>Green Buildings</b> Green building certification such as LEED for Building Design and Construction (LEED-BD+C) or GreenPoint Rated is encouraged for new development.
<b>Performance Guideline #4</b>	<b>Vehicle Charging Stations</b> New development should include electric charging stations for electric automobiles for residents.
<b>Private Open Space</b>	
<b>Guideline #5</b>	<b>Planting and Landscape Character</b> Trees should be placed to maximize climate benefits and energy savings. Deciduous trees should be located to allow sunlight to reach buildings during winter months, and to provide shade during summer months.

The development facilitated by the proposed Specific Plan would be required to comply with applicable Title 24 building standards and numerous policies that would reduce construction and operational energy use by decreasing vehicle trips, increasing fuel efficiency, increasing building energy efficiency, and facilitating use of renewable energy. Therefore, the proposed Specific Plan would not result in wasteful and inefficient use of non-renewable resources during construction and operation.

## 6 Alternatives

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The *CEQA Guidelines* require that EIRs identify and evaluate a reasonable range of alternatives that are designed to reduce the significant environmental impacts of the proposed project (the Specific Plan) while still satisfying most of the basic project objectives. The *CEQA Guidelines* also set forth the intent and extent of alternatives analysis to be provided in an EIR.

The following discussion evaluates alternatives to the proposed Specific Plan and examines the potential environmental impacts associated with each alternative. Through comparison of these alternatives to the proposed Specific Plan, the relative environmental advantages and disadvantages of each are weighed and analyzed. The *CEQA Guidelines* require that the range of alternatives addressed in an EIR should be governed by a rule of reason. Not every conceivable alternative must be addressed, nor do infeasible alternatives need to be considered (*CEQA Guidelines* Section 15126.6[a]). Section 15126.6 of the *CEQA Guidelines* states that the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency or other plans or regulatory limitations, and jurisdictional boundaries. Section 15126.6(b) of the *CEQA Guidelines* states that the discussion of alternatives must focus on alternatives capable of either avoiding or substantially lessening any significant environmental effects of the project, even if the alternative would impede, to some degree, the attainment of the project objectives or would be more costly. The alternatives discussion should not consider alternatives whose implementation is remote or speculative, and the analysis of alternatives need not be presented in the same level of detail as the assessment of the proposed Specific Plan.

Based on the *CEQA Guidelines*, several factors need to be considered in determining the range of alternatives to be analyzed in the EIR and the level of analytical detail that should be provided for each alternative. These factors include: (1) the nature of the significant impacts of the proposed Specific Plan, (2) the ability of alternatives to avoid or lessen the significant impacts associated with the proposed Specific Plan, (3) the ability of the alternatives to meet the objectives of the proposed Specific Plan, and (4) the feasibility of the alternatives. The analysis in this EIR shows that the proposed Specific Plan would result in significant and unavoidable impacts with respect to traffic. All other impacts of the Specific Plan can either be mitigated to a level of less than significant or would be less than significant. The alternatives examined herein represent alternatives that are feasible, would generally meet the objectives of the Specific Plan, and that could potentially reduce or avoid the significant and less than significant impacts associated with implementation of the proposed Specific Plan.

As required by Section 15126.6 of the *CEQA Guidelines*, this section of the EIR examines a range of reasonable alternatives to the proposed Specific Plan. The following alternatives are evaluated in this EIR:

- Alternative 1: No Project/ 2035 General Plan Buildout
- Alternative 2: Residential Focus Alternative
- Alternative 3: Office Focus Alternative

This section also includes a discussion of the “environmentally superior alternative” among the alternatives analyzed.

Table 49 provides a summary comparison of the development characteristics of the proposed Specific Plan and each of the alternatives considered. Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Sections 6.1.1 through 6.1.3.

**Table 49 Comparison of Specific Plan Alternatives' Buildout Characteristics**

Feature	Proposed Specific Plan	Alternative 1: No Project/ 2035 General Plan Buildout	Alternative 2: Residential Focus	Alternative 3: Office Focus
Residential units	2,540 units	1,100 units <sup>1</sup>	3,200 units	1,500 units
Office space	300,000 sf	773 jobs <sup>1,2</sup>	0 sf	450,000 sf
Retail	(161,000 sf)	No Change	(161,000 sf)	(161,000 sf)

<sup>1</sup> Source: San Leandro 2035 General Plan EIR, Appendix C, Buildout Methodology (City of San Leandro 2016i)

<sup>2</sup> Square footage estimate not provided

( ) denotes reduction

As indicated above, project alternatives should feasibly be able to attain “most of the basic objectives of the project” (Section 15126.6[a] of the *CEQA Guidelines*), even though implementation of the project alternatives might, to some degree, impede the attainment of those objectives or be more costly (Section 15126.6[b] of the *CEQA Guidelines*). The following are the project objectives as described in Section 2, *Project Description*.

1. **More Parks and Open Space.** Increase the amount of parks, green space, plazas, and other public space that encourages pedestrian activity, recreation, and access to nature.
2. **More Walkable Environment.** Improve the pedestrian experience, public space, aesthetics, and design quality throughout the Specific Plan Area to attract visitors, serve residents and promote walking.
3. **Better Mobility and Connectivity.** Improve pedestrian, bicycle, transit, and vehicle connections in the Specific Plan Area through the creation of an interconnected street grid, with a focus on better pedestrian connections between the Bay Fair BART station and the adjacent shopping areas.
4. **Improved Safety and Less Crime.** Improve safety in and around the Specific Plan Area through a range of strategies including increased pedestrian activity; more “eyes on the street;” enhanced and more coordinated policing; better lighting pathways; activation of vacant spaces; and an increased sense of ownership and stewardship by residents, workers, and visitors.
5. **Compatibility with Adjacent Neighborhoods.** Ensure compatibility with the residential neighborhoods adjacent to the Specific Plan Area – including those in unincorporated Alameda County as well as the City of San Leandro – and encourage sensitive design transitions, public amenities, and uses and services that benefit surrounding neighborhoods.
6. **Diversity of uses.** Support a diverse, sustainable mix of uses including retail, housing, workplaces, and community spaces. Encourage a variety of essential goods and services such as grocery stores, pharmacies, banks, laundromats, social services, restaurants, and other businesses.

7. **Diverse and Affordable Housing.** Support both market rate and affordable housing and seek to protect existing residents from involuntary displacement.
8. **Range of Educational Opportunities.** Provide a range of services to provide opportunities for higher education, business incubation, and vocational and employment training programs for all age groups.
9. **Community Facilities.** Provide community facilities necessary to support the level and type of additional growth including schools, community and senior centers, child care centers, and public safety facilities.
10. **Efficient and Shared Parking.** Implement parking management solutions that most efficiently use parking resources, including sharing of public and private parking spaces between different uses and sharing between different use types such as residential, office, and commercial.
11. **BART and Bus Station Improvement.** Support and improve the Bay Fair BART and bus stations as integral amenities for the surrounding neighborhoods, the City, the County, and the region.
12. **Zoning Aligned with Community Vision.** Ensure future zoning is aligned with the community vision, while allowing flexibility to adjust to changing trends and land ownership.
13. **Local and Regional Destination.** Provide excellent public space, outdoor dining, and dynamic retail experiences to create central gathering places that serve local and regional populations.
14. **Infrastructure.** Improve and maintain basic infrastructure such as stormwater management facilities, flood control, and water, sewer, and gas service.
15. **Environmental Sustainability.** Create a sustainable urban environment that incorporates green building features, green infrastructure and ecology, sustainable energy systems, water efficiency and conservation, and sustainable transportation systems.

## 6.1 Alternative 1: No Project/ 2035 General Plan Buildout

### 6.1.1 Description

This alternative assumes that the proposed Specific Plan is not adopted. The Specific Plan Area would continue to be designated as B-TOD per the City’s 2035 General Plan. The growth assumptions of approximately 1,100 housing units and 773 jobs in the Specific Plan Area under the 2035 General Plan would continue to apply. This alternative assumes in the near-term that little to no growth in the Specific Plan Area would occur. Over time, growth in accordance with the vision of the area set forth in the City’s 2035 General Plan would occur, though not to the same extent as would be envisioned under the proposed Specific Plan.

### 6.1.2 Impact Analysis

The No Project alternative would involve no changes to the existing regulatory controls and land use policies for the Specific Plan Area. The circulation improvements in the Specific Plan Area associated with the proposed Specific Plan would not occur. In addition, the zoning changes would not occur. No development associated with the proposed Specific Plan would occur. As such, this alternative would have no impact with respect to aesthetics, air quality, biological resources, cultural resources, geology, GHG emissions, hazards and hazardous materials, hydrology, noise, population and

housing, public services, traffic, or utilities and service systems resulting from the proposed Specific Plan, although some impacts in these issue areas would continue to occur in the Specific Plan as a result of under the 2035 General Plan. The 2035 General Plan EIR identified significant and unavoidable impacts with respect to air quality, GHG emissions, noise, and traffic. These impacts resulted from full buildout in the City related to the General Plan and were not specifically related to buildout in the Specific Plan Area.

