

June 8, 2017

Exhibit A - Consistency Memorandum - Environmental Documentation for the San Leandro Technology Campus Mixed Use Development Project, Westlake Development Partners, LLC (PLN16-0067).

The City of San Leandro c/o Michael Baker International reviewed the proposed San Leandro Technology Campus Mixed Use Development at Parrot Street and Thornton Street to determine the appropriate level of environmental review required under the California Environmental Quality Act (CEQA). As documented below, Michael Baker determined that additional environmental review is not required and that the project is consistent with the San Leandro Zoning Code and the San Leandro 2035 General Plan.

PROJECT DESCRIPTION

REGIONAL AND LOCAL SETTING

The project site is located on Martinez Street, between Parrott Street and Thornton Street in downtown San Leandro. San Leandro is located in western Alameda County in the San Francisco Bay Area (**Figure 1, Regional Location**), between Oakland to the northwest and Hayward to the southeast. Regional access to the project area is via Interstate 880 (I-880) and State Route (SR) 112, and locally via Alvarado Street, Martinez Street, Thornton Street, and Parrot Street. The project site is located approximately 0.8 mile east of I-880 and 0.3 mile south of SR 112, between the existing Union Pacific Railroad (UPRR)/Amtrak track to the west and the San Leandro Bay Area Rapid Transit (BART) station to the east.

The project site is bordered on the north by an existing parking structure, on the south by industrial uses across Thornton Street, on the west by light industrial across the UPRR/Amtrak track, and on the east by the San Leandro BART station parking lot.

The project site (parcel 1¹) is the southern parcel of a five-parcel area designated for a transit-oriented development called the San Leandro Technology Campus (SLTC; [**Figure 2, Project Location**]). Parcels 2 and 3 have been developed and are currently in use, as the first phase of the SLTC development. Parcel 2, adjacent to the project site on the north side, is developed with the 6-level SLTC parking structure (Figure 3 Existing Parking Structure Looking South). As shown in **Figure 4, Existing Office Building Looking West**, Parcel 3 is developed with a six-story office building, occupied by OSISOFT, LLC Software Company. Parcels 4 and 5, to the north of the overall SLTC development site, are currently vacant and covered with grasses. shows the existing parking lot.

PROJECT SITE SETTING

The project site encompasses approximately 3.1 acres. The project is located on a vacant site, which is relatively flat and has previously been graded and disturbed. The project site groundcover is primarily dirt, dispersed with a grass patches and dirt piles (**Figure 5, Project Site Existing Conditions**). As shown in **Figure 5**, a chain-link fence surrounds the project site perimeter. Approximately 10 trees are dispersed outside the chain-link fence along the western, southern, and eastern borders of the project site. Approximately 5 trees are located within the chain-link fence boundary, and would be removed as part of the project.

¹ Referred to as parcel 1 for clarity in this document only.

PROJECT DESCRIPTION

Project Components

The project would develop a 7-story, 220,638 square foot commercial and residential mixed-use building. The building would be 86-feet, two-inches to the parapet and 93-feet, eight-inches to the tallest level at the top of the elevator penthouse. The project would include 197 residential units comprised of 42 studio units, 114 one-bedroom units, and 41 two-bedroom units. As shown in **Figure 6, Views of Building Entrance**, the main entrance to the building's lobby would be via a 20-foot driveway from Parrot Street. Access to the commercial space would be provided from Thornton Street. The lobby of the building would be located on the north side of the first floor, adjacent to the driveway. Parking would be available in the multi-level parking structure to the north of the project site. A 20-foot emergency vehicle access lane would be located along the northern side of the building, separating the building from the BART tracks (see **Figure 7, Emergency Vehicle Access Lane Looking North**). The project would components are shown in **Table 1**.

Landscape

The project would include landscaped areas consisting of grass and trees bordering the driveway. A landscaped plaza area would separate the building from the multi-level parking structure to the north of the site. An open-air, roofed pedestrian sky bridge would connect the second floor of the building to the second floor of the adjacent multi-level parking structure (see **Figure 8, Proposed Project Looking Southwest**). A landscaped green 21-foot tall green wall would surround the first floor wall on the west side of the building.

Project Circulation

Parking for the building would be available in two locations: as podium parking on the first floor of the building and in the adjacent multi-level parking structure. The podium parking garage would supply 85 parking stalls, including three stalls designated for disabled drivers, located on the south side of the first floor in the building. The parking garage would include a basement puzzle lift parking pit², below the parking garage. The parking stalls would be stacked into four rows, two of which shift left and right to create space for the upper two rows to come down or the bottom level to come up (shown in **Figure 9, Puzzle Parking**). An additional 144 parking stalls would be available in the adjacent multi-level parking structure, including one stall designated for disabled drivers.

Floor Number	Component	Square Footage
Floor 1	Halls/Circulation	1,024
	Commercial	13,024
	Leasing	821

² A puzzle lift parking system is a mechanical system designed to minimize the area and/or volume required for parking cars. The puzzle lift parking system utilizes a mechanical system to stack cars vertically and transport cars to and from parking spaces in order to eliminate the space wasted in a multi-story parking garage.

Floor 1	Lobby	1,659
	Mail	736
	Meeting	436
	Pet Spa	182
	Secondary Lobby	800
Total		18,682
Floor 2	Residential	24,313
	Halls/Circulation	4,407
	Amenity	2,191
	Service	458
Total		31,369
Floor 3	Residential	24,564
	Halls/Circulation	3,971
	Amenity	872
	Service	458
Total		29,865
Floor 4	Residential	26,522
	Halls/Circulation	4,027
	Service	455
Total		31,004
Floor 5	Residential	26,522
	Halls/Circulation	4,027
	Service	455
Total		31,004
Floor 6	Residential	26,459
	Halls/Circulation	4,016
	Service	500
Total		30,737
Floor 7	Residential	25,233
	Halls/Circulation	4,069
	Amenity	339
	Service	455
Total		30,096

Total Building Area		220,638
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Source: TCA Architecture 2017.

Construction

Project construction would last approximately 20 months and would entail grading, excavation, building and parking garage construction, asphalt and hardscape paving, landscaping, and architectural coating (i.e., painting).

Construction vehicles would access the site via Davis Street, Marina Boulevard, and San Leandro Boulevard.. Roads would not be closed during construction, and all road access would be maintained.

BACKGROUND AND LEGAL STANDARDS

The City of San Leandro Downtown Transit-Oriented Development (TOD) Strategy guides long-range physical development and re-development of the 502-acre area in and around the downtown area of San Leandro, centered at the intersection of East 14th and Davis streets. The City Council adopted the Downtown San Leandro TOD Strategy on September 4, 2007. The Downtown San Leandro TOD Strategy Environmental Impact Report (EIR) analyzed the physical impacts of Downtown TOD Strategy implementation and was certified on June 5, 2007 (SCH #2006052102). The EIR addressed impacts related to aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, geology, soils, and seismicity, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services and recreation, transportation, and utilities and service systems. The EIR is a program EIR, pursuant to CEQA Guidelines Section 15168.

CEQA provides that after a public agency certifies an EIR (including a program EIR, such as for a general plan or other comprehensive land use plan), the agency must consider whether further environmental review is required for a subsequent discretionary decision. Three sets of provisions in CEQA and the CEQA Guidelines address the requisite analysis. Whether a supplemental EIR or other environmental document must be prepared depends on an analysis of the subsequent activity.

CEQA GUIDELINES SECTION 15183

Pursuant to CEQA Guidelines Section 15183, a public agency need not prepare an EIR or negative declaration for a project that is consistent with a community plan, existing zoning, or general plan policies for which an environmental document has been certified. CEQA Guidelines Section 15183 specifically states:

- (a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.
- (b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:
 - (1) Are peculiar to the project or the parcel on which the project would be located,

- (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,
 - (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan, or zoning action or,
 - (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.
- (c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for the project solely on the basis of that impact.
- (d) This section shall apply only to projects which meet the following conditions:
- (1) The project is consistent with:
 - (a) A community plan adopted as part of a general plan,
 - (b) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or
 - (c) A general plan of a local agency, and an EIR was certified by the lead agency for the zoning action, the community pan, or the general plan.

