Infill Environmental Checklist / April 2021

Callan & E 14th Street Project

for the City of San Leandro

PLACEWORKS


CITY OF SAN LEANDRO
INCORPORATED 1872

Infill Environmental Checklist / April 2021

Callan & E 14th Street Project

for the City of San Leandro

Prepared By:

PlaceWorks

3 MacArthur Place, Suite 1100
Santa Ana, California 92707
t 714.966.9220

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1. Introduction

1.1 INTRODUCTION

This document is a CEQA Infill Evaluation Checklist for the Callan & East 14th Street project (*project* or *proposed project*) prepared by the City of San Leandro (City) to determine if the project may have a significant effect on the environment as defined in the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.). Pursuant to Sections 15050 and 15051 of the State CEQA Guidelines,[1] the City is the Lead Agency for the proposed Project.

The project site is located at 1188 E. 14th Street in the City of San Leandro. The proposed project would demolish 31,000 square feet of building area and develop a five-floor mixed-use residential and retail building. The project would include 196 dwelling units; a 23,189 square foot (SF) ground-floor grocery store; 5,660 SF of additional ground-floor retail space and a 286-space, above ground parking garage.

1.2 INFILL ENVIRONMENTAL CHECKLIST

This Infill Environmental Checklist has been prepared in accordance with Public Resources Code Section 21000 et seq. and the CEQA Guidelines, California Code of Regulations Section 15000 et seq. Per Section 15183.3 (a) an Infill Environmental Checklist is prepared by a lead agency to streamline the environmental review process for eligible infill projects by limiting the topics subject to review at the project level where the effects of infill development have been addressed in a planning-level decision or by uniformly applicable development policies. In addition, pursuant to Public Resources Code Section 21099, aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. As detailed in Chapter 3, Project Description, the proposed project would include the development of a 5-story residential and retail building in a currently developed site in San Leandro's downtown. The site is located in the East 14th Street Priority Development Area (PDA) identified in Plan Bay Area, which serves as the Sustainable Communities Strategy for the nine-county San Francisco Bay Area per Senate Bill (SB) 375.

The City of San Leandro developed the Downtown San Leandro Transit-Oriented Development (TOD) Strategy to establish a land use framework, circulation system, development guidelines, and implementation actions to guide new developments such as the proposed project in the downtown area. The City of San Leandro certified the Downtown San Leandro Transit-Oriented Development Strategy Final Environmental Impact Report (FEIR) on June 5, 2007.

[1] The CEQA Guidelines are found in California Code of Regulations, Title, 14, Sections 15000 *et seq*.

Subsequently, the City prepared its 2035 General Plan update (San Leandro 2016a), which incorporates and implements the TOD Strategy, and prepared an EIR for the 2035 General Plan update that contains an evaluation of environmental impacts, references uniformly applicable development policies, and relies on those policies and mitigation measures to reduce environmental effects. The City's General Plan Update FEIR (San Leandro 2016b) was certified on September 19, 2016.

This Infill Environmental Checklist tiers off the 2035 General Plan Update EIR (San Leandro 2016b). The Infill Environmental Checklist demonstrates that any significant effects of the proposed project were analyzed in this prior EIR (the 2016 General Plan EIR) or would be substantially mitigated by the City's uniformly applicable development policies. Pursuant to Public Resources Code Section 21094.5, such impacts are exempt under the California Environmental Quality Act (CEQA) and do not require further environmental analysis. Furthermore, this Checklist incorporates supporting information and impact analysis from the Downtown TOD EIR where applicable (San Leandro 2007b).

In accordance with CEQA Guidelines Section 15183.3, if the proposed infill project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects are subject to further review under CEQA. If those effects would be potentially significant, the lead agency must prepare an infill EIR.

1.3 DOCUMENT ORGANIZATION

This document includes the following chapters:

1.0 Introduction. This chapter provides an introduction and describes the purpose and organization of the document.
2.0 Project Information. This chapter provides general information regarding the project, an analysis of the degree to which the project fulfills the CEQA Appendix M performance standards for use of the Appendix N infill checklist, and a summary of the environmental factors potentially affected by the project.
3.0 Project Description. This chapter provides detailed information on the proposed project, project site and access, project construction and required approvals.
4.0 Infill Checklist. This section describes the environmental setting and an overview for each of the environmental subject areas. It evaluates a range of impacts, how the impact was covered in the City's 2035 General Plan Update EIR, and characterizes each impact as "Significant Impact," "Less Than Significant or Less Than Significant with Mitigation Incorporated," "No Impact," "Analyzed in the Prior EIR" or "Substantially Mitigated by Uniformly Applicable Development Policies" in response to the environmental checklist.

2. Project Information

1. Project title:	Callan & East 14th Street
2. Lead agency and address:	City of San Leandro 835 East 14th Street San Leandro, CA 94577
3. Contact person and phone number:	Andrew J. Mogensen, AICP, Planning Manager (510) 577-3325
4. Project location:	1188 East 14th Street San Leandro, CA 94577
5. Project sponsor's name and address:	The Martin Group 1970 Broadway, Suite 745 Oakland, CA 94612
6. General Plan designation:	Downtown Mixed Use (MUD)
7. Zoning:	DA-1(S) Downtown Area 1 Special Review Overlay District
8. Prior environmental document analyzing the effects of the infill document:	2035 City of San Leandro General Plan Update Final Environmental Impact Report, SCH Number 2001092001
9. Location of prior environmental document:	City of San Leandro Community Development Department, Planning Division 835 East 14th Street San Leandro, CA 94577
10. Project description:	See Project Description, below.
11. Surrounding land uses and setting:	See Project Description, below.
12. Other public agencies whose approval is required:	None.

2.1 INFILL PERFORMANCE STANDARDS

California Environmental Quality Act (CEQA) Guidelines Section 15183.3(b) and CEQA Guidelines Appendix M establish eligibility requirements for projects to qualify as infill projects for streamlining procedures provided in CEQA Guidelines Section 15183.3. Not all projects on previously developed sites will have a limited set of environmental impacts suitable for streamlined environmental review. The Appendix M requirements have been developed to establish that a proposed project exhibits a set of locational and characteristic features that validate limited, further review in the form of an Infill Environmental Checklist.

The following information demonstrates that the proposed infill project satisfies the eligibility criteria of CEQA Guidelines Section 15183.3(b) as well as the performance standards in Appendix M.

2.1.1 CEQA GUIDELINES INFILL CRITERIA

2.1.1.1 SECTION 15183.3(B)(1) CRITERIA

Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site's perimeter. For the purpose of this subdivision, "adjoin" means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved right-of-way.

The project site is located in the downtown core of San Leandro, an urban area, as defined in CEQA Guidelines Section 21094.5(e)(5). "Urban areas," include *either an incorporated city or an unincorporated area that is completely surrounded by one or more incorporated cities that meets both of the following criteria…* (The remain language is omitted here for brevity.) San Leandro is an incorporated city in the County of Alameda. The site is designated Downtown Mixed Use (MUD) by the City's General Plan and has been previously developed with commercial and office uses and adjoins existing urban uses, as described in Chapter 3, Project Description.

2.1.1.2 SECTION 15183.3(B)(3) CRITERIA

Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, except as provided in CEQA Guidelines Section 15183.3(b)(3)(A) or (b)(3)(B).

Plan Bay Area 2040 was adopted in 2017 with the primary objective to "achieve mandated reductions of greenhouse (GHG) emissions and to provide adequate housing for the projected 2040 regional population level pursuant to the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill (SB) 375, Statutes of 2008).[1] The Plan was amended in March 2018 and May 2020, both times to modify the scope and cost of specific highway projects.

[1] Metropolitan Transportation Commission and Association of Bay Area Governments, through the establishment of Priority Development Areas (PDA) of Availability And Notice Of Public Meetings, Metropolitan Transportation Commission Plan Bay Area 2040 Regional Transportation Plan/Sustainable Communities Strategy Final Environmental Impact Report, July 17, 2017.

Per Plan Bay Area 2040, the "core strategy is 'focused growth' in existing communities along the existing transportation network."[2] Plan Bay Area 2040 sets to achieve this objective through the establishment of Priority Development Areas (PDA) and Priority Conservation Areas (PCA). The former areas are served by public transit and are identified for compact development, where new development will support the needs of residents and workers in a pedestrian-friendly environment. The latter are open spaces that face near-term development protection and are set aside for conservation. The proposed project is located in the East 14th Street PDA. Given this location, and the mixed-use character of the proposed project, it is consistent with overarching Plan Bay Area 2040 policy. Moreover, the proposed project would support key land use targets established in Plan Bay 2040. These are identified in Table 2-1, below.

TABLE 2-1 PLAN BAY AREA 2040 KEY LAND USE TARGETS

Target	Project
Reduce per-capita CO2 emissions from cars and light-duty trucks by 15%.	Transit oriented, high-density mixed-use
House 100% 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.	High density mixed-use retail and residential on retail/commercial infill site.
Direct all non-agricultural development within the urban footprint (existing urban development and UGBs).	Location is within the Alameda County Urban Growth Boundary

Source: Metropolitan Transportation Commission and Association of Bay Area Governments

2.2 APPENDIX M CHECKLIST PERFORMANCE STANDARDS

Pursuant to CEQA Guidelines Section 15183.3(b)(2), the proposed infill project must satisfy the performance standards in Appendix M. For mixed-use projects, the predominant use will determine which performance standards apply to the entire project.

1. *Does the non-residential infill project include a renewable energy feature? If so, describe below.*

   According to Section IV (G) of CEQA Guidelines Appendix M, for mixed-use projects "…the performance standards in this section that apply to the predominant use shall govern the entire project." Because the predominant use of the project is residential, and mandatory on-site renewable power generation only applies to non-residential projects, the project is not required to include on-site renewable power generation.

[2] Metropolitan Transportation Commission and Association of Bay Area Governments, Plan Bay Area 2020, May 2020, page 43.

PROJECT INFORMATION

2. *If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, either document remediation of the site or describe the recommendations provided in a preliminary endangerment assessment or comparable document that will be implemented as part of the project*.

   The project site is not located on any lists of hazardous waste and substances sites compiled pursuant to Government Code Section 65962.5.1.[3] (See Appendix E.)

3. *If the infill project includes residential units located within 500 feet, or such distance that the local agency or local air district has determined is appropriate based on local conditions, of a high-volume roadway or other significant source of air pollution, as defined in Appendix M, describe the measures that the project will implement to protect public health. Such measures may include policies and standards identified in the local general plan, specific plans, zoning code or community risk reduction plan, or measures recommended in a health risk assessment, to promote the protection of public health. Identify the policies or standards, or refer to the site-specific analysis, below.*

   Local air district the Bay Area Air Quality Management District (BAAQMD) threshold for increased community risks or hazards is also 500 feet on each side of all freeways and high-volume roadways.[4] The project would not include residential units located within 500 feet, or such distance that the local agency or local air district has determined is appropriate based on local conditions, of a high-volume roadway or other significant source of air pollution. High-volume roadways are defined as freeways, highways, or urban roads with traffic volumes of at least 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. There are no major roadways with ADT volumes greater than 100,000 vehicles per day within 5,000 feet of the project site. The nearest freeway is Interstate 880, which is about 5,900 feet west of the project site. Interstate 580 is about 6,300 feet to the east of the project site.

4. *For residential projects, the project satisfies which of the following?*

   ☐ Located within a low vehicle travel area within the region, as defined in Appendix M.

   ☒ Located within ½-mile of an existing major transit stop or an existing stop along a high- quality transit corridor.

   The project site is 0.4 miles northeast of the San Leandro Bay Area Rapid Transit (BART) Station. The station is served by regional rail system BART, which provides commuter rail service between the East Bay (from Pittsburg/Bay Point, Richmond, Dublin/Pleasanton and Fremont), San Mateo County (from San Francisco International Airport and Millbrae), and San Francisco. The station is also served by Alameda-Contra Costa Transit District (AC Transit) Route 1T, a Bus Rapid Transit (BRT) line, and numerous other AC Transit bus routes. (See Figure 2-1, below.).

[3] AEI Consultants, 2017, Phase I Environmental Site Assessment, 1120 East 14th Street, Standards Environmental Records search, page 8.

[4] Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines Update, May 2017, page 2-7.

☐ Consists of 300 or fewer units that are each affordable to low-income households. (Attach evidence of legal commitment to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.)

CEQA Guidelines Appendix M includes four additional performance standards applicable only to projects with single building floor plate below 50,000 square feet, office building projects, school projects and/or small, walkable community projects. Because the proposed project does not contain these features and is not these project types, these standards have been omitted here.

Source: City of San Leandro, 2014; Alameda County, 2013; PlaceWorks, 2020.

Figure 2-1 Proximity to High Quality Transit

2.3 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors listed below would be affected by the proposed Project, involving at least one impact that is a Potentially Significant Impact, as indicated by the checklist on the following pages.

- ❒ Agriculture & Forestry Resources
- ❒ Air Quality
- ❒ Biological Resources
- ❒ Cultural Resources
- ❒ Geology & Soils
- ❒ Greenhouse Gas Emissions
- ❒ Hazards & Hazardous Materials
- ❒ Hydrology & Water Quality
- ❒ Land Use
- ❒ Noise
- ❒ Population & Housing
- ❒ Public Services
- ❒ Recreation
- ❒ Transportation
- ❒ Tribal Cultural Resources
- ❒ Utilities & Service Systems
- ❒ Mandatory Findings of Significance

Determination:
On the basis of this initial evaluation:

☑ The lead agency finds that the proposed infill project WOULD NOT have any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects. A Notice of Determination (Section 15094) will be filed.

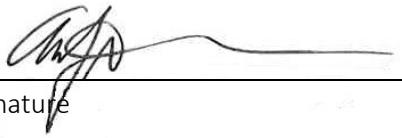
❒ The lead agency finds that, the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. With respect to those effects that are subject to CEQA, the lead agency finds that such effects WOULD NOT be significant and that a NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.

❒ The lead agency finds that the proposed infill project will have effects that either have not been analyzed in a prior EIR or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. The lead agency finds that although those effects could be significant, there will not be a significant effect in this case because revisions in the infill project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.

❒ The lead agency finds that the proposed infill project would have effects that either have not been analyzed in a prior EIR or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. The lead agency finds that those effects WOULD be significant, and an infill ENVIRONMENTAL IMPACT REPORT is required to analyze those effects that are subject to CEQA.

PROJECT INFORMATION

❒ The lead agency finds that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.



Signature

April 28. 2021

Date

Andrew J. Mogensen, AICP

Printed Name

Planning Manager

Title

3. Project Description

The Martin Group, the project applicant, is proposing the Callan and East 14th Street Project (proposed project or project). The project is a five-floor mixed-use residential and retail building at 1188 E. 14th Street in the City of San Leandro. The 1.6-acre project site is identified by the Alameda County Assessor's Office by the following four Assessor's Parcel Numbers (APN):

- 77-447-14-6, at 1188 E. 14th Street
- 77-447-15-6 at 1120 E. 14th Street
- 77-447-14-7 at 1134 E. 14th Street
- 77-447-7-1 at Hyde Street

This chapter provides a detailed description of the project, including the site location, setting, and characteristics; principal features of the project; approximate construction phasing; and required permits and approvals. These activities and approvals collectively constitute the "project" for the purposes of this Infill Checklist.

3.1 PROJECT LOCATION AND SITE CHARACTERISTICS

3.1.1 PROJECT SITE LOCATION AND SETTING

3.1.1.1 REGIONAL LOCATION

The project site is located in the City of San Leandro in Alameda County. San Leandro is bordered by the City of Oakland to the north, the San Francisco Bay to the west, the City of Castro Valley to the east, and the unincorporated Alameda County community of San Lorenzo and the City of Hayward to the south (see Figure 3-1). The site about 2.8 miles east of Oakland International Airport and 1 mile west of Interstate 580 (I-580).

Downtown San Francisco is about 14 miles northwest of the site; downtown Oakland is about 8 miles to the north.

3.1.1.1 LOCAL SETTING

The project site is in the fully urbanized downtown core of San Leandro, an area of mixed commercial, business, residential and public uses, and urban open spaces. As shown on Figure 3-1, the site includes the city block bounded by Chumalia Street to the north, Hyde Street to the east, Callan Avenue to the south and E. 14th Street to the west. San Leandro Creek runs generally east-west nearest to the northwest corner of the site. The site is bounded by 2- and 3-story apartments and townhomes across Chumalia Street to the north, and 2- and 3-story apartments across Hyde Street to the east. The San Leandro

Chamber of Commerce and an associated three-story parking structure are located across Callan Avenue to the south. A bank and gas station are located across E 14th Street to the west. City of San Leandro Root Park is located caddy-corner to the site immediately across E. 14th Street. These land uses are identified in Figure 3-2.

3.1.1.2 SITE ACCESS

Regional

Regional automobile access to the site is provided via Interstates 880 and 580. Access from I-880 is via the Davis Street interchange, approximately 1 mile west of the site. Access from I-580 is via the Estudillo Avenue interchange, approximately 1.1 miles east of the site. The San Leandro Bay Area Rapid Transit (BART) Station is 0.25 miles west of the site and provides regional transit access to the site. The station is served by the Berryessa/North San Jose-Daly City, Berryessa/North San Jose-Richmond, and Dublin/Pleasanton-Daly City BART Lines.

Local

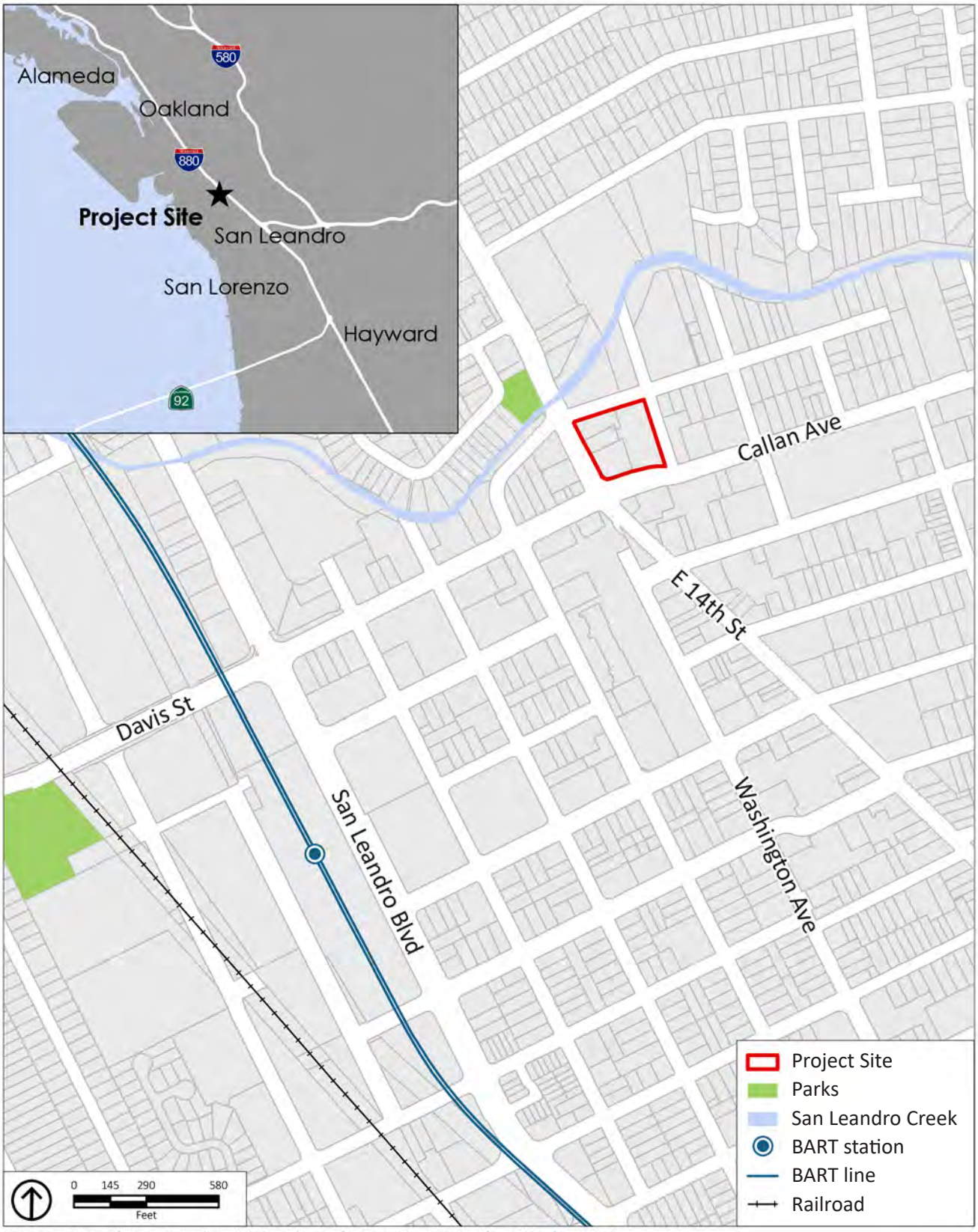
Local access to the site is provided primarily by north/south running E. 14th Street, an arterial street with two travel lanes in each direction; north/south running San Leandro Boulevard, an arterial street with one or two travel lanes in each direction; and east/west running Callan Avenue, an arterial with a single travel lane in each direction.

The project site is also served by Alameda-Contra Costa Transit (AC Transit). There are five AC Transit bus routes located within a quarter-mile radius of the site (Routes 1, 10, 34, 35 and 801). The following stops are within walking distance of the project site (all served by Routes 34 and 35):

- Davis Street and Clarke Street (670 feet west of the project site)
- Davis Street and Hays Street (580 feet west of the project site)
- Hays Street and Davis Street (560 feet southwest of the project site)
- Hays Street and Estudillo Avenue (680 feet southwest of the project site)
- E. 14th Street and Toler Avenue (650 feet north of the project site)
- E. 14th Street and Haas Avenue (1,160 feet north of the project site)
- E. 14th Street and Lorraine Boulevard (1,300 feet north of the project site)
- E. 14th Street and Estudillo Avenue (340 feet south of the project site)
- Estudillo Avenue and E. 14th Street (770 feet southeast of the project site)
- E. 14th Street and Joaquin Avenue (880 feet southeast of the project site)
- Estudillo Avenue at the San Leandro Community Library (1,080 feet southeast of the project site)
- E. 14th Street at West Juana Avenue (1,220 feet south of the project site)

AC Transit's Bus Rapid Transit (BRT) system opened for service in August 2020. The BRT system, known as Tempo, operates along International Boulevard and E. 14th Street between Uptown Oakland and San Leandro. The BRT route terminates at the San Leandro BART Station.

PROJECT DESCRIPTION



Source: City of San Leandro, 2014; Alameda County, 2013; PlaceWorks, 2019.

Figure 3-1
Regional and Vicinity Map

Source: Alameda County, 2013; City of San Leandro, 2016; PlaceWorks, 2019.

Figure 3-2
Neighborhood Aerial

3.1.2 EXISTING SITE CONDITIONS

The 1.6-acre project site is currently developed with three buildings and surface parking:

- 1188 E. 14th Street contains a single-story, 18,000-square-foot (sf) structure built in 1970. The building includes an 8,000-sf underground basement. The currently vacant building is a former CVS drugstore. The building includes an associated asphalt-paved parking area.
- 1120 E. 14th Street contains an occupied, 2-story, 20,500 sf business and commercial building.
- 1124B E. 14th Street contains a single-story business building.
- Parking. There are 14 covered parking spaces on the ground floor of 1124B as well as surface parking.

The existing buildings front E. 14th Street, with parking areas located to the rear of the buildings and extending to Hyde Street, which forms the eastern boundary of the site. Surface parking comprises about 55 percent of the project site (see Figure 3-2).

3.1.3 GENERAL PLAN LAND USE AND ZONING DESIGNATION

3.1.3.1 GENERAL PLAN AND DOWNTOWN TRANSIT-ORIENTED DEVELOPMENT STRATEGY

The project site is designated Downtown Mixed Use (MUD) by the City's General Plan (see Figure 3-3). Per the General Plan, this designation allows for a range of uses that support a pedestrian-oriented street environment, including retail, offices, public and civic buildings, and upper story residential uses. The designation specifically allows for mixes of these uses within the same building.

The MUD designation is defined further in the City's Downtown Transit-Oriented Development (TOD) Strategy. That policy document designates the project site Retail Mixed-Use, which allows for retail, residential and office uses. Ground floor retail is required in this land use designation. Further discussion of allowable standards and regulations are discussed under Section 3.4.6, below, and in the Land Use and Planning section of Chapter 4, Infill Checklist.

3.1.3.2 ZONING

The project site is zoned DA-1(S) Downtown Area 1 Special Review Overlay District in the City's Zoning Code (see Figure 3-4). This DA-1 District is intended to "implement specific provisions of the Downtown San Leandro TOD Strategy for the Downtown retail core area centered on E. 14th Street between Davis Street and Castro Street."[1] Ground floor retail is required on parcels fronting on E. 14th Street and Washington Avenue north of Parrott Street, and residential mixed-use development is allowed. The Special Review overlay is intended to provide for discretionary review of development within a specific geographical area.

[1] City of San Leandro, San Leandro Zoning Code, Title 2.

Further discussion of allowable standards and regulations are discussed under Section 3.4.6, below, and in the Land Use and Planning section of Chapter 4, Infill Checklist.

3.2 PROPOSED PROJECT

3.2.1 DEMOLITION

The proposed project would demolish all existing structures and surface parking at the site. The process would include the demolition and removal of approximately 31,000 square feet of building area and 8,000 square feet basement beneath the 1188 E. 14th Street structure. The demolition process would require abandoning and removing storm drain lines, relocating electrical boxes and conduits, and relocating streetlights.

3.2.2 PROPOSED DEVELOPMENT

The proposed project is a five-floor mixed-use residential and retail building. As evident in Figures 3-5 through 3-9, the project would consist of three floors of apartments, including 191 market-rate units and five inclusionary (affordable) units, over a 286-space parking garage that forms the entire second level and a portion of the ground floor level. The remainder of the ground floor level would contain a grocery store and three smaller retail spaces. As shown in Figure 3-9, the upper three residential floors would be designed to surround a central podium courtyard on the roof of the second floor.

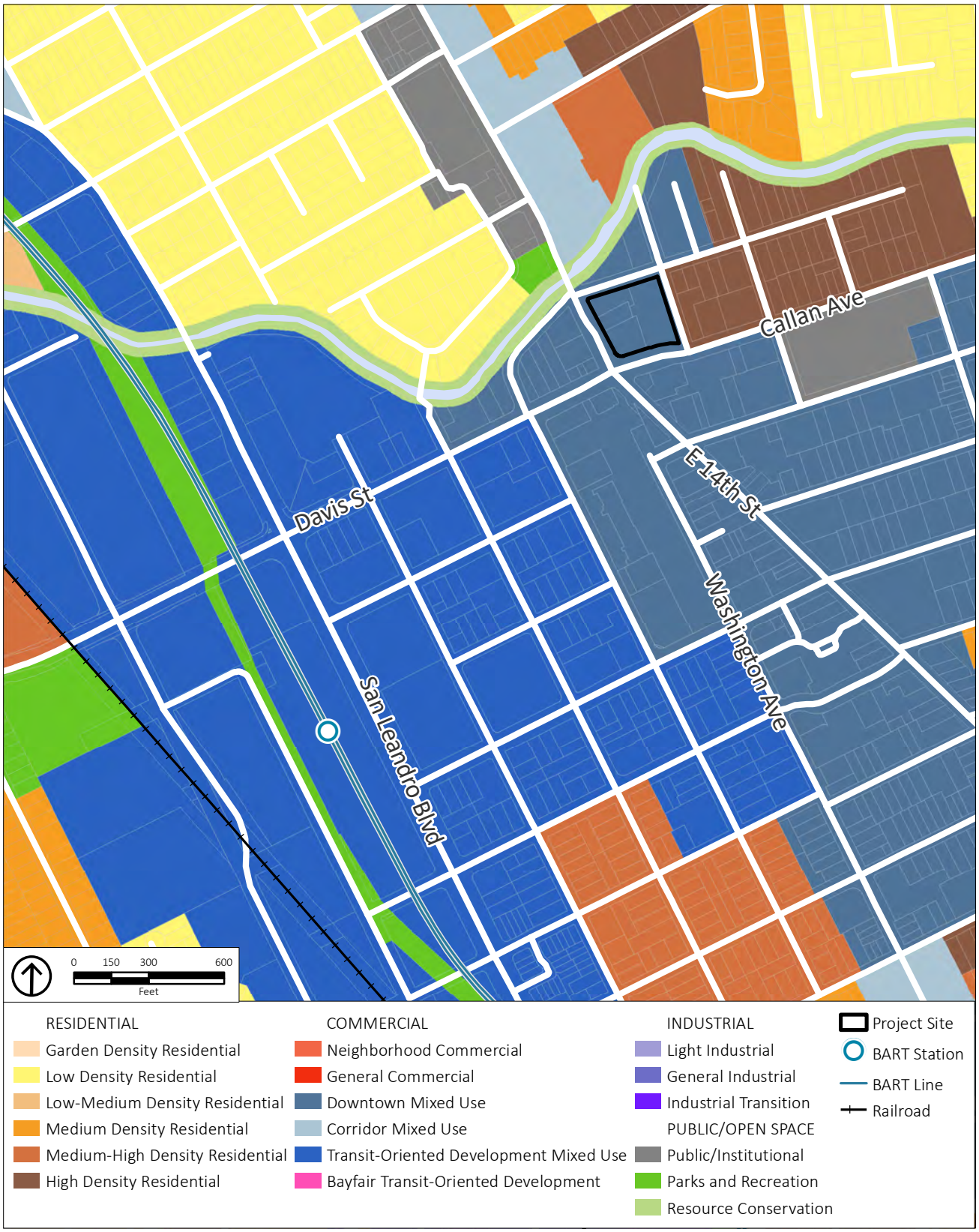
The building would be just under 65 feet tall at the roof line, with a parapet reaching 75.5 feet tall.

The development would have a total built area of 286,204 gross square feet. The distribution of this space is summarized in Table 3-1 below.

TABLE 3-1 PROPOSED GROSS FLOOR AREA BY USE

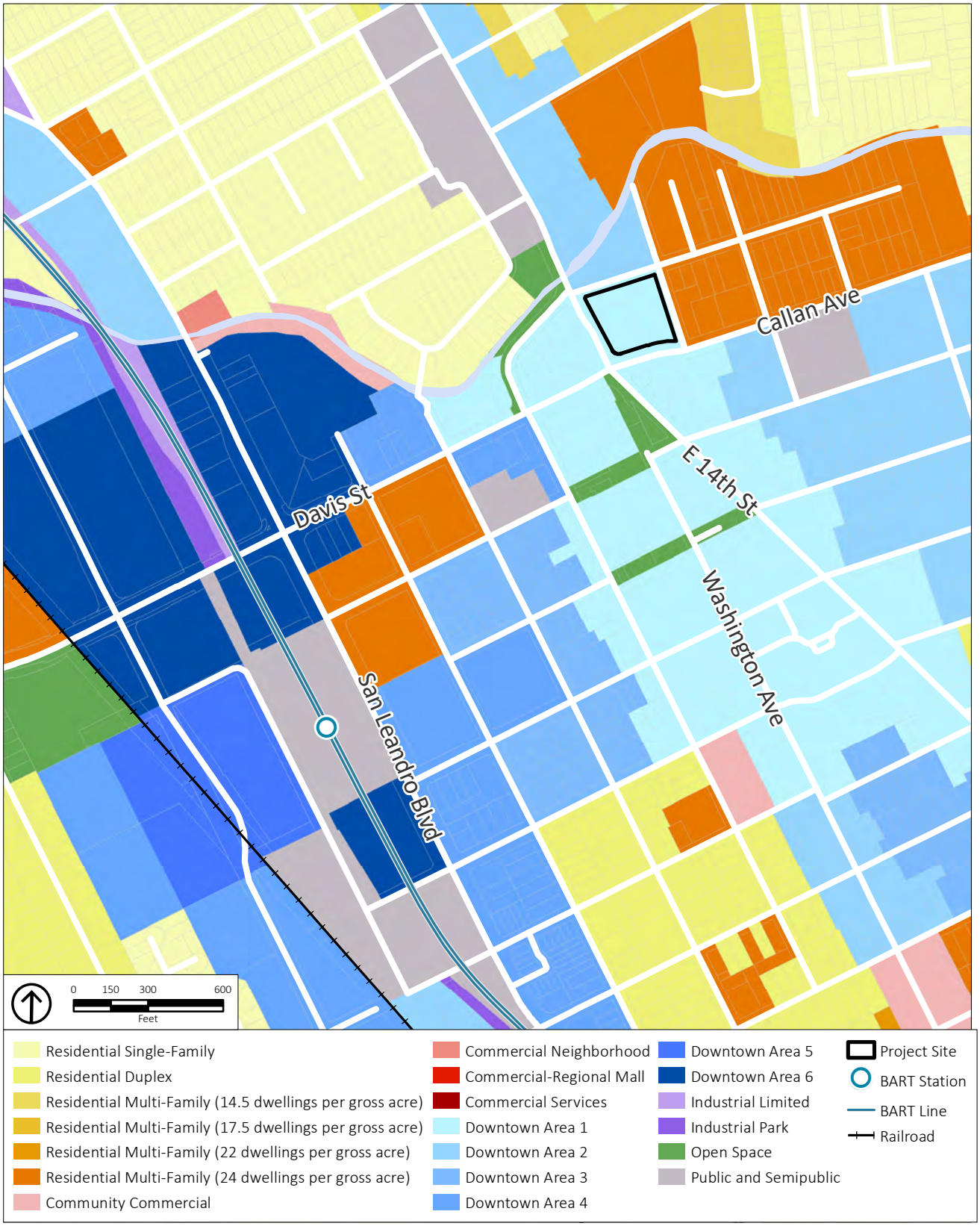
Building Level	Use	Square Feet
1	Grocery	23,189
1	Non-Grocery Retail	5,660
3,4,5	Residential	127,743
1,2	Parking/Garage	86,439
1,2	Bicycle Parking	818
All	Utilities	5,977
1,3,4	Amenities	5,893
All	Circulation/Miscellaneous	30,485
All	**Total**	**286,204**

Source: BDE Architecture, 2020.



Source: Alameda County, 2013; City of San Leandro, 2016; PlaceWorks, 2019.

Figure 3-3
General Plan Land Use



Source: Alameda County, 2013; City of San Leandro, 2016; PlaceWorks, 2019.

Figure 3-4
Zoning

The proposed project would include a series of open spaces not included in Table 3-1, above. These are summarized in Table 3-2, below.

TABLE 3-2 PROPOSED OPEN SPACE GROSS FLOOR AREA

Building Level	Area	Square Feet
3	Podium Courtyard	13,847
2	Dog Area	1,197
3,4,5	Private Balconies & Roof Deck	4,897
1,3,4,5	**Total**	**19,941**

Source: BDE Architecture, 2020.

Level One Plan

As shown in Figure 3-7, level one of the building would include a 23,189-SF grocery store space and three retail spaces totaling 5,660 SF. The first level of the garage, with 70 parking spaces for retail and grocery visitors, (see Section 3.2.3.2), would also be located on level one, as well as trash storage/pick-up areas and building office spaces. Level one would also include a leasing office, residential lobby, and mail and package room.

Level Two Plan

As shown in Figure 3-8, level two of the development would be comprised of the upper level of the parking garage. This garage level would contain 216 spaces dedicated to building residents and overflow parking (see Section 3.2.3.3). Level two would also contain a 1,197-sf dog run area to serve residents.

Level Three Plan

Level three would be the first level dedicated to residential units. The landscaped outdoor common courtyard on the roof of level two would be located here, accessible via communal internal hallways (see Figure 3-9). Level three would include 64 units ranging from studios to three-bedroom units. A common, 1,207-sf fitness/yoga center and 1,691-sf clubhouse would also be located on level three.