Construction impacts associated with the proposed Specific Plan would be avoided, although construction associated with development under the 2035 General Plan would still occur and would result in construction impacts as analyzed in the 2035 General Plan EIR. This alternative would avoid the proposed Specific Plan's significant and unavoidable impacts with respect to traffic. No mitigation measures would be required for the No Project alternative, except those already required for projects in San Leandro by the City's 2035 General Plan EIR. This alternative would not preclude development in the Specific Plan Area in accordance with the City's 2035 General Plan.

Although overall impacts would be lower than those of the proposed Specific Plan, the beneficial effects associated with the proposed Specific Plan (pedestrian facility, bicycle facility, and roadway improvements) would not occur. In addition, the proposed Specific Plan is consistent with City and Bay Area regional goals to facilitate infill development along major transit corridors and to locate housing near jobs and commercial uses in order to reduce vehicle miles traveled (VMT) and associated air pollution and GHG emissions. The proposed Specific Plan is designed to encourage a mix of housing and jobs near major transit corridors in infill locations. As discussed in Section 4.6, *Greenhouse Gas Emissions*, the proposed Specific Plan would reduce per capita VMT compared to development under the 2035 General Plan alone.

The No Project Alternative would not fulfill the Project Objectives, especially as existing development conditions do not provide a high level of connectivity between the BART station and adjacent shopping areas, do not support a diverse mix of land uses, and do not allow for provision of diverse and affordable housing. Overall, although the Specific Plan Area would continue to be designated as B-TOD and the 2035 General Plan policies related to the B-TOD land use would apply, the overall intent for development as envisioned by the 2035 General Plan would not be implemented to the extent that it would under the Specific Plan, which builds on and provides specifics to achieve the vision of the 2035 General Plan's B-TOD Designation.

## 6.2 Alternative 2: Residential Focus

### 6.2.1 Description

This alternative would involve an alternative vision for land use in Bay Fair TOD Specific Plan in which the Specific Plan would not support office uses and would instead prioritize residential development in the Specific Plan Area. Office use would no longer be a permitted use in the B-TOD District and development standards and guidelines related to office uses (such as the ground-floor office building frontage guidelines in Chapter 5 of the proposed Specific Plan) would be removed from the Specific Plan. All other policies, standards, and guidelines in the proposed Specific Plan would remain.

Under this alternative, the estimated number of new residential units in the Specific Plan Area would be 3,200 units, a 26 percent increase compared to the 2,540 units assumed under the proposed Specific Plan. This alternative would still involve the removal of approximately 161,000 of retail space.

This alternative would meet most of the project objectives as it would include the policies and standards that support community environmental health, neighborhood compatibility and diverse and affordable housing. However, it would not fulfill all of the Project Objectives, as it would not satisfy Objective 6, “Diversity of Uses,” and would not meet Objective 8, “Range of Educational Opportunities,” Objective 10, “Efficient and Shared Parking,” and Objective 13, “Local and Regional Destination,” to the same extent as the proposed Specific Plan.

## 6.2.2 Impact Analysis

### a. Aesthetics

This alternative would shift the proposed uses in Specific Plan Area from a mix of office and residential uses to a residential focus, thereby increasing the number of residential units and decreasing the amount of office space that would be developed. Like the proposed Specific Plan, this alternative would facilitate increases in the intensity, scale and visibility of development in the Specific Plan Area, and would include changes to circulation patterns and block sizes. In addition, this alternative would facilitate changes to the visual character of the Specific Plan Area. However, this alternative would not increase building height limits compared to the proposed Specific Plan. Therefore, implementation of this alternative would not block or otherwise adversely affect scenic vistas. In addition, this alternative would have the same policies, planning framework, design review criteria, and development standards and guidelines for residential development as the proposed Specific Plan. Impacts would be the same as the proposed Specific Plan and, like the proposed Specific Plan, would be less than significant.

The introduction of light to the Specific Plan Area with this alternative would likely increase under this alternative due to the shift from daytime office uses to residential uses which would require more evening and nighttime lighting. New sources of glare would be comparable to the proposed Specific Plan as the level of development would be comparable to that facilitated by the proposed Specific Plan but would shift uses from a mix of residential and office to residential. Nonetheless, like the proposed Specific Plan, new sources of light and glare would not substantially increase the amount of light and glare in the already urbanized Specific Plan Area, and would be regulated by the City’s adopted 2035 General Plan and Municipal Code requirements. Impacts related to light and glare would therefore be the same as the proposed Specific Plan and would continue to *be less than significant under this alternative*.

### b. Air Quality

As discussed above, BAAQMD’s CEQA Air Quality Guidelines from 2017 have no plan-level significance thresholds for construction air pollutant emissions. However, the guidelines include project-level thresholds for construction emissions. Temporary construction-related air quality impacts of this alternative would be similar to that of the proposed Specific Plan as the amount of residential construction would increase, there would be no office space construction. However, like the proposed Specific Plan, this alternative would be required to comply with the 2035 General Plan’s goals and policies specific to reducing air pollutant emissions from design, construction, and operation of new development projects. This alternative would also be required to comply with the 2035 General Plan Mitigation Measure AQ-2B-1, which stipulates PM<sub>10</sub> control measures. Therefore, impacts would be the same as the proposed Specific Plan and would be significant but mitigable.

This alternative would place a greater number of residences next to high-volume roadways and freeways and therefore would expose more sensitive receptors to sources of toxic air contaminants



(TAC). However, Action EH-3.4.B in the 2035 General Plan requires health risk assessments for residential development and other sensitive land uses within 1,000 feet of major sources of TACs and implementation of mitigation measures as needed to reduce exposure to TACs. Compliance with this Action EH-3.4.B would reduce potential health exposure impacts related to TACs. Therefore, although impacts would be increased compared to the proposed Specific Plan, impacts would be *less than significant*.

According to the BAAQMD's 2017 Guidelines, a plan is considered consistent with the 2017 Bay Area Clean Air Plan if it is consistent with current air quality plan control measures and the plan's projected VMT or vehicle trips increase less than or equal to its projected population increase. Like the proposed Specific Plan, this alternative would be consistent with the control measures in the 2017 Clean Air Plan. Although VMT projections for this alternative are not available, this alternative would increase population while reducing the number of trips compared to the proposed Specific Plan (see Table 52). Therefore, it is assumed this alternative would reduce per capita VMT at the same level as the proposed Specific Plan (compared to the 2035 No Project Conditions) and impacts would be less than significant.

This alternative would not include land uses typically producing objectionable odors, such as agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Impacts would be the same as the proposed Specific Plan and would be less than significant.

### **c. Biological Resources**

This alternative would increase the intensity of residential development within the Specific Plan Area and decrease the amount of commercial development. This alternative would involve development in the same area as the proposed Specific Plan. As a result, biological resources impacts would be the same as those resulting from the proposed Specific Plan. Mitigation outlined in Section 4.3, *Biological Resources*, would continue to apply and impacts would remain significant but mitigable.

### **d. Cultural, Tribal Cultural, and Paleontological Resources**

This alternative would increase the intensity of residential development within the Specific Plan Area. Nonetheless, this alternative would still involve development of the same areas as the proposed Specific Plan. As a result, cultural resources impacts would be the same as those resulting from the proposed Specific Plan. Mitigation outlined in Section 4.4, *Cultural, Tribal Cultural, and Paleontological Resources* would continue to apply and impacts would remain significant but mitigable.

### **e. Geology and Soils**

This alternative would accommodate 660 more residential units than the proposed Specific Plan. Therefore, development under this alternative would expose a greater number of residences to geologic hazards, including groundshaking, liquefaction, and expansion. Like the proposed Specific Plan, development under this alternative would be subject to provisions of the California Building Code (CBC), the City's Municipal Code, and policies contained in the 2035 General Plan which require buildings to be designed to withstand seismic hazards as well as site-specific geotechnical investigations. Adherence to these requirements would reduce the potential for property damage, injury, or death resulting from seismic hazards. Therefore, impacts related to groundshaking and soil

instability would be slightly increased compared to the proposed Specific Plan but would remain less than significant with adherence to existing regulations.

### f. Greenhouse Gas Emissions

This alternative would accommodate 660 more residential units and no office space development compared to the proposed Specific Plan. The service population (sum of population and employees) of this alternative would be 8,845 (9,120 residents minus 275 jobs as shown in Table 51), which is greater than the proposed Specific Plan’s service population of 7,964 (7,239 residents and 725 employees). As shown in Table 50, GHG emissions associated with this alternative would be lower than those estimated for buildout of the proposed Specific Plan. Impacts related to GHG emissions would be reduced compared to the proposed Specific Plan and would be less than significant. In addition, this alternative would be generally consistent with the policies of the City’s Climate Action Plan and with the *Plan Bay Area 2040*, the Bay Area’s Regional Transportation Plan and Sustainable Communities Strategy. Therefore, impacts related to consistency with adopted GHG reduction plans would be the same as the proposed Specific Plan and would be less than significant.