CEQA GUIDELINES SECTIONS 15162 AND 15163

CEQA Guidelines Sections 15162 and 15163 provide that the agency shall not prepare a subsequent or supplemental EIR unless the agency determines, on the basis of substantial evidence, that certain conditions exist that would lead to a new significant impact or substantial increase in the severity of a previously identified impact, or that a new or previously rejected mitigation measure or alternative would substantially reduce significant effects. (See also Public Resources Code Section 21166.)

GENERAL PLAN AND ZONING CODE CONSISTENCY ANALYSIS

The project area is zoned Downtown Area (DA-6) District, and the General Plan land use designation is Transit-Oriented Development Mixed Use. The DA-6 District is intended to implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy by clustering residential and office uses in the vicinity of Davis Street and San Leandro Boulevard that will benefit from visibility from these streets and the nearby BART station (San Leandro 2016c; CalRecycle 2014).

Per Zoning Code Section 2-676, development in the DA-6 District i requires approval by the City to ensure general consistency with the provisions contained in the Design Guidelines in the Downtown San Leandro Transit-Oriented Development Strategy.

Table 2 compares the project's proposed land uses with general plan and zoning code regulations.

Table 2: Allowed vs. Proposed Uses

	Applicable Regulations	Proposed Development/Site	Consistent
Transit Oriented Development Mixed Use General Plan Land Use Designation	The purpose of this designation is to provide for a mix of high-intensity land uses that capitalize on proximity to the San Leandro BART station. This designation maximizes the potential for transit-oriented infill development and achieves compatible transitions to adjacent residential districts through design standards and zoning.	Transit Oriented Development Mixed Use	Yes
Downtown Area (DA-6)* Zoning	The purpose of this designation is to implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy. Permitted uses include artists' studios, business services, cafes, retail, instruction and improvement services, mixed use residential, multi-family residential, offices, and park and recreation facilities.	DA-6	Yes
Height	No height maximum	86-feet, two-inches to the parapet; 93-feet, eight-inches to top of elevator penthouse	Yes
Minimum Residential Density	60 units/acre	63.6 units/acre	Yes
Minimum Lot Area	10,000 square feet	136,547 square feet	Yes
Minimum Lot Width	100 feet	170 feet	Yes
Maximum Lot Coverage	100 percent	36.7 percent	Yes
Maximum Stories	7 stories	7 stories	Yes
Minimum Floor Area Ratio (FAR)	1.0 FAR	1.48 FAR	Yes
Parking	223 spaces	229 spaces	Yes

Source: San Leandro 2007, 2007a, 2016b, 2016c, 2017.

*The project site zoning was changed from Public/Semi Public District to DA-6 in November 2016.

The project would implement General Plan Policies and Mitigation Measures listed in the TOD Strategy EIR to reduce project impacts to less than significant. The TOD Strategy EIR was published in 2007, and therefore utilizes General Plan policies and actions from the previous, 2002, San Leandro General Plan and General Plan EIR. **Table 3**, below, lists the applicable 2002 General Plan policies, 2002 General Plan EIR mitigation measures, and 2007 TOD Strategy EIR mitigation measures identified in the TOD Strategy

EIR to reduce TOD buildout impacts. The San Leandro General Plan and General Plan EIR was updated in 2016; therefore, the third column of **Table 3** lists the updated corresponding General Plan policies and mitigation measures applicable to the project. The project would implement the updated 2016 policies and mitigation measures listed below to reduce potential project impacts.

Table 3: Relevant Potential Project Impacts and General Plan EIR Mitigation Measures

Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
Air Quality			
Implementation of the TOD Strategy could result in significant impacts if it is not consistent with Clean Air Plan projections.	<p>General Plan Policy 31.01: Cooperate with the appropriate regional, state, and federal agencies to implement the regional Clean Air Plan and enforce air quality standards.</p>	<p>General Plan Policy EH-3.1: Cooperate with the appropriate regional, state, and federal agencies to implement the regional Clean Air Plan and enforce air quality standards.</p>	<p>The project would comply with appropriate regional, state, and federal agencies to reduce project impacts. See the Air Quality discussion below.</p>
	<p>General Plan Policy 31.02: Promote strategies that help improve air quality by reducing the necessity of driving. These strategies include more reliable public transportation, programs for carpooling and vanpooling, better provisions for bicyclists and pedestrians, and encouraging mixed-use and higher density development around transit stations.</p>	<p>Mitigation Measure AQ-2A: Prior to issuance of construction permits, development project applicants that are subject to CEQA and exceed the screening sizes in the Bay Area Air Quality Management District’s (BAAQMD) CEQA Guidelines shall prepare and submit to the City of San Leandro a technical assessment evaluating potential air quality impacts related to the project’s operation phase. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If operation-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in BAAQMD’s CEQA Guidelines, the City of San Leandro Community Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operation activities.</p> <p>Mitigation Measure AQ-2B: 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</p>	<p>An Air Quality technical assessment evaluating potential project-related air quality impacts in comparison to BAAQMD thresholds of significance shows the project is in compliance with MM AQ-2A and -2B. See the Air Quality discussion below.</p>
	<p>TOD EIR Mitigation Measure AQ-2: Prior to adoption of the Strategy, the City should coordinate with CARB to confirm what feasible and relevant strategies from the EPA Climate and Action Team report would apply to implementation of the Strategy. The City should then identify the appropriate policy framework (e.g., General Plan Amendment or Municipal Ordinance) for adopting these strategies.</p>		

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Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
	<p>General Plan EIR Mitigation Measure K2: Require any future Specific Plan and/or Area Plan for the General Plan's Focus Areas to incorporate trip reduction strategies and other transportation control measures that reduce the potential for emissions.</p>	<p>control measures for reducing construction emissions.</p> <p>General Plan Policy LU-6.05: Provide a mix of land uses, site planning and design practices, and circulation improvements in the BART Station area that maximize transit ridership and the potential to reduce vehicle miles traveled (VMT).</p>	<p>The project would be a part of the SLTC Mixed-Use project, which provides a mix of land uses adjacent to the San Leandro BART Station. Therefore, the project is in compliance with General Plan Policy LU-6.05. The project also provides pedestrian and bicycle improvements such as pedestrian walkways and a two-lane, 20 foot bicycle path on the east side of the project site.</p>
<p>Implementation of the TOD Strategy could result in significant impacts if Transportation Control Measures (TCM) are not implemented.</p>	<p>TCM #12: The TOD Strategy Plan Implementation Matrix includes Streetscape Improvements and Pedestrian Circulation Actions D1 and D5. Strategy D1 recommends conducting detailed traffic analysis and engineering studies to determine the location of potential improvements to circulation. Strategy D5 calls for detailed traffic analysis to determine the feasibility of lane configurations of East 14th Street between the San Leandro Creek and West Estudillo Street.</p> <p>TCM #19: The TOD Strategy Plan Implementation Matrix includes Traffic Action E1, which recommends the development of high-quality and direct pedestrian connections between development and BART, Bus Rapid Transit (BRT), and other transit systems.</p>	<p>General Plan Policy EH-3.2: 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.</p>	<p>A traffic analysis determined the location of circulation improvements and analyzed impacts to pedestrians and impacts of increased trip generation on the project site. Therefore, the project is in compliance with Policy EH-3.2. See the Traffic and Transportation discussion below.</p>
<p>Implementation of the TOD strategy could result in significant impacts if it leads to violations</p>	<p>General Plan EIR Mitigation Measure K1: As recommended by the BAAQMD, the following practices should be required during all phases of construction for major projects in the City:</p>	<p>General Plan Policy EH-3.4: 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</p>	<p>The project is subject to site plan review. As discussed below in the Air Quality section, the project would utilize construction best management practices to</p>