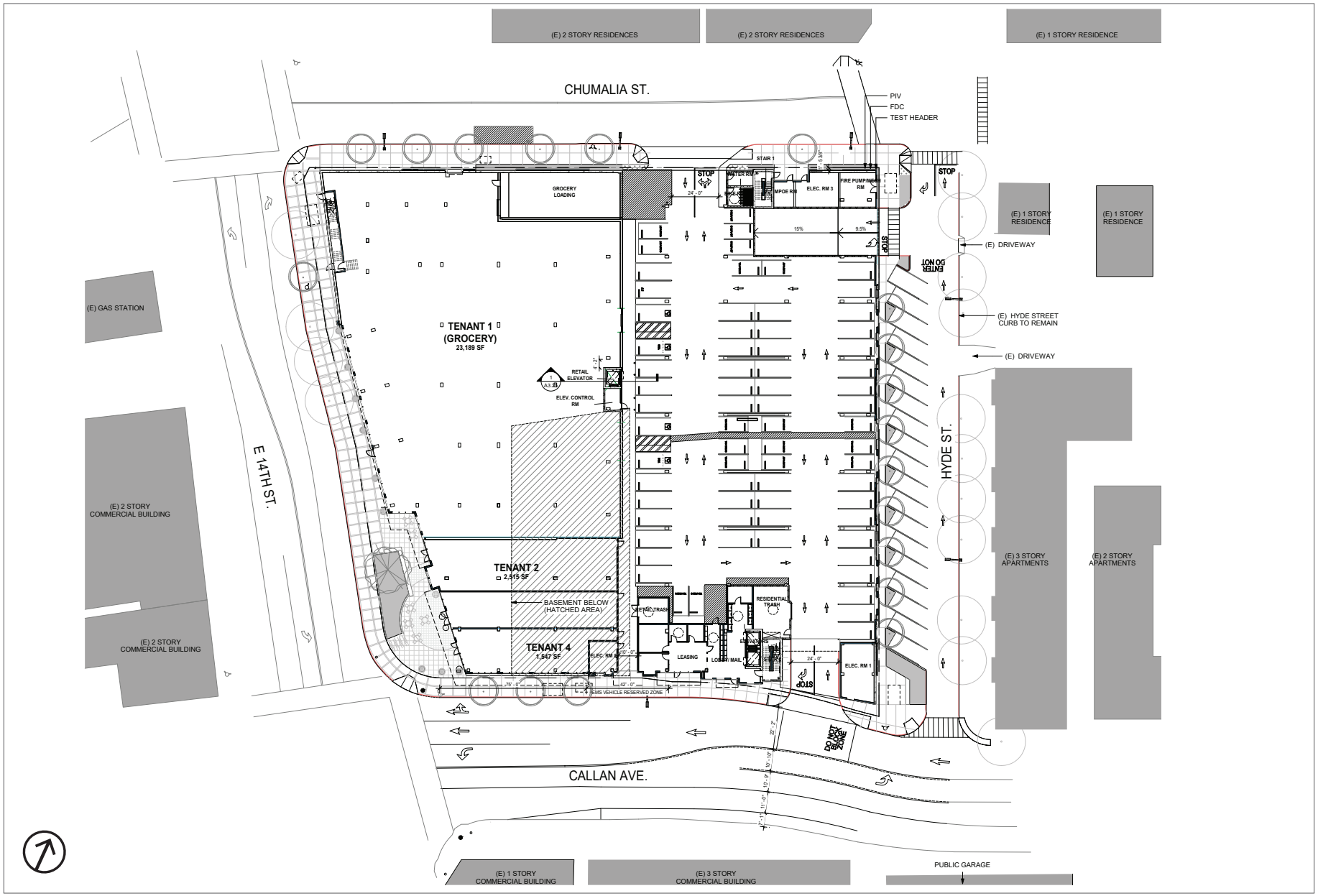
Level Four Plan

Level four would be dedicated to residential space, as shown in Figure 3-10. It would include 66 units ranging from studios to three-bedrooms.

Level Five Plan

Level five would also be dedicated to residential space, as shown in Figure 3-11. It would include 66 units ranging from studios to three-bedroom units. Level five would also include a trash area and access to the roof deck.

PROJECT DESCRIPTION



Source: BDE Architecture, 2020.

Figure 3-5
Proposed Site Plan

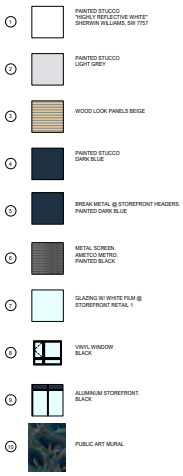
PROJECT DESCRIPTION

Callan Street Elevation

14th Street Elevation

Chumalia Street Elevation

Hyde Elevation



Source: BDE Architecture, 2020.

11 METAL RAILING (AMETCO). PAINTED BLACK
12 GLASS RAILING. PAINTED BLACK
13 AREAS RESERVED FOR SIGNAGE, SEE A0.6
14 METAL SAFETY RAILING. PAINTED BLACK

Figure 3-6
Proposed Building Elevations

PROJECT DESCRIPTION

PARKING COUNT

OFF-STREET PARKING LEVEL 1

STANDARD	47
STANDARD EV	1
STACK	0
COMPACT	18
ADA STANDARD	1
ADA VAN	1
ADA EV (VAN + STANDARD)	2
CLEAN AIR/VANPOOL	0
TOTAL LEVEL 1 PARKING	70

HYDE STREET PARKING

STANDARD	19

SHEET NOTES

NOTE: NOT ALL NOTES ARE USED ON EVERY SHEET.

1. (E) PROPERTY LINE
2. PROPERTY LINE
3. (E) STREET LIGHT
4. (E) DRIVEWAY
5. (E) FIRE HYDRANT
6. (N) FIRE HYDRANT
7. (N) TREE, S.L.D.
8. (N) PUBLIC LANDSCAPING, S.L.D.
9. ELEVATOR OVERRUN
10. STAIR TO ROOF
11. FREIGHT ELEVATOR
12. LOADING ZONE
13. RAMP TO 2ND LEVEL PARKING
14. OPENING IN WALL
15. RELOCATED PARKING SPACES ON HYDE ST, S.C.D.
16. VEHICULAR DRIVEWAY
17. WATER FEATURE
18. PUBLIC SEATING AREA
19. DOG WASH
20. PUBLIC SHORT-TERM BIKE PARKING SPACES (8 SPACES)
21. CANOPY
22. 200 MAILBOXES (15/SQUARE)
23. TRASH CHUTES
24. (E) UNDERGROUND COMMERCIAL DISTRIBUTION (UCD)
25. MECHANICAL SYSTEM FOR GARAGE VENTILATION
26. STROBE LIGHT EXIT NOTIFICATION
27. GATE FOR PRIVATE RESIDENTIAL PARKING
28. PRIVATE BALCONY
29. COMMON OUTDOOR SPACE, S.L.D.
30. FIRE LADDER PADS. S.L.D
31. PEDESTRIAN PATH
32. RAMP ABOVE
33. ORGANICS COLLECTION
34. MOTORCYCLE PARKING
35. AFFORDABLE UNIT
36. GARAGE GATE/FENCE
37. LUXOR PACKAGE
38. (N) UNDERGROUND COMMERCIAL DISTRIBUTION (UCD)
39. ROOF DRAIN
40. ROOF TOP MECHANICAL EQUIPMENT
41. TENANT 1 CONDENSOR
42. EXISTING TREE, S.L.D.
43. (E) STREET PARKING
44. STANDPIPE

FLOOR PLAN COLOR LEGEND

- AMENITY
- PARKING
- RETAIL
- STORAGE
- TENANT 1
- UTILITY
- VERTICAL CIRCULATION

Source: BDE Architecture, 2020.

Figure 3-7
Proposed Level 1 Floor Plan

PROJECT DESCRIPTION

PUZZLE STACKER ELEVATIONS 1 2
1/8" = 1'-0"

PARKING COUNT

PARKING LEVEL 2	
STANDARD	55
STANDARD EV	21
STACK	108
COMPACT	18
ADA STANDARD	6
ADA VAN	1
ADA EV (VAN / STANDARD)	1
CLEAN AIR/VANPOOL	6
TOTAL LEVEL 2 PARKING	216

SHEET NOTES

NOTE: NOT ALL NOTES ARE USED ON EVERY SHEET.

1. (E) PROPERTY LINE
2. PROPERTY LINE
3. (E) STREET LIGHT
4. (E) DRIVEWAY
5. (E) FIRE HYDRANT
6. (N) FIRE HYDRANT
7. (N) TREE, S.L.D.
8. (N) PUBLIC LANDSCAPING, S.L.D.
9. ELEVATOR OVERRUN
10. STAIR TO ROOF
11. FREIGHT ELEVATOR
12. LOADING ZONE
13. RAMP TO 2ND LEVEL PARKING
14. OPENING IN WALL
15. RELOCATED PARKING SPACES ON HYDE ST, S.C.D.
16. VEHICULAR DRIVEWAY
17. WATER FEATURE
18. PUBLIC SEATING AREA
19. DOG WASH
20. PUBLIC SHORT-TERM BIKE PARKING SPACES (8 SPACES)
21. CANOPY
22. 200 MAILBOXES (1/SQUARE)
23. TRASH CHUTES
24. (E) UNDERGROUND COMMERCIAL DISTRIBUTION (UCD)
25. MECHANICAL SYSTEM FOR GARAGE VENTILATION
26. STROBE LIGHT EXIT NOTIFICATION
27. GATE FOR PRIVATE RESIDENTIAL PARKING
28. PRIVATE BALCONY
29. COMMON OUTDOOR SPACE, S.L.D.
30. FIRE LADDER PADS. S.L.D
31. PEDESTRIAN PATH
32. RAMP ABOVE
33. ORGANICS COLLECTION
34. MOTORCYCLE PARKING
35. AFFORDABLE UNIT
36. GARAGE GATE/FENCE
37. LUXOR PACKAGE
38. (N) UNDERGROUND COMMERCIAL DISTRIBUTION (UCD)
39. ROOF DRAIN
40. ROOF TOP MECHANICAL EQUIPMENT
41. TENANT 1 CONDENSOR
42. EXISTING TREE, S.L.D.
43. (E) STREET PARKING
44. STANDPIPE

Source: BDE Architecture, 2020.

Figure 3-8
Proposed Level 2 Floor Plan

PROJECT DESCRIPTION

Source: BDE Architecture, 2020.

Figure 3-9
Proposed Level 3 Floor Plan

PROJECT DESCRIPTION

Source: BDE Architecture, 2020.

Figure 3-10
Proposed Level 4 Floor Plan

PROJECT DESCRIPTION

Source: BDE Architecture, 2020.

Figure 3-11
Proposed Level 5 Floor Plan

Residential Unit Mix

Most units in the proposed project would be studios or 1-bedroom apartments. As summarized in Table 3-3, larger apartments (2- and 3- bedroom units) would make 21 percent of total units.

TABLE 3-3 RESIDENTIAL UNIT MIX

Unit Type	Unit Count	Percent Total
Studio	60	31%
1 Bedroom	94	48%
2 Bedrooms	35	18%
3 Bedrooms	7	3%
Total	196	100%

Source: BDE Architecture, 2020.

3.2.3 CIRCULATION AND PARKING

3.2.3.1 PEDESTRIAN CIRCULATION

Primary pedestrian entrance to the residential portion of the project would be located off Callan Avenue, just west of Hyde Street. A residential lobby with stair and elevator access to levels two through six would be located here.

The public entrance to the grocery store would be located off E. 14th Street just south of Chumalia Street. The public entrances to the three retail spaces would be off E. 14th Street, at the corner of Callan Avenue. Secondary pedestrian entrances for retail use would be provided along a pedestrian corridor within the ground level parking garage.

3.2.3.2 VEHICULAR CIRCULATION

Proposed vehicle access is illustrated in Figure 3-12. Access to and egress from the garage would be provided via three driveways: Off Hyde Street just south of Chumalia Street; off Chumalia Street mid-block between Hyde Street and E. 14th Street; and off Callan Avenue just west of Hyde Street.

Fire Access

The proposed project would include three, 26’ x 42’ fire access zones fronting project stairwells: Mid-block on Callan Avenue; on Chumalia Street immediately west of Hyde Street; and on E. 14th Street immediately south of Chumalia Street. Fire trucks could access the site via two movements, with those on one-way, northbound Hyde Street able to turn left onto east-west Chumalia Street, which has one lane in each direction. Trucks could also make left turns from Chumalia Street onto northbound Hyde Street.

Grocery Loading

An interior freight loading zone for the grocery store would be provided on the ground floor, accessible via the 39-foot 4-inch-wide driveway from Chumalia Street. Delivery trucks would gain entry to the grocery loading dock from eastbound Chumalia Street. Trucks would pull forward past the Chumalia Street garage driveway, and then back into the driveway from Chumalia Street at a near parallel angle, allowing trucks to back into the loading dock located just west of the driveway (see Figure 3-12). Trucks would exit the loading area forward on eastbound Chumalia Street.

Vendor Trucks

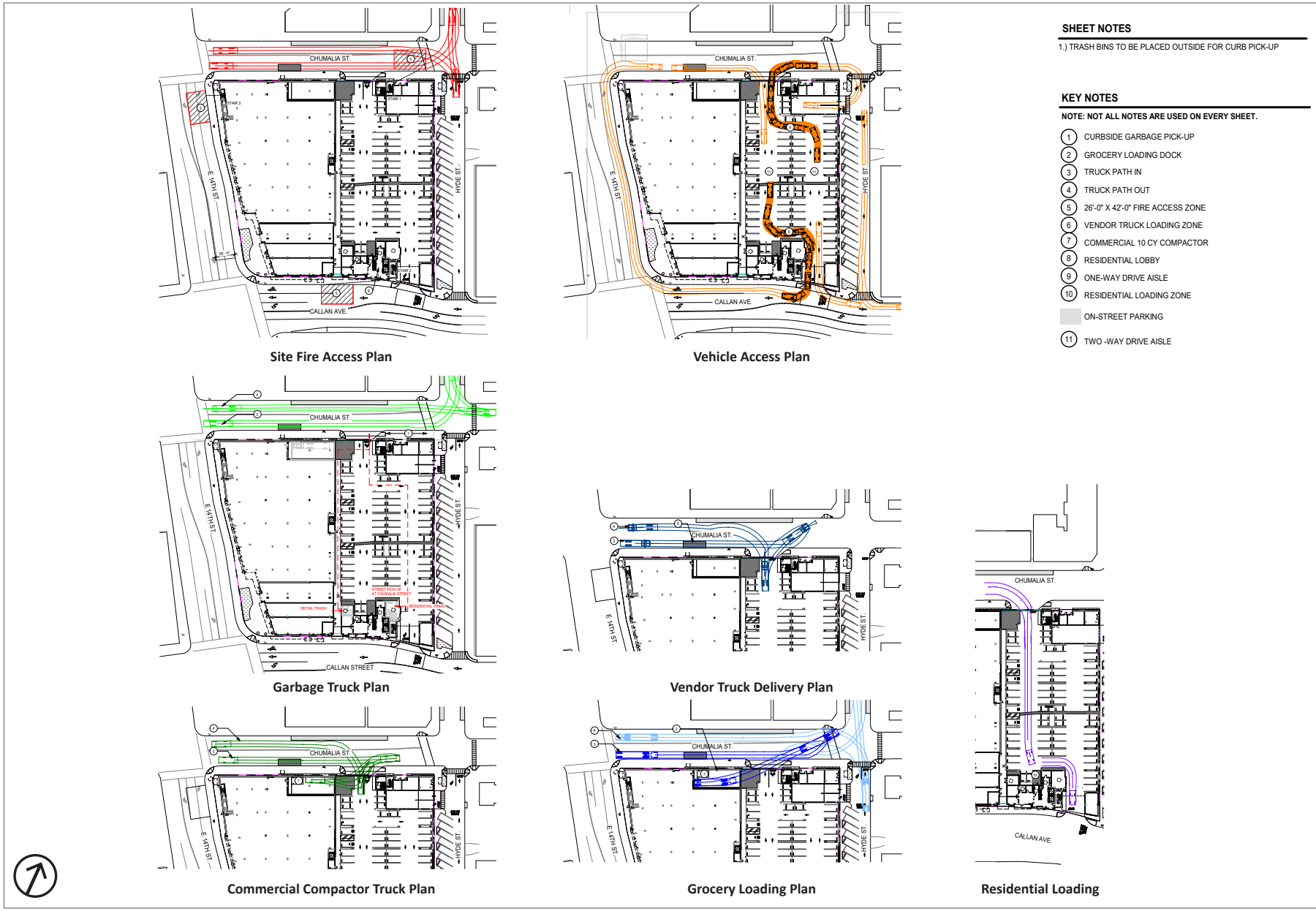
Vendor trucks would also enter the garage from the Chumalia Street driveway from eastbound Chumalia Street. Vendor trucks would pull forward past the Chumalia Street garage driveway, and then back straight into the driveway from Chumalia Street. Trucks would exit the garage forward onto Chumalia Street.

Passenger Vehicles

Passenger vehicles would enter and exit the ground-level parking garage from the proposed Callan Avenue and Chumalia Street driveways, both of which would be two-way access points. The Callan Avenue garage entrance would be paired with a restriping of the westbound left-turn lane at the intersection of Callan Avenue and Hyde Street into a shared double left-turn lane, to provide queuing space for vehicles making left-turns into the Callan Avenue driveway and a refuge area for vehicles making left turns out of the Callan Avenue driveway forced to cross westbound traffic to merge with eastbound traffic.

The second level of the parking garage would be accessible via a 24-foot-wide ramp from the Hyde Street driveway. Hyde Street between Chumalia Street and the project driveway would be converted to a two-way right-of-way, permitting vehicles on Chumalia Street to turn onto Hyde Street and access the second level of the parking garage (see Figure 3-12).

PROJECT DESCRIPTION



Source: BDE Architecture, 2020.

Figure 3-12
Proposed Vehicle Access Plan

3.2.3.3 PARKING

Retail

The project would include 70 parking spaces for retail and grocery uses on the ground floor of the parking garage (see Figure 3-7). These would include the following mix:

- 47 standard spaces
- 1 standard electric vehicle (EV) space
- 18 compact spaces
- 1 standard ADA-accessible space
- 1 ADA-accessible van space
- 2 ADA-accessible EV space

Residential

Level two of the proposed parking garage would include 216 parking spaces for residents, guests, and employees (see Figure 3-8). These would include the following mix:

- 108 standard spaces in vertical stackers
- 55 standard spaces
- 18 compact parking spaces
- 21 standard EV spaces
- 6 standard ADA-accessible spaces
- 1 ADA-accessible van space
- 6 clean air/vanpool spaces

Seventy-one of the residential spaces would be designated as daytime overflow spaces. These would be available to retail users between the hours of 10:00 a.m. and 6:00 p.m., 5 to 6 days per week. All spaces in vertical stackers would be restricted to residents.

Bicycle

The proposed project would provide 76 long-term bicycle parking spaces for residents in a storage area located in the level two parking garage. The project would include eight, short-term parking spaces for commercial use on the sidewalk at the project frontages along E. 14th Street and Callan Avenue.

3.2.4 OPEN SPACE AND LANDSCAPING

As shown in Table 3-2, the proposed project would include nearly 20,000-SF of resident open spaces. The quantity of open space increases with public landscaped areas. The project landscape plan is shown in Figure 3-13 and detailed below.

Level One

A small landscaped public plaza would be located at the corner of E. 14th Street and Callan Avenue, associated with the entrance to the retail spaces. The plaza would be surfaced with accent pavers and

planter pots. It would contain a raised concrete planter planted with various shrubs and designed as a seating feature. On the segment of E. 14th Street to Chumalia Street, four existing street trees would remain alongside one new street tree and accent planter pots along the project frontage.

The Chumalia Street frontage would be landscaped with six new, in-box street trees such as *Arbutus 'Marjna.'* There would be three sections of on-grade plantings immediately adjacent the proposed building. These plantings would be composed of various shrubs, grasses and perennials.

Nine new parking island *Ginko biloba* trees would be planted along the Hyde Street segment of the project frontage, associated with the diagonal pull-in parking spaces that line the segment.

A small public parklet would be built on the corner of Hyde Street and Callan Avenue. This feature would include an 18-inch concrete wall planter and seating element. It would be planted with various shrubs, grasses and perennials.

A 1,197-SF dog run area for residents would also be located on the southeast corner of level two. This feature would have an area of artificial turf and various seating options, as well as a decorative paved area with a dog wash station and various amenities.

Level 3

The project would include a private, 13,847-SF podium courtyard located on the roof of the level two, accessible from the level three. The courtyard would have a central area with various seating, recreation and relaxation features, including an outdoor lounge and yoga area. Th central area would be planted with small trees such as *Dicksonia antarctica*. The courtyard would be surfaced by wood decking, artificial turf and pedestal pavers. The central area would be surrounded by a raised planter with edge seating and planted with a combination of sun, shade and sun/shade shrubs.

Level 5

The proposed project would include a rooftop deck. One section of the deck would include pavers on pedestals and lounge seating. Another area would contain artificial turf and open seating. A third area would include wood decking on pedestals beneath a trellis, with bar/counting seating; a fourth area would contain open seating. Accent planter pots would be located throughout the deck.

All landscaped areas would be irrigated with low volume drip or sub-surface systems. Trees to be irrigated with root bubbler systems for the purpose of occasional supplemental deep watering. No-mow lawn will be irrigated with spray. Control of irrigation system to be 'smart' irrigation controller, capable of daily self-adjustment of schedules based on real-time information from an on-site weather sensor. Specified irrigation equipment will be commercial grade, chosen for durability and ease of maintenance.

Source: BDE Architecture, 2020.

Figure 3-13
Illustrative Landscape Plan

3.2.5 LIGHTING

Three existing streetlights and their foundations on Chumalia Street would be removed as part of the project. A series of wall-mounted sconce lights at ground floor exteriors along E. 14th Street, Chumalia Street and Hyde Street would be installed. Surface-mounted downlights at ground floor exteriors along E. 14th Street and Callan Avenue would be installed. In addition, soffit-mounted, recessed downlights along Chumalia Street, Callan Avenue and Hyde Street would be installed. Bay LED downlights would be installed in the parking garage.

All proposed lighting and signage would be consistent with City of San Leandro regulations.

3.2.6 UTILITIES, SERVICE CONNECTIONS AND STORMWATER

The project would include new sanitary sewer, water, and stormwater infrastructure. The utilities plan is illustrated on Figure 3-16. The primary components of the plan are described below. Further discussion of utilities is included in relevant sections of the infill checklist.

Sanitary Sewer

The proposed project would include construction of a new 8-inch sanitary sewer line extending north from the project to connect with existing infrastructure beneath Chumalia Street. An additional 8-inch line would connect the development to existing sanitary sewer infrastructure along E. 14 Street, just north of Callan Avenue.

Water

The proposed project would include a six-inch connection to existing water mains at multiple locations along Chumalia Street just west of Hyde Street; at one location along E. 14th Street; and at the corner of Hyde Street and Callan Avenue. A new fire service line and fire hydrant would be installed near the grocery store entrance on E. 14th Street.

Stormwater

An existing storm drain running generally north-south through the project site would be demolished and replaced by a new 12-inch line running beneath Hyde Street. New storm drains would connect to existing stormwater infrastructure at Callan and E. 14th Street. The project would also connect to an existing storm drain at corner of Callan Avenue and Hyde Street. Storm drain cleanouts would also be installed. Finally, a new stormwater media filter would be installed at the corner of Hyde Street and Callan Avenue.

Stormwater Management

Currently, 69,494 SF of the 71,609-SF (1.6-acre) site is impervious. The project would reduce this total to 69,228 SF. As described further in Section 4.8, Provision C.3 of the Municipal Regional Stormwater Permit (MRP) allows certain types of smart growth, high density, and transit-oriented projects to use alternative means of stormwater treatment in their required Stormwater Control Plans (SCP). This includes treatment

strategies other than typically required Low Impact Development (LID) treatment strategies such as infiltration and biotreatment.

The project meets the requirements for Special Project Category B (High Density) due its location in a Central Busines District, the fact that it replaces between 0.5 and 2 acres of impervious surface, does not include surface parking, includes at least 85% coverage by permanent structures, and has a density of greater than 50 DU/acre. Special Project Category B projects receive 100 percent credit for Low Impact Development (LID) drainage features.

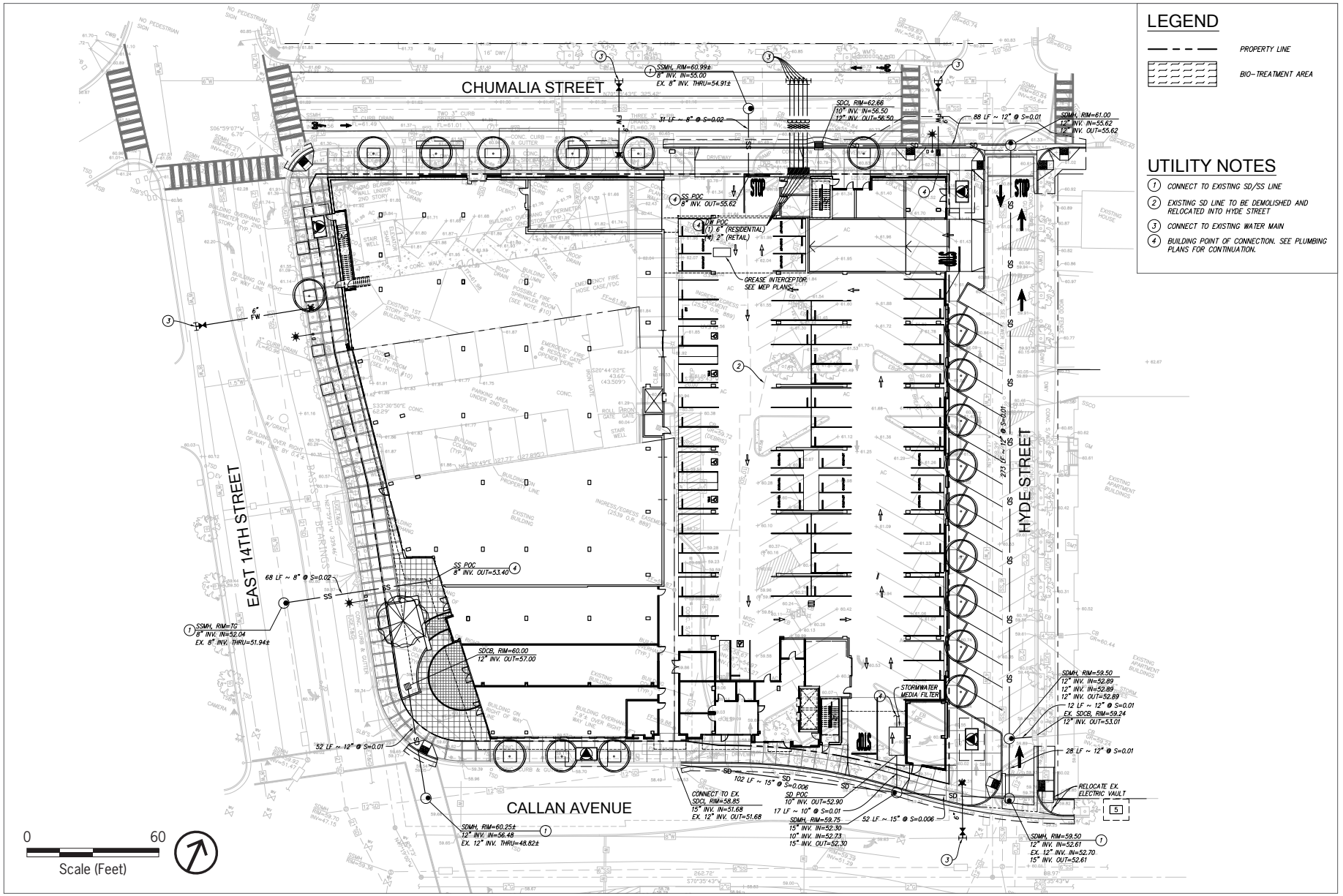
The proposed project's Stormwater Management Plan would include the following features to regulate stormwater runoff:

1. Self-Retaining Areas. The project would include a pair of self-retaining runoff treatment areas, consisting of 706 SF of impervious surface at the corner of E. 14th and Callan, designed to drain runoff to an adjacent, 535-SF self-retaining drainage treatment area.
2. Pervious areas. The project would include 2,381-sf of pervious area, most associated with ground-level landscaping at the corner of Hyde Street and Callan Avenue, and landscaping on the rooftop courtyard (see Section 3.2.4, above).
3. Drainage Management Area (DMA). The project would include a single, 67,615-SF DMA encompassing nearly all the impervious project surface, with a drainage area of 65,900 SF. Run-off from the DMA would be directed to a 6-foot wide, below-grade concrete vault containing a non-LID media filter. The filter would contain 10 replaceable cartridges with a total flow rate of 120 gallons per minute (GPW).

Utilities Services

Community choice aggregate East Bay Community Energy (EBCE) would provide electric and natural gas services to the site. Alameda County Industries (ACI) would provide refuse services. The City of San Leandro would be responsible for wastewater collection, treatment, and disposal. The East Bay Municipal Utility District (EBMUD) would supply water to the site. The storm drain system for the project site would be maintained by the City of San Leandro Public Works Department. Police services would be provided by the San Leandro Police Department, and fire protection would be provided by the Alameda County Fire Department.

PROJECT DESCRIPTION



Source: BDE Architecture, 2020.

Figure 3-14
Proposed Utilities Plan

3.3 REQUIRED PERMITS AND APPROVALS

The City of San Leandro Planning Commission is required to approve the Environmental Checklist for the Project to proceed. The City would also be responsible for issuing demolition, grading, building, and occupancy permits.

Other discretionary approvals required for the proposed Project would include approval of the proposed Project's Stormwater Quality Management Plan by the San Francisco Bay Regional Water Quality Control Board (RWQCB).

3.4 RELATIONSHIP OF PROJECT TO OTHER PLANS AND DOCUMENTS

3.4.1 CITY OF SAN LEANDRO GENERAL PLAN

The project would be located entirely in San Leandro. The City's 2035 General Plan is the fundamental document governing land use development. The General Plan includes numerous goals and policies pertaining to land use; transportation; economic development; open space, conservation, and parks; environmental hazards; historic preservation and community design; community services and facilities; and housing. The project would be required to support all applicable goals and policies in the adopted General Plan.

3.4.2 2035 SAN LEANDRO GENERAL PLAN EIR

The 2035 General Plan incorporates and implements the TOD Strategy (see below), and the Environmental Impact Report (EIR) evaluates environmental impacts, references uniformly applicable development policies, and relies on policies and mitigation measures to reduce environmental effects. The City's General Plan Update EIR was certified on September 19, 2016. This California Environmental Quality Act (CEQA) Infill Checklist tiers off the 2016 General Plan Update EIR to determine whether the project's impacts were analyzed in a prior EIR or would be substantially mitigated by the City's uniformly applicable development policies. Pursuant to Public Resources Code Section 21094.5, impacts that are addressed in a prior EIR or substantially mitigated by uniformly applicable development policies are exempt under CEQA and do not require further environmental analysis.

3.4.3 DOWNTOWN SAN LEANDRO TOD STRATEGY

The project would be developed in compliance with the City's Downtown San Leandro TOD Strategy. The strategy was adopted in 2007 to establish a land use framework, a comprehensive circulation system, design and development guidelines, and a series of implementation actions to guide new development in a 502-acre area of downtown San Leandro. The strategy's two guiding goals are to increase transit ridership and to enhance downtown San Leandro as a vibrant, pedestrian-oriented destination with a strong sense of place and civic identity.

3.4.4 DOWNTOWN SAN LEANDRO TOD STRATEGY EIR

The City of San Leandro certified the Downtown San Leandro TOD Strategy Final EIR on June 5, 2007. The EIR is a program-level document, as defined by CEQA Guidelines Section 15168. Under the program EIR approach, future projects or phases may require additional, project-specific environmental analysis. This CEQA Infill Checklist incorporates information and uniformly applicable development policies from the Downtown San Leandro TOD Strategy and EIR.

3.4.5 CITY OF SAN LEANDRO MUNICIPAL CODE

The project site is zoned Downtown Area 1, Special Review Overlay District (DA-1S). Pursuant to the San Leandro Zoning Code, the Zoning Enforcement Official must review development plans in Downtown Area zones for general consistency with the Design Guidelines for the Downtown San Leandro TOD Strategy that relate to design features. In addition, the Special Review Overlay provides for discretionary review of development proposals in certain areas to ensure an orderly transition from prior uses to new activities that are compatible with adjacent uses and will prevent development that may be detrimental to the community.

3.4.6 CONSISTENCY WITH LAND USE STANDARDS

The proposed project would have a density of 123 units/acre and floor area ratio (FAR) of 3.17. As shown in Table 3-4, the project would be in conformance with the zoning and General Plan regulations including density, building intensity and policies, applicable to the site.

TABLE 3-4 ZONING AND GENERAL PLAN CONSISTENCY

	Existing Regulations	Proposed Project	Consistent
General Plan Designation	Downtown Mixed Use	Residential/Retail Mixed Use	Yes
Zoning	DA-1(S)	Ground floor retail fronting E. 14th Street with residential above; 196 units	Yes
Lot Coverage	Up to 100% coverage permitted	92%	Yes
Open Space	60 SF/DU (196 units x 60 = 11,760 SF)	19,941 SF	Yes
Height	75 feet maximum, subject to Conditional Use Permit	64'-8"	Yes
Density	100 units / acre = 164 + 20% bonus for avg. unit size of <750 sf = 33. Total = 197	196 units	Yes
Floor Area Ratio (FAR)	3.5	2.79	Yes
Residential Parking	1.5 spaces / unit 1.5 x 196 units = 294 spaces	216 upper floor	No[1]
Commercial Parking	2 spaces / 1,000 sf 23,189 SF/500 = 46 spaces	70 ground floor + 71 shared daytime overflow spaces	Yes
Ground Floor Retail	Required on parcels fronting on E. 14th Street	Provided	Yes
Views into Buildings	On commercial ground floors not less than fifty percent (50%) clear or tinted glass windows facing street	Provided	Yes

Source: BDE Architecture, 2020
Notes:
1. Per CEQA Guidelines Section 21099 (d)(1) *the aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.*

3.5 CONSTRUCTION AND PROJECT PHASING

The project would be developed in demolition, site preparation and construction phases with a total duration of 20 months, estimated to begin on July 1, 2021 and end in March 2023. Consistent with the City's Noise Ordinance, construction would generally occur Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m. and on Saturdays and Sundays between 8:00 a.m. and 7:00 p.m.

Construction activities would consist of demolishing the existing buildings, preparing the site (including grading), removing existing paved areas, and constructing the new building. Estimated demolition quantities include 31,155 square feet of building material and 8,000 square feet of basement. Construction would require approximately 3,733 cubic yards of soil and 3,556 cubic yards of fill, for a net soils export of 177 cubic yards.

Construction would also involve the use of heavy equipment such as bulldozers, scrapers, backhoes, excavators, loaders, compactors, rollers, and a paving machine.

4. Infill Checklist

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.1 Agriculture and Forestry Resources. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts on forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☒	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☒	☐
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☒	☐
d) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined in Public Resources Code Section 51104(g))?	☐	☐	☒	☒	☐
e) Result in the loss of forestland or conversion of forestland to non-forest use?	☐	☐	☒	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a, b, c)

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

As stated in the 2035 General Plan EIR (Section 4, page 4-1) (San Leandro 2016b), because of the past and current uses, there would be no environmental impacts associated with agricultural and forestry resources.

A TOD Strategy Initial Study and EIR scoping meeting was conducted on May 25, 2006. At that meeting, the City determined that the TOD Strategy would have no impact on agricultural resources and this resource was not analyzed further in the TOD Strategy EIR.

New Information and Specific Effects of the Project

The Callan & E. 14th Street site is a previously disturbed urban infill site. The area is zoned and designated for transit-oriented mixed-use development. As described in Section 3.0, Project Description, the project site is currently developed with three existing structures, including a former CVS drug store and a split two-story commercial office and retail building, as well as an associated surface parking lot.

According to the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (2020), the project site is designated as Urban and Built-Up Land and is not under Williamson Act contract (DOC 2020).[1] Therefore, the project would not involve any changes in the existing environment that could result in conversion of farmland to nonagricultural use. There would be no impact on prime, Williamson Act-contracted or other important farmland. This resource was adequately addressed in the prior EIR. The effect of the project would not be more significant than described in the prior EIR.

Criterion d, e)

Analysis in the 2035 General Plan EIR

As stated in the 2035 General Plan EIR (Section 4, page 4-1) (San Leandro 2016b), because of the past and current uses, there would be no environmental impacts associated with forestry resources.

New Information and Specific Effects of the Project

The project site is an urban infill site surrounded by urban land uses. It contains no forestland. The project would have no impact regarding loss of on forest or timber resources and was adequately addressed in the prior EIR. The effect of the project would not be more significant than described in the prior EIR.

[1] California Department of Conservation, California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.2 Air Quality. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☒	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☒	☒
d) Result in other emissions (such as those leading to odors)adversely affecting a substantial number of people?	☐	☒	☐	☒	☒

The Air Quality section addresses the impacts of the proposed project on ambient air quality and the exposure of people, especially sensitive individuals, to unhealthful pollutant concentrations. A background discussion on the air quality regulatory setting, meteorological conditions, existing ambient air quality in the vicinity of the project site, and air quality modeling can be found in Appendix A. A construction Health Risk Assessment (HRA) is included in Appendix B, Health Risk Assessment.

AIR POLLUTANTS OF CONCERN

The primary air pollutants of concern for which ambient air quality standards (AAQS) have been established are ozone (O3), carbon monoxide (CO), coarse inhalable particulate matter (PM_{10}), fine inhalable particulate matter ($PM_{2.5}$), sulfur dioxide (SO2), nitrogen dioxide (NO2), and lead (Pb). Areas are classified under the federal and California Clean Air Act as either in attainment or nonattainment for each criteria pollutant based on whether the AAQS have been achieved. The San Francisco Bay Area Air Basin (SFBAAB), which is managed by the Bay Area Air Quality Management District (BAAQMD or Air District), is nonattainment area for California and National O3, California and National $PM_{2.5}$, and California PM_{10} AAQS.