**Table 50 Alternative 2 Greenhouse Gas Emissions**

Emission Source	Annual Emissions (Approximate) (MT CO <sub>2</sub> e)
<b>Stationary</b>	
Area	40
Energy	4,973
Solid Waste	740
Water	748
<b>Mobile (during operations)</b>	
CO <sub>2</sub> and CH <sub>4</sub>	8,612
N <sub>2</sub> O	445
<b>Alternative 2 Total</b>	<b>15,558</b>
Alternative 2 Service Population	8,845 persons
<b>Alternative 2 Total / Service Population</b>	<b>1.76 MT CO<sub>2</sub>e / service population / year</b>
Threshold	2.32 MT CO <sub>2</sub> e / service population / year
Threshold Exceeded?	No
Proposed Specific Plan Emissions /Service Population for Comparison	<b>2.27 MT CO<sub>2</sub>e / service population / year</b>

Sources: See Appendix B for efficiency metric calculations and for GHG emission factor assumptions

### g. Hazards and Hazardous Materials

This alternative would increase residential development in the Specific Plan Area compared to the proposed Specific Plan. However, residential uses typically do not involve the storage, disposal or transportation of hazardous materials other than those typically used for cleaning or maintenance. Like the proposed Specific Plan, this alternative may also involve mixed-use structures that would place new residences near hazardous waste users. However, as with the proposed Specific Plan,

required adherence to existing regulations and 2035 General Plan policies would reduce impacts to less than significant. Impacts would be the same as the proposed Specific Plan.

This alternative would also involve demolition, redevelopment, and construction of new structures. Construction associated with future development in the Specific Plan Area could involve transport or handling of hazardous materials including fuels, lubricating fluids, or solvents, or exposure to lead-based paint and asbestos containing materials. However, impacts related to transport or handling of hazardous materials would be similar to those of the proposed Specific Plan and would be less than significant with adherence to existing regulations. In addition, like the proposed Specific Plan this alternative would not involve new uses that would produce or emit hazardous materials near schools and would not result in exposure of the public or the environment from existing hazardous materials sites. Impacts would be the same as the proposed Specific Plan and would be less than significant.

#### **h. Hydrology and Water Quality**

Although this alternative involves a shift in use from a mix of office and residential to residential only, Alternative 2 would still involve redevelopment and construction in an existing urban area that is mostly built-out and covered with impervious surfaces. Construction-related and operational erosion and sedimentation, pollutant discharges, and stormwater runoff levels would therefore be similar under this alternative to the proposed Specific Plan. Compliance with NPDES Permit requirements, City ordinances, and 2035 General Plan policies would ensure that water quality and runoff impacts would remain less than significant, the same as the proposed Specific Plan.

Full buildout of this alternative would not introduce substantial new impervious areas that would interfere with groundwater recharge, similar to the proposed Specific Plan, and would therefore not deplete groundwater supplies or interfere with groundwater recharge. Under this alternative the Specific Plan would still include policies to pursue improvements to the Estudillo Canal to improve stormwater capacity, but implementation would not substantially alter drainage patterns. Impacts to groundwater and drainage would be the same as the proposed Specific Plan and would be less than significant.

A portion of the Specific Plan Area is within a FEMA-designated Special Flood Hazard Area associated with Estudillo Canal. Because this alternative would increase residential development, additional residences may be placed in affected areas. However, compliance with City Municipal Code standards regarding construction in flood hazard areas, and with the 2035 General Plan policies, would reduce potential effects associated with flood events. Impacts would be the same as under the proposed Specific Plan and would be less than significant.

#### **i. Land Use and Planning**

Under Alternative 2, the overall content of the policies, standards, and guidelines of the Specific Plan would remain the same. Like the proposed Specific Plan, this alternative would still involve transit oriented development, streetscape improvements to make the Specific Plan Area friendlier to pedestrians, bicyclists, and transit users, and improved BART connections in accordance with 2035 General Plan Policy LU-8.10 (Bay Fair Area) and implementing actions LU-8.10.A (Bay Fair Station Transit Village), LU-8.10.B (East 14th Street Streetscape Improvements), and LU-8.10.C (Bay Fair BART Connections). Under Alternative 2, residential uses would be prioritized. Therefore, the proposed Specific Plan would not meet some of the goals of the 2035 General Plan to provide a mix of uses, including office, in the Specific Plan Area. Nonetheless, this alternative would generally be consistent with the goals of the 2035 General Plan related to transit-oriented development in the

Specific Plan Area and is consistent with the B-TOD land use designation. Impacts would be the same as the proposed Specific Plan and would be less than significant.

**j. Noise**

This alternative would increase residential and decrease non-residential (commercial) buildout in the Plan Area. Nonetheless, because the same type of construction equipment would be used and generally the same overall level of development would occur, noise and vibration levels would be similar to the proposed Specific Plan. However, this alternative would introduce more sensitive receptors to the Specific Plan Area, particularly new multi-family residential development. Similar to the proposed Specific Plan, implementation of Mitigation Measure NOI-4 from the 2035 General Plan EIR and compliance with the City’s permitted construction hours would reduce construction-related noise and vibration impacts to less than significant levels, the same as the proposed Specific Plan.

Like the proposed Specific Plan, this alternative would involve development adjacent to residential neighborhoods. Existing and future sensitive receptors within the Specific Plan Area would be exposed to operational noise from buildout under this alternative, and this alternative would introduce additional sensitive receptors to the Specific Plan Area. However, development under this alternative would be subject to the 2035 General Plan’s goals, policies and Land Use and Noise Compatibility Guidelines provided in the Environmental Hazards Element and the City’s Municipal Code requirements. With adherence to existing policies and regulations, similar to the proposed Specific Plan, impacts would be less than significant and no mitigation would be required.

As shown in Table 52, Alternative 2 would generate fewer AM and PM peak hour vehicle trips than the proposed Specific Plan. Consequently, noise level increases associated with vehicle traffic on roadways near and within the Specific Plan Area would be lower. Therefore, impacts would incrementally decrease compared to the proposed Specific Plan and would remain less than significant.

**k. Population and Housing**

As shown in Table 51, this alternative would increase residential development by 660 units (26 percent) and therefore increase the population by 1,881 residents (26 percent) compared to buildout assumptions under the proposed Specific Plan. Whereas the proposed Specific Plan assumed the addition of an estimated 1,000 new office jobs and the removal of 275 retail jobs, this alternative would only involve the removal of 275 retail jobs. Therefore, this alternative would result in 1,000 fewer jobs than under the proposed Specific Plan.

**Table 51 Alternative 2 Population, Jobs and Housing**

	<b>Proposed Specific Plan</b>	<b>Alternative 3</b>	<b>Difference</b>	<b>% Change</b>
Population (# residents) <sup>1</sup>	7,239	9,120	1,881	26%
Housing (# units)	2,540	3,200	660	26%
Employment (# jobs) <sup>2</sup>	725	(275)	(1,000)	(138%)

<sup>1</sup> Assuming 2.85 residents per household, see Table 21 in Section 4.11, *Population and Housing*

<sup>2</sup> Source: see Table 24 in Section 4.11, *Population and Housing*

( ) denotes decrease

Similar to the proposed Specific Plan, the housing and population growth under this alternative would exceed the growth assumptions for the Specific Plan Area under the City's 2035 General Plan of 1,100 units. Population growth associated with the proposed Specific Plan in combination with implementation of the 2035 General Plan could lead to overall growth that would exceed General Plan projections. However, like the proposed Specific Plan, with adoption of this alternative growth would shift from other areas of the City to the Specific Plan Area. In addition, this alternative would implement City and regional goals to put housing near transit centers. Impacts would be less than significant, the same as the proposed Specific Plan.

Similar to the proposed Specific Plan, although this alternative would increase development of new housing in the Specific Plan Area, the increase in the density of residential development may potentially cause displacement of existing residents. However, this alternative would retain the policies and provisions included in the proposed Specific Plan that encourage the protection of residents at risk of displacement in or near the Plan Area. Therefore, impacts related to displacement would be less than significant, the same as the proposed Specific Plan.

## I. Public Services, Schools, and Recreation

This alternative would accommodate up to 660 additional housing units compared to the proposed Specific Plan but would not involve development of office space. Because of the increase in the number of residents in the Specific Plan Area, demand for emergency medical, fire, and police services would increase compared to the proposed Specific Plan. Nonetheless, impacts to police services would remain less than significant with adherence to 2035 General Plan policies to ensure adequate police and fire protection services (Policy CSF-1.1 (Levels of Service), CSF-1.5 (Review of Development Plans), and CSF-1.9 (Paramedic Services) policies and with future CEQA review for potential future police facilities, the same as the proposed Specific Plan.