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Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
of ambient air quality standards.	<ul style="list-style-type: none"> • Watering of active construction areas at least twice daily. • Watering or covering of stockpiled debris, soil, sand, or other materials that can be blown by the wind. • Covering of all trucks hauling sand, soil, and other loose materials, or requiring all trucks to maintain at least two feet of freeboard. • Paving, or application of water or non-toxic soil stabilizers, on all unpaved access roads, parking areas, and staging areas at construction sites. • Daily sweeping of all paved access roads, parking areas, and staging areas if visible soil material is carried onto adjacent public streets. Hydroseeding or application of non-toxic soil stabilizers to inactive construction areas. • Enclosing, covering, and watering twice daily (or application of non-toxic soil binders) all exposed stockpiles of dirt and sand. • Limiting traffic speeds on unpaved roads to 15 mph. • Installing sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replanting of vegetation in disturbed areas as quickly as possible. 	<p>and all air pollutants. This should be done by:</p> <ul style="list-style-type: none"> (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. 	<p>reduce air pollutants. As such, the proposed project would comply with Policy EH-3.4.</p>

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Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
Cultural Resources			
<p>Implementation of the TOD strategy would include minor grading and excavation that could disturb archaeological, paleontological, geological resources, or human remains.</p>	<p>General Plan Policy 38.12: Recognize the potential for prehistoric and historic archaeological resources and ensure that future development takes the measures necessary to identify and preserve such resources.</p>	<p>General Plan Policy CD-1.12: 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.</p> <ul style="list-style-type: none"> • Action CD-1.12.A: 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. 	<p>The project would comply with the City’s standard conditions of approval as outlined in Action CD-1.12A: Should archaeological or paleontological resources or human remains be accidentally discovered during construction, work shall be halted within 50 feet of the discovery until it can be evaluated by a qualified professional archaeologist. If the discovery is determined to be significant, appropriate mitigation measures shall be formulated and implemented (per California Health and Safety Code Section 7050.5). If human remains are found at any time, work shall be stopped and the county coroner shall be notified immediately. If the coroner determines that the remains are Native American, the Native American Heritage Commission shall be notified as required by law.</p>
Geology and Soils			
<p>Implementation of the TOD strategy could result in significant impacts related to unstable geologic units.</p>	<p>General Plan Policy 29.01: Minimize the risks from geologic, seismic, and flood hazards by ensuring the appropriate location, site planning, and design of new development. The City’s development review process, and its</p>	<p>General Plan Policy EH-1: 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</p>	<p>A geotechnical engineering study for the project (Appendix B) analyzed potentially serious geologic risks and includes design parameters for the project to</p>

Table 3: Relevant Potential Project Impacts and General Plan EIR Mitigation Measures

Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
Implementation of the TOD Strategy could result in significant impacts related to expansive soils.	engineering and building standards, should ensure that new construction is designed to minimize the potential for damage.	review process, and its engineering and building standards, should ensure that new construction is designed to minimize the potential for damage. <ul style="list-style-type: none"> General Plan Action EH-1.1.A: 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. 	minimize risks based on hazards. The project would be required to comply with the recommendations outlined in the geotechnical report, as a condition of approval, for soil subgrade preparation, soil subgrade stabilization, utility trench backfill, exterior flatwork subgrade preparation, vapor retarder, pavement design, rigid pavement, and non-vehicular concrete pavers, and seismic design.
Hazards and Hazardous Resources			
Implementation of the TOD Strategy could result in significant impacts through the routine transport, use, or disposal of hazardous materials or through the release of hazardous materials into the environment.	General Plan Policy 33.01: 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.	General Plan Policy EH-5.1: 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.	The project would comply with Policy EH-5.1 to reduce project impacts. See the Hazards and Hazardous Resources discussion below. The project would dispose of hazardous materials as required by all appropriate agencies.
	General Plan Policy 33.02: Ensure that the necessary steps are taken to clean up residual hazardous wastes on any contaminated sites proposed for redevelopment or reuse.	General Plan Policy EH-5.2: 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.	The project would comply with Policy EH-5.2 to reduce project impacts. See the Hazards and Hazardous Resources discussion below. The project would dispose of hazardous materials as required by all appropriate agencies.
	General Plan Policy 33.03: Require that all hazardous material storage and handling areas are designed to minimize the possibility of environmental contamination and adverse off-site impacts.	General Plan Policy EH-5.3: 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	The project would implement Policy EH-5.3 to reduce project impacts. See the Hazards and Hazardous Resources discussion below. The project would dispose of hazardous materials as

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Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
	<p>General Plan Policy 33.07: Ensure the safe and proper handling of hazardous building materials, such as friable asbestos and lead based paint.</p>	<p>regarding spill containment facilities around storage tanks.</p> <p>General Plan Policy EH-5.7: 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.</p>	<p>required by all appropriate agencies.</p> <p>The project would implement Policy EH-5.7 to reduce project impacts. See the Hazards and Hazardous Resources discussion below. The project would dispose of hazardous materials as required by all appropriate agencies.</p>
Hydrology and Water Quality			
<p>Implementation of the TOD Strategy could result in significant impacts to water quality or exceed the capacity of existing or planned storm water drainage systems or providing substantial additional source of polluted runoff.</p>	<p>General Plan Policy 32.01: Continue to implement water pollution control measures aimed at reducing pollution from urban runoff.</p> <ul style="list-style-type: none"> Action 32.01-A: As required by state and federal law, require Stormwater Pollution Prevention Plans for qualifying projects and ensure that such projects include appropriate measures to minimize the potential for water pollution. <p>General Plan Policy 52.06: Require drainage improvements for new development which ensure that stormwater runoff is adequately handled both on-site and off-site and which implement state and federal clean water requirements.</p>	<p>General Plan Policy EH-4.1: Continue to implement water pollution control measures aimed at reducing pollution from urban runoff. These measures should emphasize best management practices (BMPs) by residents, businesses, contractors, and public agencies to ensure that surface water quality is maintained at levels that meet state and federal standards.</p> <ul style="list-style-type: none"> Action EH-4.1.B: As required by Section C.3 of the Stormwater Municipal Regional Permit (also known as "C.3" requirements), ensure that the City's development review procedures continue to include water quality protection measures. These 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 (SWPPP) for qualifying projects and will ensure that such projects 	<p>The project would implement all C.3 requirements and implement a project-specific SWPPP. The SWPPP would include best management practices to reduce project impacts to hydrology and water quality. See the Hydrology and Water Quality discussion below.</p>

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Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
		include appropriate measures to minimize the potential for water pollution.	
Noise			
<p>Implementation of TOD Strategy could result in significant impacts by exposing persons to excessive groundbourne vibration or noise levels in excess of local standards, or by substantially increasing permanent ambient noise levels in the TOD Strategy Area vicinity.</p>	<p>TOD EIR Mitigation Measure NOI-1a: Developers shall reduce vibration from construction activities by implementing the following during construction:</p> <ul style="list-style-type: none"> • Avoid impact pile driving where possible and use drilled piles when possible since drilled piles causes lower vibration levels where geological conditions permit their use. • Avoid using vibratory rollers and tampers near sensitive areas. <p>TOD EIR Mitigation Measure NOI-1b: In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:</p> <ul style="list-style-type: none"> • Identification of sites which would include vibration compaction activities, such as pile driving, and have the potential to generate groundbourne vibration, while considering the sensitivity of nearby structures to groundbourne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 200 	<p>Mitigation Measure NOI-4: The City of San Leandro shall adopt the following measures as Standard Conditions of Approval or Construction Development Standards for new construction in the city. The Standard Conditions of Approval/ Construction Development Standards shall include an exception that states that the Engineering & Transportation Director or his/her designee may waive individual measures upon individual written request from an Applicant after City review.</p> <ul style="list-style-type: none"> • 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 	<p>The project would abide by the City’s permitted construction hours and implement noise-related construction BMPs. See the Noise discussion below.</p>