To meet federal and State ambient air quality standards, BAAQMD has identified thresholds of significance for criteria pollutant emissions and criteria air pollutant precursors, including ROG, NOx, PM_{10}, and $PM_{2.5}$. Development projects below the regional significance thresholds are not expected to generate sufficient criteria pollutant emissions to violate any air quality standard, contribute substantially to an existing or

projected air quality violation, or substantially contribute to health impacts. Where available, the significance criteria established by BAAQMD may be relied upon to make the following determinations. Projects in BAAQMD's jurisdiction with construction- or operation-related emissions that exceed any of the emission thresholds are considered potentially significant by the BAAQMD.

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

The 2035 General Plan EIR (Section 4.2, pages 4.2-22 through 53) determined that impacts regarding compliance with BAAQMD's *2010 Bay Area Clean Air Plan*, the air quality management plan (AQMP) at the time of the EIR publication was considered less than significant. As noted in the 2035 General Plan EIR, BAAQMD requires a consistency evaluation of plan-level projects with current AQMP measures and an evaluation of how a plan would affect VMT per capita (page 4.2-22). As detailed below, the 2035 General Plan EIR concluded that the 2035 General Plan would support the primary goals of the AQMP, reduce VMT per population and VMT per service population, and would not disrupt or hinder implementation of the AQMP control measures.

Support for AQMP Goals

2010 Bay Area Clean Air Plan Goal: Attain Air Quality Standards

As concluded on page 4.2-23 and detailed in Table 4.2-7 of the 2035 General Plan EIR, VMT per population and VMT per service population would decrease under the 2035 General Plan. Therefore, emissions resulting from future development allowed by the 2035 General Plan would not hinder BAAQMD's ability to attain the California or National ambient air quality standards (AAQS). Moreover, future projects allowed under the 2035 General Plan would be required to comply with 2035 General Plan policies and actions, which would further reduce VMT from future projects in the city.

2010 Bay Area Clean Air Plan Goal: Reduce Population Exposure and Protect Public Health

Per the 2035 General Plan EIR, the following 2035 General Plan policies would reduce population exposure in San Leandro to the public to a *less than significant level*.

- 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:

- Requiring construction and grading practices that minimize airborne dust and particulate matter;
- Ensuring that best available control technology is used for operations that could generate air pollutants;
- Encouraging energy conservation and low-polluting energy sources;
- (Promoting landscaping and tree planting to absorb carbon monoxide and other pollutants; and
- Implementing the complementary strategies to reduce greenhouse gases identified in the Climate Action Plan.

- Policy EH-3.10: Downwind Impacts. Consider the direction of prevailing winds in the siting of facilities likely to generate smoke, dust, and odors. Ensure that such facilities are sited to minimize the impacts on downwind residential areas and other sensitive uses.
- Policy EH-5.4: Separation from Sensitive Uses. Provide adequate and safe separation between areas where hazardous materials are present and sensitive uses such as schools, residences, and public facilities. Zoning and other development regulations should include performance standards to avoid safety hazards and achieve compatibility between uses.
- Policy LU-10.1: Zoning. Use zoning district boundaries, zoning standards, and other regulatory tools to control the interface between heavier industrial uses and residential areas, and to limit the impacts of industrial activities on nearby neighborhoods.
- Policy LU-10.2: Off-Site Impacts. Consider the setting and context of each site when evaluating proposals for development in industrial areas. The potential for impacts on adjacent uses, including the potential for land use conflicts and increased parking demand and truck traffic, should be a key consideration.
- Policy LU-10.3: Buffering. When new development or adaptive reuse takes place in industrial areas, use a variety of buffering measures including land use restrictions, landscaping and screening, sound walls and insulation, and limits on hours of operations and activities to promote land use compatibility. The City's zoning regulations should continue to contain development and design standards that minimize the potential for conflicts between industrial and residential uses, and between commercial and residential uses.
- Policy LU-10.4: Industrial Sanctuary. Protect the City's major industrial areas from encroachment by uses that are potentially incompatible with existing viable industrial activities, or which may inhibit the ability of industry to operate effectively.
- Policy LU-10.6: Light Industrial and Industrial Transition Buffer Areas. Use the "Light Industrial" General Plan designation to create buffers between industrial and residential areas. Use the "Industrial Transition" General Plan designation to facilitate the transformation of specifically identified industrial areas to higher value land uses which capitalize on locational assets (such as proximity to BART or high visibility).

2010 Bay Area Clean Air Plan Goal: Reduce GHG Emissions and Protect the Climate

Per the 2035 General Plan EIR, the following 2035 General Plan policies would reduce GHG emissions to a *less than significant level*. The proposed Plan would achieve the plan-level BAAQMD efficiency target of 6.6 metric tons of GHG emissions per service population (residents plus employees) for 2020 and would also be on a trajectory to achieve the 2035 target recently identified in Executive Order B-30-15.

- 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-3.9: 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.
- Policy OSC-7.1: Recycling. Actively promote recycling, composting, and other programs that reduce the amount of solid waste requiring disposal in landfills.
- Policy OSC-7.2: 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.
- 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.
- 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.
- Policy OSC-8.1: Conservation and Energy Efficiency. Strongly advocate for increased energy conservation by San Leandro residents and businesses, and ensure that the City itself is a conservation role model.
- Policy OSC-8.2: Planning and Building Practices. Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency, and support the City's greenhouse gas reduction goals.

- Policy OSC-8.3: Weatherization and Energy Upgrades. Promote the weatherization and energy retrofitting of existing homes and businesses, including the development of solar space heating and water heating systems, and the use of energy-efficient lighting, fixtures and appliances.
- Policy OSC-8.4: Local Energy Resources. Accommodate the use of local alternative energy resources, such as solar power, wind, methane gas, and industrial waste heat (cogeneration). Ensure that alternative energy infrastructure is compatible with surrounding land uses and minimizes environmental impacts on the community.
- Policy T-1.1: Decision Making. Ensure that future land use and development decisions are in balance with the capacity of the City's transportation system and consistent with the City's goal of reducing greenhouse gas emissions.
- Policy LU-6.5: Reducing VMT Through Land Use Choices. 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).
- Policy T-1.4: Transit Oriented Development. Ensure that properties adjacent to the City's BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.
- Policy T-1.5: Land Use Strategies. Promote land use concepts that reduce the necessity of driving, encourage public transit use, and reduce trip lengths. These concepts include live-work development, mixed use development, higher densities along public transit corridors, and the provision of commercial services close to residential areas and employment centers.
- Policy T-1.6: Siting of Housing and Public Facilities. Consider access to public transportation to be a major factor in the location and siting of future housing and public facilities. Conversely, ensure that community facilities such as libraries, parks, schools, and community, civic, and recreation centers, are served by public transit.

2010 Bay Area Clean Air Plan Control Measures

As detailed in Table 4.2-6, pages 4.2-27 to 32 of the 2035 General Plan EIR, the 2035 General Plan would not hinder, or would include policies that support and comply with, *2010 Bay Area Clean Air Plan* control measures. These include control measures related to Area Sources, Mobile Sources, Transportation Sources, Land Use Sources, Energy and Climate Control and those requiring Further Study.

New Information and Specific Effects of the Project

As shown above, land use and growth assumed under the 2035 General Plan was shown to not conflict with *2010 Bay Area Clean Air Plan*, the applicable air quality plan at the time of EIR publication. *2010 Bay Area Clean Air Plan* was updated to the *Clean Air Plan 2017* in April 2017. The proposed project is consistent with the 2035 General Plan land use and zoning for the project site. It would be located on a

specific "major opportunity site"[2] identified in the General Plan 2035 as appropriate for mixed-use, multi-family residential development, and is consistent with the character and components of that presumed development.

Consistency with the applicable AQMP would be achieved if the proposed project is consistent with AAQMP goals, objectives, and assumptions to achieve the federal and State air quality standards. As noted above, BAAQMD's *2010 Bay Area Clean Air Plan* has been updated since the time of the 2035 General Plan EIR publication. BAAQMD's current *Clean Air Plan 2017*, adopted in April 2017, is the basis for the following analysis.

Per CEQA Guidelines Section 15206(b) a project is determined to be regionally significant, and thus warrant intergovernmental review by the appropriate metropolitan area council of governments, if it meets any of the following criteria:

(1) It is a proposed local General Plan for which an EIR was prepared.
(2) It has the potential to cause significant effects on the environment extending beyond the city or county of location, including:
    (A) Residential development of more than 500 units.
(3) Project requiring cancelation of over 100 acres of Williamson Act contracted land.
(4) Project that would impact sensitive areas of Lake Tahoe Basin, Santa Monica Mountains, California Coastal Zone, area within ¼ mile of a scenic river, Sacramento San Joaquin Delta, or Suisun Marsh
(5) Project which would substantially affect sensitive wildlife habitats.
(6) Project which would interfere with attainment of regional water quality standards.
(7) Project which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

The proposed, 196-unit urban infill project does not meet any of the above criteria. The proposed project would not have the potential to substantially affect housing, employment, and population projections within the region, which is the basis of the *2017 Clean Air Plan* projections and applicability to the proposed project. While the project would result in an increase in population and housing within the City of San Leandro, it does not warrant intergovernmental review by ABAG and MTC. Furthermore, the 2035 General Plan EIR has accounted for the emissions from the development of proposed project as part of growth within the City and the proposed project effects are not more significant than described in the prior EIR.

As detailed in Tables 4-1 and 4-2 under criterion b, below, criteria air pollutants emitted by the proposed project during construction and operation would be below BAAQMD Average Daily Project-Level Thresholds. As such, the project would not be considered by BAAQMD to be a substantial emitter of criteria air pollutants. The proposed project would be consistent with the region's AQMP. As discussed in the construction and operational emissions analyses below, while the proposed project would increase density and mixed-use development over existing conditions, the construction and operational emissions analyses below indicate that the project would not generate short-term or long-term emissions of criteria pollutants that could potentially cause an increase in the frequency or severity of existing air quality

[2] City of San Leandro, 2035 General Plan Land Use Element, pages 3-39 to 3-40.

violations or would hinder BAAQMD from implementing the control measures in the 2010 Bay Area Clean Air Plan. In addition, since the proposed project would be consistent with the General Plan and Zoning, there would be no impacts related to conflicting with or obstructing the implementation of the AQMP.

Finally, 2035 General Plan policies targeting new development act as Uniformly Applicable Development Policies that would further ensure project consistency with *2017 Clean Air Plan.* These include:

- 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:
    - Requiring construction and grading practices that minimize airborne dust and particulate matter;
    - Ensuring that best available control technology is used for operations that could generate air pollutants;
    - Encouraging energy conservation and low-polluting energy sources;
    - (Promoting landscaping and tree planting to absorb carbon monoxide and other pollutants; and
    - Implementing the complementary strategies to reduce greenhouse gases identified in the Climate Action Plan.
- Policy T-1.4: Transit Oriented Development. Ensure that properties adjacent to the City's BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.
- Policy 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 T-1.6: Siting of Housing and Public Facilities. Consider access to public transportation to be a major factor in the location and siting of future housing and public facilities. Conversely, ensure that community facilities such as libraries, parks, schools, and community, civic, and recreation centers, are served by public transit.

In summary, the proposed project would not conflict with or obstruct implementation of the *2017 Clean Air Plan*. The effect of the project would be **less than significant**, and thus would **not be more significant than described in the prior EIR.**

Criterion b

Analysis in the 2035 General Plan EIR

Potential cumulative impacts on air quality standards were analyzed in the 2035 General Plan EIR (Section 4.2, pages 4.2-22 through 53). Even with the implementation of the General Plan policies, the overall cumulatively considerable net increase in emissions of ROG and NO_x would exceed the BAAQMD regional significance thresholds.

Per 2035 General Plan EIR Mitigation Measures AQ-2A and AQ-2B-2, a technical assessment of potential air quality impacts related to the operation and construction is required for development projects that exceed the screening sizes in the BAAQMD CEQA air quality Guidelines. Mitigation MeasureAQ-2B-1 requires developments project to comply with the BAAQMD basic control measures. However, the 2035 General Plan EIR concluded that because it is not possible to predict the specific characteristics of the construction and operation of those projects and accurately model their individual emissions, the cumulative impacts from future development in the City was considered significant and unavoidable, regardless of adopted mitigation measures.

New Information and Specific Effects of the Project

As identified above, the SFBAAB is currently designated non-attainment for the federal and State standards for O3 and $PM_{2.5}$. In addition, the SFBAAB is non-attainment for the State standard for PM_{10}. According to the BAAQMD CEQA Air Quality Guidelines, a single project is not sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable and the project's impact on air quality would be considered significant. The following analysis assesses the potential project level air quality impacts associated with construction and operation of the Proposed Project.

Regional Construction Impacts

Site-specific impacts from construction activities were not considered in Section 4.2, Air Quality, in the prior 2035 General Plan EIR. During construction, short-term degradation of air quality may occur due to the release of particulate emissions generated by demolition, grading, paving, building, and other activities. Emissions from construction equipment are also anticipated and would include CO, NOx, VOC, directly-emitted particular matter ($PM_{2.5}$ and PM_{10}), and toxic air contaminants (TACs) such as diesel exhaust particulate matter. The 2035 General Plan EIR includes the following Mitigation Measures to ensure that subsequent projects reduce impacts.

- Mitigation Measure AQ-2B-1: 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 PM10 (Table 8-1, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the BAAQMD CEQA Guidelines).
- Mitigation Measure AQ-2B-2: Prior to issuance of construction permits, development project applicants that are subject to CEQA and exceed the screening sizes in the BAAQMD's CEQA Guidelines shall prepare and submit to the City of San Leandro a technical assessment evaluating

potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of San Leandro shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds (Table 8-2, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold, of the BAAQMD CEQA Guidelines, or applicable construction mitigation measures subsequently approved by BAAQMD). These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Engineering/Transportation Department, Building and/or Planning Division, and/or Community Development Department.

Construction Fugitive Dust

Ground disturbing activities during construction would generate fugitive dust (PM_{10} and $PM_{2.5}$). The amount of dust generated during construction would be highly variable and is dependent on the amount of material being disturbed, the type of material, moisture content, and meteorological conditions. If uncontrolled, PM_{10} and $PM_{2.5}$ levels downwind of actively disturbed areas could possibly exceed State standards. Fugitive dust (PM_{10} and $PM_{2.5}$) generated by the proposed project during construction could potentially result in significant regional short-term air quality impacts without implementation of the BAAQMD's best management practices related to reducing fugitive dust emissions. Therefore, for all construction projects, the BAAQMD recommends implementation of best management practices for reducing construction emissions of fugitive dust, as would be required under Mitigation Measure AQ-2B-1 of the 2035 General Plan EIR.

As such, the project's construction contractor shall comply with the following best management practices for reducing construction emissions of fugitive dust (PM_{10} and $PM_{2.5}$) as required by the Bay Area Air Quality Management District Revised California Environmental Quality Act Air Quality Guidelines:

- Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- Pave, apply water twice daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- Sweep daily (with water sweepers using reclaimed water if possible) or as often as needed all paved access roads, parking areas and staging areas at the construction site to control dust.
- Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt/sand).

- Limit vehicle traffic speeds on unpaved roads to 15 miles per hour.
- Replant vegetation in disturbed areas as quickly as possible.
- Install sandbags or other erosion control measures to prevent silt runoff from public roadways.

BAAQMD considers all impacts related to fugitive dust emissions from construction to be less than significant with implementation of Uniformly Applicable Development Policies in the form of BAAQMD's best management practices. This would reduce fugitive dust generated during ground-disturbing activities to less than significant levels. Therefore, the effects of the proposed project would **be less than significant** and would **not be more significant than described in the prior EIR.**

Construction Exhaust Emissions

The entire Bay Area is in "non-attainment" for PM_{10}, $PM_{2.5}$, and ozone.[3] Construction activities 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 produce fugitive dust emissions (PM_{10} and $PM_{2.5}$) from 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 project would result in emissions of ROG, NOx, CO, PM_{10}, and $PM_{2.5}$.

The proposed project would result in demolition and debris hauling, site preparation and soil hauling, grading and soil hauling, building construction, paving, and architectural coating activities. Construction emissions were quantified using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2.25 based on information provided by the project applicant. Construction emissions are based on the construction schedule provided by the project applicant and CalEEMod default construction phasing. The approximately 20-month construction period is assumed to begin in July 2021 and end in March 2023. Average daily emissions are based on the annual construction emissions divided by the total number of active construction days. Construction criteria air pollutant emissions are shown in Table 4-1. As shown in this table, average daily construction exhaust emissions would not exceed the BAAQMD regional significance thresholds for VOC, NO_x, PM_{10}, and $PM_{2.5}$. Thus, the impact of the proposed project's construction emissions would be **less than significant** and would **not be more significant than described in the prior EIR.**

[3] Bay Area Air Quality Management District. 2017, January 5. Air Quality Standards and Attainment Status. http://www.baaqmd.gov/research-and-data/air-quality-standards-and-attainment-status.

TABLE 4-1 CONSTRUCTION-RELATED CRITERIA AIR POLLUTANT EMISSIONS ESTIMATES

	Criteria Air Pollutants (tons/year)[a]					
Year	ROG	NO_x	Fugitive PM_{10}[b]	Exhaust PM_{10}	Fugitive $PM_{2.5}$[b]	Exhaust $PM_{2.5}$[b]
2021	<1	1	<1	<1	<1	<1
2022	<1	1	<1	<1	<1	<1
2023	2	<1	<1	<1	<1	<1
	Criteria Air Pollutants (average lbs/day)[a]					
Average Daily Emissions[c]	10	11	1	<1	<1	<1
BAAQMD Average Daily Project-Level Threshold	54	54	BMPs	82	BMPs	54
Exceeds Average Daily Threshold	**No**	**No**	**N/A**	**No**	**N/A**	**No**

Notes: BMP = Best Management Practices; N/A = not applicable; "<1" =A value greater than 0, but less than 1; NOx = nitrogen oxides; VOC= volatile organic compounds; PM_{10} = Particulate Matter 10 micrometers and smaller; $PM_{2.5}$=Particulate Matter 10 micrometers and smaller

a. Construction phasing and equipment mix are based on the preliminary information provided by the project applicant. Where specific information regarding project-related construction activities was not available, construction assumptions were based on CalEEMod defaults, which are based on construction surveys conducted by South Coast Air Quality Management District of construction equipment and phasing for comparable projects.

b. Includes implementation of BMPs for fugitive dust control measures (see Mitigation Measure AQ-1), including watering disturbed areas a minimum of two times per day, reducing speed limit to 15 miles per hour on unpaved surfaces, and street sweeping.

c. Average daily emissions are based on the total construction emissions divided by the total number of active construction days. The total number of construction days is estimated to be about 435 workdays.

Source: California Emissions Estimator Model (CalEEMod), Version 2016.3.2.25

Regional Long-Term Operational Impacts

As described in criterion a above, the proposed project is consistent with the land use and zoning for the project site. Therefore, regional air quality impacts were considered in Section 4.2, Air Quality, in the prior 2035 General Plan EIR. However, the 2035 General Plan EIR included the following Mitigation Measure to ensure that subsequent projects reduce impacts.

> 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.

In accordance with this measure, an operational air quality assessment has been conducted for this infill project.

Typical long-term air pollutant emissions are those generated by area sources (e.g., landscape fuel use, aerosols, architectural coatings, and asphalt pavement), energy use (electricity and natural gas), and

mobile sources (i.e., on-road vehicles). The proposed project would result in new residential housing units, a parking garage, retail space, and paved and landscaped surfaces and would generate a total of 5,465 weekday vehicle trips.

PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM_{10} occurs when vehicle tires pulverize small rocks and pavement and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other PM emission processes. Gasoline-powered engines have small rates of particulate matter emissions compared with diesel-powered vehicles.

Energy source emissions result from activities in buildings for which electricity and natural gas are used. The quantity of emissions is the product of usage intensity (i.e., the amount of electricity or natural gas being used) and the emission factor of the fuel source. Major sources of energy demand include building mechanical systems, such as heating and air conditioning, lighting, and plug-in electronics, such as refrigerators or computers. Greater building or appliance efficiency reduces the amount of energy for a given activity and thus lowers the resultant emissions. The emission factor is determined by the fuel source, with cleaner energy sources, like renewable energy, producing fewer emissions than conventional sources. The Proposed Project would comply with building energy efficiency standards (Title 24 CCR) and applicable energy efficiency standards (Title 20 CCR).

Typically, area source emissions consist of direct sources of air emissions located at the Project Site, including architectural coatings and the use of landscape maintenance equipment. Area source emissions associated with the Proposed Project would include emissions from the use of landscaping equipment and the use of consumer products.

Long-term operation emissions associated with the Proposed Project were calculated using CalEEMod. Trip generation rates used in CalEEMod for the Proposed Project were based on the Project's trip generation estimates, which assumes the Proposed Project would generate approximately 4,948 net new average weekday trips.

Operational criteria air pollutant emissions are shown in Table 4-2. As identified previously, regional air quality impacts were considered in Section 4.2, Air Quality, in the prior 2035 General Plan EIR. Therefore, the 2035 General Plan EIR accounted for growth within the City, including operational criteria air pollutant emissions from the proposed project. As shown in the Table below, implementation of the proposed project would not exceed the BAAQMD's regional significance thresholds for ROG, NO_x, PM_{10}, and $PM_{2.5}$. Therefore, the proposed project would not cumulatively contribute to the nonattainment designations of the SFBAAB; and therefore, the proposed project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation. Impacts from the proposed project's operation would be less than significant and would not be more significant than described in the prior EIR.

TABLE 4-2 OPERATIONAL CRITERIA AIR POLLUTANT EMISSIONS ESTIMATES

	Criteria Air Pollutants (tons/year)			
Category	ROG	NO_x	PM_{10}	$PM_{2.5}$
Proposed Project Annual Emissions				
Area	1	<1	<1	<1
Energy	<1	<1	<1	<1
On-Road Mobile	2	4	5	1
Total	3	4	5	1
BAAQMD Annual Project-Level Threshold	**10**	**10**	**15**	**10**
Exceeds BAAQMD Threshold?	No	No	No	No

	Criteria Air Pollutants (average lbs/day)			
Category	ROG	NO_x	PM_{10}	$PM_{2.5}$
Proposed Project Average Daily Emissions	17	25	28	8
BAAQMD Average Daily Project-Level Threshold	**54**	**54**	**82**	**54**
Exceeds BAAQMD Threshold?	No	No	No	No

Source: California Emissions Estimator Model (CalEEMod), Version 2016.3.2.25
Notes: Reactive Organic Gases = ROG; Nitrogen Oxides = NO_x; Coarse Inhalable Particulate Matter = PM_{10}; Fine Inhalable Particulate Matter = $PM_{2.5}$

Criterion c

Analysis in the 2035 General Plan EIR

The 2035 General Plan EIR analyzed the potential for exposure of sensitive receptors to substantial pollutant concentrations (Section 4.2, pages 4.2-22 through 53). The EIR determined the impacts regarding carbon monoxide hotspots would be **less than significant** with implementation of General Plan policies, such as:

- Policy T-1.4: Transit Oriented Development. Ensure that properties adjacent to the City's BART stations and along heavily used public transit routes are developed in a way that maximizes the potential for transit use and reduces dependence on single-occupancy vehicles. Such development should be of particularly high quality, include open space and other amenities, and respect the scale and character of nearby neighborhoods.
- Policy T-5.7: Technology and Roadway Efficiency, and applicable regional and state regulations.

The 2035 General Plan EIR also disclosed the adverse health impacts of criteria pollutants, toxic air contaminants (TACs) and diesel particulate matter emissions. Specifically, some new development allowed under the 2035 General Plan, such as industrial land uses, chemical processing facilities, chrome-plating facilities, dry cleaners, and gas stations, would have the potential to generate substantial stationary sources of emissions and would require a permit from BAAQMD for emissions of TACs (page 4-2.6 of the

2035 General Plan EIR). These new land uses could be near existing sensitive receptors within and outside the Study Area.

The EIR also determined that impacts from TACs would be potentially significant as warehousing operations could generate a substantial amount of diesel particulate matter (DPM) emissions from diesel truck or equipment use. However, this impact would not apply to the proposed project. 2035 General Plan EIR Mitigation Measure AQ-3 would require applicants of future non-residential land uses that have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered TRUs, and are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), to submit a health risk assessment prior to future discretionary project approval. Thus, the impact of TACs on sensitive receptors would be less than significant after mitigation. Mitigation Measure AQ-3 was not incorporated into this infill project since it is not applicable to the proposed project.

New Information and Specific Effects of the Project

Development that would be accommodated by the proposed project could expose sensitive receptors to elevated pollutant concentrations. Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

According to BAAQMD, a project would result in a significant impact if it would expose sensitive receptors to Toxic Air Contaminants (TACs) resulting in an increased cancer risk greater than 10.0 in one million or increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute). Impacts from substantial pollutant concentrations are discussed below.

As discussed above, the 2035 General Plan EIR disclosed the adverse health impacts of criteria pollutants, toxic air contaminants and diesel particulate matter emissions and the air quality regulations and standards to protect public health. This discussion is not a new impact assessment but rather provides supplemental information related to whether the potentially significant health impacts already identified in that prior EIR could be more specifically correlated to the proposed project.

Unlike the construction emissions shown above in Table 1 under criterion (b), described in pounds per day (PPD), localized concentrations refer to an amount of pollutant in a volume of air (ppm or $\mu g/m^3$) and can be correlated to potential health effects. As seen in the analysis below, because impacts from carbon monoxide hotspots and TAC pollutant emissions during construction and operation would be less than significant, and the project impacts would not be more significant than described in the prior EIR.

Construction Off-Site Community Risk and Hazards

Site-specific impacts from construction activities were not considered in Section 4.2, Air Quality, in the prior 2035 General Plan EIR. Demolition and construction activities associated with the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment).

The proposed project would elevate concentrations of TACs and $PM_{2.5}$ in the vicinity of sensitive land uses during construction activities. BAAQMD has developed *Screening Tables for Air Toxics Evaluation During Construction* (2017) that evaluate construction-related health risks associated with residential, commercial, and industrial projects. According to the screening tables, the nearest off-site residences are closer than the distance of 100 meters (328 feet) that would screen out potential health risks and, therefore, could be potentially impacted from the proposed construction activities. The nearest sensitive receptors to the project site are the residents to the east along Hyde Street. Consequently, a site- specific construction health risk assessment (HRA) of TACs and $PM_{2.5}$ was prepared (see Appendix B of this Initial Study).

The United States Environmental Protection Agency (USEPA) AERMOD, Version 9.9, dispersion modeling program was used to estimate excess lifetime cancer risk, chronic non-cancer hazard index for non-carcinogenic risk, and the $PM_{2.5}$ maximum annual concentrations at the nearest sensitive receptors. The results of the analysis are shown in Table 4-3.

TABLE 4-3 CONSTRUCTION RISK SUMMARY – UNMITIGATED

	Project Level Risk		
Receptor	Cancer Risk (per million)	Chronic Hazards	Construction Exhaust $PM_{2.5}$ ($\mu g/m^3$)[a]
Maximum Exposed Receptor – Offsite Residences [a]	54.7	0.166	0.41
BAAQMD Threshold	10	1.0	0.30
Exceeds Threshold?	**Yes**	**No**	**Yes**

Notes: Cancer risk calculated using the 2015 Office of Environmental Health Hazard Assessment (OEHHA) Health Risk Assessment guidance.
[a] Students of St. Leander School are also considered sensitive receptors. However, the maximum exposed receptor to the east of the project site is closer.
Source: Lakes AERMOD Version 9.8.3, CalEEMod Version 2016.3.2.25

The results of the HRA are based on the maximum receptor concentration over a 20-month construction exposure duration for off-site receptors.[4] Risk is based on the updated Office of Environmental Health Hazard Assessment (OEHHA) Guidance Manual:[5]

- Cancer risk for the maximum exposed off-site resident from construction activities related to the proposed project were calculated to be 54.7 in a million and would exceed the 10 in a million-significance threshold. Utilizing the latest 2015 OEHHA Guidance Manual, the calculated total cancer risk conservatively assumes that the risk for the maximum exposed individual receptor (MEIR) consists of a pregnant woman in the third trimester that subsequently gives birth to an infant during the approximately 20-month construction period; therefore, all calculated risk values were multiplied by a factor of 10. In addition, it was conservatively assumed that the residents were outdoors 8 hours a day, 260 construction days per year and exposed to all the daily construction emissions.

[4] The 2015 Office of Environmental Health Hazard Assessment Air Toxics Hot Spots Program Guidance Manual identified that exposure duration has changed from 70 years to 30 years for operational risk to residents; however, the risk is still averaged over a 70-year lifetime.
[5] Office of Environmental Health Hazard Assessment, 2015. Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments.

- For non-carcinogenic effects, the chronic hazard index identified for each toxicological endpoint totaled less than one for all the off-site sensitive receptors. Therefore, chronic non-carcinogenic hazards are within acceptable limits.
- For the residential MER, the maximum annual $PM_{2.5}$ concentration of 0.41 would exceed the BAAQMD significance threshold of 0.30 micrograms per cubic meter ($\mu g/m^3$).

As shown in Table 4-3, the proposed project would expose sensitive receptors to elevated concentrations of diesel particulate matter during construction activities, resulting in excess cancer risk impacts to off-site residences. Implementation of Uniformly Applicable Development Policies in the form of United States Environmental Protection Agency (EPA) regulation would reduce the project's localized emissions to below BAAQMD's threshold for cancer risk. The EPA would require equipment that meets the EPA Tier 4 (Interim) emissions standards on all equipment with more than 25 horsepower that would be operating for more than 20 hours over the entire duration of the construction activities. Similarly, any emissions control device used by the contractor would need to achieve emissions reductions that are no less than what could be achieved by a Tier 4 interim emissions standard for a similarly sized engine, as defined by the California Air Resources Board's regulations. Per the EPA regulations, the proposed project would:

- Have engines that meet either US EPA or California Air Resources Board (CARB) Tier 4 Interim emission standards and ensure that all construction plans clearly show the selected emission reduction strategy for construction equipment over 25 horsepower.
- Maintain a list of all operating equipment in use on the project site for verification by the City. The construction equipment list shall state the makes, models, and number of construction equipment on-site. Ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.
- Communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to 5 minutes or less in compliance with California Air Resources Board Rule 2449 and is responsible for ensuring that this requirement is met.

Implementation of these Uniformly Applicable Development Policies would decrease cancer risk impacts to the off-site residential MER from 54.7 in a million to 4.9 in a million, as shown in Table 4-4 (see Appendix B). Thus, cancer risk at the off-site residential Maximum Exposed Individual Receptor (MEIR) would be below the BAAQMD cancer risk threshold of 10 in a million. Furthermore, these UADPs would reduce the annual $PM_{2.5}$ concentration of 0.41 to 0.026 micrograms per cubic meter, which would be below the BAAQMD significance threshold of 0.3 micrograms per cubic meter. Cancer risk impacts from project-related construction activities would be **less-than-significant** and would **not be more significant than described in the prior EIR.**

TABLE 4-4 CONSTRUCTION HEALTH RISK ASSESSMENT RESULTS – EPA TIER 4 INTERIM STANDARDS

	Project Level Risk[a]		
Receptor	Cancer Risk (per million)	Chronic Hazards	Construction Exhaust $PM_{2.5}$ ($\mu g/m^3$)[a]
Maximum Exposed Receptor – Offsite Residences	4.9	0.013	0.026
BAAQMD Threshold	10	1.0	0.3 $\mu g/m^3$
Exceeds Threshold?	**No**	**No**	**No**

Notes: Cancer risk calculated using the 2015 Office of Environmental Health Hazard Assessment (OEHHA) Health Risk Assessment guidance.
a. Includes implementation of Mitigation Measure AQ-2, which requires all off-road equipment which meets USEPA Tier 4 Interim engine requirements for equipment over 25 horsepower.
Source: Lakes AERMOD Version 9.8.3, CalEEMod Version 2016.3.2.25

Operation Phase Community Risk and Hazards

Localized Impacts

Site-specific impacts on a project site were not evaluated in Section 4.2, Air Quality, in the prior 2035 General Plan EIR. Types of land uses that typically generate substantial quantities of criteria air pollutants and TACs include industrial (stationary sources), manufacturing, and warehousing (truck idling) land uses. These types of major air pollutant emissions sources are not included as part of the proposed project. The proposed project would not include stationary sources that emit TACs. The approximately 23,000-sf grocery store would generate 8 to 10 truck trips of various size per day.[6] This amount of heavy-duty truck trips would not be a significant source of diesel particulate matter (DPM). Therefore, the proposed project would not expose sensitive receptors to substantial concentrations of air pollutant emissions during operation. Impacts would be **less than significant** and would **not be more significant than described in the prior EIR.**

CO Hotspot Analysis

CO hotspots were analyzed in Section 4.2, Air Quality, in the prior 2035 General Plan EIR; and thus, the effect of this infill project is not subject to CEQA. Areas of vehicle congestion have the potential to create pockets of CO, called hotspots. These pockets have the potential to exceed the State 1-hour standard of 20 ppm or the 8-hour standard of 9.0 ppm. Because CO is produced in the greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for periods of time and are subject to reduced speeds. However, CO transport is extremely limited; under normal meteorological conditions, CO disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach

[6]Washington State Department of Transportation and Transportation Northwest (TransNow), August 2010, Truck Trip Generation by Grocery Stores, Page 13.

unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients).

In order to determine the potential for CO hotspots, BAAQMD considers consistency with the relevant Congestion Management Plan, because congested intersections generate unhealthy concentrations of CO. The proposed project would be consistent with Alameda CTC's 2013 Congestion Management Program, which is the applicable CMP. The proposed project would incorporate policies that would encourage bicycle, pedestrian, and transit use to tie land use and transportation, which ensures consistency with Alameda CTC's CMP.

In addition, the CMP must align with *Plan Bay Area 2040,* and an overarching goal of the regional plan is to concentrate development in areas where there are existing services and infrastructure rather than allocate new growth in outlying areas where substantial transportation investments would be necessary to achieve the per capita passenger vehicle miles traveled and associated GHG emissions reductions under Senate Bill 375. While the proposed project would involve the construction of a new mixed-use residential development, it would be consistent with the overall goals and policies of the *MTC/ABAG's Plan Bay Area 2040* as it would serve the population surrounding the project site. Additionally, the project would not conflict with the CMP because it would not hinder the capital improvements outlined in Alameda County's 2019 CMP or alter regional travel patterns.[7]

Furthermore, under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—in order to generate a significant CO impact.[8] Based on the traffic analysis conducted as part of this environmental analysis, the project would generate 239 weekday AM peak hour trips and 207 weekday PM peak hour trips.[9] Thus, the proposed project would not increase traffic volumes at affected intersections by more than BAAQMD's screening criteria. The project would not have the potential to substantially increase CO hotspots at intersections in the project vicinity. Impacts would be less than significant and would not be more significant than described in the prior EIR.

Criterion d

Analysis in the 2035 General Plan EIR

The 2035 General Plan EIR analyzed the potential impacts from odors that may adversely affect a substantial number of people (Section 4.2, pages 4.2-22 through 53). It was determined that with implementation of General Plan policies such as Policy EH-3.5: Odors and Policy LU-10.3: Buffering, which would ensure a prompt response to odor complaints and use of buffering methods to help promote land

[7] Alameda County Transportation Commission. 2017, December. 2017 Congestion Management Program Report. https://www.alamedactc.org/planning/congestion-management-program/

[8] Bay Area Air Quality Management District, 2017, California Environmental Quality Act Air Quality Guidelines, http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf, accessed on March 20, 2020.

[9] CHS Consulting Group, 1188 East 14th Street Mixed Use Development Transportation Impact Study, Table 14, page 33.

use compatibility, as well as the applicable regional and state regulations, impacts would be less than significant.

New Information and Specific Effects of the Project

Odor impacts were analyzed in Section 4.2, Air Quality, in the prior 2035 General Plan EIR; and thus, the effect of this infill project is not subject to CEQA. Construction and operation of the proposed project would not generate odors that would affect a substantial number of people. The proposed project would not be a facility that generates substantial odors that would affect a substantial number of people. The type of facilities that are typically considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Mixed-use developments are not associated with foul odors that constitute a public nuisance.