Based on the students per household generation rates used in the public services analysis for the proposed Specific Plan (see Section 4.12, *Public Services*), this alternative would generate approximately 2,240 new students. This represents an increase of 462 students (26 percent) compared to the proposed Specific Plan. Therefore, demand for school services would also increase. However, for future residential projects, payment of State-mandated school impact fees would reduce impacts to a *less than significant* level, the same as the proposed Specific Plan. In addition, as shown in Table 26 in Section 4.12, *Public Services, Schools, and Recreation*, schools that serve the Specific Plan Area are not operating at full capacity.

Upon full buildout under this alternative, approximately 9,120 new residents would reside within the Specific Plan Area. Under this alternative, the library space per capita would be 0.77, which is still within the recommended range of 0.7 to 0.9 square feet per capita. However, as discussed in Section 4.12, *Public Services*, the City's library system has adequate capacity to serve the new residents generated by this alternative. Therefore, although impacts to library services would be slightly increased compared to the proposed Specific Plan, they would remain less than significant.

Based on the City's 5:1 ratio for acres of park land for every one thousand residents, the additional 9,120 residents associated with this alternative would generate demand for 45.6 total acres of parkland, which is 9.4 more acres than the proposed Specific Plan. However, like the proposed Specific Plan, payment of in-lieu park fees would result in funding equivalent to the provision parks. In addition, like the proposed Specific Plan, this alternative would include policies and guidelines to develop more open space and public use space in the Specific Plan Area. Impacts would be *less than significant*, the same as the proposed Specific Plan.

### m. Transportation and Traffic

As shown in Table 52, buildout associated with this alternative would generate an estimated 2,002 AM peak hour trips (495 fewer than the proposed Specific Plan) and 2,669 PM peak hour trips (550 fewer than the proposed Specific Plan). All intersections that were not impacted under the proposed Specific Plan remain less than significant. Table 53 provides a comparison of the previously impacted intersections between the Alternatives and the cumulative no-project and the proposed Specific Plan.

**Table 52 Alternative 2 Peak Hour Trip Generation**

Alternative	Trip Generation		Trip Difference		Trip Percent Difference	
	AM	PM	AM	PM	AM	PM
2035 Alternative 2 - Residential Focus	2,002	2,659	(443)	(292)	(18%)	(10%)
2035 Proposed Specific Plan	2,445	2,951	-	-	-	-

Note: Trip difference computed based on comparison to the proposed Specific Plan  
 ( ) denotes decrease  
 Source: Kittelson & Associates, Inc.

**Table 53 Alternative 2 Intersection Analysis**

Intersection	Peak Hour	2035 No-Project (Alt 1)			2035 Alternative 2			2035 Proposed Specific Plan		
		Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C
Hesperian Boulevard & Halcyon Drive/Fairmont Drive (#5)	AM	109.3	F	1.16	108.7	F	1.13	116	F	1.17
	PM	95.9	F	1.19	126.2	F	1.23	130.2	F	1.25
E. 14th Street & Fairmont Drive (#7)	AM	86	F	1.04	88.3	F	1.03	95	F	1.09
	PM	132	F	1.21	125.9	F	1.17	129.7	F	1.18
Hesperian Boulevard and Thornally Drive (#10)	AM	126.9	F	0.87	208.1	F	0.95	212.6	F	0.98
	PM	191.4	F	0.93	293.9	F	1.02	292.2	F	1.02

Shaded cell indicated a significant impact.

Source: Kittelson & Associates, Inc.

The impacts at the following intersections would no longer be significant under Alternative 2:

- Hesperian Boulevard & Halcyon Drive/Fairmont Drive during the PM peak hour (Intersection #5)
- East 14th Street & Fairmont Drive during the AM peak hour (Intersection #7)

Therefore the impacts at intersections #5 and #7 would be reduced and would be less than significant. The intersection of Hesperian Boulevard and Thornally Drive (Intersection #10) would remain significantly impacted under Alternative 2. No mitigation measures are available to reduce the impact in the available right-of-way without removal of bike lanes. Therefore, the impact to this intersection would remain significant and unavoidable under Alternative 2, the same as the proposed Specific Plan.

Since this alternative results in fewer trips than those generated under the proposed Specific Plan, impacts at freeway segments and arterial segments would be reduced compared to the proposed

Specific Plan. Impacts to freeway segments would remain less than significant. As shown in Table 54, under Alternative 2, the impact identified at East 14th Street, south of Estudillo Avenue would be reduced to less than significant. However, like the proposed Specific Plan, the impact at Hesperian Boulevard south of East 14th Street would remain significant and unavoidable.

**Table 54 MTS Arterial LOS, 2040 Cumulative Conditions, Alternative 2**

Segment		Year 2040 Cumulative Conditions		Year 2040 Cumulative Alternative 2	
		AM	PM	AM	PM
<b>Northbound/Eastbound</b>					
East 14 <sup>th</sup> Street, south of Estudillo Avenue	Volume	<b>1,987</b>	<b>1,295</b>	<b>1,992</b>	<b>1,314</b>
	LOS	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
	V/C Change			0.00	0.01
East 14 <sup>th</sup> Street, south of Fairmont Drive	Volume	<b>2,309</b>	1,258	<b>2,314</b>	1,268
	LOS	<b>F</b>	D	<b>F</b>	D
	V/C Change			0.00	0.01
Washington Avenue, south of San Leandro Boulevard	Volume	<b>1,351</b>	<b>1,033</b>	<b>1,352</b>	<b>1,028</b>
	LOS	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
	V/C Change			0.00	0.00
Hesperian Boulevard, south of East 14 <sup>th</sup> Street	Volume	1,771	2,050	<b>1,766</b>	<b>2,064</b>
	LOS	D	D	<b>F</b>	<b>F</b>
	V/C Change			0.00	0.01
Lewelling Boulevard, east of Washington Avenue	Volume	<b>1,553</b>	<b>1,609</b>	1,455	1,490
	LOS	<b>F</b>	<b>F</b>	D	E
	V/C Change			-0.06	-0.07
<b>Southbound/Westbound</b>					
East 14 <sup>th</sup> Street, south of Estudillo Avenue	Volume	982	<b>1,665</b>	984	<b>1,700</b>
	LOS	D	<b>F</b>	D	<b>F</b>
	V/C Change			0.00	0.02
East 14 <sup>th</sup> Street, south of Fairmont Drive	Volume	1,124	<b>2,164</b>	1,125	<b>2,185</b>
	LOS	D	<b>F</b>	D	<b>F</b>
	V/C Change			0.00	0.01
Washington Avenue, south of San Leandro Boulevard	Volume	<b>946</b>	<b>1,238</b>	<b>910</b>	<b>1,237</b>
	LOS	<b>F</b>	<b>F</b>	E	<b>F</b>
	V/C Change			-0.04	0.00
Hesperian Boulevard, south of East 14 <sup>th</sup> Street	Volume	1,513	1,705	1,464	<b>1,713</b>
	LOS	D	D	D	<b>F</b>
	V/C Change			-0.03	0.00
Lewelling Boulevard, east of Washington Avenue	Volume	<b>1,733</b>	1,396	1,669	1,276
	LOS	<b>F</b>	D	F	D
	V/C Change			-0.04	-0.09

\*V/C change is round up to 0.03; therefore, the segment operates within the standard.

Bold text indicates substandard operations.

Shaded cell indicates a significant impact.

Source: Kittelson & Associates, Inc., 2017

Like the proposed Specific Plan, because of the significant traffic impacts identified above, AC Transit buses would experience delays due to increased traffic. This impact would be significant and unavoidable, the same as the proposed Specific Plan. However, like the proposed Specific Plan, this alternative would result in improvements to pedestrian and bicycle facilities and would not significantly impact transit capacity for AC Transit or BART.

**n. Utilities and Service Systems**

Compared to the proposed Specific Plan, this alternative would increase residential development by an estimated 660 units and would not involve development of new office uses in the Specific Plan Area. As shown in Table 55 and based on the wastewater generation factors used in Section 4.14, *Utilities and Service Systems*, this alternative would generate 351,184 gallons of wastewater per day or 0.351 million gallons per day. This represents an increase of 56,279 gallons per day (19 percent) when compared to the proposed Specific Plan. Nonetheless, there is adequate capacity at the Oro Loma Sanitary District (OLSD) treatment plant to accommodate this increase. In addition, implementation actions under Alternative 2 to prepare a wastewater collection system study and construct a wastewater system backbone (the same as under the proposed Specific Plan) would ensure adequate wastewater conveyance capacity is available. Therefore, impacts to wastewater infrastructure and treatment systems would be less than significant, same as the proposed Specific Plan.

**Table 55 Alternative 2 Estimated Wastewater Generation**

Use	Bay Fair TOD Specific Plan Buildout		Average Wastewater Demand <sup>1</sup>	Expected Wastewater Generation	
				Gallons/Day	Million Gallons/Day
Apartment: High Rise <sup>2</sup>	2,400	dwelling unit	110.4	264,960	0.265
Apartment: Low-Rise <sup>2</sup>	800	dwelling unit	143.52	114,816	0.115
Subtotal				379,776	0.380
Retail (removal of)	(161,000)	square feet	0.173	(27,853)	(0.0279)
Total Alternative 2				352,193	0.352
Proposed Specific Plan for Comparison				295,914	0.2959

<sup>1</sup> Assume wastewater is 80 percent of water use shown in Table 41

<sup>2</sup> Assume 75 percent high-rise apartments and 25 percent low-rise apartments for the specific Plan area.