Table 3: Relevant Potential Project Impacts and General Plan EIR Mitigation Measures

Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance
	<p>feet of the project. This task shall be conducted by a qualified structural engineer.</p> <ul style="list-style-type: none"> • Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits and address the need to conduct photo, elevation and crack surveys to document before and after construction conditions. Construction contingencies shall be identified when vibration levels approached the established limits. • At a minimum, vibration monitoring shall be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements. • When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures. 	<p>authorized representative to respond in the event of a noise complaint.</p> <ul style="list-style-type: none"> • 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. 	
	<p>General Plan Policy 36.03: 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.</p>	<p>General Plan Policy EH-8.3: 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.</p>	<p>The project would include trees along the project site to reduce noise from BART. All outdoor courtyards facing east would have six foot tall glass rails to mitigate noise to the outdoor spaces. Furthermore, there are no private balconies facing BART to reduce noise exposure. Therefore, the project would be in</p>

Table 3: Relevant Potential Project Impacts and General Plan EIR Mitigation Measures

Potential Impact	2002 General Plan Policies/Mitigation Measures* and 2007 TOD Strategy EIR Mitigation Measures	Corresponding 2016 General Plan Policies/Mitigation Measures	Compliance	
			compliance with General Plan Policy EH-8.3.	
Utilities				
Implementation of the TOD Strategy could result in significant impacts on water supply, wastewater treatment requirements, wastewater treatment capacity, wastewater treatment facilities, or solid waste disposal.	General Plan Policy 52.02: Require future development pay its fair share of the cost of improving the water, sewer, drainage, and other infrastructure systems needed to serve that development, and the use fees and other appropriate forms of mitigation to cover the costs of upgrading public infrastructure.	General Plan Policy CSF-6.2: 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.	The project would comply with Policy CSF-6.2 to reduce project impacts. See the Utilities discussion below.	
	General Plan Policy 52.05: 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.			
	General Plan Policy 27.04: Local planning and building standards that encourage the efficient use of water through such measures as low-flow plumbing fixtures and water-saving appliances, and requires water conservation measures as a condition of approval for major developments.	General Plan 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).		The project would comply with Policy OSC-7.3 to reduce project impacts. The project would include low water, native grasses and shrubs in the landscape plan. See the Utilities discussion below.
	General Plan Policy 52.06: Require drainage improvements for new developments which ensure that stormwater runoff is adequately handled both on-site and off-site and which implement State and federal clean water requirements.			

Source: San Leandro 2007, 2007a, 2016a, 2016b.

* Policies are from the City of San Leandro 2035 General Plan and mitigation measures are from the City of San Leandro General Plan EIR and the TOD Strategy EIR.

ENVIRONMENTAL CONSISTENCY REVIEW

TOD Buildout Strategies

Full buildout under the TOD EIR includes public improvements to infrastructure, civic building projects and private sector sponsored residential, commercial and other developments.

The TOD Strategy aims to stimulate new development within Downtown San Leandro's existing context and:

- Capitalize on the existing and planned transit infrastructure;
- Improve transit ridership;
- Provide a diversity of housing choices;
- Infill the areas located on the periphery of the downtown core with a rich diversity of mixed-use projects;
- Extend the existing mixed-use downtown area westward to the Washington Avenue corridor and the Washington Plaza shopping center;
- Develop the vacant land and replace the warehouse buildings around the existing BART station to maximize the transit ridership potential of the land;
- Strengthen and help ensure the success of that transit infrastructure; and
- Be sensitive to the existing context of the downtown and its surrounding neighborhoods.

The proposed project would develop vacant land with residential and commercial land uses adjacent to the Downtown San Leandro BART station, which would capitalize on the existing transit infrastructure, provide housing choices, and infill the downtown core. Therefore, the project is consistent with TOD BART Area Mixed-Use goal strategies identified in the TOD EIR.

TOD Strategy Growth Projections

The TOD Strategy proposes the following growth projections, shown below in **Table 4**.

Table 4
TOD Strategy Growth Projections

Land Use Type	Square Footage	Housing Units
Residential	N/A	3,431
Office	718,240	N/A
Retail/Commercial	120,870	N/A
Total	839,110	3,431

Source: San Leandro TOD EIR 2007.

Overall, the TOD Strategy EIR estimated that the proposed land uses in the TOD Strategy area would result in approximately 3,431 housing units and 120,870 square feet of new commercial floor area within the 502-acre TOD Strategy area. The proposed project would construct 197 housing units and 13,024 square feet of commercial space assumed in the TOD Strategy EIR. To date the City has not reached its buildout potential in the project area and the project would be part of meeting the TOD strategy growth projections. Therefore, the proposed project would be consistent with the TOD Strategy growth projects defined in the TOD Strategy EIR.

TOD Strategy EIR

The TOD Strategy EIR analyzed potentially significant impacts from TOD Strategy buildout in San Leandro. The TOD Strategy EIR is a program EIR that studied a plan for the future development of the city, rather than, for example, a specific development on a particular parcel for which a developer sought land use entitlements. However, as explained in Section B(1) of the TOD Strategy EIR introduction, "This program EIR also functions as a "first tier" EIR that may narrow future site-specific approvals....for example, that, where a first tier EIR has adequately addressed the subject of cumulative impacts, such impacts need not be revisited in second or third-tier documents...For such site-specific approvals, CEQA generally applies only to impacts that are peculiar to the parcel or project." As discussed below, the project would not have new or project site-specific impacts, and would be consistent with the TOD Strategy EIR.

In accordance with CEQA Guidelines Section 15168(c)(3), 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. The applicable TOD Strategy EIR mitigation measures, General Plan policies, and General Plan EIR mitigation measures outlined in the TOD Strategy EIR (**Table 3**) would be required of the project.

The environmental resource areas most relevant to and impacted by the project are analyzed below. Upon review of the project's Air Quality/Greenhouse Gas (GHG) Report (**Appendix A**), Geotechnical Investigation (**Appendix B**), and Traffic Impact Study (**Appendix C**), it was determined that the project's impacts would be mitigated to a less than significant level through implementation of the General Plan policies and General Plan EIR mitigation measures outlined in **Table 3**, as well as City standard conditions of approval. The following is a brief analysis of the project's potential impacts on several resource areas and its consistency with the TOD Strategy EIR.

AIR QUALITY/GREENHOUSE GAS EMISSIONS

The following air quality/greenhouse gas analysis is based on an air quality/GHG study prepared for the project by Michael Baker International (2017), included as **Appendix A**. The air quality/GHG study utilized data from the traffic impact study (**Appendix C**) from Scenario 3, the only scenario in the traffic study that included the proposed project. As explained in the Traffic and Transportation discussion below, Scenario 3 includes all four phases of the SLTC development buildout, including the existing 135,000 square foot office building and 780-stall parking structure, two more proposed office towers totaling 285,000 square feet combined, and the proposed project consisting of 220,638 square feet. As such, the project represents only a fraction of the total impacts identified in the air quality/GHG study and analyzed below for the entire Scenario 3.

Construction and Air Quality Impacts

Construction activities would produce combustion emissions from various sources, such as on-site heavy-duty construction vehicles, vehicles hauling materials to and from the site, and motor vehicles transporting the construction crew. Site preparation activities would produce fugitive dust emissions (PM₁₀ and PM_{2.5}) from demolition and soil-disturbing activities, such as grading and excavation. Air pollutant emissions from construction activities on-site would vary daily as construction activity levels change. Construction activities associated with the proposed project would result in emissions of reactive organic gases (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), and PM₁₀ and PM_{2.5}.