During project-related construction activities on the project site, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent and would be further minimized by the BAAQMD best management practices and compliance with the 2035 General Plan Policies. These include:

- 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-5.4: Separation from Sensitive Uses. Provide adequate and safe separation between areas where hazardous materials are present and sensitive uses such as schools, residences, and public facilities. Zoning and other development regulations should include performance standards to avoid safety hazards and achieve compatibility between uses.
- Policy LU-10.1: Zoning. Use zoning district boundaries, zoning standards, and other regulatory tools to control the interface between heavier industrial uses and residential areas, and to limit the impacts of industrial activities on nearby neighborhoods.
- Policy LU-10.2: Off-Site Impacts. Consider the setting and context of each site when evaluating proposals for development in industrial areas. The potential for impacts on adjacent uses, including the potential for land use conflicts and increased parking demand and truck traffic, should be a key consideration.
- Policy LU-10.3: Buffering. When new development or adaptive reuse takes place in industrial areas, use a variety of buffering measures including land use restrictions, landscaping and screening, sound walls and insulation, and limits on hours of operations and activities to promote land use compatibility. The City's zoning regulations should continue to contain development and design standards that minimize the potential for conflicts between industrial and residential uses, and between commercial and residential uses.
- Policy LU-10.4: Industrial Sanctuary. Protect the City's major industrial areas from encroachment by uses that are potentially incompatible with existing viable industrial activities, or which may inhibit the ability of industry to operate effectively.

- Policy LU-10.6: Light Industrial and Industrial Transition Buffer Areas. Use the “Light Industrial” General Plan designation to create buffers between industrial and residential areas. Use the "Industrial Transition" General Plan designation to facilitate the transformation of specifically identified industrial areas to higher value land uses which capitalize on locational assets (such as proximity to BART or high visibility).

The project would also be required to comply with San Leandro Municipal Code Section 4-1-805, which establishes the creation of offensive odors as unlawful. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern. With compliance with these Uniformly Applicable Development Policies, impacts would be less than significant and would not be more significant than described in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.3 Biological Resources. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☒	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☒	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☒	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

Potential impacts of development consistent with the General Plan on special-status species were analyzed in the 2035 General Plan EIR (Section 4.3.3, pages 4.3-16 through 23). They were determined to result in a less than significant impact given compliance with existing state and federal regulations protecting special-status species, as well as a series of General Plan policies, including:

- Goal OSC-5: San Leandro Creek. Protect San Leandro Creek as a renewed open space and natural resource, a green connection between the San Leandro Hills and San Francisco Bay, and a core part of San Leandro's identity.
- Policy OSC-5.1: Creek Stewardship. Support the efforts of community groups such as the Friends of San Leandro Creek to increase public education and recreation, promote habitat restoration, conduct creek clean-up, maintenance, and monitoring programs, and achieve water quality improvements.
- Policy OSC-5.2: Creekside Development. Require new development adjacent to San Leandro Creek to maintain setbacks from the top of the creek bank, dedicate public access easements for creekside amenities, and where appropriate, undertake improvements such as erosion control, habitat restoration, vegetation management, bank stabilization, and trail dedication.
- Policy OSC-5.5: Balanced Objectives. Ensure that future creekside improvements balance the objective of greater public access with the objectives of restoring wildlife habitat, minimizing flood hazards, and respecting the privacy and security of persons living along the creek.
- Policy OSC-5.6: Habitat Restoration. Encourage the enhancement and restoration of the natural riparian habitat along San Leandro Creek. The upper reaches of the creek should be retained as a natural waterway and should not be further channelized for flood control purposes.
- Policy OSC-5.7: Creek Maintenance. Support creek maintenance projects that minimize erosion, stabilize creek banks, and protect property from the threat of flooding. Work with private property owners and Alameda County to ensure that fallen vegetation and other potentially hazardous flow obstructions are promptly removed.
- Policy OSC-5.8: Public Information. Promote public information on San Leandro Creek, with a focus on youth-oriented environmental programs. The City should support or co-sponsor events such as creek clean-ups, creek walks, student projects, creek classes and workshops, street fairs, and other events that foster greater appreciation of the creek and creek environment.
- Goal OSC-6: Plant and Animal Communities. 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.
- Policy OSC-6.5: San Leandro Shoreline Marshlands. Continue the restoration of the San Leandro Shoreline Marshlands as a unique natural area. The emphasis in this area should be on resource conservation, trails and ecological study.
- Action OSC-6.5.A: San Leandro Shoreline Marshlands Enhancement Program. Conduct periodic assessments of hydrology, vegetation, and wildlife along the San Leandro shoreline and marshlands, and make adjustments to the existing management program based on the findings.
- Action OSC-6.5.B: Predator Control Plan. Continue to require implementation of a predator control plan (controlling feral and domestic animals) and an invasive weed control program in the San Leandro Shoreline Marshlands.
- Action OSC-6.5.C: Dredge Materials Management Site. Consider restoration alternatives for the former Dredge Materials Management Site located east of the Tony Lema Golf Course and north of the Shoreline Marshlands. Planning for this area should consider potential impacts related to sea level rise.
- Policy OSC-6.6: Intergovernmental Coordination. Coordinate with the appropriate regional, state and federal agencies and other organizations in their efforts to conserve and enhance ecological resources in San Leandro. Refer local projects to these agencies as required for their review and comment.

New Information and Specific Effects of the Project

The proposed project site is located within a developed area of the city. It has been altered by over a century of past earthwork and construction. It is currently developed with buildings and a parking lot and no longer supports any suitable natural habitat for candidate, sensitive, or special-status species. The land cover of the project site is classified by the City as Urban Habitat.[10] Urban Habitat includes City parks,

[10] City of San Leandro, San Leandro General Plan Update EIR, June 2016, Section 4.3.1.2 Existing Conditions, page 4.3-7, Figure 4.3-1, Habitat Cover Types.

schools, landscaped areas, and private lawns and backyards throughout the community. Urban Habitat accounts for 90 percent of the city's land area. Thus, candidate, sensitive, or special-status species are generally not believed to occur on the project site, as shown on Figure 4.3-2 and Figure 4.3-3 of the General Plan EIR.

The project would remove 26 total trees located in the existing parking lot and surrounding streets. There is a possibility that one or more species of birds protected by the Federal Migratory Bird Treaty Act (MBTA) are nested in one or more of these trees.

Compliance with local policy and conditions would ensure that adverse effects of tree removal are mitigated. General Plan Policy OSC-6.1 states that future development should minimize potential adverse impacts to natural ecosystems and should promote their restoration and enhancement. General Plan Policy OSC-6.2, Mitigation of Development Impacts, requires the implementation of measures to minimize the potential for such impacts on natural wildlife resources. General Plan Action OSC-6.4A: Biological Assessments, requires biological assessments where special status species may be present. Local policy establishes that preconstruction surveys are a best practice for addressing potential project impacts to nesting birds. Such surveys should be completed by a qualified wildlife biologist no more than 14 days prior to the start tree removal

Compliance with Uniformly Applicable Development Policies in the form 2035 General Plan Policy OSC-6.2, and Action OSC-6.4A would ensure that impacts to special status species would be less than significant, and thus would not be more significant than described in the prior EIR.

Criterion b

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Potential impacts on sensitive and riparian/wetland habitat areas were analyzed in the 2035 General Plan EIR (Section 4.3.3, pages 4.3-16 through 23) and any impacts were determined to be less than significant with implementation of General Plan policies requiring a site-specific assessment under Action OSC-6.4.A, Biological Assessments, and Policies OSC-5.1, Creek Stewardship, and OSC-5.2, Creekside Development, which address potential adverse effects of new development along San Leandro Creek. The TOD Strategy EIR outlined the following TOD Strategy goals and policies to protect San Leandro Creek, reducing potential impacts to less than significant:

- General Plan Goal 25, which calls for protection of San Leandro Creek as a citywide open space and natural resource.
- Policies 25.02 through 25.06, which establish provisions to ensure that creekside development does not adversely impact San Leandro Creek, and outline guidelines for orientation of new structures in relation to the riparian corridor, habitat restoration, and creek maintenance.

New Information and Specific Effects of the Project

The project site does not support any riparian habitat or other sensitive natural community. Any sensitive habitat in San Leandro Creek is approximately 70 feet away from the closest portion of the project site. (San Leandro Creek itself is about 90 feet away, although the extended area of riparian vegetation along is approximately 70 feet away from the NW corner of the project site.) As noted in Chapter 3, the proposed project would reduce the total impervious surface area of the site. Site stormwater control and treatment features, including a self-retaining runoff treatment areas and a below-grade media filter (see Section 4.8 Hydrology and Water Quality) would minimize sedimentation in downstream habitat areas. Therefore, the project would have no direct impacts on creek habitat. There are no other sensitive natural habitats in the vicinity of the project area. Therefore, the effect of the project would be less than significant. It would not be more significant than described in the prior EIR.

Criterion c

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The 2035 General Plan EIR (Section 4.3.3, pages 4.3-16 through 23) determined that any impacts on wetlands would be less than significant with implementation of General Plan policies. Specifically, site-specific assessments called for in Action OSC-6.4A, Biological Assessments, would be necessary to determine the extent of any regulated waters on undeveloped lands where development is proposed. This further assessment would serve to identify the presence of any jurisdictional waters and would ensure sensitive resources are adequately protected or appropriate compensatory mitigation is provided as part of new development. Implementation of the relevant policies and actions in the General Plan, together with appropriate environmental review and oversight by regulatory agencies entrusted with enforcement of State and federal regulations addressing the protection and management of wetlands, would ensure the less-than-significant impact. Similarly, the TOD Strategy EIR contained policies to protect and enhance wetlands and the impacts of the TOD Strategy were found to be less than significant.

New Information and Specific Effects of the Project

The project site is a developed site within an urban neighborhood, consisting of buildings and a parking lot. As noted above, the project area is 70 feet from San Leandro Creek, classified as an Upper Perennial Riverine Habitat per the National Wetlands Inventory.[11] This classification includes all wetlands and deepwater habitats contained within a channel, except for wetlands dominated by trees and shrubs. The gradient of Upper Perennials is high and velocity of the water fast. Substrate consists of rock, cobbles, or gravel with occasional patches of sand.[12] Because the project would not result in development on or immediately adjacent to wetlands, would not directly remove, fill or interrupt the hydrology of wetlands, would reduce the total impervious surface area of the site, and would include stormwater runoff and treatment features, the project's impacts on wetlands would be less than significant and would not be more significant than described in the prior EIR.

[11] National Wetlands Inventory, https://www.fws.gov/wetlands/data/mapper.html, accessed April 20, 2019.
[12] U.S. Fish and Wildlife Service, https://www.fws.gov/wetlands/documents/classwet/riverine.htm, accessed April 21, 2019.

Criterion d

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Remaining sites with natural habitat and important movement corridors in San Leandro are mostly limited to the fringe of the local baylands. The General Plan EIR (Section 4.3.3, pages 4.3-16 through 23) determined that any impacts on wildlife movement or migration would be less than significant with implementation of General Plan policies requiring a site-specific assessment under Action OSC-6.4.A, Biological Assessments.

The TOD Strategy EIR noted that some types of future development could increase water temperature or turbidity, decrease dissolved oxygen levels and/or increase erosion into the creek. This could adversely affect creek water quality and reduce the quality of fish habitat in San Leandro Creek. However, this would not impact the use of nursery sites. Moreover, required measures to protect San Leandro Creek, including existing stormwater regulations and best management practices (BMP), would reduce these impacts to less than significant levels.

New Information and Specific Effects of the Project

The project site is a developed site within an urban neighborhood, consisting of buildings and a parking lot. The project site does not contain any creeks or an aquatic habitat that would support fish. As noted above, the project area is about 70 feet from San Leandro Creek, which is separated from the site separated by Chumalia Street. In addition, the highly urbanized nature of the project site and surrounding area preclude the potential for the movement of any native resident or migratory fish or wildlife species across the project site. Wildlife species common in urban habitat would continue to move through the area, both during and after construction. The project would require a Stormwater Pollution Prevention Plan (SWPPP) and would incorporate stormwater Best Management Practices (BMP), including the below-ground media filter described in Chapter 3. Required completion of a nesting bird survey prior to tree removal in the nesting season, as outlined under Criterion A, above, would protect against the voluntary, intentional, or accidental destruction of migratory birds, nests, or eggs, as restricted by the MBTA. With compliance with these Uniformly Applicable Development Policies, the effect of the project would not be more significant than described in the prior EIR.

Criterion e

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The General Plan EIR (Section 4.3.3, pages 4.3-16 through 23) found that any impacts on biological resources protected by local ordinances would be less than significant with enforcement of City zoning code. All development projects would be required to comply with Section 4.16.112, Existing Trees on Development Sites, in Chapter 4.16, Landscape Requirements, of the City of San Leandro Zoning Code. Similarly, as described in the TOD Strategy EIR, compliance with local policies and ordinances would reduce impacts on locally protected biological resources to less than significant.

New Information and Specific Effects of the Project

The project would remove 26 total trees located in the existing parking lot and surrounding streets. As noted in Chapter 3, Project Description, the project would include numerous new tree planting along ground level project frontages and in new open space areas. According to an arborist's report conduct by the applicant, the trees on site are a mix of imported species in poor to fair condition. There are no native trees.[13]

The project would comply with the relevant City municipal code. The City regulates trees directly under municipal control such as street trees and trees on municipal properties (San Leandro 2018). Several street trees along East 14th Street and Callan Street may qualify for protection per the San Leandro Municipal Code. The Municipal Code does not afford protection to trees on private property, regardless of species, size, or historical significance. The City allows citizens to request the removal, spraying, pruning, root pruning, or replacement of street trees on or adjacent to their properties. The Public Works Department is then required to inspect the relevant tree and determine what actions may be taken. The Public Works Department must also be consulted if actions such as the moving of a building or an oversized vehicle would require trimming, moving, removing, or replanting a City-owned tree. This consultation must occur at least 48 hours before the start of work. Any activity related to City-owned trees must be performed by City employees unless the Public Works Director explicitly approves action by private individuals or companies. Trees may also be afforded some protection if a project requires a grading permit from the City Engineer (San Leandro 2018). As described in Section 3.0, Project Description, the project's open space and landscaping plan includes new plantings, landscaping, and open space areas on the project sites. Compliance with Uniformly Applicable Development Policies in the form of these local regulations would ensure that the effect of the project would be less than significant and would not be more significant than described in the prior EIR.

Criterion f

Analysis in the 2035 General Plan EIR

The potential for conflicts with habitat conservation plans was analyzed in the 2035 General Plan EIR (Section 4.3.3, pages 4.3-16 through 23) and was determined to result in no impact because there are no adopted Habitat Conservation Plans (HCP), Natural Community Conservation Plans (NCCP), or other approved local, regional, or state habitat conservation plans applicable to the project area (CDFW 2017).

New Information and Specific Effects of the Project

Because there are no adopted habitat conservation plans, natural community conservation plans, or other approved local, regional, or state Habitat Conservation Plans applicable to the project area, no impacts to an adopted HCP, NCCP, or other adopted local, regional, or state HCP would occur. This impact would not be more significant than described in the prior EIR.

[13] Kielty Arborist Services LLC, for the Martin Group, October 4, 2020.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.4 Cultural Resources. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☒	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☒	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☒	☒

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Potential impacts on historic resources were analyzed in the 2035 General Plan EIR (Section 4.4.3, pages 4.4-10 through 4.4-19), which determined that compliance with existing federal, state, and local laws and regulations would reduce the impacts of development on historic resources. Moreover, the following 2035 General Plan policies would ensure that impacts to historic resources would be **less than significant**:

- 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-1.9: Maintenance and Rehabilitation. Strongly encourage the maintenance and upkeep of historic properties to avoid the need for costly rehabilitation and demolition. Demolition should only be allowed if the City determines that it is necessary to protect health, safety, and welfare, and that the structure has no reasonable economic use.
- 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.
- 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.

The TOD Strategy EIR found that compliance with the City's Historic Preservation Ordinance and other relevant policies would reduce potential impacts on historic resources to less than significant.

New Information and Specific Effects of the Project

A historical resource records search was conducted as part of the proposed project. The following federal and state inventories were reviewed:

- National Register of Historic Places
- California Inventory of Historic Resources (OHP 1976).
- California Points of Historical Interest (OHP 1992 and updates).
- California Historical Landmarks (OHP 1996).
- Directory of Properties in the Historic Property Data File for Alameda County (OHP 2012). The directory includes the listings of the National Register of Historic Places (National Register), National Historic Landmarks, California Register of Historical Resources (California Register), California Historical Landmarks, and California Points of Historical Interest.

There are no national historic resources or state historic landmarks on the project site. There are two resources on the project site designated California Points of Historical Interest by the California Office of Historic Preservation (OHP) (see table 4-5, below): The Portuguese Union of the State of California (UPEC) site at 1120 E. 14th Street, and the Jewish Synagogue Site at 59 Chumalia Street (rear property). These are "sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value."[14] Per OHP, these sites receive limited environmental protection with analysis at the direction of the lead agency. Both sites in question are previous locations of historic resources. Neither site contains the building in its original form and neither supports operations related to the original historic resource. As such, the proposed project, pending a statement by the City that the proposed project complies with City policy regarding sensitivity to historic sites (per General Plan Policy CD-1.7), would not substantially change the significance of a historic resource.

[14] California Office of Historic Preservation, California Points of Historical Interest webpage, https://ohp.parks.ca.gov/?page_id=21750.

As noted in Table 4-5, there are also two State OHP Points of Interest located adjacent to the project site. These Points of Interest, which are not located on the project site, would remain in place, with no physical alterations. The project would not indirectly or directly impact these historic resources, nor alter the surroundings such that the significance of the historical resource would be materially impaired. Altering the setting of the resource by building the project would not be a significant impact on historical resource as defined in CEQA Section 15064.5(1) and (2).

TABLE 4-5 HISTORICAL RESOURCES ON-SITE AND WITHIN 100 FEET OF THE SITE

Resource Name/#	Address	Description	Status	Historical Resource as Defined by CEQA Section 15064.5?
On Site				
Portuguese Union of the State of California (UPEC) site	1120 E. 14th	Previous location of a historic building	OHP California Point of Historic Interest, Registration Date 1980 (P546)	Yes
Jewish Synagogue site	59 Chumalia Street	Previous location of a historic building	OHP California Point of Historic Interest, Registration Date 1970 (P168)	Yes
Adjacent to the Site				
San Leandro Plaza site	E. 14th and Washington, immediately adjacent to the south	Location of a historic plaza	California Point of Historic Interest, Registration Date 1970 (P167)	Yes
Manuel Garcia Home	1106 and 1206 Hyde Street, immediately across Hyde Street to the North	Previous location of a historic building	California Point of Historic Interest, Listed 1971 (P127)	Yes

Source: California Office of Historic Preservation, Accessed May 2019. http://ohp.parks.ca.gov/ListedResources

Based on the above analysis and following City review per General Plan Policy CD-2.2 and OHP policy for California Points of Historical Interest, the project would have a less than significant impact on historical resources. The project would have a **less-than-significant impact** and would **not be more significant than described in the prior EIR**.

Criterion b and c

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The 2035 General Plan EIR (Section 4.4.3, pages 4.4-10 through 4.4-19) evaluated potential impacts on archaeological resources and potential disturbance of human remains. The City determined that compliance with existing state and local laws and regulations and the General Plan policies would reduce impacts on unrecorded archaeological deposits and buried human remains to **less than significant**. For example, any human remains encountered during ground-disturbing activities would be treated in accordance with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e) (CEQA).

Similarly, the TOD Strategy EIR concluded that implementation of the City's General Plan policies would reduce potential impacts on archaeological and paleontological resources and on human remains.

New Information and Specific Effects of the Project

The project site is a heavily-disturbed infill location with a subsurface basement component. This decreases the chance that the proposed project would disturb archeological resources in that native soils. Regardless, undiscovered archaeological deposits could be affected during construction. The City's 2035 General Plan contains policies and actions to address unanticipated discovery of archaeological and paleontological resources. General Plan Policy CD-1.12, Archaeological Resources, ensures that future projects identify and preserve paleontological, prehistoric, historic, archaeological, and tribal cultural resources. General Plan Action CD-1.12.A, Archaeological Site Inventory, requires the City to "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 resources are discovered during any construction or preconstruction activities." This includes consultation with Native American organizations prior to continued site work in the event such remains are discovered. State and local laws also require certain procedures following the discovery of human remains. In accordance with the City's General Plan and other regulations, the project would be required to implement the following conditions of approval:

- Archaeological construction monitoring of all ground-disturbing activities. An archaeologist who meets the Secretary of the Interior's Standards for Archaeology shall be contracted to monitor all ground-disturbing activities.
- Treatment of previously unidentified archaeological deposits. If prehistoric or historical archaeological deposits are discovered during construction, all work within 25 feet of the discovery shall be redirected and an archaeologist shall assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits shall be avoided by the project, but if such impacts cannot be avoided, the deposits shall be evaluated, by a licensed archaeologist, for their eligibility for the California Register of Historical Resources. If the deposit is not eligible for the California Register, no further protection of the finds is necessary. If the deposits are California Register eligible, they shall be protected from project-related impacts or such impacts shall be mitigated. Mitigation may consist of but is not necessarily limited to systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility.
- Treatment of previously unidentified human remains. Any human remains encountered during project ground-disturbing activities shall be treated in accordance with California Health and Safety Code Section 7050.5. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of Alameda County has determined the manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel/construction workers shall not collect or move any human remains and

associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will immediately identify a Native American most likely descendant (MLD) to inspect the site and provide recommendations within 48 hours for the proper treatment of the remains and associated grave goods.

Compliance with 2035 General Plan policies and the above Uniformly Applicable Development Policies would substantially mitigate project specific impacts of the project and ensure that the effect of the project would be less than significant and would not be more significant than described in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.5 Energy. Would the project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☒	☐	☒	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☒	☐	☐	☒

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

The potential to result in wasteful, inefficient, or unnecessary consumption of energy resources was added as a new checklist topic by the 2019 California Environmental Quality Act (CEQA) update. Thus, this threshold was not included in Appendix G of the CEQA Guidelines at the time of the 2035 General Plan EIR or TOD Strategy EIR publication. However, impacts to energy conservation were assessed as part of the Utilities and Service Systems chapter of the 2035 General Plan EIR. The 2035 General Plan EIR concluded that energy conservation impacts would be **less-than-significant** due to the following General Plan policies to promote energy and transportation efficiency:

- Policy OSC-8.1: Conservation and Energy Efficiency. Strongly advocate for increased energy conservation by San Leandro residents and businesses and ensure that the City itself is a conservation role model.
- Policy OSC-8.2: Planning and Building Practices. Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency, and support the City's greenhouse gas reduction goals.
- Policy OSC-8.3: Weatherization and Energy Upgrades. Promote the weatherization and energy retrofitting of existing homes and businesses, including the development of solar space heating and water heating systems, and the use of energy-efficient lighting, fixtures and appliances.
- Policy OSC-8.4: Local Energy Resources. Accommodate the use of local alternative energy resources, such as solar power, wind, methane gas, and industrial waste heat (cogeneration).

Ensure that alternative energy infrastructure is compatible with surrounding land uses and minimizes environmental impacts on the community.

- Action OSC-8.4.A: Community Choice Aggregation. Continue to explore Community Choice Aggregation, an approach to energy procurement in which the City would partner with other jurisdictions to secure alternative energy supply contracts.
- Action OSC-8.5.B: Public Information. Develop and disseminate information to San Leandro residents and businesses on energy conservation and renewable energy opportunities, including advantageous financing programs for residents and businesses. Work with the School Districts to provide similar information to school children and their families.
- Policy OSC-8.6: Reducing Peak Demand. Encourage innovative responses to reduce peak demands on the electric power grid, such as flexible work shifts and the development of local power sources.
- Policy T-1.10: Reduced Trip Generation. Encourage local employers to develop programs that promote ridesharing, flextime and telecommuting, bicycle use, and other modes of transportation that reduce the number and distance of vehicle trips generated.
- Policy T-2.1: Complete Streets Serving All Users and Modes. Create and maintain "complete" streets that provide safe, comfortable, and convenient travel through a comprehensive, integrated transportation network that serves all users.
- Policy T-2.8: Car-Sharing and Bike-Sharing. Encourage car-sharing, bike-sharing and other programs that reduce the need for individual car ownership. Such programs should be focused in the Downtown area and near the city's two BART stations.
- Policy T-3.1: Citywide Bikeway System. 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.
- Policy T-3.3: Designing for Multiple User Groups. Recognize the dual needs of experienced cyclists relying on bicycles for commute trips and daily travel and less experienced cyclists using bicycles principally for recreation. Where needed, develop facilities designed to serve each user group, with recreational routes primarily using low-volume streets and off-street bike paths.
- Policy T-3.5: Accommodation of Bicycles and Pedestrians. Require new development to incorporate design features that make walking, bicycling, and other forms of non-motorized transportation more convenient and attractive. Facilities for bicycles and pedestrians, including secured bicycle parking, clearly marked crosswalks, well-lit streets and sidewalks, landscaping, and street furniture should be provided within new employment areas, shopping destinations, multi-modal transportation facilities, and community facilities.
- Policy T-3.6: Pedestrian Environment. Improve the walkability of all streets in San Leandro through the planning, implementing, and maintaining of pedestrian supportive infrastructure.
- Policy T-3.7: Removing Barriers to Active Transportation. Reduce barriers to walking and other forms of active transportation such as incomplete or uneven sidewalks, lack of wheelchair ramps

and curb cuts, sidewalk obstructions including cars parked on sidewalks, trail gaps, wide intersections, and poor sidewalk connections to transit stops.

- Policy T-4.5: Passenger Amenities. Encourage amenities, such as shelters, lighting, and real-time information on bus arrivals and departures to increase rider safety, comfort and convenience.
- Policy T-4.6: Barrier Free Transit. Work with local public transit providers and social service agencies to eliminate barriers to personal mobility and more completely meet the transportation needs of persons with disabilities.
- Policy T-4.8: Legislation and Pricing Strategies. Support legislation and pricing strategies which make public transit more economical and affordable than driving.
- Policy T-4.9: BART Station Provisions for Bicycles and Pedestrians. Ensure that all BART stations and major bus routes are served by the bicycle and pedestrian systems. Bicycle and pedestrian connections between the Downtown San Leandro and Bay Fair BART stations and the surrounding neighborhoods, business districts, and community institutions should be improved, with special attention to the at-grade railroad crossings and connections through the parking lots.
- Policy T-5.2: Evaluating Development Impacts. Use vehicle miles traveled (VMT) as the primary metric for evaluating the transportation impacts of new development proposals. Traffic impact studies may also consider the total number of trips generated and the resulting impact on traffic volumes and congestion (e.g., "Level of Service"), but VMT shall provide the primary basis for determining appropriate mitigation measures.
- Policy T-5.9: Autonomous (Driverless) Vehicles. Monitor the development of autonomous vehicle technology, and actively take part in regional discussions regarding the potential effects of these vehicles on local and regional traffic flow.
- Policy T-6.1: Traffic Calming Strategies. Use a variety of approaches to slow down or "calm" traffic on San Leandro streets, based on the specific conditions on each street. Emphasize approaches that improve conditions for pedestrians and bicyclists and enhance neighborhood aesthetics.

New Information and Specific Effects of the Project

Short-Term Construction Impacts

The proposed project would transform the project site, located in the downtown urban core, from a one-story commercial center with surface parking lot supporting the use into a pedestrian and transit-friendly mixed-use project that includes multi-family housing, neighborhood commercial uses such as grocery, retail, and dining, and recreational/park uses; all near a major transit stop. The proposed project would develop 196 dwelling units on the project site, which would provide housing for approximately 620 people.

Energy would be consumed throughout the construction and operation of the new development. Energy required during construction includes energy used for the transportation of building materials, manufacturing of building materials, and the actual construction of buildings and infrastructure. During

Project operation, energy use would be associated with building heating and cooling, use of consumer products, lighting, and vehicular traffic. The discussion and analysis provided below is based on data included in the California Emissions Estimator Model (CalEEMod) output.

The anticipated construction schedule assumes that the proposed project would be built over a 20-month period. The proposed project would require demolition, grading, site preparation, and building activities during construction. Construction of the proposed project would create temporary increased demands for electricity and vehicle fuels. Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. Therefore, the analysis of energy use during construction focuses on fuel consumption. Construction trucks and haul trucks would be anticipated to use diesel fuel, whereas construction workers traveling to and from the Project Site would be anticipated to use gasoline-powered vehicles. Fuel consumption from transportation use depends on the type and number of trips, VMT, the fuel efficiency of the vehicles, and travel mode. Upon completion of project construction, all construction-equipment would cease. Furthermore, the construction contractors are anticipated to use Tier 3 construction equipment and minimize non-essential idling of construction equipment during construction in accordance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9. Construction trips would also not result in unnecessary use of energy since the project site is served by SR-185, SR-61, and I-880, which provide direct routes from various areas of the region.

While electric-powered construction equipment could be used, it is anticipated that the equipment would be limited to hand tools (e.g., power drills) and lighting, which would result in minimal electricity demands. In addition, it is not anticipated construction activities would require use of natural gas-powered equipment. Project construction would also be required to comply with the City of San Leandro Municipal Code which includes specific requirements sourced from the California Green Building Standards Code that include recycling construction materials (San Leandro Municipal Code Section 3-7-300) and energy efficiency standards that apply to construction to minimize wasteful, inefficient, and unnecessary energy consumption. With these Uniformly Applicable Development Policies, energy use during construction of the project would not be considered inefficient, wasteful, or unnecessary. Impacts would be less than significant and would not be more significant than described in the prior EIR.

Long-Term Operation Impacts

Operation of the proposed project would create demands for electricity and natural gas as compared to existing conditions and would result in new transportation energy use. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting. Energy and natural gas consumption were estimated using default energy intensities by land use type in CalEEMod.

Electrical Energy

Electrical service to the proposed project would be provided by East Bay Clean Energy (EBCE) through connections to existing off-site electrical lines and new on-site infrastructure. As shown in Table 4-6, electricity use at the project site would be 2,240,734 kilowatt hours per year.

TABLE 4-6 PROJECT ANNUAL ELECTRICITY CONSUMPTION

Land Use	Electricity (kWh/year)
Apartments Mid Rise	825,838
Bank	18,687
Enclosed Parking with Elevator	474,678
Fast Food Restaurant w/o Drive Thru	44,383
Other Non-Asphalt Surfaces	0
Regional Shopping Center	16,364
Supermarket	860,785
Total	2,240,734

Source: CalEEMod 2016.3.2.25. See Appendix B.
[1] Based on electricity rates in CalEEMod.
[2] Buildings constructed after January 1, 2020 are required to meet the 2019 Building Energy Efficiency Standards. Based on the summary of first year Savings of the 2019 Code compared to the 2016 Code, nonresidential buildings use 10.7 percent less electricity.[15]

The proposed project would increase energy demand at the site compared to existing conditions, but it would be required to comply with the current State regulation. This includes the California Green Building Standards Code (CALGreen) which was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen includes five categories of standards: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality. The project would also be required to comply with California Building Code Building Energy Efficiency Standards as specified in the California Code of Regulations, Title 24, Part 11 (Title 24). Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[16] San Leandro's Building and Safety Division requires builders to complete a Green Building checklist for all new construction projects. Therefore, it would not result in wasteful or unnecessary electricity demands. Therefore, impacts would be **less than significant** and **would not be more significant than described in the prior EIR**.

[15] NORESCO. 2018, June 29. 2019 Update to the California Energy Efficiency Standards for Residential and Non-Residential Buildings.

[16] 2 California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed January 21, 2020. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-buildingenergy-efficiency.

Natural Gas Energy

The proposed natural gas consumption for the project site is shown in Table 4-7. The proposed facilities would generate an average natural gas demand of 2,837,464 kilo British thermal units (kBTU) per year. However, the proposed project is required to comply with Title 24 and CALGreen requirements to reduce energy consumption; and because the design and location of the project would reduce gasoline usage given the project's proximity to existing transit and proposed mix of uses, it would not result in wasteful or unnecessary natural gas demands. Therefore, operation of the proposed project would result in **less than significant** impacts with respect to natural gas usage and **would not be more significant than described in the prior EIR**.

TABLE 4-7 PROJECT ANNUAL NATURAL GAS CONSUMPTION

Land Use	Natural Gas (kBTU/year)[1]
Apartments Mid Rise	1,651,230
Bank	61,794
Enclosed Parking with Elevator	0
Fast Food Restaurant w/o Drive Thru	259,153
Other Non-Asphalt Surfaces	0
Regional Shopping Center	7,287
Supermarket	858,000
Total	2,837,464

Source: CalEEMod 2016.3.2.25. See Appendix B.
[1] Based on natural gas consumption rates in CalEEMod.
[2] Buildings constructed after January 1, 2020 are required to meet the 2019 Building Energy Efficiency Standards. Based on the summary of first year Savings of the 2019 Code compared to the 2016 Code, nonresidential buildings use 1 percent less natural gas.[17]

Transportation Energy

The proposed project would consume transportation energy during operations from the use of motor vehicles using gasoline to fuel project-related trips. Because the efficiency of the motor vehicles in use, such as the average miles per gallon for motor vehicles involved with the proposed project are unknown, estimates of transportation energy use is assessed based on the overall VMT and related transportation energy use. The proposed project-related VMT would primarily come from residential trips and visitors to the project site. The total annual VMT for the proposed project is estimated to be 13,604,468 miles. The proposed project would involve the construction of more residential housing in the City and could contribute to reducing the vehicle miles traveled between residential and service needs in addition to

[17] NORESCO. 2018, June 29. 2019 Update to the California Energy Efficiency Standards for Residential and Non-Residential Buildings.

jobs. The proposed project impact due to VMT is determined to be less than significant because it is in a Transit Priority Area and meets the other criteria consistent with State CEQA Guidelines Section 15064.3, subdivision (b). The project site would be within an urbanized area with nearby amenities and public transit options, including San Leandro BART station as well as several bus stations within walking distance. These mixed-use features and aspects of the proposed project would encourage walking, bicycling, and alternative modes of transportation, and contribute to minimizing VMT and transportation-related fuel usage. In addition, while project implementation would result in new visitors to the site from the retail uses, the proposed project would serve the local population. Serving the local community could contribute to reducing the vehicle miles traveled by providing the local community with closer options for retail uses. In addition, the proposed project would include bike storage facilities, EV parking, and pedestrian access to the site. These features and aspects of the proposed project would contribute to minimizing VMT and transportation-related fuel usage. Thus, it is expected that operation-related fuel usage associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than similar development projects. Therefore, impacts would be less than significant. They would not be more significant than described in the prior EIR.

Criterion b

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

This threshold was not included in Appendix G of the CEQA Guidelines at the time of the 2035 General Plan EIR or TOD Strategy EIR publication. Thus, the potential impacts related to conflict with or obstruction of a state or local plan for renewable energy or energy efficiency were not analyzed in the 2035 General Plan EIR or TOD Strategy EIR.

New Information and Specific Effects of the Project

The California Renewables Portfolio Standard (RPS) was established in 2002 under SB 1078 and was amended in 2006 and 2011. The RPS program requires investor-owned utilities, electric service providers, and community choice aggregators to increase the use of eligible renewable energy resources to 33 percent of total procurement by 2020. Renewable energy sources include wind, small hydropower, solar, geothermal, biomass, and biogas. Electricity production from renewable sources is generally considered carbon neutral. Executive Order S-14-08, signed in November 2008, expanded the state's RPS to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Senate Bill 350 (SB 350, de Leon) was signed into law September 2015 and establishes tiered increases to the RPS. SB 350 requires renewable energy resources of 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures. On September 10, 2018, Governor Brown signed Senate Bill 100 (SB 100), which raises California's RPS requirements to 60 percent by 2030, with interim targets, and 100 percent by 2045. The bill also establishes a state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by

December 31, 2045. Under SB 100 the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Electrical needs to the project site would be provided by East Bay Clean Energy (EBCE). EBCE obtains electricity from conventional and renewable sources throughout California. In 2019, 59.9 percent of the electricity from EBCE's Bright Choice Power Mix was generated from renewable energy sources; 25.3 percent from large hydroelectric generators; 1.5 percent from nuclear sources; and 13.3 percent from other and unspecified sources.[18] The new power demand associated with the project is anticipated to be within the service capabilities of EBCE and would not impede EBCE's ability to implement California's renewable energy goals. In addition, and as discussed earlier, the project's mixed-use character and location in a Transit Priority Area as defined by CEQA, implement urban design that reduces VMT and accommodates pedestrian and bicycle access.

The project is also consistent with, and supports, key 2035 General Plan policies and actions for energy conservation and efficiency via land use. These include:

- Policy OSC-7.8: 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.
- Action OSC-7.9A: Transit-Oriented Development. Implement transit-oriented development plans for the Downtown and Bay Fair BART station areas and the East 14th Street corridor.
- Action OSC-7.9.B: Pedestrian Orientation. Implement design guidelines which encourage pedestrian friendly development which de-emphasize the predominance of surface parking lots in transit-oriented development areas such as the BART stations and East 14th Street corridor.
- Action OSC-7.9.C: Bicycle and Pedestrian Improvements. Implement the capital projects identified in the San Leandro Bicycle and Pedestrian Master Plan, and support new projects such as the East Bay Greenway to facilitate travel on foot and by bicycle.
- Policy OSC-8.2: Planning and Building Practices. Encourage construction, landscaping, and site planning practices that minimize heating and cooling costs and ensure that energy is efficiently used. Local building codes and other City regulations and procedures should meet or exceed state and federal standards for energy conservation and efficiency, and support the City's greenhouse gas reduction goals.