( ) denotes subtraction

As shown in Table 56, based on the water use rates shown in Section 4.14, *Utilities and Service Systems*, water demand would increase by 69,047 gallons per day (19 percent) under this alternative compared to the proposed Specific Plan. As shown in Table 43 in Section 4.14 and summarized in EBMUD’s WSA, based on the supply availability and reliability assessments in the 2015 UWMP, EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Specific Plan Area under Alternative 2 during normal and wet years. However, deficits are projected for multi-year droughts (EBMUD 2017b). Nonetheless, with implementation of policies contained in the proposed Specific Plan (which would also be included under Alternative 2) to encourage use of reclaimed water, and other water conservation measures, the City’s 2035 General Plan ensures projects are approved only when sufficient water is available and water conservation efforts would be required in the event of a multi-year drought. Therefore, impacts would be less than significant, the same as the proposed Specific Plan.



**Table 56 Alternative 2 Water Demand**

Use	Bay Fair TOD Specific Plan Buildout		Average Water Demand <sup>1</sup> (gpd/unit)	Average Daily Water Demand (gpd)
	Quantity	Unit		
Apartment: High Rise	2,400	dwelling unit	138	331,200
Apartment: Low-Rise	800	dwelling unit	179	143,200
Subtotal				474,400
Retail (removal of)	(161,000)	square feet	0.22	(35,420)
Total Alternative 2				438,980
Proposed Specific Plan for Comparison				369,933

<sup>1</sup> Flowrate factors are based on reference material provided by EBMUD (see Table 42).

<sup>2</sup> Assume 75 percent high-rise apartments and 25 percent low-rise apartments for the Specific Plan area.

( ) denotes subtraction

As shown on Table 44, based on the solid waste generation rates used for the proposed Specific Plan in Section 4.14, *Utilities and Service Systems*, this alternative would generate approximately 1.35 tons of solid waste per day (accounting for a 50 percent waste diversion rate). This represents an increase of 0.25 tons per day more (23 percent) when compared to buildout under the proposed Specific Plan. Nonetheless, as described in Section 4.14.1(c), landfills that serve the Specific Plan Area would be able to accommodate this increase in solid waste. Impacts would continue to be less than significant.

**Table 57 Alternative 2 Solid Waste Generation**

Use	Bay Fair TOD Specific Plan Buildout		Generation Rate <sup>2</sup>	Solid Waste (pounds per day)	Solid Waste (tons per day)	Solid Waste (cubic yards per day)*
	Quantity	Units				
Apartments	3,200	dwelling units	4.0 pounds/ unit/day	12,800	6.4	12.8
Retail (removal of)	(161,000)	square feet	0.046 pounds/square foot/day	(7,406)	(3.7)	(7.4)
Alternative 2 Total				5,394	2.7	5.4
Alternative 2 Total Assuming 50% Diversion Rate				2,697	1.35	2.7
Proposed Specific Plan Total Assuming 50% Diversion Rate for Comparison				2,277	1.1	2.2

<sup>1</sup> The employees for retail uses within the Plan Area also takes into consideration the removal of 161,000 square feet of retail uses or 275 employees. Refer to Population and Housing, Section 4.11.

<sup>2</sup> Source for Generation rates <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Residential>

\* Based on the conversion factor described under Table 4.15-1, County-Service Landfill Capacity for “landfill density” Municipal Solid Waste, of approximately 750 to 1,250 pounds per cubic yard, or an average of 1,000 pounds per cubic yard.

( ) denotes subtraction

## 6.3 Alternative 3: Office Focus

### 6.3.1 Description

This alternative would still involve adoption of the Bay Fair TOD Specific Plan, but would prioritize more office development in the Specific Plan Area. Near the Bay Fair BART station and in the Bayfair Center, only office uses with some retail uses would be allowed. Residential with some retail would be allowed in other areas such as the Fairmont Square area northwest of Fairmont Drive, on the Fashion Fair Plaza site, on the King Parcel, along Hesperian Boulevard, and in other locations.

As with the proposed Specific Plan, this alternative would also include removal of an estimated 161,000 square feet of retail space. However, under this scenario, an estimated 450,000 square feet of office space would be developed in the Specific Plan Area, a 50 percent increase compared to the increase of 300,000 square feet of office use assumed under the proposed Specific Plan. Further, an estimated 1,500 residential units would be developed compared to the 2,540 units assumed under the proposed Specific Plan (a 40 percent decrease).

Similar to Alternative 2, this alternative would meet most of the project objectives. However it would not satisfy Objective 6 “Diversity of Uses” as it would not support mixing of land uses throughout the Specific Plan Area but would intentionally separate residential and office space uses, especially near the BART station.

### 6.3.2 Impact Analysis

#### a. Aesthetics

This alternative would shift the proposed uses in Specific Plan Area from a mix of office and residential uses to an office focus. Like the proposed Specific Plan, this alternative would facilitate increases in the intensity, scale and visibility of development in the Specific Plan Area compared to existing conditions, and would include changes to circulation patterns and block sizes. In addition, this alternative would facilitate changes to the visual character of the Specific Plan Area. However, this alternative would not increase building height limits compared to the proposed Specific Plan. Therefore, implementation of this alternative would not block or otherwise adversely affect scenic vistas. In addition, this alternative would have the same policies, planning framework, design review criteria, and development standards and guidelines for office and residential development as the proposed Specific Plan. Like the proposed Specific Plan, impacts would be less than significant.

The introduction of light and glare to the Specific Plan Area with this alternative would be comparable to the proposed Specific Plan as the level of development would be comparable to that facilitated by the proposed Specific Plan but would shift uses from a mix of residential and office to mostly office. Like the proposed Specific Plan, new sources of light and glare would not substantially increase the amount of light and glare in the already urbanized Specific Plan Area, and would be regulated by the City’s adopted 2035 General Plan and Municipal Code requirements. Lastly, Ground-Floor Office Building Frontage Guideline 3 in Chapter 5 of the Specific Plan says that glazing should be non-reflective. This would continue to apply to new office uses under this alternative. Impacts related to light and glare would therefore continue to be less than significant under this alternative, the same as the proposed Specific Plan.

## **b. Air Quality**

Temporary construction-related air quality impacts of this alternative would be similar to that of the proposed Specific Plan as the though the amount of residential construction would decrease, the amount of office construction would increase. However, like the proposed Specific Plan, this alternative would be required to comply with the 2035 General Plan's goals and policies specific to reducing air pollutant emissions from design, construction, and operation of new development projects. This alternative would also be required to comply with the 2035 General Plan Mitigation Measure AQ-2B-1, which stipulates PM<sub>10</sub> control measures. Therefore, impacts would be the same as the proposed Specific Plan and would be significant but mitigable.

This alternative would place fewer residences next to high-volume roadways and freeways and therefore would expose fewer sensitive receptors to sources of toxic air contaminants (TAC). Therefore, impacts would be reduced compared to the proposed Specific Plan and would remain less than significant.

According to the BAAQMD's 2017 CEQA Guidelines, a plan is considered consistent with the 2017 Bay Area Clean Air Plan if is consistent with the Clean Air Plan control measures and the plan's projected VMT or vehicle trips increase less than or equal to its projected population increase. Like the proposed Specific Plan, this alternative would be consistent with the control measures in the 2017 Clean Air Plan. Although VMT projections for this alternative are not available, this alternative would decrease population but would also reduce the number of trips compared to the proposed Specific Plan (see Table 60). Therefore, it is assumed this alternative would reduce per capita VMT compared to the 2035 No Project Conditions, the same as the proposed Specific Plan, and impacts would be less than significant.

This alternative would not include land uses typically producing objectionable odors, such as agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Impacts would be the same as the proposed Specific Plan and would be less than significant.

## **c. Biological Resources**

This alternative would increase the intensity of non-residential development within the Plan Area and decrease the amount of residential development. This alternative would involve development of the same areas as the proposed Specific Plan (the Specific Plan Area). As a result, biological resources impacts would be the same as those resulting from the proposed Specific Plan. Mitigation outlined in Section 4.3, *Biological Resources*, would continue to apply and impacts would remain significant but mitigable.

## **d. Cultural, Tribal Cultural, and Paleontological Resources**

This alternative would increase the intensity of non-residential development within the Specific Plan Area. Nonetheless, this alternative would still involve development of the same areas as the proposed the Specific Plan Area. As a result, cultural resources impacts would be the same as those resulting from the proposed Specific Plan. Mitigation outlined in Section 4.4, *Cultural, Tribal Cultural, and Paleontological Resources* would continue to apply and impacts would remain significant but mitigable.