To determine potential construction-related air quality impacts, criteria air pollutants generated by project-related construction activities for the entire Scenario 3 are compared to the BAAQMD significance thresholds. Average daily emissions are based on the annual construction emissions divided by the total number of active construction days. As outlined in **Table 5**, criteria air pollutant emissions from construction equipment exhaust would not exceed the BAAQMD average daily thresholds.

Table 5
Maximum Daily Construction Emissions Summary (Pounds per Day)

Construction Emissions	ROG	NO _x	Exhaust PM ₁₀	Exhaust PM _{2.5}	Fugitive Dust PM ₁₀	Fugitive Dust PM _{2.5}
Maximum Daily Emissions	10.51	29.64	1.69	1.57	1.86	0.50
BAAQMD Potentially Significant Impact Threshold	54	54	82	54	Basic Construction Mitigation Measures	Basic Construction Mitigation Measures
Exceed BAAQMD Threshold?	No	No	No	No	No	No

Source: CalEEMod version 2016.3.1. See **Appendix A** for emission model outputs.

As shown in **Table 4** above, projected emissions for the full SLTC would fall below the construction-related significance thresholds developed by the Bay Area Air Quality Management District (BAAQMD), the air pollution control officer for the region. Therefore, as the project represents only a fraction of SLTC buildout, project emissions would also fall below BAAQMD thresholds. The project would not exceed the buildout proposed in the TOD Strategy and analyzed in the TOD Strategy EIR. The TOD Strategy EIR found that construction-related criteria pollutant emissions from exhaust associated with TOD Strategy buildout would be less than significant. Thus, no further analysis is needed, and the project is consistent with the City's TOD Strategy EIR.

Operational Air Quality Impacts

Long-term air pollutant emissions generated by a residential and commercial development are typically associated with the burning of fossil fuels in cars (mobile sources); energy use for cooling, heating, and manufacturing (energy); and landscape equipment (area sources). The primary source of long-term criteria air pollutant emissions generated by the proposed project would be emissions produced from project-generated vehicle trips.

As shown in **Table 6**, below, operation of total SLTC development would generate air pollutant emissions. Projected emissions resulting from the SLTC buildout fall below the operational significance thresholds developed by the BAAQMD.

Table 6
Maximum Daily Operational Emissions Summary (Pounds per Day)

Operation	ROG	NOx	Total PM ₁₀	Total PM _{2.5}	CO
Summer					
Area Source	5.68	0.76	0.14	0.14	16.58
Energy	0.08	0.67	.05	0.05	0.32
Mobile	1.87	10.02	4.36	0.08	18.61
Total	7.63	11.45	4.55	0.27	35.51
Winter					
Area Source	5.68	0.76	4.55	1.41	36.00
Energy	0.08	0.67	0.05	0.05	0.32
Mobile	1.64	10.45	0.08	1.22	19.09
Total	7.40	11.88	4.68	2.68	55.41
Thresholds					
BAAQMD Potentially Significant Impact Threshold	54	54	82	54	-
Exceed BAAQMD Threshold?	No	No	No	No	N/A

Source: CalEEMod version 2016.3.1. See **Appendix A** for emission model outputs.

The project would represent only a fraction of the total SLTC buildout and therefore would also not exceed BAAQMD thresholds. The project would not exceed the buildout proposed in the TOD Strategy and analyzed in the TOD Strategy EIR. The TOD Strategy EIR found that operational-related impacts for TOD Strategy buildout would be less than significant. No further analysis is needed, and the project would be consistent with the City's TOD Strategy EIR.

Environmental Protection Agency Conformity Determination Thresholds

The BAAQMD is responsible for preparing plans to attain ambient air quality standards in the San Francisco Bay Area Air Basin. The BAAQMD prepares ozone attainment plans and clean air plans in order to achieve national air pollutant standards under the Clean Air Act. These plans provides local guidance for the State Implementation Plan (SIP), a framework for air quality basins to achieve attainment of federal ambient air quality standards. As shown in **Table 7**, below, projected emissions resulting from SLTC buildout fall below the EPA Conformity Determination thresholds.

Table 7
Annual Construction and Operational Emissions (Metric Tons per Year)

Project	ROG	NOx	Total PM ₁₀	Total PM _{2.5}	CO	SO ₂
Project Construction	1.4	3.2	0.4	0.2	3.0	0.0
Project Operations	1.7	1.9	0.8	0.3	5.2	0.0
Thresholds						
EPA Conformity Determination Thresholds (40 CFR 93.153)	50	100	100	100	100	100

*Source: CalEEMod version 2016.3.1. See **Appendix A** for emission model outputs.*

Note: ROG and NOx thresholds are based on the San Francisco Bay Area Air Basin's "Marginal" nonattainment status for ozone. The SO₂, CO, and PM₁₀ thresholds are for air basins classified as attainment for those pollutants. The EPA only has one threshold for PM_{2.5}, regardless of attainment status.

Cumulative Air Quality Impacts

According to the BAAQMD, if a project exceeds identified significance thresholds, the project would be cumulatively considerable. As stated above, the total SLTC buildout under Scenario 3, identified in **Appendix C**, would not exceed thresholds for air pollutant emissions during construction or operation. The project would include only the residential land use and commercial space, a fraction of the total estimated emissions. Therefore, the project would not be cumulatively considerable, as it would not result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation.

Furthermore, by its very nature, air pollution is largely a cumulative impact. According to the BAAQMD, no single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. The project would not exceed the buildout proposed in the TOD Strategy and analyzed in the TOD Strategy EIR. The TOD Strategy EIR found that cumulative air quality impacts for TOD Strategy buildout would be less than significant. No further analysis is needed, and the project would be consistent with the City's TOD Strategy EIR.

Greenhouse Gas Emissions

The project's greenhouse gas (GHG) emissions would occur over the short construction duration, and would consist primarily of emissions from equipment exhaust. There would also be long-term regional

emissions associated with project-related new vehicular trips and indirect source emissions, such as electricity usage for lighting.

BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. For operational GHG emissions, the applicable BAAQMD threshold of significance is whether the project would exceed 1,100 metric tons per year of carbon dioxide equivalents (CO₂e) or if the project would generate 4.6 metric tons of CO₂e per service population per year.

The proposed project's service population (project employees, patrons, and residents) is identified in order to present the project's service population efficiency in comparison to the BAAQMD efficiency-based threshold of 4.6 metric tons of CO₂e per service population per year. The majority of people visiting the residential component of the project would be residents. According to the California Department of Finance (DOF), residential dwellings in San Leandro average 2.74 occupants per dwelling, which would result in 540³ project residents.

The majority of people visiting the commercial uses associated with the project would be customers and employees. In order to estimate the number of customers and employees who visit the site, the number of potential project-related daily vehicle trips is divided by two to account for each service population member making one trip to and one trip from the nonresidential use; therefore, each project customer and employee would count for two trips. This is a conservative assumption since each vehicle is assumed to accommodate only one person, whereas many of the vehicles would accommodate more than one person. As cited in the traffic analysis, included as **Appendix C**, prepared by Kimely Horn (2017), the proposed project would generate approximately 4,388 trips per day. However, 700 of these daily trips are attributable to the residential component of the project; thus, the nonresidential land uses would generate approximately 3,688 trips per day. The total number of trips per day is divided by two (1,844) to derive the service population attributable to customers and employees. Therefore, the project service population would be 2,384.

As shown in **Table 8** below, dividing the project GHG emissions yields a metric ton per service population ratio of 0.6. This ratio of 0.6 metric tons of CO₂e per service population annually is below the BAAQMD efficiency-based threshold of 4.6. Therefore, the project would not exceed BAAQMD significance thresholds for operational GHG emissions and would result in a less than significant GHG impact.