Finally, the project is also consistent with key energy- and GHG emissions-related land use measures identified in the Capacity of San Leandro Climate Action Plan, which was adopted in 2009 to provide direction for the reduction of community and municipal GHG emissions. These include:

[18] EBCE Clean Energy. 2020. 2019 Power Content Label. https://res.cloudinary.com/diactiwk7/image/upload/v1605298637/ebce_ PCL_103020_digital_zt17hp.pdf. Accessed February 7, 2021.

- Continue to support the implementation of the Downtown Transit Oriented Development (TOD) Strategy. Fosters better bus services in downtown and improved connectivity to BART system to promote ridership of public transit. Strategy incorporates increased height limits and minimum densities, and reduced parking requirements for sites near the BART station and along the East 14th Street transit corridor.[19]
- Allow reduced parking requirements where specific conditions are met. These conditions should include transportation demand management measures, such as shuttle buses to BART and other designations, carpooling and vanpooling programs, shared cars, bicycle storage facilities.[20]
- Improve crossings for pedestrians and cyclists at intersections in the City. This can be done through the use of enhanced crosswalks and corner bulb-outs to increase crosswalk visibility, slow turning traffic, as well as installation of detection loops for bicycles.20 User-friendly pavements and crossings can encourage a higher number of pedestrians and bicyclists.[21]

Finally, the proposed project would be required to comply with Uniformly Applicable Development Standards in the form of the most current 2019 Building and Energy Efficiency Standards of the California Public Resources Code, Title 24, Part 6. Overall, the proposed project would be consistent with and would not interfere with the City's CAP. Impacts would be **less than significant** and **would not be more significant than described in the prior EIR.**

[19] City of San Leandro, 2009, Climate Action Plan, page 30.
[20] Ibid.
[21] City of San Leandro, 2009, Climate Action Plan, page 33.

INFILL CHECKLIST

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.6 Geology and Soils. Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☒	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☒	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐	☒
iv) Landslides?	☐	☒	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☒	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☒	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial director indirect risks to life or property?	☐	☒	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☒	☒

ENVIRONMENTAL CHECKLIST AND DISCUSSION

The following discussion is primarily based on *the Geotechnical Investigation for the East 14th Street Mixed-Use Development Project, 1188 East 14th Street, San Leandro, California*, prepared by Cornerstone Earth Group in June 2018. This report is included in Appendix C.

Criterion a

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

At the time of publication of the 2035 General Plan EIR and TOD Strategy EIR, criterion a was worded *Would the proposed project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault; strong seismic ground shaking; seismic-related ground failure; including liquefaction and lateral spreading; and landslides*.

The 2035 General Plan EIR concluded that *No Further Discussion* of the topic was necessary. This was pursuant to the 2015 CBIA v BAAQMD case, which decided that CEQA applies to a project's impacts on the environment, not the environment's impacts on the project unless the project would exacerbate the environmental hazard.[22] The 2035 General Plan EIR and TOD Strategy EIR conclude that implementation of the proposed project would not cause or worsen seismic activity; therefore, the project would not exacerbate the seismic hazard.

The TOD Strategy EIR, which was published before the 2035 General Plan was adopted, stated that impacts related to faults, ground shaking, liquefaction and lateral spreading and landslides would be less than significant, due to the distance of the TOD Area from faults and hazard zones, as well as the application of policies and actions to mitigate potential seismic hazards in the community included in the previous General Plan.

New Information and Specific Effects of the Project

i. Fault Rupture

As documented in the geotechnical investigation, the project site is not located in an Alquist-Priolo Earthquake Fault Zone. Moreover, there is no indication of any known surface expression of fault traces crossing the site. As such, the potential for direct or indirect substantial adverse effects, including loss, injury, or death involving fault rupture, represents a low risk. In addition, the proposed project would comply with City Public Works and Building and Safety Department Standards, the UBC, the CBC, and other applicable laws and regulations governing building standards, which are uniformly applicable development policies or standards adopted by the City.

ii. Ground Shaking

[22] California Supreme Court, 2015, California Building Industry Association v Bay Area Air Quality Management District, Opinion No. S213478, date filed: December 17, 2015.

As noted in the geotechnical investigation, most sites in the Bay Area are subject to moderate to severe groundshaking. The closest faults from the project site are the Hayward (Northern Extension) fault and the Hayward (Southern Extension) fault, which are located approximately 1.4 miles and 1.8 miles from the project site, respectively. Compliance with General Plan Policy EH-1, calling for development review and building standards that ensure new construction is designed to minimize the potential for damage; and Action EH-1.1.A, requiring submission of, and adherence to, soils and geologic reports, would reduce the risk of ground shaking. In addition, design of the proposed project would adhere to any applicable regulations contained in the UBC, the CBC, and the San Leandro Municipal Code, which are uniformly applicable development policies or standards adopted by the City which would also reduce the risk of seismically-induced ground shaking.

iii. Ground Failure and Liquefaction

As established in the geotechnical investigation, there is a sufficient cap—greater than 15-feet thick—of non-liquefiable materials to prevent ground rupture or sand boils beneath the site. Accordingly, there is low potential for liquefaction throughout the site. Regardless, the proposed project would be required to comply with the recommendations of the geotechnical investigation which include ground improvement such as removal and re-compaction of soil. In addition, the proposed project would adhere to any applicable regulations contained in the UBC, the CBC, and the San Leandro Municipal Code, which are uniformly applicable development policies or standards adopted by the City related to reducing risk of ground failure. The resulting risk of ground rupture is low.

iv. Landslides

As stated in the 2035 General Plan EIR, the probability of earthquake-induced landslides in most of San Leandro is low. The one exception is the hills in the northeast part of the city where maps prepared by the California Geological Survey have identified several landslide hazard zones.[23] The project site, in the urbanized, flat downtown area does not contain any major slopes or hillsides on or in the immediate vicinity, is not located within a potential earthquake induced landslide zone and is at a low risk of landslides.

Taken together, the potential for direct or indirect substantial adverse effects, including the risk of loss, injury, or death involving seismic activity, represents a **less a than significant impact**. It would **not be more significant than described in the prior EIR**.

Criterion b

Analysis in the 2035 General Plan EIR

The potential for soil erosion and loss of topsoil was analyzed in the 2035 General Plan EIR (Section 4.5.3, pages 4.5-8 through 13) and was determined to result in a **less than significant impact**. The EIR determined that compliance with existing regulatory requirements, such as erosion control measures

[23] California Geological Survey, 2003, Seismic Hazard Zones, San Leandro Quadrangle, scale 1:24,000, released February 14, 2003.

specified in Chapter 7-12 of the City of San Leandro Municipal Code, preparation of erosion and sedimentation control plans, and General Plan Policy EH-1.3, Off-Site Impacts of Hillside Development, which require erosion control measures in areas with known slope hazards, would reduce any potential impacts.

New Information and Specific Effects of the Project

Erosion is a normal and inevitable geologic process whereby earthen materials are loosened, worn away, decomposed or dissolved, and removed from one place and transported to another. Precipitation, running water, waves, and wind are all agents of erosion. Activities associated with development may accelerate erosion within an urban area, which can cause damage by undermining structures, blocking storm sewers, and depositing silt, sand, or mud in roads and tunnels. Eroded materials are eventually deposited into coastal and local waters where the carried silt remains suspended in the water for some time, constituting a pollutant and altering the normal balance of plant and animal life.

The nearly flat topography and existing hardscape of the project site and surroundings decrease the project's potential to accelerate erosion. Site preparation and construction phases would include stripping of surface vegetation, removal of topsoil, excavation of fill and trenching. These activities would disrupt on-site soils and expose uncovered soils to potential erosion impacts. However, site preparation activities would be short-term during the preliminary stages of project development, and removal of deep below-grade features would be immediately backfilled with compacted fill.

The proposed project would disturb more than 1.0 acre of land. It is therefore required to obtain coverage under the Statewide Municipal Regional Stormwater Permit (MRP) and prepare a Stormwater Pollution Prevention Plan (SWPPP) that includes Best Management Practices (BMPs) to control sedimentation, erosion, and hazardous materials contamination of runoff during construction. The General Construction Permit also requires that, prior to the start of construction activities, the project applicant file Permit Registration Documents with the State Water Resources Control Board, which includes a Notice of Intent, risk assessment, site map, annual fee, signed certification statement, stormwater pollution prevention plan, and post-construction water balance calculations.

As explained Chapter 3 and further discussed in Section 4.8, the project is eligible for Category B Special Project classification under the MRP. Category B Special Projects are high-density TOD projects characterized by components that reduce runoff in and of themselves, such as lack of surface parking and location in a Central Business District. These projects that are allowed, under Provision C.3.e.ii of the MRP, to receive reductions in Low-Impact Development (LID) requirements.

Compliance with existing regulatory requirements would reduce the likelihood of significant erosion or topsoil loss. Chapter 7-12 of the City of San Leandro Municipal Code specifies mandatory erosion control measures for grading permits, including submittal and construction requirements. These requirements include erosion and sedimentation control plans that must be submitted with a grading permit application.

Mandatory compliance with these requirements would ensure that erosion impacts resulting from the Project would be less than significant and no mitigation would be required. Therefore, the effect of the

project related to substantial soil erosion or the loss of topsoil would not be more significant than described in the prior EIR.

Criterion c

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Potential impacts related to unstable soils were analyzed in the 2035 General Plan EIR (Section 4.5.3, pages 4.5-8 through 13) and were determined to result in a less than significant impact. This the case because development under the 2035 General Plan would comply with California Building Code requirements and would be subject to General Plan Action EH-1.1.A, Soils and Geologic Reports, which require the preparation and submittal of soils and/or geologic reports for sites with potentially serious geologic risks. Similarly, the TOD Strategy EIR (San Leandro 2007b) evaluated the potential for soils with high shrink- swell potential and low strength, and the need to comply with previous General Plan policies to reduce these hazards.

New Information and Specific Effects of the Project

Undocumented Fill

As explained in the geotechnical investigation, the materials comprising the site's subsurface soils consist of about 1 to 2 feet of undocumented fill consisting of clayey sand and sandy clay with gravel. The fill is underlain by loose to medium dense silty to clayey sand and medium stiff to hard lean clay and sandy lean clay within the upper 15 feet of the subsurface. Below this depth is generally medium stiff to hard, low to moderately compressible lean clay with varying percentages of sands and silt to a maximum depth explored of 50 feet beyond the current ground surface.

Per the geotechnical investigation, undocumented fill may be highly variable. The materials may not uniformly support the proposed development. As such, the report recommends, and the project would implement the recommendation, that all undocumented fill beneath the proposed building areas be over-excavated and re-compacted prior to foundation construction. With implementation of this geotechnical recommendations, impacts related to unstable soils from undocumented fill would be less than significant.

Liquefaction and Settlement

Liquefaction is the process in which saturated soil, usually loose sand and silt, temporarily weakens due to the buildup of excess water pressure resulting from earthquake ground motions. Per the geotechnical investigation, the site is within a State designated Liquefaction Hazard Zone (CGS, San Leandro Quadrangle, 2003). During investigations performed as part of the geotechnical investigation, several sand layers were encountered below the ground water depth of 15 feet below ground surface. The geotechnical investigation concluded there is a potential for liquefaction of localized sand layers during a significant seismic event, and that liquefaction-induced settlement from 0.25 to 0.5 inches could occur. Post-construction static (non-seismic) settlement was calculated at 0.5 inches. The combined static and seismic differential settlement was calculated at about 0.75 inches between adjacent foundation elements.

The geotechnical investigation concludes that the proposed structure can be supported on shallow foundations, assuming adherence to recommendations in the investigation for various shallow footing types, and development of construction designs based on a design-level geotechnical study with exploratory borings. Adherence to recommendations of a design level geotechnical study is also a requirement under 2035 General Plan Action EH-1.1A. With implementation of geotechnical recommendations, impacts from liquefaction and settlement would be less than significant.

Lateral Spreading

Lateral spreading is horizontal ground movement of relatively flat soil deposits toward an excavation, channel or body of water. It is typically associated with liquefaction of subsurface layers. The geotechnical investigation also found that because the majority of soil layers beneath and near the project site are discontinuous, the potential for lateral spreading is considered low.

In summary, compliance with demolition, site preparation and foundation recommendations in the current geotechnical report; as well as adherence to a SWPPP and BMPs, would reduce impacts related to unstable soils. Moreover, the development of project construction documents based on a design-level geotechnical study with exploratory borings, as recommended in the current geotechnical study and required by 2035 General Plan Action EH-1.1A, would ensure that impacts related to lateral spreading would be less than significant.

In summary, impacts related to unstable soils would not be more significant than described in the prior EIR.

Criterion d

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Soil expansion refers to significant changes in soil volume due to seasonal fluctuations in moisture content, which can cause cracking in the foundations of buildings and other structures. Potential impacts related to expansive soils were analyzed in the 2035 General Plan EIR (Section 4.5.3, pages 4.5-8 through 13) and were determined to result in a less than significant impact. The project would comply with California Building Code requirements and would be subject to General Plan Action EH-1.1.A, Soils and Geologic Reports, which require the preparation and submittal of soils and/or geologic reports for sites with potentially serious geologic risks. Similarly, the TOD Strategy EIR (San Leandro 2007b) evaluated the potential for soils with high shrink- swell potential and low strength, and the need to comply with previous General Plan policies to reduce these hazards.

New Information and Specific Effects of the Project

As noted, the site is underlain by 1 to 2 feet of undocumented fill consisting of clayey sand and sandy clay with gravel. This is underlain by alluvial soils of loose to medium dense silty to clayey sand and medium stiff to hard lean clay and sandy lean clay within the upper 15 feet from the surface. Plasticity Index tests, which measure moisture content in soils and assess the degree to which soils can move from liquid to solid states, were performed as part of the geotechnical investigation. Results indicated that soils on site have low expansion potential to wetting and drying cycles. This characteristic, combined with compliance

with demolition, site preparation and foundation recommendations outlined in the geological report, will ensure the project's impacts are less than significant and would not be more significant than described in the prior EIR.

Criterion e

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Potential effects from septic systems or alternative wastewater disposal systems were analyzed in the 2035 General Plan EIR (Section 4.5.3, pages 4.5-8 through 13) and were determined to result in less than significant impacts because the projects in the planning area would connect to an existing sewer system. Similarly, the TOD Strategy EIR determined that all projects in the TOD Strategy Area would connect to San Leandro's municipal sewer system.

New Information and Specific Effects of the Project

The project would connect to San Leandro's municipal sewer system and would not add septic tanks or other alternative waste disposal systems to the project site. Therefore, the effect of the project would have no impact and would not be more significant than described in the prior EIR.

Criterion f

Analysis in the 2035 General Plan EIR

The 2035 General Plan EIR (Section 4.4.3, pages 4.4-15 through 4.4-16) evaluated potential impacts on paleontological resources. The City's 2035 General Plan contains policies and actions to address unanticipated discovery of paleontological resources. General Plan Policy CD-1.12, Archaeological Resources, ensures that future projects identify and preserve paleontological, prehistoric, historic, archaeological, and tribal cultural resources. General Plan Action CD-1.12.A, Archaeological Site Inventory, requires the City "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 resources are discovered during any construction or preconstruction activities.". The City determined that compliance with the General Plan policies would reduce impacts on paleontological resources to less than significant.

New Information and Specific Effects of the Project

According to the University of California Museum of Paleontology database, the are 533 known records of paleontological resources discovered in Alameda County, including Cenozoic era invertebrates discovered in San Leandro.[24] There could be additional fossils of potential scientific significance in geological formations that are not recorded in the database. It is possible that ground-disturbing construction associated with development, including backfilling and basement excavation, could reach significant depths below the ground surface. Should this occur, damage to, or destruction of, paleontological

[24] University of California Museum of Paleontology, Locality Search, https://ucmpdb.berkeley.edu/cgi/ucmp_query2.

resources could result, which would prevent the realization of their scientific data potential through documentation and analysis.

In the event that a unique paleontological resource or site or unique geological feature is uncovered during project development, the General Plan's Historic Preservation and Community Design Element includes policies and actions that would provide for the identification of paleontological deposits prior to actions that may disturb such deposits; the preservation and protection of such deposits; and the evaluation of unanticipated finds made during construction:

- 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.

Moreover, in accordance with the City's General Plan and other regulations, the project would be required to implement the following conditions of approval:

- Archaeological construction monitoring of all ground-disturbing activities. An archaeologist who meets the Secretary of the Interior's Standards for Archaeology shall be contracted to monitor all ground-disturbing activities.
- Treatment of previously unidentified archaeological deposits. If prehistoric or historical archaeological deposits are discovered during construction, all work within 25 feet of the discovery shall be redirected and an archaeologist shall assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits shall be avoided by the project, but if such impacts cannot be avoided, the deposits shall be evaluated for their eligibility for the California Register of Historical Resources. If the deposit is not eligible for the California Register, no further protection of the finds is necessary. If the deposits are California Register eligible, they shall be protected from project-related impacts or such impacts shall be mitigated. Mitigation may consist of but is not necessarily limited to systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility.

Further, the project site is in a highly urbanized portion of the City that has been graded and developed and/or improved. Any near-surface paleontological resources that may have existed at one time have likely been disturbed or destroyed by previous development activities. Therefore, discovery of such resources is unlikely. Thus, compliance with the proposed policy and actions listed above, which are uniformly applicable development policies, would protect unrecorded paleontological resources or unique geological features in the planning area by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of paleontological deposits to convey their significance through excavation or preservation.

INFILL CHECKLIST

Compliance with these measures would ensure that the effect of the project is less than significant and would not be more significant than described in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.7 Greenhouse Gas Emissions. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☒	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☒	☐	☒	☒

DISCUSSION

Scientists have concluded that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as greenhouse gases (GHGs), into the atmosphere. The primary source of these GHG is fossil fuel use. The Intergovernmental Panel on Climate Change (IPCC) has identified four major GHGs—water vapor, carbon dioxide (CO2), methane (CH4), and ozone (O3)—that are the likely cause of an increase in global average temperatures observed within the 20th and 21st centuries. Other GHG identified by the IPCC that contribute to global warming to a lesser extent include nitrous oxide (N2O), sulfur hexafluoride (SF6), hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons.

Information on manufacture of cement, steel, and other "life cycle" emissions that would occur because of the project are not applicable and are not included in the analysis. Black carbon emissions are not included in the GHG analysis because the California Air Resources Board (CARB) does not include this pollutant in the state's Assembly Bill (AB) 32 inventory and treats this short-lived climate pollutant separately. A background discussion on the GHG regulatory setting and GHG modeling can be found in Appendix A to this Infill Checklist.

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

Potential impacts from greenhouse gas emissions were analyzed in the 2035 General Plan EIR (Section 4.6, pages 4.6-24 through 4.6-28). The EIR determined that while implementation of the General Plan would directly and indirectly generate greenhouse gas (GHG) emissions, it would not exceed identified GHG efficiency targets for 2020 or General Plan horizon year of 2035. These targets include the Year 2020

Assembly Bill 32 target and Executive Order B-30-15 and Executive Order S-03-05 Goals. Thus, with implementation of the applicable regional and state regulations, this impact would be **less than significant**.

New Information and Specific Effects of the Project

GHG emission impacts were considered in Section 4.6, Greenhouse Gas Emissions, in the prior 2035 General Plan EIR. The 2035 General Plan EIR. As noted above, these impacts were found to be less than significant. The proposed project is a Transit Priority Project (TPP) located in a Transit Priority Area (TPA) (a geographic area within ½-mile of a major transit stop included in a Transportation Improvement Program or a Regional Transportation Plan). As a result, per PRC Section 21159.28(a), this environmental analysis is not "required to reference, describe, or discuss (1) growth inducing impacts; or (2) any project specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network."

A project does not generate enough GHG emissions on its own to influence global climate change; therefore, this Section measures the project's contribution to the cumulative environmental impact associated with GHG emissions. Based on the nature and scope of the proposed improvements, the project would primarily contribute to climate change through the construction activities needed to implement the project, consisting primarily of emissions from equipment exhaust, which would generate a short-term increase in GHG emissions as well as long-term regional emissions, primarily associated with indirect source emissions, such as electricity usage, and energy usage in water distribution, sewage treatment, and solid waste disposal. The emissions generated by the project were evaluated using CalEEMod, Version 2016.3.2.25. As provided in Appendix A, GHG Emissions worksheet. The GHG emissions associated with the proposed project are shown in Table 4-8.

TABLE 4-8 PROJECT GHG EMISSIONS INVENTORY

	GHG Emissions[a]	
	$MTCO_2e$ Per Year	Percent Proportion
Construction		
Total Construction Emissions	840	NA
30-Year Amortized Construction	28	NA
Operations		
Area Sources[a]	2	<1%
Energy Use[b]	310	66%
Waste Generation	122	26%
Water/Wastewater[c]	10	2%
Amortized Construction Emissions	28	6%
Total	**472**	**100%**

Source: CalEEMod, Version 2016.3.2.25
Notes: Totals may not equal 100 percent due to rounding.

Construction Impacts

Construction related GHG emissions are one-time, not annual emissions that would occur on an annual basis; and therefore, do not significantly contribute to the long-term cumulative GHG emissions impacts of a proposed project. One-time, short-term emissions are converted to average annual emissions by amortizing them over the service life of a building. For buildings in general, it is reasonable to look at a 30-year time frame, since this is a typical interval before a new building requires the first major renovation.[25] Construction activities associated with the proposed project would take approximately 20 months. Construction GHG emissions associated with the proposed project are shown in Table 4-8. Because the 2035 General Plan EIR accounted for growth within the City, including from off-road construction equipment, it accounted for the construction-related GHG emissions on the project site. Thus, the proposed project effects are not more significant than described in the prior EIR. Construction related GHG emissions generated by the proposed project would be considered a **less-than-significant** impact and would **not be more significant than described in the prior EIR.**

Operational Impacts

Implementation of the proposed project would result in a new mixed-use building on the project site that generates 5,465 weekday vehicle trips. Operation of the proposed project would result in GHG emissions from water use, wastewater and solid waste generation, area sources (e.g., consumer cleaning products), energy usage (i.e., natural gas and electricity), and vehicle trips. Operational GHG emissions associated with the proposed project are shown in Table 4-8. As shown in this table, development of the proposed project would generate a total of 472 $MTCO_2e$ (Metric tons of carbon dioxide equivalent) per year. The proposed project is consistent with the underlying land use for the project site. The 2035 General Plan EIR analyzed GHG emissions from cumulative growth within the City, including the proposed project site. Therefore, the 2035 General Plan EIR accounts for the GHG emissions from the proposed project and the cumulative impact of GHG emissions was analyzed fully in the EIR. The 2035 General Plan EIR established a 2035 efficiency target of 3.2 MTCO2e per person, based on a trajectory toward the goals in Executive Order B-30-15 and Executive Order S-03-05. The EIR concluded that total emissions would amount to 3.1 MTCO2e per person.[26] At this rate, the proposed project, with 621 people (see Section 4.11.a) and total GHG emissions rate of 472 MTCO2e, would generate 0.76 MTCo2e/person. This is substantially less severe than the 2035 General Plan. Additionally, the proposed project would also be subject to the existing uniformly applicable development policies, such as the Title 24 Building and Energy Efficiency Standards and the California Green Building Standards Code (CALGreen) requirements. Thus, the proposed project effects are not more significant than described in the prior EIR. GHG emissions would be considered **less than significant** and would **not be more significant than described in the prior EIR**.

[25] International Energy Agency (IEA), 2008, July. Energy Efficiency Requirements in Building Codes, Energy Efficiency: Policies for New Buildings. https://www.iea.org/reports/energy-efficiency-requirements-in-building-codes-policies-for-new-buildings.

[26] City of San Leandro, 2035 General Plan EIR, page 4.6-27

Criterion b

Analysis in the 2035 General Plan EIR

The 2035 General Plan EIR analyzed the potential of the General Plan to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Section 4.6, pages 4.6-28 through 4.6-42). While it was determined that the General Plan was consistent with the regional objectives of the Plan Bay Area and the City's Climate Action Plan, CARB did not yet have a plan to achieve the statewide GHG emissions goal of 80 percent below 1990 levels by 2050 established in Executive Order S-03-05. In addition to the local measures and policies included in the General Plan, additional state and federal measures are necessary to meet this target. Impacts were considered significant. Mitigation Measure GHG-2 required continued implementation of the City's Climate Action Plan. However, there are no mitigation measures to address post-2030 GHG reductions beyond continued implementation of existing and proposed policies and programs. Thus, San Leandro would not achieve GHG emissions reductions consistent with the goals outlined in Executive Order S-03-05 and impacts from GHG emissions were identified as significant and unavoidable. Mitigation Measure GHG-2 is not directly applicable to the proposed project; and therefore, not incorporated into the Infill project.

New Information and Specific Effects of the Project

Applicable plans adopted for the purpose of reducing GHG emissions include the CARB Scoping Plan, *Plan Bay Area 2040*, and the San Leandro Climate Action Plan. A consistency analysis with these plans is presented below.

CARB's Scoping Plan

The CARB Climate Change Scoping Plan outlines the State's strategies to reduce GHG emissions in accordance with the targets established under AB 32 and Senate Bill (SB) 32. The Scoping Plan is applicable to State agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Statewide strategies to reduce GHG emissions in the 2017 Climate Change Scoping Plan include: implementing SB 350, which expands the RPS to 50 percent by 2030 and doubles energy efficiency savings; expanding the Low Carbon Fuel Standards (LCFS) to 18 percent by 2030; implementing the Mobile Source Strategy to deploy zero-electric vehicle buses and trucks; implementing the Sustainable Freight Action Plan; implementing the Short-Lived Climate Pollutant Reduction Strategy, which reduces methane and hydrofluorocarbons to 40 percent below 2013 levels by 2030 and black carbon emissions to 50 percent below 2013 levels by 2030; continuing to implement SB 375; creating a post-2020 Cap-and-Trade Program; and developing an Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Statewide strategies to reduce GHG emissions include the low carbon fuel standards, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy standards, and other early action measures as necessary to ensure the State is on target to achieve the GHG emissions reduction goals of AB 32 and SB 32. In addition, new buildings are

required to comply with the current Building Energy Efficiency Standards and CALGreen. Because these GHG emissions reduction strategies are statewide measures, the proposed project would not interfere with their implementation.

Energy efficient measures are intended to maximize energy efficiency building and appliance standards, pursue additional efficiency efforts (including new technologies and new policy and implementation mechanisms), and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. The proposed project would be required to comply with the latest CALGreen Code standard building measures, San Leandro Municipal Code, applicable Energy Efficiency Standards (Title 20 CCR) and Title 24 standard regulations regarding energy conservation and green building standards. Therefore, the proposed project would comply with applicable energy efficiency measures and not conflict with any measures in State Plans.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As noted above, the Project would be required to comply with the latest CALGreen Code standard building measures, San Leandro Municipal Code, applicable Energy Efficiency Standards (Title 20 CCR) and Title 24 standards, which includes a variety of different measures that address water conservation and efficiency, including reduction of wastewater and water use. Therefore, the proposed project would not conflict with any of the water conservation and efficiency measures in State Plans.

Waste management measures relate to solid waste and materials management including reduction/reuse; recycling and remanufacturing of recovered material; composting and in-vessel (anaerobic and aerobic) digestion; biomass management (chip and grind, composting, biomass conversion); municipal solid waste transformation; and landfilling. The proposed project would be required to comply with the CalRecycle Waste Diversion and Recycling Mandate which would reduce solid waste production by 75 percent. In addition, during construction, the Proposed Project would be required to submit project plans and Demolition and Import/Plans to the Public Works Department for review and approval to ensure that the plans comply with AB 939, the Solid Waste Reduction Act of 1989, and the County of Alameda and City of San Leandro Integrated Waste Management Plans as administered by the City of San Leandro. As such, the proposed project would not conflict with any of the waste management measures in State Plans.

Additionally, the project's GHG emissions would be reduced from statewide compliance with these measures that have been adopted since AB 32 and SB 32 were adopted. Therefore, the Proposed Project would be consistent with the 2017 Scoping Plan reduction measures which work towards reducing GHG emissions to meet the statewide 2030 target (40 percent below 1990 levels of emissions), consistent with AB 32, EO B-30-15, and codified by SB 32 and AB 197. As such, consistency with the 2017 Scoping Plan, coupled with statewide measures to reduce GHG emission from electricity producers, vehicles, fuel, and the cap-and-trade program, would reduce the project emissions consistent with 2030 statewide reduction goals. The proposed project not hinder implementation of the CARB Scoping Plan and would not be more significant than described in the prior EIR.

Plan Bay Area

As discussed earlier, SB 375 provides the other major plan and policies to reduce GHG gases through land use planning and transportation policies. *Plan Bay Area* 2040 is the Bay Area's Regional Transportation Plan/Sustainable Communities Strategy. It identifies the sustainable vision for the Bay Area and is developed to achieve the 2020 and 2035 GHG emission reduction targets established by CARB. As part of the implementing framework for *Plan Bay Area* 2040, local governments have identified Priority Development Areas (PDAs) to focus growth. PDAs are transit-oriented, infill development opportunity areas in existing communities. The project is within the Downtown Transit Oriented Development PDA in the City of San Leandro.[27] The proposed project is an infill development project that would result in an increase in land use intensity in a portion of the City that has access to existing infrastructure and services, including transit service. As discussed in Chapter 2, the proposed project is consistent with the land use and transportation strategy goals, policies, and benefits of the Plan Bay Area 2040. In addition, the 2035 General Plan EIR analyzed GHG emissions from cumulative growth within the City, including the proposed project site. Therefore, the 2035 General Plan EIR accounts for the GHG emissions from the proposed project and the cumulative impact of GHG emissions was analyzed fully in the EIR. Because the proposed project would increase density and diversity by providing additional residential and retail uses within the City, it would contribute to reducing the vehicle miles traveled between residential and service needs. Further, the nature of the proposed project as a mixed-use development and its design, such as providing sidewalks, active uses on the ground floor of buildings, and landscaping, will encourage a variety of active transportation options, such as walking and biking thereby maximizing mobility to, from, and within the project site and the accessibility of the project site to residents, employees, and visitors. The location, mixed-use character, and design of the proposed project all promote alternative means of transportation beyond single occupancy vehicle use consistent with the policies of the Bay Plan Area. In addition, given the mixed-use nature of the proposed project, residents will be located near employment centers and vice versa, meaning that the proposed project would serve as a potential node of trip attractions with opportunities for external trips to be satisfied before community vehicles reach the wider roadway network, which will also reduce transportation demands and GHG emissions.

Due to the character and components of the proposed project, its location in a PDA and its consistency with the land use and transportation strategy goals, policies, and benefits of *Plan Bay Area* 2040, its impacts are not substantially more severe than those disclosed in the 2035 General Plan EIRs Therefore, the proposed project would not conflict with the *Plan Bay Area* 2040. Impacts would be less than significant and would not be more significant than described in the prior EIR.

San Leandro Climate Action Plan

Adopted by the City of San Leandro in 2009, the Climate Action Plan (CAP) provides direction for the reduction of community and municipal GHG emissions. The measures identified in the City's CAP represent the City's actions to reduce GHG emissions in the City. While this CAP is not a "qualified" CAP

[27] Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). 2021, January 30 (accessed). Priority Development Areas (Plan Bay Area 2040) ArcGIS. https://www.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=56ee3b41d6a242e5a5871b043ae84dc1.

because it does not meet the objectives identified in CEQA Guidelines Section 15183.5(b), the overall goals of the CAP help the City reduce GHG emissions. The proposed project is a residential mixed-use development in a Transit Priority Area near the San Leandro BART station as well as a number of bus stations and would support the implementation of the TOD Strategy. Furthermore, the proposed project would include design features that would reduce project related GHG emissions, including compliance with the 2019 Building and Energy Efficiency Standards, and would provide the local community closer options for residential housing and retail uses. Thus, the proposed project has the potential to reduce automobile trips compared to an isolated development and would promote initiatives to reduce vehicle trips and vehicle miles traveled and would increase the use of alternate means of transportation. Therefore, the project is consistent with the Climate Action Plan. Impacts would not be more significant than described in the prior EIR.

INFILL CHECKLIST

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.8 Hazards and Hazardous Materials. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☒	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☒	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☒	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☒	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☒	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

The following analysis is based in part on the following four site assessments prepared by AEI Consultants in 2017 and 2018 (Appendix E) for the proposed project:

- *November 16, 2017 Phase I Environmental Site Assessment (ESA), 1120 East 14th Street, San Leandro.* This Phase I ESA identified one (1) Recognized Environmental Condition (REC) on the project site, a former dry-cleaning business that occupied 1102 East 14th Street (former address) until at least 1945. The study concluded that the only way to determine if the REC had released hazardous materials into the site would be subsurface sampling.[28]

  The report also identified three (3) Other Environmental Considerations (OEC): 1) the active gas station on the adjacent property to the west, which stores petroleum in underground storage tanks; 2) the potential for release of Asbestos Containing Materials (ACM) during the demolition process, and 3) potential Led-Based Paint (LBP) in existing structures.

- *May 29, 2018 Limited Phase II Subsurface Investigation, 1120 East 14th Street, San Leandro*. Per recommendations of the Phase I ESA for 1120 East 14th Street, a subsurface exploration was conducted. The purpose was to assess whether subsurface conditions have been impacted by historic dry-cleaning operations at the site and the near-by gasoline service station. No volatile organic compounds (VOC) were detected in site soils. Petroleum hydrocarbon VOCs were detected in soil gas but did not exceed commercial or residential screening limits of the San Francisco Regional Water Quality Control Board (RWQCB). Dry cleaning-related VOCs in soil gas were also below applicable RWQCB commercial and residential screening limits. The report concluded that further subsurface assessment was not warranted.[29]

- *December 13, 2017 Phase I ESA, 1188 East 14th Street, San Leandro*. This assessment identified three (3) OECs: 1) Small-scale auto repair operations that were performed at former buildings on the property between the 1920s and at least the late-1960s; 2) the potential for release of ACMs, and 3) potential LBP in existing structures. The Phase I ESA concluded that no further investigation is warranted.[30]

- *May 29, 2018 Limited Phase II Subsurface Investigation, 1188 East 14th Street, San Leandro.* This investigation was conducted to assess whether subsurface conditions have been impacted by past auto repair operations at the site. The investigation identified Total Petroleum Hydrocarbons (TPH), VOCs and metals below RWQCB commercial and residential screening limits. The study identified arsenic exceeding commercial and residential screening levels but within scientifically established Bay Area background concentrations. The report concluded that additional assessment is not warranted.[31]

Criterion a

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The potential for impacts from encountering hazardous waste and using hazardous materials for the project were analyzed in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31) and were determined to be less than significant. The analysis determined that the routine use and transport of

[28] AEI Consultants, November 16, 2017 Phase I Environmental Site Assessment, 1120 East 14th Street, San Leandro Page 8.
[29] AEI Consultants, May 29, 2018 Limited Phase II Subsurface Investigation, 1120 East 14th Street, San Leandro Page 8.
[30] AEI Consultants, December 13, 2017 Phase I Environmental Site Assessment, 1188 East 14th Street, San Leandro Page 8.
[31] AEI Consultants, May 29, 2018 Limited Phase II Subsurface Investigation, 1188 East 14th Street, San Leandro Page 5.

hazardous materials, accidents involving release of hazardous materials, handling acutely hazardous materials near a school, and project construction on a known hazardous waste site would be addressed through regulatory compliance. For example, hazardous materials would be required to be transported under California Department of Transportation regulations, while future development would be subject to regulatory programs such as those overseen by the Regional Water Quality Control Board (RWQCB) and the Department of Toxic Substances Control (DTSC). 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, the City of San Leandro Environmental Service Section has substantial regulations concerning hazardous materials under its CUPA jurisdiction and related Unified Programs. The following 2035 General Plan policies would further reduce this impact:

- 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.
- Action EH-5.1.A: CUPA Programs. Continue to implement State programs as required by the City's Certified Unified Program Agency (CUPA) designation.
- Action EH-5.1.B: Implementation of County Hazardous Waste Management Plan. Work with Alameda County on the implementation and coordination of local hazardous materials waste programs.
- Action EH-5.1.C: Pipeline Safety. Coordinate with appropriate regulatory agencies to ensure the safety of all fuel pipelines that cross San Leandro, and to ensure that record-keeping, maintenance, and operating conditions are fully compliant with state and federal safety regulations.
- 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 be 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.
- Action EH-5.6.A: Publicity of Household Hazardous Waste Information. Work with Alameda County and Alameda County Industries (ACI) to provide each household with information on the location and operating hours of household hazardous waste collection facilities and the protocol for the disposal of such wastes.
- 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.

The TOD Strategy EIR also concluded that while future uses under the Strategy could include potentially hazardous materials, General Plan policies requiring safe and proper handling of hazardous materials and development of hazardous management programs would prevent significant effects.

New Information and Specific Effects of the Project

As identified in the previous summary of environmental assessments, the project site does not contain outstanding surface or subsurface recognized environmental conditions that require further investigation.