### e. Geology and Soils

This alternative would decrease residential development by 1,040 units and increase office space development by 150,000 square feet compared to the proposed Specific Plan. Therefore, development under this alternative would expose fewer residences and additional non-residential structures to geologic hazards, including groundshaking, liquefaction, and expansion. Like the proposed Specific Plan, development under this alternative would be subject to provisions of the California Building Code (CBC), the City’s Municipal Code, and policies contained in the 2035 General Plan which require buildings to be designed to withstand seismic hazards as well as site-specific geotechnical investigations. Adherence to these requirements would reduce the potential for property damage, injury, or death resulting from seismic hazards. Therefore, impacts related to groundshaking and soil instability would be the same as the proposed Specific Plan and would be less than significant with adherence to existing regulations.

### f. Greenhouse Gas Emissions

This alternative would accommodate 950 fewer residential units and 150,000 more square feet of office space with 500 more employees compared to the proposed Specific Plan. The service population (sum of population and employees) of this alternative would be 5,500 (4,275 residents plus 1,225 employees), which is lower than the proposed Specific Plan’s service population of 7,964. As shown in Table 10, GHG emissions associated with this alternative would be lower than those estimated for buildout of the proposed Specific Plan. Impacts related to GHG emissions would be reduced compared to the proposed Specific Plan and would be less than significant. Because this alternative also involves infill and TOD, it would also be generally consistent with the City’s Climate Action Plan and the regional *Plan Bay Area 2040*. Therefore, impacts related to consistency with adopted GHG reduction plans would be the same as the proposed Specific Plan and would be less than significant.

**Table 58 Alternative 3 Greenhouse Gas Emissions**

Emission Source	Annual Emissions (Approximate) (MT CO <sub>2</sub> e)
<b>Stationary</b>	
Area	19
Energy	4,371
Solid Waste	557
Water	636
<b>Mobile (during operations)</b>	
CO <sub>2</sub> and CH <sub>4</sub>	6,149
N <sub>2</sub> O	318
Alternative 3 Total	12,050
Alternative 3 Service Population	5,500 persons
Alternative 3 Total / Service Population	2.19 MT CO <sub>2</sub> e / service population / year
Threshold	2.32 MT CO <sub>2</sub> e / service population / year
Threshold Exceeded?	No
Proposed Specific Plan Emissions /Service Population for Comparison	<b>2.27 MT CO<sub>2</sub>e / service population / year</b>
Sources: See Appendix B for efficiency metric calculations and for GHG emission factor assumptions	

### **g. Hazards and Hazardous Materials**

This alternative would increase office development in the Specific Plan Area compared to the proposed Specific Plan. However, office uses typically do not involve the storage, disposal or transportation of hazardous materials other than those typically used for cleaning or maintenance. Like the proposed Specific Plan, this alternative may also involve mixed-use structures that would place new residences near hazardous waste users. However, as with the proposed Specific Plan, required adherence to existing regulations and 2035 General Plan policies would reduce impacts to less than significant. Impacts would be the same as the proposed Specific Plan.

This alternative would also involve demolition, redevelopment, and construction of new structures. Construction associated with future development in the Specific Plan Area could involve transport or handling of hazardous materials including fuels, lubricating fluids, or solvents, or exposure to lead-based paint and asbestos containing materials. However, impacts related to transport or handling of hazardous materials would be similar to those of the proposed Specific Plan and would be less than significant with adherence to existing regulations. Like the proposed Specific Plan, this alternative would not involve new uses that would produce or emit hazardous materials near schools and would not result in exposure of the public or the environment from existing hazardous materials sites. Impacts would be the same as the proposed Specific Plan and would be less than significant.

### **h. Hydrology and Water Quality**

Although this alternative involves a shift in use from a mix of office and residential to a focus on office uses, Alternative 2 would still involve redevelopment and construction in an existing urban area that is mostly built-out and covered with impervious surfaces. Construction-related and operational erosion and sedimentation, pollutant discharges, and stormwater runoff levels would therefore be similar under this alternative to the proposed Specific Plan. Compliance with NPDES Permit requirements, City ordinances, and 2035 General Plan policies would ensure that water quality and runoff impacts would remain less than significant, the same as the proposed Specific Plan.

Full buildout of this alternative would not introduce substantial new impervious areas that would interfere with groundwater recharge, similar to the proposed Specific Plan, and would therefore not deplete groundwater supplies or interfere with groundwater recharge. Under this alternative, the Specific Plan would still include policies to pursue improvements to the Estudillo Canal to improve stormwater capacity, but implementation would not substantially alter drainage patterns. Impacts to groundwater and drainage would be the same as the proposed Specific Plan and would be less than significant.

A portion of the Specific Plan Area is within a FEMA-designated Special Flood Hazard Area associated with Estudillo Canal. Like the proposed Specific Plan, development under this alternative would be required to comply with City Municipal Code standards regarding construction in flood hazard areas, and with the 2035 General Plan policies, which would reduce potential effects associated with flood events. Impacts would be the same as under the proposed Specific Plan and would be less than significant.

### **i. Land Use and Planning**

Under Alternative 3, the overall content of the policies, standards, and guidelines of the Specific Plan would remain the same. Like the proposed Specific Plan, this alternative would still involve

transit oriented development and streetscape improvements to make the Specific Plan Area friendlier to pedestrians, bicyclists, and transit users, and improved BART connections in accordance with 2035 General Plan Policy LU-8.10 (Bay Fair Area) and implementing actions LU-8.10.A (Bay Fair Station Transit Village), LU-8.10.B (East 14th Street Streetscape Improvements), and LU-8.10.C (Bay Fair BART Connections). Under Alternative 3, office and retail would be prioritized near BART and residential would only be allowed in other areas such as the Fairmont Square area northwest of Fairmont Drive, on the Fashion Fair Plaza site, on the King Parcel, and along Hesperian Boulevard. Although this alternative would still be consistent with most policies in the 2035 General Plan, it would meet goals related to a mix of uses and provision of housing to a lesser extent than the proposed Specific Plan in providing only 1,500 residential units (as opposed to 2,540 units in the proposed Specific Plan). Nonetheless, this alternative would generally be consistent with the goals of the 2035 General Plan related to transit-oriented development in the Specific Plan Area. Impacts would be the same as the proposed Specific Plan and would be less than significant.

#### **j. Noise**

This alternative would decrease residential and increase non-residential (office) buildout in the Specific Plan Area compared to the proposed Specific Plan. Noise and vibration levels would be similar to the proposed Specific Plan as the same type of construction equipment would be used. The overall duration of noise and vibration associated with construction would not change as available land would be maximized for non-residential uses. However, this alternative would introduce fewer sensitive receptors to the Plan Area. Similar to the proposed Specific Plan, implementation of Mitigation Measure NOI-4 from the 2035 General Plan EIR and compliance with the City's permitted construction hours would reduce construction-related noise and vibration impacts to less than significant levels, the same as the proposed Specific Plan.

Like the proposed Specific Plan, this alternative would involve development adjacent to residences and other noise-sensitive receptors. Existing and future sensitive receptors within the Specific Plan Area would be exposed to operational noise from buildout under this alternative, although this alternative would introduce fewer sensitive receptors to the Specific Plan Area compared to the proposed Specific Plan. Development under this alternative would be subject to the 2035 General Plan's goals, policies and Land Use and Noise Compatibility Guidelines provided in the Environmental Hazards Element and the City's Municipal Code requirements. With adherence to existing policies and regulations, impacts would be the same as the proposed Specific Plan and would *be* less than significant.

As shown in Table 60, Alternative 3 would generate fewer AM and PM peak hour vehicle trips than the proposed Specific Plan. Consequently, noise level increases associated with vehicle traffic on roadways near and within the Specific Plan Area would be lower. Therefore, impacts would incrementally decrease compared to the proposed Specific Plan and would remain less than significant.

#### **k. Population and Housing**

Alternative 3 would result in an increase of an estimated 1,500 units, or 4,275 residents, and 1,225 new jobs in the Specific Plan Area compared to existing conditions (Table 59). Compared to the proposed Specific Plan, this alternative would result in 1,040 fewer units, or 2,964 fewer residents, and 500 additional jobs.

**Table 59 Alternative 3 Population, Jobs and Housing**

	<b>Proposed Specific Plan</b>	<b>Alternative 3</b>	<b>Difference</b>	<b>% change</b>
Population (# residents) <sup>1</sup>	7,239	4,275	(2,964)	(40%)
Housing (# units)	2,540	1,500	(1,040)	(41%)
Employment (# jobs) <sup>2</sup>	725	1,225	500	69%

<sup>1</sup> Assuming 2.85 residents per household, see Table 21 in Section 4.11, *Population and Housing*

<sup>2</sup> Source: The Natelson Company, Inc. 2001, 300 median square feet for employee for high-rise office and 585 median square feet per employee for retail/service. Assumes addition of 450,000 square feet of office (450,000 sf / 300 sf per employee = 1,500 employees) and removal of 161,000 square feet of office space (161,000 sf / 585 sf per employee = 275 employees).