The TOD Strategy EIR found that GHG impacts for TOD Strategy buildout would be less than significant after implementation of TOD EIR mitigation measures AQ-2a and -b. The project would comply with the City's updated General Plan EIR mitigation measures AQ-2a and -2b, which require projects to comply with the current Bay Area Air Quality Management District's basic control measures for reducing GHG emissions. As such, the project would not exceed the service population operational GHG Emissions BAAQMD threshold and the impact would be less than significant. Therefore, no further analysis is needed, and the project would be consistent with the City's TOD Strategy EIR.

³ 2.74 residents/dwelling x 197 dwelling units = 540 residents

Table 8
Operational GHG Emissions (Metric Tons per Year)

Source	CO ₂ e
Operation	1,507
BAAQMD Potentially Significant Impact Threshold	2,384
MTCO ₂ e/SP/Year	0.6
BAAQMD Threshold	4.6
Exceed BAAQMD Threshold?	No
TOD EIR Significance	LTS with MM AQ 2
Exceed BAAQMD Threshold with MM implementation	No

Source: CalEEMod version 2016.3.1. See **Appendix A** for emission model outputs.

GEOLOGY AND SOILS

Based on the geotechnical report completed for the project by Rockridge Geotechnical (2017; **Appendix B**), the site is overlain with approximately 2 to 4 feet of undocumented fill soils. Additionally, moderately compressible clay layers extend approximately 30 feet below ground surface on the project site. As outlined in the geotechnical report, unstable soil layers beneath the project site could cause inadequate foundation support for the proposed building. The project would comply with existing state and local regulations, such as the California Building Code, and would implement General Plan Action EH-1.1.A, which requires the submittal and review of detailed soils and/or geologic reports prior to construction. Implementation of local regulations, General Plan Action EH-1.1.A, and compliance with the recommendations outlined in the geotechnical report (**Appendix B**) would reduce project impacts to less than significant. The TOD Strategy EIR found that geology and soil related impacts for TOD Strategy buildout would be less than significant, and the project would not have greater impacts on geology and soils. No further analysis is needed, and the project would be consistent with the City's TOD Strategy EIR.

HYDROLOGY AND WATER QUALITY

The project site is vacant and level, with no existing stormwater infrastructure. The project site currently is 100% permeable, thus allowing for stormwater absorption. Some stormwater flows over the surface to Alvarado Street and Martinez Street where it enters an existing storm drain system, before ultimately discharging into San Francisco Bay.

The proposed project is considered a Special Project in conformance with Appendix J of the Alameda County C.3 Stormwater Technical Guidance (April 11, 2016). The project conforms to Category C "Transit-Oriented Development" because it meets the following criteria: (1) Be characterized as a non-auto related land-use; (2) Is a residential development project with density greater than 25 DU/Ac. The project qualifies for the following credits: 50% Location Credit because 50% or more of the site is located within a ¼ mile radius of an existing transit hub (San Leandro BART station); 20% Density Credit because it is a residential project with greater than 60 DU/Ac; 20% Minimized Surface Parking Credit because 0% of the post-project impervious surface is dedicated to at-grade surface parking. The net result is 90% allowable Low Impact Development (LID) Treatment Reduction. The project is complying with Municipal

Regional Permit Provision C.3.d by utilizing a high flow-rate media filter within the building to treat all roof drainage, a Silva cell unit to treat road runoff, as well as bioretention within the landscaping for all other hardscape areas surrounding the building. The end result is 32,128 SF (23%) of Non-LID Treatment, 10,372 SF (8%) of LID Treatment, and 94,047 SF (69%) of self-treating or exempt area. The project will be subject to hydromodification per Chapter 7 of the Alameda County C.3 Stormwater Technical Guidance, and section C.3.g of the California Regional Water Quality Control Board (SF Bay Region) Municipal Regional Stormwater NPDES Permit (Order No. R2-2015-0049, NPDES Permit No. CAS612008).

Construction Water Quality Impacts

Construction activities would disturb and expose soils to erosion, increasing the amount of silt and debris entering downstream waterways. In addition, refueling and parking of construction equipment and other vehicles on-site during construction could result in oil, grease, or related pollutant leaks and spills that may discharge into storm drains. Improper handling, storage, or disposal of fuels and materials or improper cleaning of machinery close to on-site drainages could cause water quality degradation.

The project would be designed to comply with San Leandro Municipal Code Title 3, Chapter 3-15, Storm Water Management and Discharge Control, which is intended to protect the water quality of water bodies in the city. The ordinance implements the legal requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the City of San Leandro by the San Francisco Bay Regional Water Quality Control Board (Permit No. CA0029831). The ordinance requires the implementation of BMPs during construction, such as site preparation and management, erosion control, runoff control, and sediment retention, which would prevent unwanted material from entering storm drains in the project vicinity. The project would disturb more than one acre of soil at the project site and therefore would also be required to obtain coverage under the state's Construction General Permit and Stormwater Pollution Prevention Plan (SWPPP). The SWPPP includes best management practices to be implemented during the project's construction phase such as site preparation and management, erosion control, runoff control, and sediment retention, which would prevent unwanted material from entering storm drains in the project vicinity. The effectiveness of BMPs has been recognized in the California Stormwater Quality Association's Stormwater Best Management Practice Handbooks.

The TOD Strategy EIR found that impacts related to construction water quality for General Plan buildout would be less than significant, and the project would be consistent with this finding. As such, no further analysis is needed, and the project would be consistent with the City's TOD Strategy EIR.

Operational Water Quality Impacts

Project operation could result in direct surface water quality impacts from landscaping activities associated with the use of fertilizers, herbicides, and pesticides, as well as from motor vehicle/truck operation on the project site. The project would create and/or replace approximately 51,993 square feet of impervious surface and would therefore be required to comply with the San Francisco Bay Municipal Regional Stormwater Permit (MRP) (Permit No. CAS612008) administered by the San Francisco Bay Regional Water Quality Control Board. Provision C.3 of the MRP requires new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface to implement certain measures to protect water quality and prevent erosion by minimizing sediment and other pollutants in site runoff and so that post-project runoff will not exceed pre-project rates and durations.

As stated above, the project would increase the amount of stormwater entering the City's stormwater and sewer system. Therefore, the project would be required to comply with General Plan Policy CSF-6.2 that requires the project to pay its fair share of the cost of improving the water, sewer, storm drainage, and other infrastructure systems needed to serve the project.

Additional stormwater drainage could also result in an increase of urban runoff pollutants and other chemicals from landscaped areas. These pollutants could result in water quality impacts to on- and off-site drainage flows to area waterways. The goal of Provision C.3 is to include appropriate source control, site design, and stormwater treatment measures in new development and adaptive reuse projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and adaptive reuse projects. Pursuant to Chapter 3-15 of the San Leandro Municipal Code, all development and redevelopment projects are required to filter materials at the catch basin to retain debris and dirt flowing into the City's storm sewer system for the life of the project. Compliance with Provision C.3 and the San Leandro Municipal Code would reduce potential water quality impacts associated with the proposed project.

The project would comply with the NPDES General Permit for Waste Discharge Requirements issued to the City of San Leandro (Permit No. CA0029831), which would reduce potential impacts on water quality from operational activities. The Municipal Regional Stormwater Permit ensures attainment of applicable water quality objectives and protection of the beneficial uses of receiving waters and associated habitat. The permit also requires that discharges not cause exceedances of water quality objectives or cause certain conditions to occur that create a condition of nuisance or water quality impairment in receiving waters.