Moreover, consistent with City of San Leandro permitting and approval processes, all demolition- and operational waste would be handled in accordance with applicable federal, State, and local laws, policies, and regulations. These include:

Federal Agencies and Regulations

- United States Environmental Protection Agency (EPA), which has established regulations to ensure the safe production, handling, disposal, and transportation of hazardous materials.
- The California Environmental Protection Agency (CalEPA), which is tasked with enforcing EPA regulations in Alameda County.

- United States Department of Transportation (DOT), which has regulatory responsibility for the safe transportation of hazardous materials between states and to foreign countries.
- Occupational Safety and Health Administration (OSHA), which oversees the administration of the Occupational Safety and Health Act, which requires specific training for hazardous materials handlers, and provision of information to employees who may be exposed to hazardous materials.

State Agencies and Regulations

- California Health and Safety Code Chapter 6.95 and California Code of Regulations, Title 19, Section 2729. This code establishes detailed minimum requirements for business emergency plans and chemical inventory reporting.
- Asbestos-Containing Materials Regulations. State-level agencies, in conjunction with the EPA and OSHA, regulate removal, abatement, and transport procedures for ACMs. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos.
- Polychlorinated biphenyls (PCBs) Regulations. The EPA prohibited the use of PCBs in the majority of new electrical equipment starting in 1979, and initiated a phase-out for much of the existing PCB-containing equipment. The inclusion of PCBs in electrical equipment and the handling of those PCBs are regulated by the provisions of the Toxic Substances Control Act (TSCA), 15 United States Code Section 2601 et seq.

Regional Agencies and Regulations

- San Francisco Bay Regional Water Quality Control Board (RWQCB), which has the authority to require groundwater investigations when the quality of groundwater or surface waters of the state is threatened, and to require remediation actions, if necessary.
- Bay Area Air Quality Management District (BAAQMD), which has the primary responsibility for control of air pollution from sources other than motor vehicles and consumer products. The BAAQMD is responsible for preparing attainment plans for non-attainment criteria pollutants, control of stationary air pollutant sources, and the issuance of permits for activities, including demolition and renovation activities affecting asbestos containing materials and lead.

Local Regulations

The City of San Leandro Environmental Services Section and Building and Safety Division coordinate the review of building permits to ensure that hazardous materials requirements are met prior to construction, including required separation between hazardous materials and sensitive land uses, and proper hazardous materials storage facilities. Any businesses that transport, generate, use, and/or dispose of hazardous materials within the Project site would also be subject to existing hazardous materials regulations, such as those implemented by the Environmental Services Section, and hazardous materials permits from the Environmental Services Section.

The 2035 General Plan contains numerous policies and actions under Goal EH-5, Protect local residents and workers from risks associated with hazardous materials, to further ensure that new development

would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. These include Policy EH-5.1 establishing actions to ensure regulatory compliance, Policy EH-5.5 establishing effective incident response, and Policy EH-5.7 requiring safe handling and disposal of building and demolition materials.

Transportation of common, construction-related hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals) would be required to comply with applicable local, State and federal regulations for proper transport, use, storage, and disposal of excess hazardous materials and hazardous construction waste. Erosion control BMPs also would be implemented as discussed in the following Section IX, Hydrology and Water Quality. With adherence to these Uniformly Applicable Development Policies, the resulting impact would not be more significant than described in the prior EIR.

Criterion b

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The potential for impacts from encountering hazardous waste and using hazardous materials for the project were analyzed in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31) and were determined to be less than significant. The analysis determined that the routine use and transport of hazardous materials, accidents involving release of hazardous materials, handling acutely hazardous materials near a school, and project construction on a known hazardous waste site would be addressed through regulatory compliance and the following General Plan policies:

- 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 be 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.

- 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.

The TOD Strategy EIR also concluded that while future uses under the Strategy could include potentially hazardous materials, adherence to General Plan policies requiring safe and proper handling of hazardous materials and development of hazardous management programs, as well as State and county regulations, would prevent significant effects.

New Information and Specific Effects of the Project

The project would be a new mixed-use development within the Project site. Demolition of existing structures, including buildings identified as potentially containing ACMs and LBPs, could result in release of those materials into the environment. Hazardous materials used on the site following project construction could include cleaning solvents, petroleum, and other materials used in the regular maintenance and operation of retail and residential uses. Hazardous substances associated with the proposed on-site uses would be limited in both amount and use such that they can be contained without impacting the environment. In addition, compliance with Uniformly Applicable Development Policies in the form of federal, State, and local laws and regulations regarding handling of these materials described under Criterion a, above, would ensure that potential impacts associated with a reasonably foreseeable upset or accidental release of hazardous materials into the environment would not be more significant than described in the prior EIR.

Criterion c

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The potential for impacts from encountering hazardous waste and using hazardous materials for the project were analyzed in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31) and were determined to be less than significant. The analysis determined that the routine use and transport of hazardous materials, accidents involving release of hazardous materials, handling acutely hazardous materials near a school, and project construction on a known hazardous waste site would be addressed through regulatory compliance. Similarly, the TOD Strategy EIR noted that the TOD Strategy does not include land uses that emit harmful types or levels of emissions, and that General Plan policies require safe and proper handling of hazardous materials.

New Information and Specific Effects of the Project

The closest school to the project site is the St. Leander School, located approximately 0.25 miles to the west, at 451 Davis Street. Given this distance, the fact that hazardous substances associated with the proposed on-site uses would be limited in both amount and use such that they can be contained without impacting the environment, and compliance with Uniformly Applicable Development Policies in the form of the regulatory structures described under Criterion a, project impacts related to hazardous emissions within one-quarter mile of a school would not be more significant than described in the prior EIR.

Criterion d

Analysis in the 2035 General Plan EIR

The potential for impacts from encountering hazardous waste and using hazardous materials for the project were analyzed in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31) and were determined to be less than significant. The analysis determined that the routine use and transport of hazardous materials, accidents involving release of hazardous materials, handling acutely hazardous materials near a school, and project construction on a known hazardous waste site would be addressed through regulatory compliance. The TOD Strategy EIR noted that the TOD project area contains DTSC-identified waste and substance sites, but adherence to General Plan policies for cleanup and remediation, as well as remediation in accordance with State, regional and county guidelines, would reduce significant effects.

New Information and Specific Effects of the Project

California Government Code Section 65962.5 requires the CalEPA to compile, maintain, and update specified lists of hazardous material release sites. CEQA (California Public Resources Code Section 21092.6) requires the Lead Agency to consult the lists compiled pursuant to Government Code Section 65962.5 to determine whether the project and any alternatives are identified on those lists, often referred to as the "Cortese List."

Two internet databases are hosted by the boards and departments referenced in the Government Code: The Department of Toxic Substances Control (DTSC) online EnviroStor database and the State Water Resources Control Board (WRCB) online GeoTracker database. According to the EnviroStor database, there are 45 inactive cleanup sites, one active cleanup site and two permitted facilities in San Leandro.[32] None of these are located at or near the proposed project site. The facility nearest the project site is at 800 Davis Street, about 0.5 miles to the west According to the GeoTracker database there are 28 open (i.e., undergoing or still requiring investigation and/or cleanup) RWQCB Cleanup Sites within the city.[33] . None are within 1,000 feet of the project site. Therefore, the impact would not be more significant than described in the prior EIR.

[32] California Department of Toxic Substances Control, https://www.envirostor.dtsc.ca.gov/public/search?CMD=search&ocieerp=&HWMP=False&business_name=&main_street_name=&city=san+leandro&zip=94577&county=Alameda&censustract=&case_number=&apn=&Search=Get+Report

[33] https://geotracker.waterboards.ca.gov/search?CMD=search&case_number=&business_name=&main_street_name=&city=San+Leandro&zip=94577&county=Alameda&SITE_TYPE=LUFT&SITE_TYPE=SLIC&SITE_TYPE=LANDFILL&SITE_TYPE=WATERPONDS&SITE_TYPE=INJECTION&SITE_TYPE=GWMPLAN&SITE_TYPE=GWMPEX&SITE_TYPE=OTHEROILGAS&oilfield=&STATUS=+Open%2COpen+-+Active%2COpen+-+Assessment+%26+Interim+Remedial+Action%2COpen+-+Eligible+for+Closure%2COpen+-+Inactive%2COpen+-+Long+Term+Management%2COpen+-+Referred%2COpen+-+Remediation%2COpen+-+Reopen+Case%2COpen+-+Site+Assessment%2COpen+-+Verification+Monitoring&BRANCH=SAN+FRANCISCO+BAY+RWQCB+%28REGION+2%29&MASTER_BASE=&Search=Search

Criterion e

Analysis in the 2035 General Plan EIR

Potential impacts on airport land use plans and risks from proximity to airports were analyzed in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31) and were determined be less than significant because future projects in the TOD Strategy Area would be consistent with Airport Land Use Commission policies and would be at least 2.4 miles from the nearest airport (Oakland International), and because there are no private airstrips in San Leandro or within its sphere of influence. The TOD Strategy EIR also concluded that there are no private airstrips in San Leandro.

New Information and Specific Effects of the Project

The project site is not in the vicinity of an airport, within an airport land use plan or within two miles of a public airport or public use airport. Therefore, the effect of the project would not be more significant than described in the prior EIR.

Criterion f

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The potential for projects to affect an adopted emergency response plan or emergency evacuation plan was analyzed in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31). The City determined that compliance with applicable federal, state, and local regulations and existing City plans (e.g., Hazard Plan) and General Plan policies such as Policy EH-6.2, SEMS Planning; Policy EH-6.3, Public Education and Awareness; and Policy EH-6.4, Drills, would ensure that future development would not interfere with the City's emergency plans, and the impact would be less than significant.

The TOD Strategy EIR references General Plan policies developed to ensure 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. The TOD Strategy EIR states that through implementation of this policy and standard project-review protocol, future development proposals under the TOD Strategy would be reviewed by the San Leandro Fire and Police Departments, as well as the joint staffing division consisting of staff from the City of San Leandro and Alameda County Fire Departments to ensure that projects would not significantly impair implementation of any emergency response or evacuation procedures. As such, this impact would be less than significant.

New Information and Specific Effects of the Project

The project would be contained within an existing city block. It would not physically block any roadways or otherwise directly affect emergency access to any area. As described in Chapter 3, the project would include fire access zones on Callan Avenue, Chumalia Street and E. 14th Street. All internal drive aisles would be at least 24-feet wide to accommodate two-way traffic operations and emergency vehicles. All driveways into the site are designed for safe vehicle ingress and egress and would be paired with necessary signage and/or drive aisle restriping.

As stressed in the Transportation Impact Study performed for the project (Appendix G), the project site plans were reviewed to determine the adequacy of circulation and to address access for emergency vehicles. The project was also reviewed by the San Leandro Fire and Police Departments, which determined that the site would have adequate fire access.[34]

Therefore, the effect of the project would not be more significant than described in the prior EIR.

Criterion g

Analysis in the 2035 General Plan EIR

The potential for impacts from wildland fires was analyzed in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31). The City determined that this impact would be less than significant given that new development would generally occur in areas of low wildland fire risk and would not serve as an ignition source for wildland fires or provide additional fuel for fires, once burning. The evaluation found that compliance with applicable federal, state, and local laws and regulations would reduce impacts from wildland hazards.

New Information and Specific Effects of the Project

As discussed in greater detail in Section 4.16, the project would not expose people or structures to risk from wildland fires. The project site is in a central urban area outside of any high Fire Hazard Severity Zone per the California Department of Forestry and Fire Protection (CALFire) state responsibility areas and high fire hazard severity zones. The project site is not on or near a wildland interface, that could be an ignition source for wildfires or provide additional fuel for fires, once burning. Therefore, the effect of the project would not be more significant than described in the prior EIR.

[34] CHS consulting

INFILL CHECKLIST

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.9 Hydrology and Water Quality. Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☒	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☒	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i) result in a substantial erosion or siltation on- or off-site;	☐	☒	☐	☒	☒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☒	☐	☒	☒
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☒	☐	☒	☒
iv) impede or redirect flood flows?	☐	☒	☐	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☒	☐	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The project's potential impacts on water quality were analyzed in the 2035 General Plan EIR (Section 4.8.3, pages 4.8-28 through 4.8-47) and were determined to be less than significant. The project would be required to comply with existing stormwater regulations and City General Plan policies, including Action EH-4.1.B, Municipal Regional Permit Implementation, under which the City requires projects to prepare a stormwater pollution prevention plan. Similarly, the TOD concludes that General Plan policy, supplemented by NPDES permit requirements and local Stormwater Management and Discharge Ordinance Requirements, would reduce significant impacts.

New Information and Specific Effects of the Project

The project site is currently developed. As noted in Chapter 3, the proposed project would decrease the amount of impervious surface at the site and would replace the existing drainage and runoff system with an improved system. This decreases the potential of changing stormwater flows and introducing pollutants to receiving waters.

Regardless, urban runoff can carry a variety of pollutants, such as oil and grease, metals, sediment and pesticide residues from roadways, parking lots, rooftops, landscaped areas and deposit them into adjacent waterways via the storm drain system. Construction and operational impacts associated with the demolition of existing structures and construction of new structures could result in impacts to water quality and waste discharge attributed to water pollution from soil erosion and increased stormwater runoff. Construction activities can impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff, and the use of construction materials such as fuels, solvents, and paints may present a risk to surface water quality. Finally, the refueling and parking of construction vehicles and other equipment on-site during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the storm drain system.

Construction

Since the proposed Project would disturb more than one acre of land, it is subject to compliance with the NPDES General Construction Permit (GCP) and require preparation of an SWPPP that includes erosion and sediment control Best Management Practices (BMPs). These BMPs must meet or exceed measures required by the GCP, as well as control hydrocarbons, trash, debris, and other potential construction-related pollutants. Examples of construction BMPs include inlet protection, silt fencing, fiber rolls, stabilized construction entrances, stockpile management, solid waste management, and concrete waste management. Implementation of BMPs would prevent or minimize environmental impacts and ensure that discharges during the construction phase of the Project would not cause or contribute to the degradation of water quality in receiving waters. In addition, Chapter 7-12 of the San Leandro Municipal Code requires project applicants to prepare erosion control and sedimentation control plans for submittal to the City Engineer prior to the start of project construction. Chapter 3-12 of the Municipal Code also requires BMPs to be implemented to minimize stormwater discharges from the site during construction.

The GCP also requires the project Applicant to file Permit Registration Documents with the SWRCB prior to the start of construction activities. These include a Notice of Intent (NOI), risk assessment, site map, annual fee, signed certification statement, SWPPP, and post-construction water balance calculations.

In addition, the San Leandro Municipal Code contains four other chapters with directives pertaining to hydrology BMPs. These include:

- Stormwater Management and Discharge Control – Chapter 3-15. This chapter provides the storm water requirements for projects within the City of San Leandro and is consistent with the requirements of the San Francisco RWQCB.
- Bay-Friendly Landscaping Requirements for City Projects – Chapter 3-22. The City of San Leandro has also adopted a Water Efficiency Landscape Ordinance in coordination with StopWaste that exceeds the State's model ordinance in terms of water savings.
- 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.
- Grading, Excavations, and Fill – Chapter 7-12. This requires applicants to prepare erosion control and sedimentation control plans and drainage plans to the City Engineer for approval prior to the start of project construction. The plans would ensure that storm water 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."

Infiltration of stormwater has the potential to affect groundwater quality in areas of shallow groundwater. However, due to the depth to groundwater at and around the project site, it is not expected that any stormwater that may infiltrate the project site would affect groundwater quality. Adherence to the following General Plan policies would ensure that groundwater quality is not compromised:

- 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.
- Action EH-4.10.A: Groundwater Monitoring. Encourage continued monitoring of local groundwater by State regulatory agencies and the private sector and take steps to prevent further contamination.
- Action EH-4.10.B: EBMUD Injection Wells . Work with EBMUD on groundwater management and safety, including plans for injection wells and aquifer storage of groundwater.
- 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.
- 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 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 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 for qualifying projects and will ensure that such projects include appropriate measures to minimize the potential for water pollution.

Compliance with Uniformly Applicable Development Policies in the form of local and State regulatory requirements and implementation of construction BMPs would minimize discharges during the construction phase of the proposed Project and would not result in the degradation of water quality in receiving waters. Therefore, construction-related water quality impacts would not be more significant than described in the prior EIR.

Operation

Discharges to stormwater drains or channels from post-construction activities are regulated by the Municipal Separate Storm Sewer System (MS4) Permit, issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB. Because the proposed project would replace in excess of 10,000 square feet of the impervious surface on the project site, it must comply with the C.3 provisions set by the San Francisco Bay Regional Water Quality Control Board (RWQCB). A Stormwater Control Plan (SCP) that details the site control, source control, and stormwater measures that would be implemented at the site must be submitted to the City.

The proposed project is eligible for the following special provisions for stormwater-related regulatory requirements:

- The project is exempt from hydromodification requirements (strategies to retain, detain or infiltrate runoff) per the Alameda County C.3 Technical Guidance Document because the total impervious surface area would decrease from pre-project conditions.[35]
- As noted in Chapter 3, Project Description, the project meets the eligibility requirements for Special Project Category B, per the Alameda County Clean Water Program (C.3). These projects are not required to include Low Impact Development (LID) stormwater treatment strategies (such as infiltration and biotreatment) typically required in a SCP. Specific non-LID systems may be installed.

[35]Alameda County Clean Water Program, October 31, 2017, C.3 Stormwater Technical Guidance, Page 2-9.

In compliance with C.3 provisions, a Stormwater Management Plan was submitted to the City as part of the October 14, 2020 site plans (see Figure 4-1). The proposed project would include the following features to regulate and treat stormwater runoff:

- Self-Retaining Areas. The project would include a pair of self-retaining runoff treatment areas, consisting of 706 SF of impervious surface at the corner of E. 14th and Callan designed to drain to an adjacent, 535-SF self-retaining drainage treatment area.
- Pervious areas. The project would include 2,381-sf of pervious area, most associated with ground-level landscaping at the corner of Hyde Street and Callan Avenue, and landscaping on the rooftop courtyard.
- Drainage Management Area (DMA). The project would include a single, 67,615-SF DMA encompassing nearly all the impervious project surface, with a drainage area of 65,900 SF. Run-off from the DMA would be directed to a 6-foot wide, below-grade concrete vault containing a non-LID, high-flow rate media filter. The filter would contain 10 replaceable cartridges with a total flow rate of 120 gallons per minute (GPW). As stated in the C.3 Technical Guidelines, high-flow rate media filters may be used in Special Projects.[36]

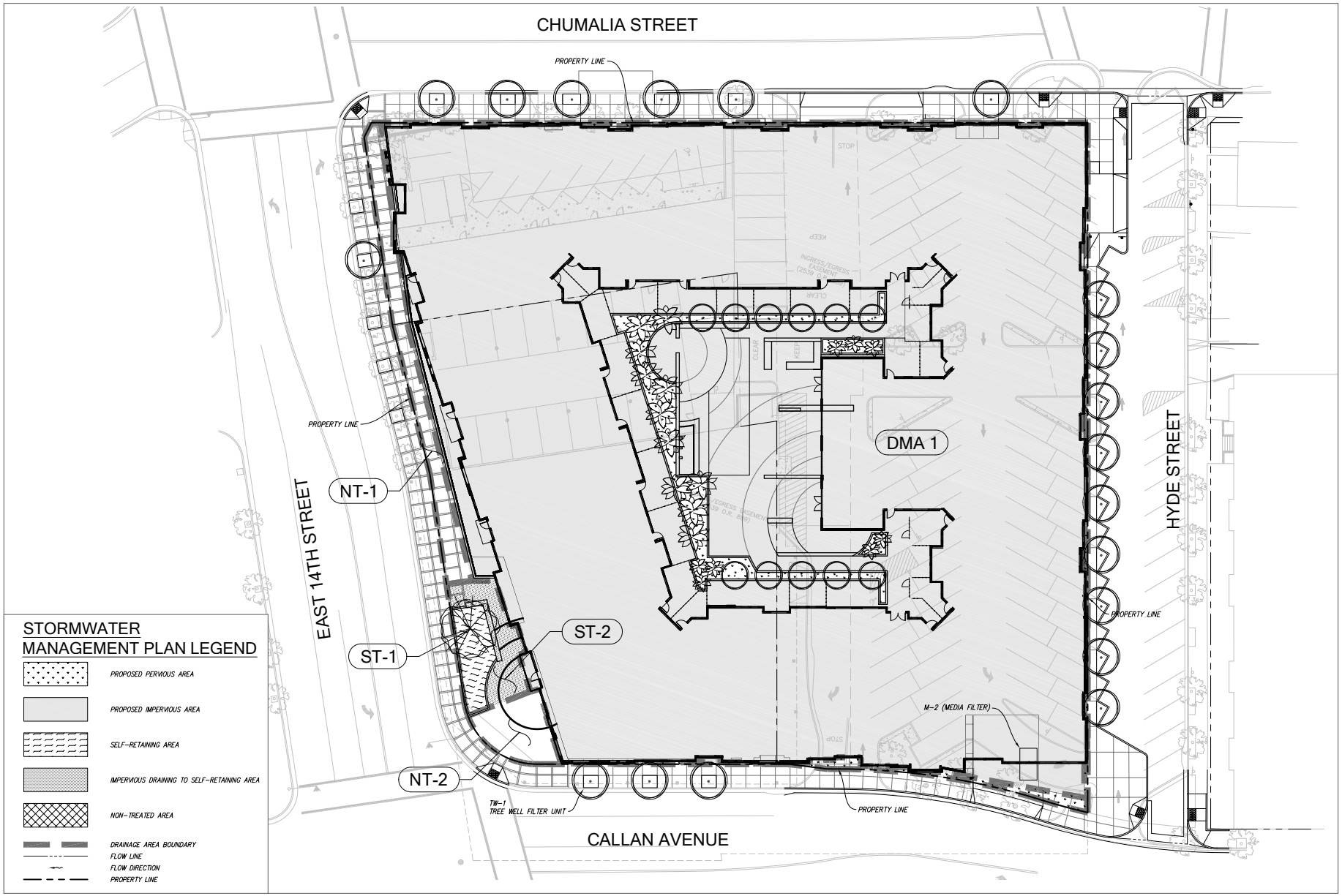
Due to the low-impact nature of the project, project treatment features, compliance with construction permitting requirements, and adherence to BMPs, the operation-related water quality effect of the project would not be more significant than described in the prior EIR.

Criterion b

Analysis in the 2035 General Plan EIR

The potential impacts of development on groundwater supply were analyzed in the 2035 General Plan EIR (Section 4.8.3, pages 4.8-28 through 4.8-47) and were determined to be less than significant. As described in the EIR, compliance with existing regulations and General Plan policies, such as Policy OSC-7.4, Development Standards, would minimize impacts on aquifer volumes. Furthermore, development in the TOD Strategy Area would utilize municipal water sources, which do not include the use of groundwater. The TOD Strategy would not include new wells that would extract area groundwater. Moreover, most of the City's TOD sites were previously developed, and redevelopment would not substantially increase impervious surface. The TOD Strategy EIR similarly concluded that General Plan policies would minimize this potential impact to less than significant.

[36] Alameda County Clean Water Program, October 31, 2017, C.3 Stormwater Technical Guidance, Page J-1.



Source: BDE Architecture, 2021.

0 60
Scale (Feet)

Figure 4-1
Stormwater Management Plan

New Information and Specific Effects of the Project

Groundwater recharge may be reduced if areas currently available for the infiltration of rainfall runoff are reduced and permeable areas are replaced with impervious surfaces. The proposed project would decrease the total impervious area of the site. The installation of landscaped and self-retaining areas described in the previous section would increase site permeability as compared to existing conditions and would allow for further infiltration of stormwater runoff. Therefore, the proposed project would not interfere substantially with groundwater recharge or result in a lowering of the groundwater table.

The project would not adversely impact groundwater resources. Necessary dewatering activities would require a Waste Discharge Requirements (WDR) permit from the RWQCB and would only temporarily remove groundwater with no impact to the regional groundwater system. The WDR permit requirements would require testing to prevent discharged water from posing a risk to water quality in San Francisco Bay. These existing regulatory requirements would ensure that the discharge of construction dewatering would not significantly impact groundwater quality.

The proposed Project would not use or deplete groundwater resources. The project would use municipal water, which is obtained from the East Bay Municipal Water District (EBMUD) reservoir and aqueduct system. The groundwater aquifer beneath San Leandro is not currently used for water storage or supply. Similarly, the proposed project would not involve the construction of new groundwater wells or the use of existing wells. Therefore, the effect of the project would not be more significant than described in the prior EIR.

Criterion c-i

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The potential impacts of the General Plan on drainage patterns as they affect erosion and flooding were analyzed in the 2035 General Plan EIR (Section 4.8.3, pages 4.8-28 through 4.8-47) and were determined to result in a less than significant impact. The impact evaluation determined that compliance with existing stormwater regulations and the City's requirements for stormwater detention facilities to limit runoff would address potential erosion and flooding impacts.

According to the TOD Strategy EIR, none of the projects envisioned under the TOD Strategy would require substantial alteration of existing drainage patterns that could cause substantial erosion or siltation. Although some TOD projects could affect San Leandro Creek, the City's ongoing participation in the Alameda Countywide Clean Water Program and adherence to General Plan policy would prevent alteration of the creek alignment or increased sedimentation. As such, the impact was determined to be less than significant.

New Information and Specific Effects of the Project

The project site does not contain any watercourses, streams, or rivers. The project would not alter any watercourses, streams, or rivers in a manner that could result in substantial erosion or siltation on- or off-site. As detailed under Criterion a, above, the project would decrease the total impervious area of the site and would include stormwater treatment and control features consistent with C.3 Guidelines.

During construction, the project would be subject to NPDES construction permit requirements including preparation of a SWPPP which includes BMPs to limit the discharge of sediment and non-stormwater discharges from the site, and Chapter 7-12 of the San Leandro Municipal Code requiring submission of erosion control and sedimentation control plans to the City Engineer prior to the start of project construction. With implementation of Uniformly Applicable Development Policies in the form of these control measures and regulatory provisions to limit runoff from new development sites, the proposed project would not result in significant increases in runoff that could contribute to result in a substantial erosion or siltation on- or off-site. Therefore, implementation of the proposed project would not result in substantial erosion, siltation, or on- or off- site flooding. The effect of the project would not be more significant than described in the prior EIR.

Criterion c-ii

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The potential impacts of the General Plan on drainage patterns as they affect erosion and flooding were analyzed in the 2035 General Plan EIR (Section 4.8.3, pages 4.8-28 through 4.8-47) and were determined to result in a less than significant impact. The impact evaluation determined that compliance with existing stormwater regulations and the City's requirements for stormwater detention facilities to limit runoff would address potential erosion and flooding impacts.

According to the TOD Strategy EIR, none of the projects envisioned under the TOD Strategy would require substantial alteration of existing drainage patterns that could cause substantial erosion or siltation. Although some TOD projects could affect San Leandro Creek, the City's ongoing participation in the Alameda Countywide Clean Water Program and adherence to General Plan policy would prevent alteration of the creek alignment or increased sedimentation.

New Information and Specific Effects of the Project

As indicated above, the project site does not contain any watercourses, streams, or rivers. The project would not alter any watercourses, streams, or rivers in a manner that could substantially increase the rate or amount of surface runoff in a manner which would result in flooding. The project would decrease impervious surface area. As such it would have a low potential to increase stormwater runoff, lead to higher peak discharges to drainage channels, or increase the potential to cause flooding. Nor does development associated with this Project involve the alteration of any watercourse, stream, or river. As discussed in Criterion a, the proposed project would include an SCP with stormwater control strategies compliant with C.3 guidelines to decrease surface runoff.

During construction, the project would be subject to NPDES construction permit requirements including preparation of a SWPPP which includes BMPs to limit the discharge of sediment and non-stormwater discharges from the site, and Chapter 7-12 of the San Leandro Municipal Code requiring submission of erosion control and sedimentation control plans to the City Engineer prior to the start of project construction. With implementation of these uniformly applicable control measures and regulatory provisions to limit runoff from new development sites, the proposed project would not result in significant increases in runoff that could contribute to on-site or off-site flooding. Therefore, implementation of the

proposed project would not result in substantial erosion, siltation, or on- or off- site flooding. The effect of the project would not be more significant than described in the prior EIR with respect to alterations in drainage patterns that could result in flooding.

Criterion c-iii

Analysis in the 2035 General Plan EIR

Potential impacts on existing stormwater drainage systems and from polluted runoff were analyzed in the 2035 General Plan EIR (Section 4.8.3, pages 4.8-28 through 4.8-47) and were determined to be less than significant. The impact analysis concluded that compliance with existing stormwater regulations and 2035 General Plan policies (e.g., Policy EH-4.1, Urban Runoff Control; Policy EH-4.4, Water Quality Monitoring) would address potential effects on drainage capacity and prevent additional sources of polluted runoff.

New Information and Specific Effects of the Project

As indicated, the project site does not contain any watercourses, streams, or rivers. The project would not alter any watercourses, streams, or rivers in a manner that could contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The decrease in impervious surfaces associated with the project, in combination with the proposed on-site stormwater drainage system that is consistent with the C.3 flow-based and volume-based hydraulic sizing criteria, would not result in runoff that exceeds existing drainage capacities. The previously described, non-LID treatment stormwater strategies included in this SCP system would also minimize increases in peak flow rates or runoff volumes. Furthermore, compliance with General Plan Action EH-4.1.B, Municipal Regional Permit Implementation, and other uniformly applicable regulations, would ensure the effect of the project would not be more significant than described in the prior EIR.

Criterion c-iv

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

This criterion was not included in Appendix G of the CEQA Guidelines at the time of the 2035 General Plan EIR or TOD Strategy EIR publication. Thus, the potential adverse effects associated with flow redirection were not analyzed in the 2035 General Plan EIR or TOD Strategy EIR.

New Information and Specific Effects of the Project

As indicated above, the project site does not contain any watercourses, streams, or rivers. The project would not alter any watercourses, streams, or rivers in a manner that could impede or redirect flood flows. The project would decrease the total impervious area of the site and would include stormwater treatment and control features consistent with C.3 Guidelines.

During construction, the project would be subject to NPDES construction permit requirements including preparation of a SWPPP which includes BMPs to limit the discharge of sediment and non-stormwater discharges from the site, and Chapter 7-12 of the San Leandro Municipal Code requiring submission of

erosion control and sedimentation control plans to the City Engineer prior to the start of project construction. Because the project site is not located within a FEMA special flood hazard area,[37] the project would not place structures in a floodplain in a manner that would impede or redirect flood flows, and no related mitigation is required. With implementation of these control measures and regulatory provisions to limit runoff from new development sites, the proposed project would not result in significant increases in runoff that could contribute to on-site or off-site flooding. Therefore, implementation of the proposed Project would not result in substantial erosion, siltation, or on- or off- site flooding. Therefore, the effect of the project would be less than significant.

Criterion d

Analysis in the 2035 General Plan EIR

Potential impacts related to seiche, tsunami, or mudflow, were analyzed in the 2035 General Plan EIR. These impacts were concluded to be less than significant due to the following General Plan goals, policies and actions:

- Goal EH-1: Mitigation of Natural Hazards. Reduce the potential for injury, property damage, and loss of life resulting from earthquakes, landslides, floods, 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-1.3: Off-Site Impacts of Hillside Development. Ensure that development within landslide-prone or geologically hazardous areas does not contribute to higher hazard levels on adjacent or nearby properties. Require drainage and erosion control provisions in such areas to avoid slope failure and to mitigate potential hazards to other properties.

New Information and Specific Effects of the Project

As stated above, the project site is not located within a special flood hazard area. Additionally, there are no waterbodies within the Platinum Triangle area that could produce a seiche or tsunami during a seismic event. Because the project site is not within a special flood hazard, tsunami, or seiche zone, and due to consistency with previously cited General Plan policies, the impact would be less than significant. Therefore, the effect of the project would not be more significant than described in the prior EIR.

[37] FEMA Flood Map Service Center web page, https://msc.fema.gov/portal/search?AddressQuery=1188%20east%2014th%20Street%20%2C%20san%20leandro%2C%20CA#searchresultsanchor.

Criterion e

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

This criterion was not included in Appendix G of the CEQA Guidelines at the time of the 2035 General Plan EIR or TOD Strategy EIR publication. Thus, the potential adverse effects associated with flow redirection were not analyzed in the 2035 General Plan EIR or TOD Strategy EIR.

New Information and Specific Effects of the Project

The project site is not within the purview of a sustainable groundwater management plan. The San Francisco Bay RWQCB monitors surface water quality through implementation of the Water Quality Control Plan for the San Francisco Bay Basin, also referred to as the "Basin Plan." The Basin Plan also contains water quality criteria for groundwater.

The Sustainable Groundwater Management Act (SGMA), which was enacted in September 2014, requires governments and water agencies of high- and medium-priority basins to halt overdraft of groundwater basins. The SGMA requires the formation of local groundwater sustainability agencies, which are required to adopt Groundwater Sustainability Plans to manage the sustainability of the groundwater basins.

Best management practices and stormwater control strategies would be implemented across the project site during both construction and operation of the proposed project. These measures would control and prevent the release of sediment, debris, and other pollutants into the storm drain system. Implementation of best management practices during construction would be in accordance with the provisions of the SWPPP, which would minimize the release of sediment, soil, and other pollutants. Operational best management practices would be required to meet the C.3 provisions of the MRP. These best management practices include the incorporation of site design, source control, and treatment control measures to treat and control runoff before it enters the storm drain system. The proposed treatment measures would include a high flow-rate media filter. Additionally, the project would be connected to municipal water supplies and does not propose any groundwater wells on the property. With implementation of these best management practices and low impact development measures in accordance with City and MRP requirements the effect of the project would be less than significant.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.10 Land Use and Planning. Would the project:					
a) Physically divide an established community?	☐	☒	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The 2035 General Plan EIR (Section 4.9.3, pages 4.9-8 through 4.9-18) evaluated the potential land use impacts of planned development, including TOD. The City determined that future development under the 2035 General Plan, established residential neighborhoods are not part of the proposed land use changes, future development would retain the existing roadway patterns, and no new major roadways or other physical features through existing residential neighborhoods or other communities that would create new barriers are proposed. Moreover, the General Plan includes goals, policies, and actions that would promote cohesive and compatible neighborhoods, such as:

- Policy LU-1.12: Encroachment of Incompatible Uses. Protect residential neighborhoods from the impacts of incompatible non-residential uses and disruptive traffic, to the extent possible. Zoning and design review should ensure that compatibility issues are fully addressed when non-residential development is proposed near or within residential areas.
- 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-2.8: Alterations, Additions, and Infill. Ensure that alterations, additions and infill development are compatible with existing homes and maintain aesthetically pleasing neighborhoods.
- 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-2.10: Teardowns. Discourage "teardowns" (the replacement of smaller dwellings with larger and more expensive homes) where the existing home is in good physical condition and the proposed home would be substantially larger than the prevailing scale of the neighborhood.
- Policy LU-10.1: Zoning. Use zoning district boundaries, zoning standards, and other regulatory tools to control the interface between heavier industrial uses and residential areas, and to limit the impacts of industrial activities on nearby neighborhoods.
- Policy LU-10.3: Buffering. When new development or adaptive reuse takes place in industrial areas, use a variety of buffering measures including land use restrictions, landscaping and screening, sound walls and insulation, and limits on hours of operations and activities to promote land use compatibility. The City's zoning regulations should continue to contain development and design standards that minimize the potential

As such, this impact would be less than significant. Similarly, the TOD Strategy EIR (San Leandro 2007b) found that TOD would be compatible with existing development and would not introduce new structures or infrastructure that could divide an established community.

New Information and Specific Effects of the Project

The proposed project would redevelop an existing infill property in an active urban downtown. It would be contained within an existing city block and would not include new rights-of-way, transportation corridors or linear infrastructure. The project would not create any physical divisions, and as such the impact of the project be less than significant and would not be more significant than described in the prior EIR.

Criterion b

Analysis in the 2035 General Plan EIR

The 2035 General Plan EIR (Section 4.9.3, pages 4.9-8 through 4.9-18) evaluated whether future development, including TOD, would conflict with applicable land use plans and policies. The City determined that the plan was consistent with existing policies and that any impact would be less than significant. The City's General Plan was updated in 2016 to incorporate the Downtown San Leandro TOD Strategy. It contains Policy T-1.4, Transit Oriented Development, which encourages high-quality development that maximizes transit use and reduces dependence on single-occupancy vehicles. It also includes Policy T-1.5, Land Use Strategies, which encourages high-density development along transit corridors. The City's General Plan and TOD Strategy are consistent with regional plans that encourage identification of Priority Development Areas (PDA) for TOD. The TOD Strategy EIR stated that the TOD Strategy was developed to comply with and implement the overall vision of the General Plan as it relates to the Downtown area, and with required General Plan amendments, there would be no significant conflict.

Potential conflicts between the General Plan and habitat conservation plans were analyzed in the 2035 General Plan EIR (Section 4.9.3, pages 4.9-8 through 4.9-18). The City determined there would be no impact. This is consistent with the previous findings of the TOD Strategy EIR as the City is not within the plan area of any adopted habitat conservation plan or natural community conservation plan.