( ) denotes decrease

Similar to the proposed Specific Plan, the housing and population growth under this alternative would exceed the growth assumptions for the Specific Plan Area under the City’s General Plan, although to a lesser extent than under the proposed Specific Plan. This alternative would also exceed the jobs projections for the Specific Plan Area compared to the City’s 2035 General Plan. Population and employment growth associated with the proposed Specific Plan in combination with implementation of the 2035 General Plan could lead to overall growth that would exceed General Plan projections. However, like the proposed Specific Plan, implementation of this alternative growth would shift from other areas of the City to the Specific Plan Area. In addition, this alternative would implement City and regional goals to put housing near transit centers. Impacts would be less than significant, similar to the proposed Specific Plan.

Similarly to the proposed Specific Plan, Alternative 3 would increase development of new housing in the Specific Plan Area which may potentially cause displacement of existing residents. However, this alternative would retain the policies and provisions included in the proposed Specific Plan that encourage the protection of residents at risk of displacement in or near the Plan Area. Therefore, impacts related to displacement would be less than significant, similar to the proposed Specific Plan.

### **I. Public Services, Schools, and Recreation**

This alternative would result in 950 fewer residential units than the proposed Specific Plan but increase non-residential development by 150,000 square feet. Because this alternative would result in fewer residents in the Specific Plan Area compared to the proposed Specific Plan, potential impacts with respect to police and fire department response times would be reduced. Impacts would continue to be less than significant.

Based on the students per household generation rates used in the public services analysis for the proposed Specific Plan (see Section 4.12, Public Services), this alternative would generate approximately 1,050 new students, a reduction of 728 students compared to the proposed Specific Plan. Therefore, demand for school services would also decrease. With payment of State-mandated school impact fees, impacts to schools would be less than significant under this alternative, similar to the proposed Specific Plan.

This alternative would reduce the number of residential units compared to the proposed Specific Plan, and therefore would reduce population within the Specific Plan Area compared to full buildout of the proposed Specific Plan. Therefore, the demand for libraries, parks and recreational facilities would be reduced compared to the proposed Specific Plan and impacts to libraries, parks and recreation facilities would be reduced. Impacts would remain less than significant.

### m. Transportation and Traffic

As shown in Table 60, this alternative would involve 1,998 AM peak hour trips (447 fewer than the proposed Specific Plan) and 2,397 PM peak hour trips (554 fewer than the proposed Specific Plan).

**Table 60 Alternative 3 Peak Hour Trip Generation**

Alternative	Trip Generation		Trip Difference		Trip Percent Difference	
	AM	PM	AM	PM	AM	PM
2035 Alternative 3 - Office Focus	1,998	2,397	(447)	(554)	-18%	-19%
2035 Proposed Specific Plan	2,445	2,951	0	0	0%	0%

Source: Kittelson & Associates, Inc., 2017

Traffic impacts were assessed by Kittelson & Associates (2017) at the study intersections for the project alternatives based on the relative change of trip generation between the alternatives and the proposed Specific Plan. All intersections that were not impacted under the proposed Specific Plan remain less than significant. Table 61 provides a comparison of the previously impacted intersections between Alternative 3 and the cumulative no-project and proposed Specific Plan.

**Table 61 Alternative 3 Intersection Analysis**

Intersection	Peak Hour	2035 Alternative 3			2035 Proposed Specific Plan		
		Delay	LOS	V/C	Delay	LOS	V/C
Hesperian Boulevard & Halcyon Drive/Fairmont Drive (#5)	AM	108.6	F	1.13	116	F	1.17
	PM	122.6	F	1.22	130.2	F	1.25
E. 14th Street & Fairmont Drive (#7)	AM	88.2	F	1.03	95	F	1.09
	PM	122.7	F	1.16	129.7	F	1.18
Hesperian Boulevard and Thornally Drive (#10)	AM	208.1	F	0.95	212.6	F	0.98
	PM	295.2	F	1.02	292.2	F	1.02

Source: Kittelson & Associates, Inc., 2017

Shaded cell indicates a significant impact.

The impacts at the following intersections would no longer be significant under Alternative 3:

- Hesperian Boulevard & Halcyon Drive/Fairmont Drive during the PM peak hour (Intersection #5)
- East 14th Street/Fairmont Drive during the AM peak hour (Intersection #7)

Therefore, the impacts at intersections #5 and #7 would be reduced and would be less than significant. The intersection of Hesperian Boulevard and Thornally Drive (Intersection #10) would remain significantly impacted under Alternative 3. No mitigation measures are available to reduce the impact in the available right-of-way without removal of bike lanes. Therefore, the impact to this intersection would remain significant and unavoidable under Alternative 3, the same as under the proposed Specific Plan.

Since this alternative results in fewer trips than those generated under the proposed Specific Plan, impacts at freeway segments and arterial segments would be reduced compared to the proposed Specific Plan. Impacts to freeway segments would remain less than significant. As shown in Table 62, under Alternative 3, the impact identified at East 14th Street, south of Estudillo Avenue would be



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reduced to less than significant. However, the impact at Hesperian Boulevard south of East 14th Street would remain significant and unavoidable, the same as the proposed Specific Plan.

**Table 62 MTS Arterial LOS, 2040 Cumulative Conditions, Alternative 3**

Segment		Year 2040 Cumulative Conditions		Year 2040 Cumulative Alternative 3	
		AM	PM	AM	PM
<b>Northbound/Eastbound</b>					
East 14 <sup>th</sup> Street, south of Estudillo Avenue	Volume	<b>1,987</b>	<b>1,295</b>	<b>1,992</b>	<b>1,295</b>
	LOS	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
	V/C Change			0.00	0.00
East 14 <sup>th</sup> Street, south of Fairmont Drive	Volume	<b>2,309</b>	1,258	<b>2,314</b>	1,258
	LOS	<b>F</b>	D	<b>F</b>	D
	V/C Change			0.00	0.00
Washington Avenue, south of San Leandro Boulevard	Volume	<b>1,351</b>	<b>1,033</b>	<b>1,352</b>	<b>1,028</b>
	LOS	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
	V/C Change			0.00	0.00
Hesperian Boulevard, south of East 14 <sup>th</sup> Street	Volume	1,771	2,050	<b>1,766</b>	<b>2,050</b>
	LOS	D	D	<b>F</b>	<b>F</b>
	V/C Change			0.00	0.00
Lewelling Boulevard, east of Washington Avenue	Volume	<b>1,553</b>	<b>1,609</b>	1,455	1,490
	LOS	<b>F</b>	<b>F</b>	D	E
	V/C Change			-0.06	-0.07
<b>Southbound/Westbound</b>					
East 14 <sup>th</sup> Street, south of Estudillo Avenue	Volume	982	<b>1,665</b>	983	<b>1,664</b>
	LOS	D	<b>F</b>	D	<b>F</b>
	V/C Change			0.00	0.00
East 14 <sup>th</sup> Street, south of Fairmont Drive	Volume	1,124	<b>2,164</b>	1,125	<b>2,164</b>
	LOS	D	<b>F</b>	D	<b>F</b>
	V/C Change			0.00	0.00
Washington Avenue, south of San Leandro Boulevard	Volume	<b>946</b>	<b>1,238</b>	<b>910</b>	<b>1,237</b>
	LOS	<b>F</b>	<b>F</b>	<b>E</b>	<b>F</b>
	V/C Change			-0.04	0.00
Hesperian Boulevard, south of East 14 <sup>th</sup> Street	Volume	1,513	1,705	1,464	<b>1,705</b>
	LOS	D	D	D	<b>F</b>
	V/C Change			-0.03	0.00
Lewelling Boulevard, east of Washington Avenue	Volume	<b>1,733</b>	1,396	<b>1,669</b>	1,276
	LOS	<b>F</b>	D	<b>F</b>	D
	V/C Change			-0.04	-0.09

\*V/C change is round up to 0.03; therefore, the segment operates within the standard.

Bold text indicates substandard operations.

Shaded cell indicates a significant impact.

Source: Kittelson & Associates, Inc., 2017

Like the proposed Specific Plan and due to the significant traffic impacts identified above, AC Transit buses would experience delays due to increased traffic. This impact would be significant and unavoidable, the same as the proposed Specific Plan. However, like the proposed Specific Plan, this alternative would result in improvements to pedestrian and bicycle facilities and would not significantly impact transit capacity for AC Transit or BART.

**n. Utilities and Service Systems**

Compared to the proposed Specific Plan, this alternative would reduce residential buildout by 1,040 units (40 percent) and would increase non-residential buildout by 150,000 square feet (50 percent). As shown on Table 63, wastewater generation would be reduced by 112,267 gallons per day (38 percent) under this alternative compared to the proposed Specific Plan. Impacts would be reduced compared to the proposed Specific Plan and would remain less than significant.