Compliance with the NPDES and SWPPP, the City's Municipal Code regulations pertaining to stormwater management and discharge control, and General Plan Policy CSF-6.2 would reduce surface water quality impacts associated with the project. The TOD Strategy EIR found that the impacts associated with hydrology and water quality for TOD Strategy buildout would be less than significant, and project impacts are similar in scope. As such, no further analysis is needed and the project would be consistent with the City's TOD Strategy EIR.

NOISE

The TOD Strategy EIR analyzed potentially significant impacts related to noise levels and the placement of sensitive receptors near noise sources that could expose residential populations to significant ambient noise levels. The project includes the construction of the proposed building, associated landscaping, and the sky bridge to the multi-level parking structure. The nearest residential community is located 0.2 mile to the west of the project site. The project would comply with Mitigation Measure NOI-4, outlined in **Table 3**, which restricts construction activities to the daytime hours of between 7:00 a.m. and 7:00 p.m. on weekdays, or between 8:00 a.m. and 7:00 p.m. on Saturday and Sunday, and requires construction noise-reduction BMPs.

The project entails residential uses that would incrementally increase ambient noise levels above existing noise levels. Residential development is located 0.2 mile to the west and south of the project site. Therefore, the project would be consistent with surrounding residential uses.

The project site is located in an area with high levels of existing traffic noise, adjacent to the Downtown San Leandro BART station and UPRR. Therefore, high levels of traffic related noise has been accounted for in the TOD Strategy analysis. The TOD Strategy EIR found that the impacts associated with noise for TOD Strategy buildout would be less than significant, and project impacts are similar in scope. As such, the project would be consistent with the TOD Strategy EIR and no further evaluation is needed.

TRAFFIC AND TRANSPORTATION

Kimley Horn (2017) completed a traffic impact study for the entire SLTC project at full buildout to analyze project impacts on intersections and traffic in the project vicinity (**Appendix C**). The traffic impact study analyzed three scenarios for SLTC buildout. The only scenario that included the proposed project was Scenario 3, the total SLTC buildout scenario. Scenario 3 includes all four phases of the SLTC development buildout, including the existing 135,000 square foot office building and 780-stall parking structure, two more proposed office towers totaling 285,000 square feet combined, and the proposed project consisting of 220,638 square feet. As such, the project represents only a fraction of the total traffic studied in the TIA. The traffic study analyzed the following 6 intersections in proximity of the SLTC development site to evaluate traffic operation impacts.

- Davis Street and Alvarado Street
- Davis Street and San Leandro Boulevard
- San Leandro Boulevard and West Juana Avenue
- San Leandro Boulevard and Parrott Street
- San Leandro Street and Thornton Street
- Alvarado Street and West Project Driveway

Site Access and On-Site Circulation

As stated above, access to the project site would be via Alvarado Street, Martinez Street, Thornton Street, and Parrot Street. A driveway from Parrot Street would lead to the main building entrance. As shown in **Figure 6**, the east side of the building would include a pedestrian path and the bike trail/EVA road.

Trip Generation

At full buildout, the full buildout of the SLTC development (Scenario 3 in the traffic study) would generate approximately 4,388 total daily trips, with 574 trips occurring during the AM peak hour and 566 trips occurring during the PM peak hour.

Level of Service

The City considers level of service (LOS) D or better a less than significant impact.⁴ According to the City of San Leandro's General Plan:

"LOS D may only be exceeded where the following circumstances exist:

⁴ Level of service measures the quality of traffic flow at a signalized intersection.

- Road improvements are not possible because the necessary right-of-way does not exist and cannot be acquired without significant impacts on adjacent buildings and properties.
- The intersection or road segment is in a pedestrian district, such as Downtown, where the priority is on pedestrian, bicycle, and public transit access rather than vehicle traffic.”

Considering the intensity of pedestrian activity in the vicinity of the BART Station, the City’s General Plan states that LOS E is acceptable for the four San Leandro Boulevard intersections adjacent to the SLTC, including the major intersection of Davis Street with San Leandro Boulevard located at the northeast corner of the SLTC site (Appendix C). LOS D is considered acceptable for the Davis Street intersection with Alvarado Street, located at the northwest corner of the project site.

The General Plan EIR further defined the criteria for significant traffic impacts at intersections using the following circumstances. Would the project result in:

- An increase in the volume-to-capacity (v/c) ratio of 0.05 or more for signalized intersections that operate at a substandard level under No Project conditions; or,
- An increase in average delay of more than 5 seconds for signalized intersections that operate at a substandard level under no project conditions.

Existing Conditions

Existing conditions traffic volumes were collected in January 2017. As outlined in **Appendix C**, intersection analysis indicates that the study intersections operate from LOS A to E; none are operating at unacceptable levels.

Cumulative Conditions

Under cumulative conditions, the Scenario 3 study intersections analyzed in the traffic study would operate from LOS A to F, with the addition of project traffic during AM and PM peak hours. The one intersection operating at an unacceptable LOS F during the AM peak hour is the intersection of San Leandro Boulevard and Thornton Street. As outlined below, the project would contribute its fair share to traffic calming measures to reduce this impact to less than significant.

Intersection Queuing Evaluation

Vehicle queuing for each study intersection was evaluated and compared to existing and cumulative vehicle storage lengths. A significant impact would occur if the 95th percentile queue increased by 25 feet or more and the vehicle queue would exceed the turn pocket length.

Three of the five study intersections were determined to have a project related impact to queuing:

- Alvarado Street and Davis Street had an impact on the westbound left turn movement in the AM peak period, as well as to the northbound left turn movement during the PM peak period.

- San Leandro Boulevard and Davis Street had an impact to the westbound left turn movement in the AM peak period, as well as to the northbound left turn movement in the PM peak period.
- San Leandro Boulevard and Parrott Street had an impact to the eastbound approach and northbound left turning movement in both the AM and PM peak periods.

As discussed below, the project would pay its fair share of traffic signalization and cycle optimization measures to reduce these impacts to less than significant.

Project Contribution to Cumulative Traffic Growth

As stated above, under cumulative conditions for the total SLTC buildout assumed in Scenario 3, the intersection of San Leandro Boulevard and Thornton Street would operate at LOS F during the AM peak hour. All other study intersections would operate acceptably at LOS D or better during both peak hours. Signalizing the intersection of San Leandro Boulevard and Thornton would result in the intersection operating at LOS A during the AM peak hour, and would reduce the impact to less than significant.

Under cumulative conditions, the queuing at three intersections were found to be impacted during the AM and PM peak hours. Optimizing the signalization cycle length at the three study intersections listed above (Alvarado Street and Davis Street, San Leandro Boulevard and Davis Street, and San Leandro Boulevard and Parrott Street) would reduce the SLTC development buildout impacts on intersection queuing to less than significant.

As stated above, the proposed project would not develop the 285,000 square feet of office space included in the traffic analysis, and therefore would only increase traffic at the study intersections by a portion of the total SLTC development buildout. Additionally, as outlined in the City's Conditions of Approval, the project would pay its fair share of the required traffic signalization and cycle optimization measures for the full SLTC buildout to reduce traffic impacts to less than significant.

The TOD Strategy EIR found that impacts related to transportation and circulation for TOD Strategy buildout would be less than significant. As outlined above, project impacts are similar in scope, and no further analysis is needed. The project would be consistent with the City's TOD Strategy EIR.

UTILITIES AND SERVICE SYSTEMS

Water Supply

The TOD Strategy EIR determined that the East Bay Municipal Utility District would be able to meet water demand for the TOD Strategy buildout scenario. To ensure that the project does not significantly affect the water conveyance system, the project would abide by General Plan Policy CSF-6.2. As stated in **Table 3**, the policy requires future development to pay its fair share of the cost of improving the water, sewer, storm drainage, and other infrastructure systems needed to serve that development. Implementation of the policy would reduce the project impacts to less than significant. As such, the project would be consistent with the TOD Strategy EIR, and no further evaluation is needed.