New Information and Specific Effects of the Project

The project site is identified as a major mixed-use development site in the 2035 General Plan (page 3-40). The project is consistent with the Downtown Mixed Use (MUD) General Plan land use designation, including maximum FAR of 3.5. As summarized in Table 4-9, below, the project is consistent with all relevant development standards of the DA-1(S) Downtown Area 1 Special Review Overlay District.

TABLE 4-9 ZONING CONSISTENCY

	Existing Regulations	Proposed Project	Consistent
General Plan Designation	Downtown Mixed Use	Residential/Retail Mixed Use	Yes
Zoning	DA-1(S)	Ground floor retail fronting E. 14th Street with residential above; 196 units	Yes
Lot Coverage	Up to 100% coverage permitted	94%	Yes
Open Space	60 SF/DU (196 units x 60 = 11,760 SF)	19,941 SF	Yes
Height	75 feet maximum, subject to Conditional Use Permit	64' 8"	Yes
Density	100 units / acre = 164 + 20% bonus for avg. unit size of <750 sf = 33. Total = 197	196 units	Yes
Floor Area Ratio (FAR)	3.5	2.79	Yes
Residential Parking	1.5 spaces / unit 1.5 x 196 units = 294 spaces	216 upper floor	No[1]
Commercial Parking	2 spaces / 1,000 sf 23,189 SF/500 = 46 spaces	70 ground floor + 71 shared daytime overflow spaces	Yes
Ground Floor Retail	Required on parcels fronting on E. 14th Street	Provided	Yes
Views into Buildings	On commercial ground floors not less than fifty percent (50%) clear or tinted glass windows facing street	Provided	Yes

Source: BDE Architecture, 2020
Notes:
1. . Per CEQA Guidelines Section 21099 (d)(1) the aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.

Pursuant to the San Leandro Zoning Code, the City's Zoning Enforcement Official reviews development plans in Downtown Area zones for general consistency with the Design Guidelines for the TOD Strategy that relate to design features. In addition, the Special Review Overlay provides for discretionary review to ensure an orderly transition from prior uses to new activities that are compatible with adjacent uses and will prevent development that may be detrimental to the community.

The project is also consistent with Plan Bay Area 2040, the region's RTP/SCS, which has been updated since the certification of the 2035 General Plan EIR. The project is consistent with the overarching theme of Plan Bay Area 2040, which is ensuring focused growth and conserving vulnerable undeveloped areas. The project site is located entirely within a Priority Development Area (PDA). Further, the proposed project is consistent with Plan Bay Area's goal to encourage mixed-use development in proximity to transit

options. Overall, the project would be consistent with local land use plans, policies, and regulations stated in the Zoning Code and the General Plan that were established for the purposes of avoiding or mitigating an environmental effect.

Finally, there is no adopted habitat conservation plan or natural community conservation plan applicable to the project area.

In summary, the effect of the project regarding land use policy would be less than significant and would not be more significant than described in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.11 Noise. Would the project result in:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☒	☒
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☒	☐	☒	☒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

The potential for noise to exceed established standards was evaluated in the 2035 General Plan EIR (Section 4.10.3, pages 4.10-28 through 4.10-57). The City determined that a series of General Plan policies would help to curb substantial permanent increases to ambient noise levels due to operation of the 2035 General Plan. These include:

- Goal EH-7: Noise Compatibility. Ensure that noise associated with the day-to-day activities of San Leandro residents and businesses does not impede the peace and quiet of the community.
- Policy EH-7.1: Noise Compatibility Table. Ensure that potential noise impacts are considered when new development is proposed. Projects that could significantly increase noise levels should incorporate mitigation measures to reduce such impacts. Apply the standards shown in Table 6-1 when evaluating applications for future development. Table 6-1 specifies the maximum noise levels that are normally acceptable, conditionally acceptable, and normally unacceptable for new development.

- Action EH-7.1. A: Review of Future Development Proposals. On an on-going basis, review future development proposals for compliance with the General Plan Noise and Land Use Compatibility standards in Table 6-1. Require acoustical studies for projects that are likely to be exposed to noise levels that exceed the "normally acceptable" standard and for projects that are likely to generate noise in excess of these standards. Impose mitigation measures based on the findings. Noise studies should consider the effects of significant short-term noise sources (such as passing trains or planes) as well as the average noise levels that may be experienced over a 24-hour period.
- 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.
- Action EH-7.2. A: Insulation Standards. Continue to enforce Title 24 insulation standards for all new residential construction, including the interior noise level standard of 45 dBA Ldn in all habitable rooms for dwelling units.
- 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 Table 6-1. 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.
- Policy EH-7.5: Noise-Sensitive Uses. Discourage noise-sensitive uses such as hospitals, schools, and rest homes from locating in areas with very high noise levels unless sufficient noise mitigation and buffering can be provided. Conversely, discourage new uses likely to produce high levels of noise from locating in areas where noise-sensitive uses would be adversely impacted.
- Action EH-7.5. A: Conditions of Approval. When approving development or issuing conditional use permits, establish conditions of approval (including construction hours and operating hours) that minimize the potential for noise impacts on nearby properties.
- 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-7.7: Noise Reduction Measures. Encourage local businesses to reduce noise impacts on the community by replacing excessively noisy equipment and machinery, applying noise-reduction technology, and following operating procedures that limit the potential for conflicts.
- Policy EH-7.8: Responding to Noise Problems. Continue to respond promptly and effectively to local noise complaints and noise problems, enforcing City codes and ordinances as necessary to ensure that a peaceful environment is maintained.

- Goal EH-8: Transportation Noise. Reduce the effects of surface transportation noise, including vehicular noise and noise associated with railroad and BART traffic.
- Policy EH-8.1: Transit Vehicle Noise. Encourage BART and AC Transit to develop and apply noise-reduction technologies that reduce the noise impacts associated with BART trains and bus traffic.
- Action EH-8.1. A: Lobbying for Quieter Public Transit Systems. Maintain regular contact with local representatives on the AC Transit and BART Boards to lobby for measures that reduce noise generated by transit vehicles. Strongly urge AC Transit and BART to apply state-of-the art technology to achieve quieter operations.
- Policy EH-8.2: Street and Highway Noise. Where feasible and appropriate, develop and implement noise reduction measures when undertaking improvements, extensions, or design changes to San Leandro streets.
- Action EH-8.2. A: California Vehicle Code Enforcement. Enforce the applicable sections of the California Vehicle Code pertaining to noise emissions, and enforce applicable traffic laws pertaining to speeding, racing, and screeching cars.
- Action EH-8.2.B: Overnight Truck Parking. Enforce restrictions on overnight truck parking to minimize noise problems associated with idling trucks near residential areas.
- 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-8.4: State and Federal Legislation. Support state and federal legislation aimed at reducing transportation noise.
- Policy EH-8.5: Train Noise. Work with the appropriate parties and agencies to reduce or mitigate the noise and vibration from trains traveling through San Leandro.
- Action EH-8.5.A: Train Horns. Continue to work with federal and state agencies and authorities from the Union Pacific Railroad to pursue effective relief from freight train noise, including train horns and noise from the trains themselves.
- Policy EH-8.6: Freeway Noise. Work with local transportation agencies, including Caltrans and the Alameda County Transportation Commission, to mitigate noise from Interstates 880, 580, and 238. Encourage these agencies to pursue a variety of measures, such as landscaping, berms, pavement changes, and sound walls to reduce the noise impacts of local freeways.
- Action EH-8.6.A: I-580 Sound Walls. Maintain processes through which neighborhoods may petition for sound walls to reduce noise impacts from adjacent transportation facilities. Pending proposals include eastbound Interstate 580 between 108th Street and MacArthur/Dutton.
- Policy EH-8.7: Sound Wall Design. Where sound walls are used, encourage aesthetically pleasing and innovative 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.

- Goal EH-9: Airport Impacts. Minimize the local impacts and hazards created by air traffic, ground operations, and all other aviation activities, particularly those associated with Oakland International Airport.
- Policy EH-9.1: Monitoring of Airport Plans. Actively participate in forums and discussions regarding operations and expansion plans for Oakland International Airport. Seek local representation on task forces, commissions, and advisory boards established to guide airport policies and programs.
- Action EH-9.1.A: Participation in Airport Community Noise Management Forum. Supplement the City's participation in the Airport-Community Noise Management Forum through local Airport task forces and other airport-based advisory groups. The mission of such groups should be to monitor Airport plans and programs and advocate on behalf of residents and businesses impacted by Airport operations and expansion plans.
- Policy EH-9.2: Mitigation of Airport Noise. Pursue mitigation of airport noise impacts to the fullest extent possible. Support and advocate for operational practices, changes to aircraft, new technologies, and physical improvements that would reduce the number of properties in San Leandro that are impacted by noise.
- Action EH-9.2.A: Settlement Agreement Implementation. Continue implementation of the 2000 Settlement Agreement between the City of San Leandro and the Port of Oakland, as amended through 2017, to support noise insulation for additional San Leandro residences.
- Policy EH-9.3: Changes to Airport Operations. Ensure that any changes to airport operations that would potentially result in higher noise levels in San Leandro incorporate comprehensive noise mitigation measures, even when the impacts will be of limited duration. To the greatest extent feasible, any changes in airport activity should avoid impacts to noise sensitive uses such as residential areas and schools.
- Policy EH-9.4: Comprehensive Noise Abatement. Advocate for noise abatement and mitigation programs that are based not only on the airport's noise contour maps, but that consider other factors such as the frequency of overflights, the altitude of aircraft, and the hours of operation.
- Policy EH-9.5: Use of North Field. Strongly discourage any long-range plans that would extend the runways at the North Field (27 L/R and 9 L/R), or increase the use of the North Field for cargo jets or commercial passenger airlines, except as required for emergencies and periodic maintenance procedures.
- Policy EH-9.6: Airport Safety Zones. Regulate land uses within designated airport safety zones, height referral areas, and noise compatibility zones to minimize the possibility of future noise conflicts and accident hazards.
- Policy EH-9.7: Legislative Changes to Improve Mitigation. Pursue legislative changes that provide San Leandro and other cities with greater leverage regarding the mitigation of noise impacts, air pollution impacts, and other off-site impacts resulting from aviation.
- Action EH-9.7.A: Local Representation on Airport Issues. Lobby for regional representation or other forms of municipal input on the Port of Oakland Commission so that the impacts of Port operations on adjacent cities can be more comprehensively addressed.

- Action EH-9.7.B: Relocation of the Noise Impact Boundary. Support federal legislation that would relocate the Noise Impact Boundary from the 65 dB to the 55 dB CNEL contour. In the event this change is made, evaluate the need for additional measures that would reduce noise impacts to homes located in the 55 dB CNEL or louder range.
- Policy EH-9.8: Monitoring Programs. Promote ongoing monitoring of noise levels associated with airport operations and support expanded monitoring of other off-site impacts, such as air quality. Advocate for additional study of the health effects of airport noise and emissions, and use the findings of such research in defining the City's position on airport related issues.
- Action EH-9.8.A: Expansion of the Noise Compatibility Program. Continue to work with the Port of Oakland on implementing the Noise Compatibility Program for the airport, including advocating for quieter aircraft, mitigating night-time engine run-up activities, and the monitoring of noise levels at additional locations in and around San Leandro.

However, the 2035 General Plan EIR concluded that these policies, even in combination with Article 4-1-11 "Noise Ordinance" of San Leandro's Municipal Code, could not be universally feasible toward preventing all significant increases in noise levels near all sensitive land uses. The EIR evaluated potential mitigation, such as rubberized asphalt, sound walls, berms, and improved building sound insulation, but these measures were determined to not be feasible in all cases, resulting in a significant and unavoidable impact. Similarly, the TOD Strategy EIR found this impact to be significant and unavoidable.

Temporary noise impacts of construction were evaluated in the 2035 General Plan EIR (Section 4.10.3, pages 4.10-28 through 4.10-57). Compliance with Municipal Code, Section 4-1-1115b, would limit construction to daytime hours; however, the 2035 General Plan EIR determined that construction of future developments, including TOD, could result in substantial temporary or periodic noise increases that would be potentially significant.

The 2035 General Plan EIR included Mitigation Measure NOI-4 to reduce temporary or periodic construction noise. It requires that the City adopt the measures as a Standard Conditions of Approval/Construction Development Standards.

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.

- *Construction activities shall be restricted to the daytime hours between 7:00 a.m. and 7:00 p.m. on weekdays, or between 8:00 a.m. and 7:00 p.m. on Sunday and Saturday.*
- *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.*

New Information and Specific Effects of the Project

Construction Noise

Project-related construction would temporarily increase the ambient noise environment. Construction activities would consist of demolition of the existing building and parking lot, site preparation (including grading), and construction of the new building. Construction would require excavation and off-hauling of materials as well as use of heavy equipment such as concrete saws, bulldozers, loaders, backhoes, graders, cranes, and paving equipment. No pile driving activity is proposed. These activities would be a source of noise that could affect off- site noise-sensitive receptors. According to the City's Noise Ordinance (Municipal Code Section 4-1-1115(b)), construction work or related activity which is adjacent to or across a street or right-of-way from a residential use is prohibited, except between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, or between 8:00 a.m. and 7:00 p.m. on Sunday and Saturday. No such construction is permitted on federal holidays.

With application of Standard Conditions of Approval in accordance with 2035 General Plan EIR Mitigation Measure NOI-4, impacts related to a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project would not be more significant than the impacts that were evaluated in the prior EIR.

Traffic Noise

The peak hour traffic volumes along roadways in the project area, as determined in the Transportation Impact Study (TIS) conducted for the project (Appendix G) were used to analyze traffic noise increases due to the proposed project. This analysis compares Baseline Plus Project peak hour traffic volumes to the Existing traffic volumes logarithmically to estimate the project noise increase along study roadway segments. The permanent noise level increase was estimated to be up to 1.5 dBA CNEL, occurring along Chumalia Street east of E. 14th Street. To determine the cumulative traffic noise level increase, the Cumulative with Project traffic volumes were compared to the Existing traffic volumes. The permanent noise level increase was estimated to be 2.6 dBA, occurring along E. 14th Street between Estudillo Avenue and Callan Avenue. A noise level increase of 3 dBA CNEL is considered just perceptible in outdoor environments and would represent a potentially significant noise increase. Because the permanent noise level increase due to project-generated traffic increase at the surrounding noise-sensitive receptors would

be less than 3 dBA CNEL, the proposed project would not cause a substantial permanent noise level increase at the nearby noise-sensitive receptors. The project would not **be more significant than the impacts evaluated in the prior EIR.**

Traffic noise increase calculations are provided in Appendix E.

Parking Lot and Truck Loading Noise

The primary parking for the project would be in an enclosed two-level parking garage. Typical parking noise includes engine sounds, car doors slamming, car alarms, tire noise, and people conversing. These noises would be intermittent substantially reduced by the exterior walls of the parking garage and would not substantially increase noise levels at nearby existing residential buildings. Similarly, truck loading for the grocery store would be conducted at an interior freight loading zone on the ground floor and would not substantially increase noise levels at nearby sensitive receptors due to the temporary nature of the noise and substantial noise reduction from the exterior walls of the parking garage.

Building Mechanical Equipment and Rooftop Deck

HVAC and building mechanical equipment are proposed on the rooftop. Since mechanical specs for these proposed units are not yet available, it is conservatively assumed that noise from these units would be up to 75 dBA L_{eq} at a distance of 3 feet and that they could be located within approximately 85 feet from the nearest residential property lines to the east based on the rooftop plan drawings. In addition, a parapet wall of approximately 10 feet in height is proposed above the roof line, which would attenuate mechanical equipment noise by at least 5 dBA. At the nearest residences to the east, the sound pressure level associated with a common HVAC unit would be approximately 41 dBA or less. This noise level is well within the City's "normally acceptable" land use compatibility standard for residential uses of up to 60 dBA and well below noise levels measured in the project site vicinity (see Appendix E).

In addition to rooftop mechanical equipment, a rooftop deck is proposed in the northwest corner of the project roof. Typically, a conversation between two people using a normal voice (not raised), at a distance of 3 feet is 60 dBA.[38] As an example, if 100 people were having conversations, this would result in a noise level of approximately 80 dBA. At approximately 80 feet (not accounting for the extra rise distance from the two-story multi-family residences to the proposed 5th floor roof deck) to the nearest multi-family residences to the north, noise would attenuate to 46 dBA when accounting for a reduction of at least 5 dBA from the proposed parapet wall. This noise level is well within the City's "normally acceptable" land use compatibility standard for residential uses of up to 60 dBA and well below noise levels measured in the project site vicinity (see Appendix E).

Impacts on Future Project Residents

The principle noise source affecting the project area is roadway traffic on E. 14th Street and Callan Avenue. At times, distant BART noise and aircraft overflights also contribute to the ambient noise environment. An

[38] Engineering ToolBox, (2005). *Voice Level at Distance*. Accessed September 22, 2020. https://www.engineeringtoolbox.com/voice-level-d_938.html

ambient noise survey was conducted from Monday, February 8 to Tuesday, February 9, 2021 (see Appendix E for noise measurement details and results). Results of noise monitoring indicate that the noise environment in the project area is up to 74 dBA CNEL at locations closest to E. 14th Street. This places portions of the project site within the City's "Normally Unacceptable" standards for noise and land use compatibility of the future proposed residences. However, it is important to note that with the Supreme Court decision regarding the assessment of the environment's impacts on projects (*California Building Industry Association (CBIA) v. Bay Area Air Quality Management District (BAAQMD)*, 62 Cal. 4th 369 (No. S 213478) issued December 17, 2015), it is generally no longer the purview of the CEQA process to evaluate the impact of existing environmental conditions on any given project. As a result, while the noise from existing sources is taken into account as part of the baseline, the direct effects of exterior noise from nearby noise sources relative to land use compatibility of the project is no longer a required topic for impact evaluation under CEQA and no determination of significance is required. Nevertheless, prior to final building permit approval, the City Building Permit may require that an acoustical study demonstrate any necessary architectural features (e.g., forced mechanical air ventilation and sound-rated windows/balcony doors) to achieve the State and City's interior noise requirement of 45 dBA CNEL.

In summary, the proposed project would not significantly exceed standards established in the local general plan or noise ordinance. The impact would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion b

Analysis in the 2035 General Plan EIR

Potential short-term and long-term vibration impacts were evaluated in the 2035 General Plan EIR (Section 4.10.3, pages 4.10-28 through 4.10-57). Short-term (construction related) impacts were deemed to be less than significant due to Section 4-1-1115b of the Municipal Code, which restricts the hours of construction operation to 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; as well as the following 2035 General Plan policy and action:

- 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.
- Action EH-7.9A: Vibration Impacts. Adopt Standard Conditions of Approval or Construction Development Standards to reduce the potential for vibration-related construction impacts for development projects near sensitive uses. Vibration impacts shall be considered as part of the project-level environmental evaluation and approval process for individual development proposals.

Long-term vibration impacts were also deemed unsubstantial. According to the 2035 General Plan EIR, vibration attenuates relatively rapidly with distance, making setbacks and buffering particularly effective approaches to avoid vibration impacts. Moreover, high levels of vibration are usually associated with heavy industrial uses, which rarely associated with vibration that is sufficiently intense or sustained so as to cause either human discomfort or architectural/structural damage. It was concluded that implementation of the proposed Plan would not result in levels of long-term operation-related

groundborne noise or vibration that would exceed the FTA thresholds for annoyance or architectural damage. The impact was stated as less than significant.

New Information and Specific Effects of the Project

Project Construction

Construction activities generate varying degrees of ground vibration, depending on the construction procedures, construction equipment used, and proximity to vibration-sensitive uses. The generation of vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight damage at the highest levels.

Construction activities would consist of demolition of the existing building and parking lot, site preparation (including grading), and construction of the new building. Construction would require excavation and off-hauling of materials as well as use of heavy equipment such as concrete saws, bulldozers, loaders, backhoes, graders, cranes, and paving equipment. No pile driving activity is proposed.

The General Plan Environmental Hazards Element establishes a screening distance of 50 feet for the use of large construction equipment such as vibratory rollers from buildings and structures. The multi-family residences immediately to the east (closest building) are located at a distance of approximately 55 feet from the edge of the proposed construction site, which is beyond the 50-foot screening distance from the General Plan. At this distance, a vibratory roller could generate vibration levels of up to 0.06 inches per second peak particle velocity (in/sec PPV) based on a reference vibration level of 0.21 in/sec PPV at 25 feet.[39] This is below the thresholds for potential vibration annoyance (0.08 in/sec PPV) and for potential architectural damage (0.2 in/sec PPV) from the 2035 General Plan EIR.

With compliance with these Uniformly Applicable Development Policies, impacts resulting from construction-related groundborne vibration would be less than significant and would not be more significant than the impacts that were evaluated in the prior EIR.

Project Operation

Long-term operation of the project would not include any source of vibration that could adversely affect existing sensitive receptors and the impact would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion c

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Potential impacts from airport noise were evaluated in the 2035 General Plan EIR (Section 4.10.3, pages 4.10-28 through 4.10-57) and were determined to result in a less than significant impact because the City is not located within the 65 dBA CNEL noise contours of Oakland International Airport. Similarly, the TOD

[39] Federal Transit Administration (FTA), 2018. *Transit Noise and Vibration Impact Assessment Manual.*

EIR found that no flight paths cross the TOD Strategy Area and no portion of the area overlaps with an airport land use plan.

New Information and Specific Effects of the Project

There are no private airstrips within 10 miles of the project site. The project site is outside of the Oakland International Airport 60 dBA CNEL noise contour and, therefore, project impacts would not be more significant than impacts that were evaluated in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.12 Population and Housing. Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☒	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☒	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

Population growth impacts were analyzed in the 2035 General Plan EIR (Section 4.11.3, pages 4.11-6 through 4.11-13). The City determined that the development envisioned in the General Plan has been adequately planned and would occur primarily in Priority Development Areas (PDA), would occur in an organized manner, would be adequately served by infrastructure and thus would not induce substantial unplanned population growth. The General Plan's Economic Development Element includes goals, policies, and actions to encourage economic development and a healthy jobs-housing balance. The 2035 General Plan EIR found that this impact would be less than significant.

New Information and Specific Effects of the Project

The project would contain 196 residential units and result in a conservative increase in the local population by approximately 621 people. This includes 560 new residents;[40] 8 residential staff; 26 grocery store employees and 27 additional retail employees. Because the existing project site does not contain residential units, residents would be a direct net increase in population. The project would include 28,849 sf of retail space, which would replace 46,500 sf of office & retail space. Thus, the proposed project would result in a net decrease of 17,651 sf of employment generating space.

[40] Based on California Air Pollution Control Officers Association (CAPCOA) estimator of 2.86 people per dwelling unit for mid-rise apartments in Alameda County.

Per the General Plan EIR, the buildout of the 2035 General Plan is anticipated to result in 5,370 additional housing units and 14,790 additional residents (page 4.11-7) by 2035. As such, project would account for less than 3 percent of the population growth and about 4 percent of the housing growth projected in the City. This would not be considered substantial in the context of the existing population in San Leandro and would be within the General Plan EIR's projected population increases. Moreover, the decrease in employment generating space associated with the proposed project would have no impact in terms of unplanned, indirect growth. The project would not include new roads or major infrastructure upgrades. Therefore, this impact would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion b)

Analysis in the 2035 General Plan EIR

Displacement of people and housing was analyzed in the 2035 General Plan EIR (Section 4.11.3, pages 4.11-6 through 4.11-13) and the City determined this impact would be less than significant. The City's Housing Element would help preserve the existing housing stock, promote development of mixed- unit types including affordable housing, and encourage the development of new housing opportunities, ensuring that adequate housing would be preserved and replaced. Similarly, the TOD Strategy EIR concluded that General Plan policies would reduce this potential impact to less than significant.

New Information and Specific Effects of the Project

The project would develop 196 new housing units on a site currently containing commercial and retail uses. There are no existing residential units currently on the project site. As such, it would result in a net increase in housing units would not displace people or housing and/or require construction of replacement housing elsewhere. Therefore, this impact would not be more significant than the impacts that were evaluated in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.13 Public Services. Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	☐	☐	☐	☐	☐
Fire protection?	☐	☒	☐	☒	☒
Police protection	☐	☒	☐	☒	☒
Schools?	☐	☒	☐	☒	☒
Parks?	☐	☒	☐	☒	☐
Other public facilities?	☐	☒	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

The 2035 General Plan EIR (Sections 4.12.1.3 through 4.12.5.3, pages 4.12-5 through 4.12-42) evaluated potential impacts from construction of new or upgraded public service facilities to serve new development. The City determined that the proposed plan could result in additional calls but would not require new or upgraded fire protection facilities. Future development would be required to comply with building codes, the California Health and Safety Code, and General Plan policies, including Policy CSF-1.5, Review of Development Plans, which requires police and fire department review of development plans. The EIR concluded that this impact, as well as potential effects on parks and libraries, would be **less than significant**.

Similarly, the TOD Strategy EIR determined that future TOD could adversely affect Alameda County Fire Department (ACFD), San Leandro Police Department, parks, and libraries, but that the City's General Plan policies, such as those requiring fire department review of development applications (Policy CSF-1.5, Review of Development Plans), would address these impacts.

The TOD Strategy EIR found that impacts on schools would be significant and unavoidable. In 2007, the City projected that future enrollment could exceed the capacity of several schools in the San Leandro Unified School District (SLUSD) and stated that new development would be required to pay school impact fees and that the City and SLUSD would work together to develop additional schools. The TOD Strategy EIR identified potential classroom space deficits as a significant impact and required mitigation in the form of new program to monitor the number of students generated from new development, and establishment of a plan to provide resources for required classroom construction. However, the impact remained significant and unavoidable because of the speculative nature of future population growth and new school construction. The City's revised impact assessment for schools from the 2035 General Plan EIR is incorporated into the project-specific evaluation presented below.

New Information and Specific Effects of the Project

According to the Land Use Element of the 2035 General Plan "Almost half of the residential growth expected in San Leandro during the next 20 years will take place in the Central area. Most of this growth will occur near the BART station in multi-family developments…major opportunity sites include…the former CVS drug store at East 14th/Callan."[41] The location and character of the proposed mixed-use, multi-family development is consistent with the opportunity site identified in the 2035 General Plan.

Fire Protection

The Alameda County Fire Department (ACFD), through a contract for services, provides fire protection services to the City of San Leandro. These services include fire suppression, hazardous materials mitigation, paramedic response, urban search and rescue (including in the waters of the San Francisco Bay), fire prevention, and public education services. ACFD maintains 29 fire stations throughout Alameda County, five of which serve the City of San Leandro. The closest fire station to the project site is ACFD Station 9 at 450 Estudillo Avenue, approximately 0.27 miles from the project site.

Construction of the Project would result in a more intensive use of the site, result in increased potential for fire and emergency incidents. However, the proposed project would replace aging structures with a contemporary building with updated alarm and suppression features. As noted in the 2035 General Plan Update EIR, the project would be required to comply with basic building designs and standards for commercial and residential buildings as mandated by Title 24 of the California Code of Regulations CR and the San Leandro Fire Code under Section 3-3-100 of the San Leandro Municipal Code. The proposed project 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. Finally, the City's updated 2035 General Plan contains a series of goals, policies and actions in the Community Services and Facilities and Environmental Hazards Elements related maintaining high quality

[41] City of San Leandro, 2035 General Plan Land Use Element, pages 3-39 to 3-40.

fire protection services, specific level of service standards, plan review by fire and police departments, and emergency operations.

As such, while the intensified use of the project site may increase in the number of calls for fire protection and emergency medical services, the increase is not expected to result in the need for expansion or construction of new or physically altered fire protection facilities. The project would comply with Uniformly Applicable Development Policies in the form of state regulations. The associated impact would not be more significant than the impacts that were evaluated in the prior EIR.

Police Protection

The San Leandro Police Department (SLPD) provides police services within the San Leandro limits and the Sphere of Influence. The Alameda County Sheriff's Department provides mutual aid on an as-needed basis. The SLPD is located at 901 East 14th Street, less than 0.25 miles from the project site.

In 2018-19, the SLPD was composed of 136 employees, including 43 professional staff and 93 sworn officers,[42] or about 0.8 sworn officers per 1,000 residents. This is below the SLPD's desired service ratio of 1.04 sworn officers per 1,000 residents.[43] The SLPD computer system does not track average response times.

As mentioned above, construction of the project would result in a more intensive use of the site, supporting up to 560 new residents. More intense uses may result in an increased potential for crime and safety violations. However, the addition of 560 residents to the City's current population of 90,025 would not substantially impact the current series ratio. Moreover, the 2035 General Plan contains a series of goals, policies and actions in the Community Services and Facilities Element related maintaining high quality police protection services; specific level of service standards; and development plan review by fire and police departments, and emergency operations. These include:

- Goal CSF-1: Police and Fire. 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; (b) Fire Services: 5 minute response time for first due company for 90 percent of all emergency incidents, excluding freeway responses (3 firefighters including at least one paramedic); 10 minute response time for 90 percent for a full first alarm assignment response (17 firefighters).
- Policy CSF-1.5: 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.

[42] San Leandro Police Department, 2018 Year in Review.
[43] City of San Leandro, 2035 General Plan Community Services and Facilities Element, pages 9-2.

As such, while the intensified use of the Project site may increase in the number of calls for police protection, the increase is not expected to result in the need for expansion or construction of new or physically altered police protection facilities. As required by Uniformly Applicable Development Policy CSF-1.5: Review of Development Plans, the proposed project has been reviewed by the police department to ensure adequate levels of service can be provided. Therefore, this impact would not be more significant than the impacts that were evaluated in the prior EIR.

Schools

Using the SLUSD's current student generation rate of 0.35 per housing unit (San Leandro 2016a), the project would generate 69 students. While the project would increase demand for school capacity, the number of dwelling units on the project site complies with zoning and is consistent with what was assumed in the TOD Strategy EIR and the San Leandro General Plan. Furthermore, the project would be required to pay school impact fees. According to California Government Code Section 65995(h), the payment of statutory mitigation fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization…on the provision of adequate school facilities." Statutory mitigation fees for SLUSD are $3.79 per square foot of residential development and $0.61 per square foot of commercial development.[44] Given the size of the proposed project and with payment of uniformly applicable school impact fees, the impact would not be more significant than the impacts that were evaluated in the prior EIR.

Parks

As discussed in more detail in Section 4.13, the physical impacts associated with the provision of new or physically altered park facilities would not be more significant than the impacts that were evaluated in the prior EIR.

Libraries

The City of San Leandro Public Library (SLPL) currently operates five facilities in the City. The closest library to the Project site is the Main Library, located approximately 500 feet east of the project site at 300 Estudillo Avenue. The facility is staffed by 17 full-time employees and 40 volunteers. In 2013, it housed approximately 300,000 books.[45]

Implementation of the proposed project could generate up to 560 residents. This increase could increase demand for library services.

The City's updated 2035 General Plan contains a series of goals, policies and actions in the Community Services and Facilities and Land Use Elements related to maintaining high quality library services, including Policy CSF-3.1, supporting the expansion of facilities to keep pace with community needs.

[44]City of San Leandro, Development Fees Fiscal Year 2019-2020, https://www.sanleandro.org/civicax/filebank/blobdload.aspx?BlobID=30161.

[45] City of San Leandro 2035 General Plan, Community Services and Facilities, page 9-13.

While the project would increase demand for library services, the number of dwelling units on the project site complies with zoning and is consistent with what was assumed in the TOD Strategy EIR and the 2035 San Leandro General Plan. The intensified use of the project site is not expected to result in the need for expansion or construction of new or physically altered library services facilities. Finally, as noted in the 2035 General Plan EIR, the San Leandro Public Library System is primarily funded by County property taxes, into which the project would pay.[46] Therefore, the effect of the project would **not be more significant than the impacts that were evaluated in the prior EIR**.

Conclusion

The project is consistent with the density of development assumed for the sites in the General Plan. The project would also comply with all applicable 2035 General Plan policies intended to reduce the impacts of future development on public services. Therefore, the effect of the project would **not be more significant than the impacts that were evaluated in the prior EIR**.

[46] City of San Leandro, 2035 General Plan EIR, page 4.12-41.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.14 Recreation.					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☒	☐	☒	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☒	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

Potential impacts related to the physical deterioration of existing parks and construction of new or altered park facilities were analyzed in the 2035 General Plan EIR (Section 4.12.4.3, pages 4.12-27 through 4.12-35) and were found to be less than significant. The City determined that updated General Plan policies, including Policy OSC-2.3, Park Dedication, which requires an impact fee, would address the needs generated by infill development and new subdivisions. The General Plan also includes Goal LU-4, Mitigation of Public Facility Impacts, and related policies (LU-4.1, 4.3, and 4.4) which promote the development of new parks, and Policy 6.14, Downtown Open Space.

New Information and Specific Effects of the Project

As discussed in subsection 4.12, Population and Housing, the number of dwelling units on the project site complies with zoning and is consistent with what was assumed in the TOD Strategy EIR and the 2035 San Leandro General Plan.

As described in Section 3.0, Project Description, the project would include a series of open and recreational spaces for future residents. These include a landscaped, 13,874-SF podium courtyard with lounge and yoga areas; a 1,197-SF dog run; and private balconies and a landscaped roof deck totaling 4,897 SF. As previously summarized in Table 4-9, the proposed quantity of open space complies with site zoning. These private features would be expected to reduce use of surrounding public recreational facilities by future residents.

Moreover, the project applicant would be required to pay park facilities development impact fees, consistent with the San Leandro Municipal Code. Chapter 7-13, Park Facilities Development Impact Fee, describes the requirements for the payment of fees for park and recreational facilities and sets standards for the use of fee revenues.

A Park Facilities Development Impact Fee was assessed assuming 196 multi-family dwelling units as follows:[47]

- Park Land Acquisition Fee: $15,122.00/du or $2,963,912.00
- Park Improvement Fee: $2,387.00/du or $467,852.00
- Total Park Impact Fee: $17,509.00/du or $3,431,764.00

Given the proposed project would comply with growth projections in the 20135 General Plan and TOD Strategy; would include recreational features for future residents and would be assessed a uniformly applicable impact fee toward park land acquisition and improvement, the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion b

Analysis in the 2035 General Plan EIR

Potential impacts related to construction and/or expansion of recreational facilities were analyzed in the 2035 General Plan EIR (Section 4.12.4.3, pages 4.12-35 through 4.12-38) and were found to be less than significant. As summarized, the General Plan contains policies, under Goal OSC-2, that would help ensure that park and recreation facility goals are met. As specific park and recreation expansion or improvement projects are identified in compliance with General Plan policies, additional project-specific, environmental analyses would be completed. Therefore, the impact would be less than significant.

New Information and Specific Effects of the Project

The private open space and recreational facilities discussed above are considered part of the proposed project evaluated throughout this Infill Checklist The project does not include public recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

[47] City of San Leandro, INCOMPLETE LETTER 5: PLN18-0036, Conditional Use Permit, Parking Exception, and Site Plan Review for a 197-unit Mixed-Use Residential Development at 1188 E 14th Street, October 2, 2020.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.15 Transportation. Would the project:					
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☒	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☒	☒
d) Result in inadequate emergency access?	☐	☒	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Information in this section is comes from the *1188 East 14th Street Mixed Use Development Transportation Impact Study* (TIS), prepared by CHS Consulting Group and included as Appendix F.

Criterion a

Analysis in the 2035 General Plan EIR

The language of this criterion has changed slightly since the time of the 2035 General Plan EIR and TOD Strategy EIR publication. The previous CEQA Appendix G Guideline read:

Would the project 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.

The 2035 General Plan EIR considered bicycle and pedestrian safety and complete streets under current Criterion c, related to hazards (see Criterion c, below),

However, potential impacts from increases in traffic and on roadway capacity were analyzed in the 2035 General Plan EIR (Section 4.13.3, pages 4.13-35 through 4.13-72). It was concluded that traffic increases from development allowable under the General Plan would have a significant impact on local intersections and freeway segments. General Plan Policy T-5.2, Evaluating Development Impacts, includes

actions to establish LOS E as the standard for intersections within PDAs until the City adopts new standards based on vehicle miles traveled. General Plan EIR mitigation included Mitigation Measure TRAF-1A for improving intersections to LOS D and TRAF-1B to improve freeway segment performance.

Regardless, impacts were determined to be significant and unavoidable because the City could not guarantee improvements at all affected intersections and the mitigation of freeway segment impacts would be the jurisdiction of the State.

The TOD EIR concluded that the implementation of roadway and intersection improvements outlined in the TOD Strategy would reduce traffic impacts to a less-than-significant level at all but one intersection. The EIR identified a significant impact at the intersection of MacArthur Boulevard and Estudillo Avenue. However, even with the implementation of Mitigation Measure Trans-1, this impact was deemed significant and unavoidable.