**Table 63 Alternative 3 Estimated Wastewater Generation**

Use	Bay Fair TOD Specific Plan Buildout	Average Wastewater Demand <sup>1</sup>	Expected Wastewater Generation	
			Gallons/Day	Million Gallons/Day
Office	450,000 square feet	0.0744	33,480	0.0335
Residential <sup>2</sup>				
Apartment: High Rise	1,125 dwelling unit	110.4	124,200	0.1242
Apartment: Low-Rise	375 dwelling unit	143.52	53,820	0.0538
Subtotal			211,500	0.2115
Retail (removal of)	(161,000) square feet	0.173	(27,853)	(0.0279)
Alternative 3 Total			183,647	0.1836
Proposed Specific Plan for Comparison			295,914	0.2959

<sup>1</sup> Assume wastewater is 80 percent of water use shown in Table 41.

<sup>2</sup> Assume 75 percent high-rise apartments and 25 percent low-rise apartments for the specific Plan area.

Note: numbers may not add up due to rounding. ( ) denotes subtraction

As shown in Table 64 and based on the water use factors used in Section 4.14, *Utilities and Service Systems*, Alternative 3 would require an estimated 229,599 gallons of water per day. This represents a reduction of 140,334 gallons per day (38 percent) when compared to the proposed Specific Plan. Therefore, impacts related to water supply would be reduced compared to the proposed Specific Plan and would remain less than significant.

**Table 64 Alternative 3 Estimated Water Demand**

Use	Bay Fair TOD Specific Plan Buildout		Average Water Demand <sup>1</sup> (gpd/unit)	Average Daily Water Demand (gpd)
	Quantity	Unit		
Office	450,000	square feet	0.093	41,850
Residential <sup>2</sup>				
Apartment: High Rise	1,125	dwelling unit	138	155,250
Apartment: Low-Rise	375	dwelling unit	179.4	67,275
Subtotal				264,375
Retail (removal of)	(161,000)	square feet	0.216	(34,776)
Alternative 3 Total				229,599
Proposed Specific Plan Total for Comparison				369,933

<sup>1</sup> Flowrate factors are based on reference material provided by EBMUD (see Table 42)

<sup>2</sup> Assume 75 percent high-rise apartments and 25 percent low-rise apartments for the Specific Plan area.

( ) denotes subtraction

As shown in Table 65 and based on the solid waste generation rates used for the proposed Specific Plan shown in Section 4.14, *Utilities and Service Systems*, this alternative would generate approximately 0.725 tons of solid waste per day (accounting for a 50 percent waste diversion rate). This represents a decrease of 0.375 tons per day (34 percent) compared to buildout under the proposed Specific Plan. Therefore, impacts would be reduced compared to the proposed Specific Plan and would continue to be less than significant.

**Table 65 Alternative 3 Solid Waste Generation**

Use	Bay Fair TOD Specific Plan Buildout		Generation Rate <sup>2</sup>	Solid Waste (pounds per day)	Solid Waste (tons per day)	Solid Waste (cubic yards per day)*
	Quantity	Units				
Office <sup>1</sup>	450,000	square feet	6 pounds/1,000 square feet/day	2,700	1.35	2.7
Multi-Family Apartment	1,500	dwelling units	4.0 pounds/ unit/day	6,000	3.8	6.0
Subtotal				8,700	5.15	8.7
Retail (removal of)	(161,000)	square feet	0.046 pounds/square feet/day	(7,406)	(3.7)	(7.4)
Alternative 3 Total				1,294	1.45	1.3
Alternative 3 Total Assuming 50% Diversion Rate				647	0.725	0.65
Proposed Specific Plan Total Assuming 50% Diversion Rate for Comparison				2,277	1.1	2.2

<sup>1</sup> The employees for retail uses within the Plan Area also takes into consideration the removal of 161,000 square feet of retail uses or 275 employees. Refer to Population and Housing, Section 4.11.

<sup>2</sup> Source for Generation rates <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Residential>

\* Based on the conversion factor described under Table 4.15-1, County-Service Landfill Capacity for "landfill density" Municipal Solid Waste, of approximately 750 to 1,250 pounds per cubic yard, or an average of 1,000 pounds per cubic yard.

( ) denotes subtraction

## 6.4 Environmentally Superior Alternative

CEQA requires the identification of the environmentally superior alternative among the options studied. When the “No Project” alternative is determined to be environmentally superior, CEQA also requires identification of the environmentally superior alternative among the development options.

Table 66 indicates whether each alternative’s environmental impact is greater, lesser, or similar to the proposed Specific Plan. As shown therein, the No Project Alternative would reduce all of the proposed Specific Plan impacts and would be environmentally superior to the proposed Specific Plan because development anticipated in the Specific Plan Area under the proposed Specific Plan would exceed development anticipated under the 2035 General Plan. Although overall impacts would be lower than those of the proposed Specific Plan, the beneficial effects associated with the proposed Specific Plan (pedestrian facility, bicycle facility, and roadway improvements) would not occur. In addition, the No Project Alternative would not fulfill the Project Objectives, especially as existing development conditions do not provide a high level of connectivity between the BART station and adjacent shopping areas, do not support a diverse mix of land uses, and do not allow for provision of diverse and affordable housing. Overall, although the Specific Plan Area would continue to be designated as the B-TOD land use designation and the 2035 General Plan policies related to the B-TOD zone would apply, the overall intent for development as envisioned by the 2035 General Plan may not be implemented without the policies, standards, and guidelines of the proposed Specific Plan.

Among the other alternatives being considered, the Office Focus Alternative (Alternative 3) could be considered environmentally superior, as it would reduce impacts related to traffic and utilities, due primarily to the reduction in housing units. However, this alternative would not eliminate the significant and unavoidable impact at the intersection of Hesperian Boulevard and Thornally Drive. No mitigation measures are available to reduce the impact in the available right-of-way without removal of bike lanes. Therefore, the impact to this intersection would remain significant and unavoidable under Alternative 3. In addition, the impact at Hesperian Boulevard south of East 14th Street would remain significant and unavoidable, similar to the proposed Specific Plan. Because of the significant traffic impacts, the significant impacts related to transit operations would also remain under this Alternative 3. This alternative would generally meet most of the project objectives, but would meet Objective 6 (to provide a diversity of uses) to a lesser degree than the proposed project.

**Table 66 Impact Comparison of Alternatives**

<b>Issue</b>	<b>Proposed Specific Plan Impact Classification</b>	<b>Alternative 1: No Project / 2035 General Plan</b>	<b>Alternative 2: Residential Focus</b>	<b>Alternative 3: Office Focus</b>
Aesthetics	Less than Significant	- (No impact)	= (Less than Significant)	= (Less than Significant)
Air Quality	Significant but Mitigable	- (No impact)	+ (Significant but Mitigable)	- (Significant but Mitigable)
Biological Resources	Significant but Mitigable	- (No impact)	= (Significant but Mitigable)	= (Significant but Mitigable)
Cultural Resources	Significant but Mitigable	- (No impact)	= (Significant but Mitigable)	= (Significant but Mitigable)
Geology and Soils	Less than Significant	- (No impact)	+ (Less than Significant)	- (Less than Significant)
Greenhouse Gas Emissions	Less than Significant	- (No impact)	- (Less than Significant)	- (Less than Significant)
Hazards and Hazardous Materials	Less than Significant	- (No impact)	= (Less than Significant)	= (Less than Significant)
Hydrology and Water Quality	Less than Significant	- (No impact)	= (Less than Significant)	= (Less than Significant)
Land Use and Planning	Less than Significant	- (No impact)	= (Less than Significant)	= (Less than Significant)
Noise	Significant but Mitigable	- (No impact)	= (Significant but Mitigable)	= (Significant but Mitigable)
Population and Housing	Less than Significant	- (No impact)	+ (Significant and Unavoidable)	- (Less than Significant)
Public Services, Schools, and Recreation	Less than Significant	- (No impact)	+ (Less than Significant)	- (Less than Significant)
Transportation and Traffic	Significant and Unavoidable	- (No impact)	- (Significant and Unavoidable)	- (Significant and Unavoidable)
Utilities and Service Systems	Less than Significant	- (No impact)	+ (Less than Significant)	- (Less than Significant)

\* Impact classifications are shown for the greatest impact in the issue area (i.e., if Class II and III impacts were identified in the issue area, the table indicates the overall impact in that issue area as Class II).  
 - impact would be lower (better) than that of the proposed Specific Plan  
 + impact would be greater (worse) than that of the proposed Specific Plan  
 = impact would be the same as the proposed Specific Plan

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This EIR was prepared by the City of San Leandro, with the assistance of Rincon Consultants, Inc. Consultant staff involved in the preparation of the EIR are listed below.

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# Appendix A

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Notice of Preparation (NOP) and NOP Responses



# Appendix B

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Greenhouse Gas Emissions Modeling Results

# Appendix C

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Noise Measurements Results

# Appendix D

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Traffic Impact Study

# Appendix E

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Water Supply Assessment