Wastewater

Wastewater would be collected from the project site by the City of San Leandro Wastewater Treatment Division, which provides wastewater services for the northern two-thirds of the city. The TOD Strategy

EIR determined that the Wastewater Treatment Division would be able to meet wastewater demand for the General Plan buildout scenario. The TOD Strategy EIR found the impact would be less than significant; as such, no further evaluation is needed, and the project would be consistent with the TOD Strategy EIR.

Solid Waste

The project would comply with the California Green (CALGreen) Building Standards Code (Part 11 of Title 24, California Code of Regulations) and the San Leandro Construction and Demolition (C&D) ordinance regarding recycling and waste diversion. The CALGreen Building Standards Code requires the project to have a 65 percent waste diversion during construction. The C&D ordinance requires contractors to recycle all asphalt/concrete and 50 percent of all other C&D debris. Project construction debris would be hauled to the Davis Street Transfer Station in San Leandro. The transfer station processes and diverts over 7 million pounds of material per day. The project would incrementally add to processed material and would not exceed the transfer station's capacity (Waste Management 2017).

Alameda County Industries, Inc. (ACI), , would provide refuse and recycling collection services for the project site. Waste produced at the project site would be diverted to the Altamont Landfill. The TOD Strategy EIR determined that implementation of General Plan policies CSF-6.2 and OSC-7.3 (see **Table 3**) would reduce residential and commercial waste streams in the city to a less than significant level. The project would comply with waste diversion policies in the city. As such, the project would have impacts consistent with those in the TOD Strategy EIR, and no further evaluation is needed.

Conclusion

This memo describes how the city is complying with the provisions of and implementing the steps outlined in the TOD Strategy EIR and Municipal Code Chapters 18.04 and 18.06. Pursuant to CEQA Guidelines Section 15168(c)(4), the City used a written checklist to determine whether the environmental effects of the project's site-specific operations were evaluated in the TOD Strategy EIR. Pursuant to CEQA Guidelines Section 15168(c)(2), the City evaluated whether further environmental review was required per the provisions of Section 15162(a). The City considered various technical studies prepared by environmental consultants hired by the City and the applicant (including an Air Quality/GHG Report, Geotechnical Investigation, and Traffic Impact Study).

The proposed project would be consistent with the assumptions for the project site as presented in the City's TOD Strategy and Zoning Code, and the project would not result in any new significant impacts or increase the severity of any significant impacts identified in the TOD Strategy EIR. Therefore, no further environmental analysis is required.

REFERENCES

Appendices B and C are available upon request from the City of San Leandro Community Development, 835 East 14th Street, San Leandro, California.

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T:\GIS\Alameda_County\MapDocs\San_Leandro\SLIC Residential\Regional_Location\Figure1.mxd (5/19/2017)



Legend

Project Site

Source: ESRI.

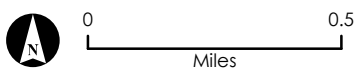


FIGURE 1
Regional Vicinity



Legend

- Project Site
- Proposed Parcel Division

Source: ESRI Imagery Service (2017), Alameda County (2017)

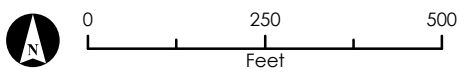


FIGURE 2
Project Location



Source: Michael Baker International; 2017

FIGURE 3
Existing Parking Structure Looking South



Source: Michael Baker International, 2017

FIGURE 4
Existing Office Building Looking West



Source: Michael Baker International; 2017

FIGURE 5
Project Site Existing Conditions



Source: TCA Architects; 2017

Not To Scale

FIGURE 6
Views of Building Entrance



Source: Michael Baker International; 2017

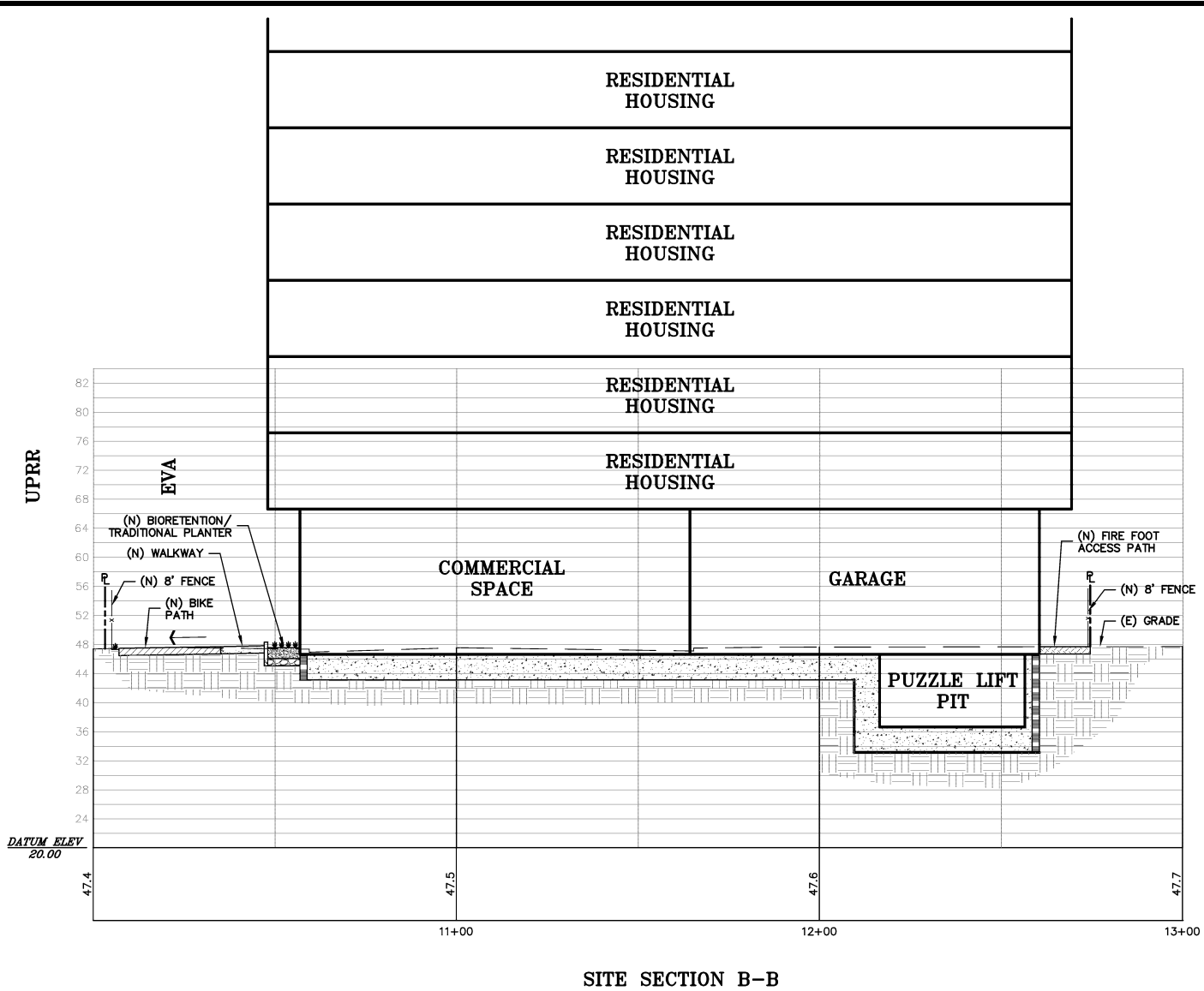
FIGURE 7
Emergency Vehicle Access Lane Looking North



Source: TCA Architects; 2017

Not To Scale

FIGURE 8
Proposed Project Looking Southwest



Source: Lea & Braze Engineering, Inc.; 2017

SITE SECTION B-B

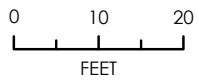


FIGURE 9
Puzzle Parking