New Information and Specific Effects of the Project

A Transportation Impact Study (TIS) was prepared for the proposed project (available as Appendix F). The TIS includes a comprehensive evaluation of potential transportation impacts under the following scenarios:

1. Existing Conditions
2. Existing Plus Approved Project (Baseline) Conditions
3. Baseline Plus Project Conditions
4. Cumulative (2040) Conditions

The following five intersections[48] were analyzed under each of the four scenarios:

1. East 14th Street at Davis Street/Callan Avenue (Signalized)
2. East 14th Street at Estudillo Avenue/Washington Plaza entrance (Signalized)
3. East 14th Street at Chumalia Street/Dan Niemi Way (Signalized)
4. Davis Street at Dan Niemi Way/Hays Street (Signalized)
5. Callan Avenue at Bancroft Avenue (Signalized)

Vehicles Miles Traveled was also evaluated, and is presented in detail under Criterion b.

Existing Conditions

Level of Service Analysis

Traffic operational level of service (LOS) conditions were evaluated on Thursday, October 4, 2018 during weekday AM (7:00 to 9:00 AM) and PM (4:00 to 6:00 PM) peak periods. The City of San Leandro considers LOS D to be the minimum acceptable service level for intersections located outside Priority Development

[48] CHS Consulting Group, 1188 East 14th Street Mixed Use Development Transportation Impact Study, Figure 1, page 2.

Areas (PDAs), and LOS E for intersections within PDAs. Four of the five study intersections are within a PDA. Only the Callan Avenue/Bancroft Avenue intersection is outside a PDA.

As shown in Table 4-10, all the study intersections are currently operating within City LOS standards of LOS D or better.

TABLE 4-10 EXISTING CONDITIONS PEAK HOUR INTERSECTION LEVEL OF SERVICE

Existing Conditions		Control Type	AM Peak Hour		PM Peak Hour	
ID	Intersection		Delay[2]	LOS	Delay	LOS
1	East 14th Street/Davis Street/Callan Avenue[1]	Signal	26.3	C	24.4	C
2	East 14th Street/Estudillo Avenue/Washington Plaza Entrance[1]	Signal	14.4	B	21.0	C
3	East 14th Street/Chumalia Street/Dan Niemi Way[1]	Signal	7.4	A	19.8	B
4	Davis Street/Dan Niemi Way/Hays Street[1]	Signal	21.1	C	22.1	C
5	Callan Avenue/Bancroft Avenue	Signal	35.1	D	19.6	B

Source: CHS Consulting Group, 2020.
Notes:
1. Intersection is located within a Priority Development Area (PDA) where LOS E is the minimum acceptable service level.
2. Delay reported as seconds per vehicle. For signalized and all-way stop controlled intersections, a weighted average delay and level of service (LOS) based on all intersection approaches is reported. For unsignalized intersections (1-way and 2-way stop controlled), delay and LOS for the worst stop-controlled approach is reported.

95th Percentile Queue Length Analysis

As part of the LOS analysis, peak hour 95th percentile queue lengths were analyzed and compared with the existing storage capacity of exclusive left- and right-turn lanes at study intersections. The results are summarized in Table 4-11, below.

TABLE 4-11 EXISTING CONDITIONS PEAK HOUR INTERSECTION QUEUE ANALYSIS RESULTS

Intersection	Turn Pocket	Storage Capacity	95th Percentile Queue (feet) AM Peak	95th Percentile Queue (feet) PM Peak
East 14th Street/Davis Street/Callan Avenue	NBL	100	**277**	**181**
	EBL	160	56	77
	WBL	60	42	39
East 14th Street/Estudillo Avenue/Washington Plaza Entrance	EBL	80	35	**129**
	SBL	80	11	**82**
	WBL	120	**152**	**131**
East 14th Street/Chumalia Street/Dan Niemi Way	SBL	75	7	17
Davis Street/Dan Niemi Way/Hays Street	SBR	90	**126**	64
Callan Avenue/Bancroft Avenue	EBL	240	121	229
	NBL	95	**263**	54

Source: CHS Consulting Group, 2020
Notes:
1. Bold text indicates 95th percentile queue length exceeds existing turn pocket capacity.
2. NBL = northbound-left EBL = eastbound-left, WBL = westbound-left, SBL = southbound-left, SBR = southbound-right.

As shown in Table 4-11, under Existing Conditions, the 95th percentile queue length exceeds storage capacity during the AM peak hour at the following:

- The northbound left-turn pocket at East 14th Street / Davis Street / Callan Avenue
- The westbound left-turn pocket at East 14th Street / Estudillo Avenue
- The southbound right-turn pocket at East 14th Street / Dan Niemi Way / Chumalia Street
- The northbound left-turn pocket at Bancroft Avenue / Callan Avenue

During the PM peak hour, the 95th percentile queue length exceeds existing storage capacity at:

- The northbound left-turn pocket at East 14th Street / Davis Street / Callan Avenue
- The eastbound left-turn pocket, southbound left-turn pocket and westbound left-turn pocket at East 14th Street / Estudillo Avenue

Transit Facilities

As highlighted in Figure 1-1, the project site is located within ½-mile of a major transit stop and a high-quality transit corridor. The following transit facilities serve the immediate area:

Alameda-Contra Costa Transit District (AC Transit)

Numerous AC Transit routes, including Bus Rapid Transit (BRT), serve stops within walking distance of the project site. These include:

- Route 1T (Tempo). This route provides BRT service connecting major destinations throughout Oakland and San Leandro and provides transfer connections to additional local and regional transit services. Major destinations served by Route 1T include the San Leandro BART Station, Durant Square, Fruitvale BART Station, Laney College, and 19th Street BART Station (Uptown Transit Center).
- Route 10. This route connects major destinations throughout San Leandro and Hayward and provides transfer connections to additional local and regional transit services. Major destinations served by Route 10 include the San Leandro BART Station, Pelton Center, San Leandro Hospital, Bay Fair BART Station, and Hayward BART Station.
- Route 34. This route provides service connecting major destinations throughout Oakland, San Leandro, San Lorenzo, Cherryland, and Hayward and provides transfer connections to additional local and regional transit services. Major destinations served by Route 34 include Foothill Square Shopping Center, the San Leandro BART Station, West Gate Shopping Center, Kaiser Permanente Medical Center, and Hayward BART Station.
- Route 35. This route provides service connecting major destinations throughout Oakland and San Leandro and provides transfer connections to additional local and regional transit services. Major destinations served by Route 35 include Foothill Square Shopping Center, the San Leandro BART Station, and the Bayfair BART Station.
- Route 801. This route provides service connecting major destinations throughout Fremont, Union City, Hayward, San Leandro, and Oakland and provides transfer connections to additional local and regional transit services. Major destinations served by Route 35 include the Fremont BART Station, the Union City BART Station, the South Hayward BART station, the Hayward BART Station, the Bay Fair BART Station, the San Leandro BART Station, the 12th Street Oakland City Center BART Station, and downtown Oakland.

Bay Area Rapid Transit (BART)

BART provides regional commuter rail service between the East Bay (from Pittsburg/Bay Point, Richmond, Dublin/Pleasanton and Fremont), San Mateo County (from San Francisco International Airport and Millbrae), and San Francisco, with operating hours between 4:00 a.m. and midnight on weekdays, and 7:30 a.m. to 1:00 a.m. on weekends. During the weekday a.m. and p.m. peak periods, headways are generally 5 to 15 minutes for each line. The San Leandro BART Station is accessible from the project site (approximately 0.4 miles southwest of the project site) or can be accessed via transfer from AC Transit Routes 1T, 1, 10, 34, 35 and 801.

Bicycle Facilities

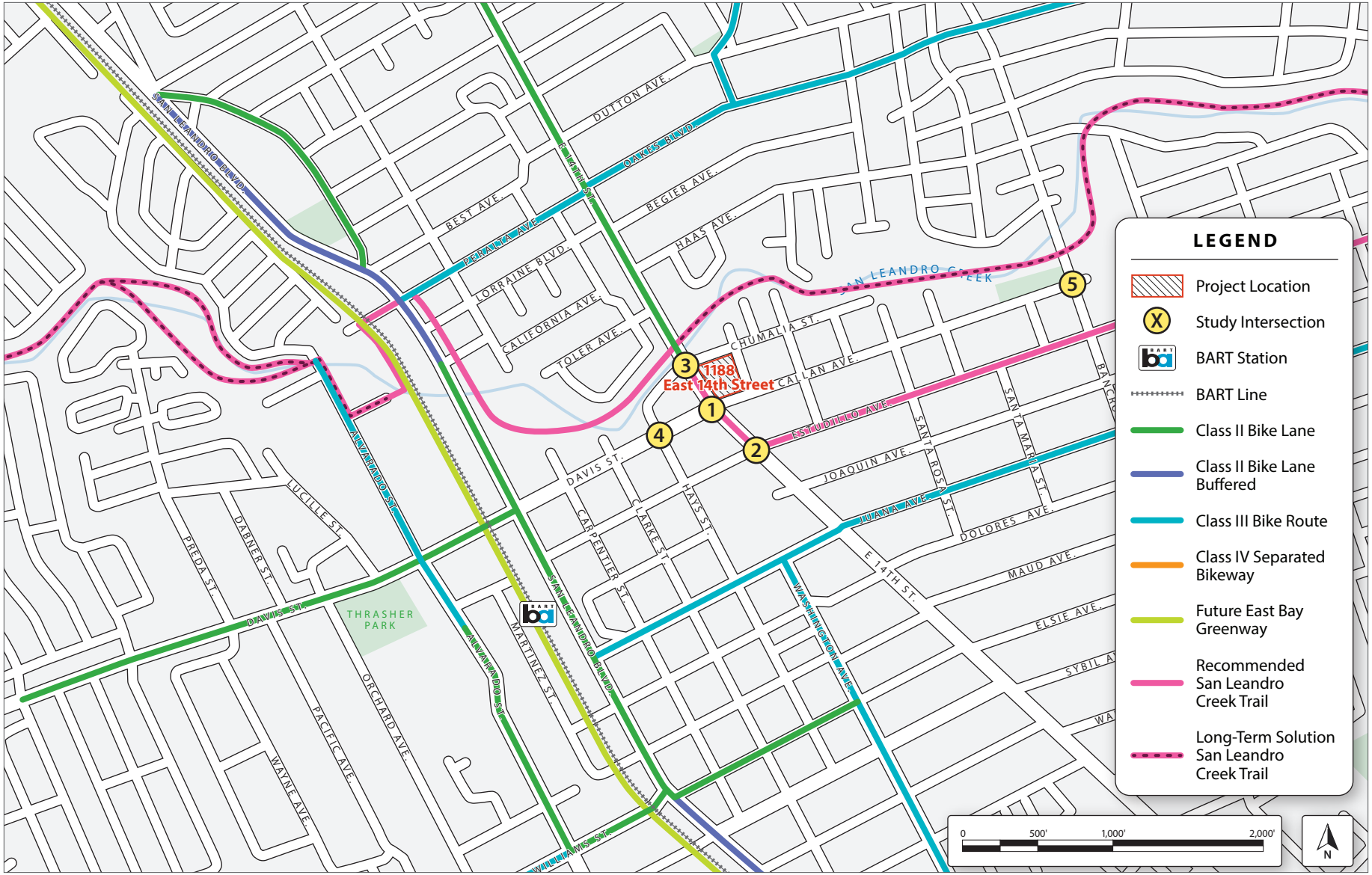
Existing bicycle facilities are illustrated in Figure 4-2. As shown, there are Class II bike lanes (bicycle lanes striped within the paved areas of roadways) along Estudillo Avenue, Bancroft Avenue, East 14th Street north of Chumalia Street and Dan Niemi Way, and San Leandro bicycle facilities Boulevard. Class III (signed

bicycle routes that allow bicycles to share travel lanes with vehicles) are provided along Juana Avenue, Washington Avenue, and Dutton Avenue.

Pedestrian Facilities

Pedestrian amenities generally include sidewalks, crosswalks, curb ramps, pedestrian signals, and streetscape and landscape amenities. Study intersections include the following:

- The intersection of East 14th Street and Davis Street at Callan Avenue provides clear crosswalk markings at all four legs and ADA-compliant curb ramps at all four corners. The intersection is signal controlled and includes pedestrian signal heads and push buttons. Sidewalks along Davis Street are generally 8 feet wide.
- The intersection of East 14th Street and Estudillo Avenue provides clear crosswalk markings at all four legs and ADA-compliant curb ramps at all four corners. The intersection is signal controlled and includes pedestrian signal heads and push buttons. Sidewalks along East 14th Street are generally 8 feet wide.
- The intersection of East 14th Street and Chumalia Street / Dan Niemi Way provides standard crosswalk markings and ADA-compliant curb ramps at all four corners.
- The intersection of Davis Street and Dan Niemi Way/Hays Street provides crosswalk markings at all four legs and ADA-compliant curb ramps at all four corners. However, it is recommended that these crosswalks be upgraded to high visibility “ladder” style markings for improved pedestrian safety, as per Caltrans Standard Plan A24F. The intersection is signal controlled and includes pedestrian signal heads and push buttons.
- The intersection of Callan and Bancroft Avenues provides clearly defined yellow crosswalk markings at the northern and western legs and ADA-compliant curb ramps at the northeastern, northwestern, and southwestern corners. The intersection is signal controlled and includes pedestrian signal heads and push buttons. Sidewalks along Bancroft Avenue are generally 10 feet wide.



Source: CHS Consulting Group, 2021.

Figure 4-2
Existing Bicycle Facilities

Existing Plus Approved (Baseline) Conditions

Near-term Baseline Conditions differ from Existing Conditions in that they include trips associated with approved pending development projects near the project site. Under Near-term Baseline Conditions, these future trips are added to Existing Conditions. Only pending developments within an approximately one-mile radius of the proposed project site would be expected to add traffic to the study intersections. Per City staff, the La Vereda Project at 528 West Juana Avenue, consisting of 85 affordable senior housing units, meets this criterion.

Baseline Level of Service

Level of Service was calculated under Existing Plus Approved (Baseline) conditions. As shown in Table 4-12, all the study intersections would continue to operate within City LOS standards of LOS D or better under Existing plus Approved (Baseline) Conditions.

TABLE 4-12 BASELINE PEAK HOUR INTERSECTION LEVEL OF SERVICE

Existing Conditions		Control Type	AM Peak Hour		PM Peak Hour	
ID	Intersection		Delay[2]	LOS	Delay[2]	LOS
1	East 14th Street/Davis Street/Callan Avenue[1]	Signal	26.3	C	24.4	C
2	East 14th Street/Estudillo Avenue/Washington Plaza Entrance[1]	Signal	14.5	B	21.0	C
3	East 14th Street/Chumalia Street/Dan Niemi Way[1]	Signal	7.5	A	19.8	B
4	Davis Street/Dan Niemi Way/Hays Street[1]	Signal	21.1	C	22.1	C
5	Callan Avenue/Bancroft Avenue	Signal	35.1	D	19.6	B

Source: CHS Consulting Group, 2020.
Notes:
1. Intersection is located within a Priority Development Area (PDA) where LOS E is the minimum acceptable service level.
2. Delay reported as seconds per vehicle. For signalized and all-way stop controlled intersections, a weighted average delay and level of service (LOS) based on all intersection approaches is reported. For unsignalized intersections (1-way and 2-way stop controlled), delay and LOS for the worst stop-controlled approach is reported.

Baseline 95th Percentile Queue Length Analysis

Peak hour 95th percentile queue lengths under Baseline Conditions were also analyzed and compared with the existing storage capacity of exclusive left- and right-turn lanes at study intersections. As summarized in in Table 4-13, below, there were no substantial changes to the constrained queue lengths when compared to Existing Conditions.

TABLE 4-13 BASELINE PEAK HOUR INTERSECTION QUEUE ANALYSIS RESULTS

Intersection	Turn Pocket	Storage Capacity	95th Percentile Queue (feet) AM Peak	95th Percentile Queue (feet) PM Peak
East 14th Street/Davis Street/Callan Avenue	NBL	100	**274**	**181**
	EBL	160	61	77
	WBL	60	42	39
East 14th Street/Estudillo Avenue/Washington Plaza Entrance	EBL	80	39	**129**
	SBL	80	11	**82**
	WBL	120	**152**	**131**
East 14th Street/Chumalia Street/Dan Niemi Way	SBL	75	7	17
Davis Street/Dan Niemi Way/Hays Street	SBR	90	**126**	64
Callan Avenue/Bancroft Avenue	EBL	240	121	229
	NBL	95	**263**	54

Source: CHS Consulting Group, 2020
Notes:
1. Bold text indicates 95th percentile queue length exceeds existing turn pocket capacity.
2. NBL = northbound-left EBL = eastbound-left, WBL = westbound-left, SBL = southbound-left, SBR = southbound-right.

Baseline Plus Project Conditions

Under this scenario, vehicular trip generation for the proposed project during both the AM and PM peak hours for a typical weekday was calculated and added to Baseline Conditions. Trip generation for the proposed project was calculated based on the proposed number of residential dwelling units and gross square feet (gsf) of ground level commercial space.

In determining the net new trip generation of the proposed project, the following trip types were considered and discounted:

- Internal Trip Capture. Trips that would occur between the internal land uses of the proposed mixed-use development, had they been single-use, stand-alone developments.
- Pass-By Trips. Trips from traffic passing the project site on the way from an origin to an ultimate destination. These trips are not considered to add project-related traffic to the adjacent roadway network and may be discounted from the total external trips generated by the proposed project.
- Existing Land Use Trip Credits. Existing land uses would not generate vehicle trips under Baseline plus Project Conditions. As such, these existing vehicle trips are discounted from the proposed project's vehicle trip generation.

It was determined that the proposed project would generate 212 net new vehicle trips during the AM peak hour (94 inbound and 118 outbound) and 156 net new vehicle trips during the PM peak hour (90 inbound and 66 outbound) on a typical weekday.

Baseline Plus Project Level of Service

Level of Service was evaluated under Baseline Plus Project Conditions. The results are summarized in Table 4-14.

TABLE 4.14 BASELINE PLUS PROJECT PEAK HOUR INTERSECTION LOS

		Baseline Conditions				Baseline Plus Project Conditions			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
Intersection	Control Type	Delay[2]	LOS	Delay[2]	LOS	Delay[2]	LOS	Delay[2]	LOS
East 14th Street/Davis Street/Callan Avenue[1]	Signal	26.3	C	24.4	C	26.5	C	24.3	C
East 14th Street/Estudillo Avenue/Washington Plaza Entrance[1]	Signal	14.5	B	21.0	C	14.4	B	21.8	C
East 14th Street/Chumalia Street/Dan Niemi Way[1]	Signal	7.5	A	19.8	B	9.1	A	22.8	C
Davis Street/Dan Niemi Way/Hays Street[1]	Signal	21.1	C	22.1	C	20.6	C	21.9	C
Callan Avenue/Bancroft Avenue	Signal	35.1	D	19.6	B	36.2	D	20.0	B

Source: CHS Consulting Group, 2020 Notes:
1. Intersection is located within a Priority Development Area (PDA) where LOS E is the minimum acceptable service level.
2. Delay reported as seconds per vehicle. For signalized and all-way stop controlled intersections, a weighted average delay and level of service (LOS) based on all intersection approaches is reported. For unsignalized intersections (1-way and 2-way stop controlled), delay and LOS for the worst stop-controlled approach is reported.

As shown in Table 4-14, all the study intersections would continue to operate within City LOS standards of LOS D or better, under Baseline plus Project Conditions. Although average delays increase slightly at the study intersections compared to Baseline Conditions, nearly all study intersections are expected to maintain the same LOS as Baseline Conditions.

An exception is the intersection of East 14th Street / Chumalia Street / Dan Niemi Way, which would change from LOS B under Baseline Conditions to LOS C during the PM peak hour under Baseline plus Project Conditions. This is a still within acceptable City standards.

Baseline Plus Project 95th Percentile Queue Length Analysis

Peak hour 95th percentile queue lengths under Baseline Plus Project Conditions were analyzed. As summarized in in Table 4-15, below, 95th percentile queue lengths increase slightly at the study intersections compared to Baseline Conditions. However, intersections are expected to maintain queue lengths within their existing turn pocket storage capacity.

TABLE 4-15 BASELINE PLUS PROJECT PEAK HOUR INTERSECTION QUEUE ANALYSIS RESULTS

Intersection	Turn Pocket	Storage Capacity	Baseline Conditions		Baseline Plus Project Conditions	
			AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
East 14th Street/Davis Street/Callan Avenue	NBL	100	**274**	**181**	**275**	**187**
	EBL	160	61	77	69	84
	WBL	60	42	39	62	50
East 14th Street/Estudillo Avenue/Washington Plaza Entrance	EBL	80	39	**129**	39	**133**
	SBL	80	11	**82**	13	**129**
	WBL	120	**152**	**131**	**151**	**128**
East 14th Street/Chumalia Street/Dan Niemi Way	SBL	75	7	17	13	43
Davis Street/Dan Niemi Way/Hays Street	SBR	90	**126**	64	**144**	64
Callan Avenue/Bancroft Avenue	EBL	240	121	229	130	234
	NBL	95	**263**	54	**250**	56

Source: CHS Consulting Group, 2020
Notes:
1. Bold text indicates 95th percentile queue length exceeds existing turn pocket capacity.
2. NBL = northbound-left EBL = eastbound-left, WBL = westbound-left, SBL = southbound-left, SBR = southbound-right.

For turn pockets that already exceed capacity under Baseline Conditions, the proposed project would contribute less than a car length to the 95th percentile queue length, with the following exception:

- Baseline Plus Project Conditions would add 47 feet (approximately three car lengths) to the southbound left-turn pocket at the East 14th Street / Estudillo Avenue intersection.

As shown in Tables 4-11 and 4-13, this pocket would already be at capacity under Existing and Baseline Conditions. It is physically constrained by the northbound left-turn pocket at the East 14th Street / Davis Street / Callan Avenue intersection. In addition, this analysis assumes a worst-case-scenario for project-generated traffic at this intersection, as future traffic assigned to the southbound left-turn lane and westbound right-turn lanes would in reality have multiple alternative routes. These include the Huff Avenue roadway segment linking Estudillo and Callan Avenues, approximately 0.25 miles east of the project site.

Vehicle Mile Traveled

Evaluation of Vehicle Miles Traveled (VMT) associated with the proposed project was completed in the TIS. As presented in detail under Criterion b, below, per capita residential VMT in the Transportation Analysis Zone (TAZ) in which the project site is located, is below the Governor's Office of Planning and Research (OPR) threshold for VMT impact. Per capita employee VMT exceeds the threshold. However, due to the location of the project site near multiple high-quality transit corridors, the proposed project would not result in a significant increase in VMT.

Transit, Bicycle Pedestrian Facilities

As concluded in the TIS, transit, bicycle and pedestrian, facilities adequately serve the project site with few network gaps within the study area. Additionally, projects and programs to fill network gaps and improve pedestrian, bicycle, and transit access and safety have been identified within the City of San Leandro 2035 General Plan Update, Downtown San Leandro Transit-Oriented Development Strategy, and 2018 City of San Leandro Bicycle & Pedestrian Master Plan. The proposed project is consistent with the following policies from the 2018 City of San Leandro Bicycle & Pedestrian Master Plan:[49]

- 3.1 Increase citywide bicycle mode share to 2% by 2023
- 4.1 Improve connections in the pedestrian network, and provide a high level of service to pedestrians on all streets.
- 4.2 Ensure safe pedestrian connections between important community destinations, such as residential areas, transit locations, schools, senior centers and other activity generators.
- 4.6 Provide adequate street furniture and accessible public restrooms to foster an inviting pedestrian environment, where appropriate.
- 4.8 Encourage the vibrancy of pedestrian environments by maximizing opportunities for placemaking, landscaping, and street trees
- 8.2 Utilize zoning to encourage development that incorporates a mixture of uses, including residential and local-serving-retail/employment, to promote walking and bicycling.
- 8.9 Encourage businesses and new developments to make streetscape improvements that promote the use of the street by pedestrians and bicyclists. Support the use of street spaces for outdoor seating, and merchant displays, while maintaining adequate pedestrian access.

Additional recommendations for new bicycle facilities have been identified as feasible for Dan Niemi Way and Chumalia Street, which would require further analysis and design review before implementation.

A City of San Leandro *Complete Streets Checklist* was also completed for the project. It includes a summary of the degree to which the proposed site design would impact surrounding conditions for a series of transportation modes. Impacts are classified either *negative*, *neutral* or *positive*. As shown in

[49] City of San Leandro, 2018 City of San Leandro Bicycle & Pedestrian Master Plan, pages 34-39.

Table 4-16, it was concluded that the proposed site design would have no negative impacts to transit, bicycle or pedestrian facilities.

TABLE 4-16 COMPLETE STREET CHECKLIST MODAL IMPACT SUMMARY

Mode	Impact (*Positive, Neutral* or *Negative*)	Notes
Bicycle	Neutral	No increase in vehicle speeds or narrowing of bike lanes
Pedestrian	Positive	Increased pedestrian sidewalk space provided along Project frontages, and one less curb-cut on Chumalia Street proposed compared to existing conditions.
Transit	Neutral	No major intersection delay or removal of amenities

Source: City of San Leandro

Furthermore, as concluded in the *Complete Streets Checklist*, access to all pedestrian, bicycle, or transit facilities would be maintained during project construction with potential temporary, reduced facilities. These include sidewalk closures paired with pedestrian space provided on shoulders or temporary shared travel lanes for bicyclists.

The proposed project includes 76 long-term bicycle spaces for residents, where no residential bicycle parking requirements currently exist. Per City code, the requirement for bicycle parking for commercial space is 5% the total number of automobile spaces. Given that there are 62 automobile spaces proposed for retail visitors, four commercial bicycle spaces would be required (62 x 0.05 = 4). The proposed project includes eight commercial bicycle parking spaces.

Finally, the TIS recommended that the crosswalks at the intersection of Davis Street and Dan Niemi / Hays Street be upgraded to high visibility “ladder” style markings for improved pedestrian safety, as per Caltrans Standard Plan A24F. The proposed project includes a Dan Niemi Way/Hays Street Signage and Striping Plan, which includes the installation of ladder crosswalks and new bicycle markings. Similarly, the project would install new ladder crosswalks at the intersection of East 14th Street and Chumalia Street / Dan Niemi Way, an intersection also highlighted in the TIS for pedestrian safety upgrade in compliance with Caltrans Standard Plan A24F.7.

Given these project components, the project would not conflict with relevant pedestrian, bicycle or transit plans.

Cumulative Conditions

The proposed project is a Transit Priority Project (TPP) located in a Transit Priority Area (TPA) (a geographic area within ½-mile of a major transit stop included in a Transportation Improvement Program or a Regional Transportation Plan). As such, per PRC Section §21159.28(a), cumulative impacts from cars and light-duty truck trips generated by the Proposed Project on global warming or the regional transportation network are not required to be referenced, described, or discussed.

Additionally, the location and characteristics of the proposed project are consistent with Plan Bay Area 2040, the Bay Area's RTP. The proposed project supports the overarching theme of Plan Bay Area 2040, which is to promote focused growth and conserve vulnerable undeveloped areas. The project site is located within the East 14th Street Priority Development Area (PDA), which, like all PDAs, is an area identified by MTC/ABAG as having the qualities and location to accommodate efficient infill development, thus slowing encroachment of new development onto open spaces. Further, the proposed project is consistent with Plan Bay Area's goal to encourage mixed-use development in proximity to transit options, and to facilitate non-auto mobility. Due this consistency with the RTP, the cumulative impact world be **less than significant**.

Conclusion

Multi-modal traffic and transportation impacts, evaluated under a previous CEQA threshold, were concluded to be significant and unavoidable in the previous 2035 General Plan EIR and Downtown TOD Strategy EIR. Mitigation Measures included intersection-specific measures, one set of which targeted the East 14th and Davis Street intersection, an intersection studied in this document. However, this intersection is under Caltrans' jurisdiction, and for that reason the implementation of improvements was considered "uncertain"[50] in the 2035 General Plan EIR, and the impact significant and unavoidable.

As has been shown, traffic generated by the proposed project would not conflict with intersection service level standards or regulations, under baseline or cumulative conditions. It would add significant queue length at one turn pocket at the East 14th Street / Estudillo Avenue intersection, an intersection already constrained by existing physical conditions. While the TIS recommends further analysis to address these constraints, it recommends this analysis "under Existing, Baseline, and Baseline plus Project Conditions,"[51] suggesting that the potential for conditions at the intersection to conflict with circulation plans exists regardless of development of the proposed project.

The project would be within walking distance of a high-quality transit station served by three transit systems, including commuter rail, local and express bus service, and recently implemented Bus Rapid Transit (BRT). It is consistent with adopted transit-oriented land use strategy and would not conflict with policies or programs related to transit service. As highlighted above and further detailed under Criterion b, below, this proximately to transit would also result in a less than significant VMT increase.

As described above, the proposed project would also include bicycle and pedestrian improvements that support these modes and complement pedestrian or bicycle-related plans or policies.

In summary, the project would not result in significant impacts due to inconsistencies with circulation plans, programs, policies and/or regulations. The impact would be **less than significant**. Therefore, the effect of the project would **not be more significant than the impacts that were evaluated in the prior EIR**.

[50] City of San Leandro, 2035 General Plan EIR, Table 1-1, page 1-21.

[51] CHS Consulting Group, October 2020, 1188 East 14th Street Mixed-Use Development, San Leandro, Transportation Impact Study, page 38.

Criterion b

Analysis in the 2035 General Plan EIR

This criterion was not included in Appendix G of the CEQA Guidelines at the time of the 2035 General Plan EIR or TOD Strategy EIR publication. Senate Bill 743 (SB 743), which shifted the metric of transportation impact analysis in CEQA from Level of Service (LOS) to Vehicle Miles Traveled (VMT), had recently been signed into law in September 2013, and the July 2020 deadline for required implementation of VMT analysis not yet reached. However, the 2035 General Plan EIR provided an informational discussion of cumulative VMT (Section 4.13.4). The 2035 General Plan EIR concluded that VMT per capita was forecast to decrease from 26.5 miles per service population per day in 2015 (under existing conditions at that time) to 25.5 miles per service population per day in 2035 under the 2035 General Plan.

Potential impacts related to consistency with CEQA Guidelines § 15064.3, subdivision (b), were not directly analyzed in the 2035 General Plan EIR or TOD Strategy EIR.

New Information and Specific Effects of the Project

CEQA Guidelines § 15064.3, subdivision (b) establishes vehicle miles traveled (VMT) as the appropriate measure of transportation impacts. Effective July 1, 2020, Senate Bill 743 (SB 743) requires all CEQA lead agencies to establish VMT as the metric replacing Level of Service (LOS) for evaluating CEQA traffic and transportation impacts. As of February 2021, the City of San Leandro was in the process of adopting VMT as its CEQA metric for transportation impacts, as mandated by SB 743.

For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to the project." Specifically related to land use projects, Section 15064.3(b) indicates that, "Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact." California Public Resources Code (PRC) 21064.3 defines a major transit stop as an existing rail or bus rapid transit station, a ferry terminal with either bus or rail service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. California PRC Section 21155(b) defines a high-quality transit corridor as "fixed route bus service with service intervals no longer than 15 minutes during peak commute hours."

Eligibility requirements related to transportation for streamlining pursuant to CEQA Guidelines Section 15183.3 for infill projects are similar to the parameters described above. In order to qualify under CEQA Guidelines Section 15183.3, a primarily residential project must be within a low vehicle travel area within its region or be located within 0.50 mile of an existing major transit stop or high-quality transit corridor. The Project site is located in a TPA as defined by CEQA.

The Governor's Office of Planning and Research (OPR) has developed SB 743 guidance for VMT thresholds in CEQA. Per OPR guidance, a project that is substantially similar to other surrounding land uses and

located in a Transportation Analysis Zone (TAZ) that generates a per capita VMT at least 15 percent below regional average, would have a less than significant impact.[52]

Per the Metropolitan Transportation Commission (MTC) the regional average, VMT for employees is 23.11 miles per capita (mpc) or 19.64 mpc with 15% subtracted. As shown in Table 4.19, TAZ 871, in which the project site is located, has an average employee VMT of 21.36 mpc—about nine percent above the 19.64 threshold. The regional average VMT for residents is 14.88 mpc, or 12.64 mpc with 15% subtracted. TAZ 871 has an average residents VMT of 10.35 mpc—about 18 percent below the 12.64 threshold.

TABLE 4.19 EXISTING VMT PER CAPITA

Type	2020 MTC Regional Travel Model Estimates		TAZ 871
	Regional Average	Regional Average Minus 15%	
Employee	23.11	19.64	21.36
Residents	14.88	12.64	10.35

Source: Metropolitan Transportation Commission; CHS Consulting Group, 2020

Although the average employee VMT in TAZ 871 exceeds the regional-minus 15% threshold, the proposed project is consistent with CEQA guidelines for low-impact projects. CEQA Appendix G, Section 15064.3(b)(1), establishes that land use projects within one-half mile of an existing high-quality transit corridor should be presumed to cause less than significant transportation impacts.

As detailed in the Infill Performance Standards section of this document, the proposed project would be located within one-half mile of the San Leandro BART station and adjacent to a high-quality transit corridor. AC Transit Route 1T operates on East 14th Street and Davis Street at 10-minute headways. In addition, AC Transit's new Bus Rapid Transit system terminates at the San Leandro BART Station. The proposed project is thus expected to generate significantly lower VMT per employee and resident compared to existing uses in TAZ 871. Consistent with the Downtown TOD Strategy Parking Plan, he proposed project would also provide on-site parking below the rate required by City Code and conform to parking strategies prescribed in San Leandro's Downtown TOD Strategy, such a Strategy F15, which allows residential development to accommodate visitors either through the shared parking supply (on and off-street) or in the unbundled flex parking supply that is permitted on-site. Th project would also support Downtown TOD Strategy policies stating that bicycle facilities should be incorporated into new development and streetscape improvements, and that new development should provide indoor and/or covered bicycle parking as well as bicycle lockers.

As such, the project would not result in a significant VMT impact and would not conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b). The proposed project is consistent with applicable policies from the City of San Leandro policies and applicable policies specified for the project area in the

[52] Governor's Office of Planning and Research, Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018.

prior EIRs. As such, the impact would be less than significant and the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR

Criterion c

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Potential safety impacts from design features were evaluated in the 2035 General Plan EIR (Section 4.13.3, pages 4.13-64 through 4.13-65) and were found to be less than significant. The 2035 General Plan EIR states that future projects would be reviewed pursuant to the City's Standard Plans and would be required to comply with General Plan policies such as:

- Policy T-2.1: Complete Streets Serving All Users and Modes.
- Policy T-6.1: Traffic Calming Strategies.
- Policy T-6.4, Coordination with Urban Design Improvements; and
- Policy T-7.6, Safe Visibility.

Similarly, the TOD EIR determined that the roadway modifications included in projects pursuant to the TOD Strategy would not create hazards due to design features or incompatible uses and that roadway modification would be reviewed by emergency service providers in San Leandro to ensure adequate emergency access.

New Information and Specific Effects of the Project

As detailed under Section 4.9 Land Use, the proposed project is consistent with existing land use designations and zoning. It would not introduce incompatible land uses to the project site. The project would be limited to an existing city block. It would not include new rights-of-way or change the footprint of existing rights of way.

The adequacy of circulation of the proposed project site plan was reviewed in the TIS. The TIS concluded that all internal drive aisles are at least 24-feet wide and of sufficient width to accommodate two-way traffic operations for circulating vehicles, delivery trucks, and emergency vehicles, as well as vehicular parking maneuvers to/from the perpendicular parking spaces. Moreover, the drive aisle dimensions are consistent with the requirements of Section 4-1720 of the City of San Leandro Zoning Code, which requires a minimum 24-foot width for onsite parking lot drive aisles.

As described in Chapter 3, the ground level parking garage serving ground-level retail and residents would be accessed via two separate driveways, including a 24-foot-wide driveway on Callan Avenue and a 39-foot-4-inch-wide driveway on Chumalia Street. The Callan Avenue driveway would include restriping the westbound left turn pocket at the intersection of Callan Avenue and Hyde Street, in order to extend the existing double left-turn lane on Callan Avenue west to the proposed project driveway. This would provide vehicles making left-turns into the Callan Avenue driveway sufficient space to queue and vehicles making left-turns out of the Callan Avenue driveway a refuge area to cross westbound traffic and merge with eastbound traffic. "Do not Block" intersection markings would also be installed within the westbound

travel lanes adjacent to the Callan Avenue driveway, to ensure vehicle queues on westbound Callan Avenue will not block access to/from the Callan Avenue driveway.

The second level of the parking garage would be accessible via a 24-foot-wide ramp on Hyde Street, currently one-way. Hyde Street between Chumalia Street and the project driveway would be converted to two-way traffic operation, allowing vehicles to access the second level of the parking garage from Chumalia Street. Hyde Street would continue to operate as a one-way northbound-only roadway south of the proposed project driveway.

As concluded in the TIS, the project driveway would provide adequate sight distance to ensure exiting vehicles would be within view of pedestrians on the adjacent sidewalk. Moreover, Section 4-1728 of the City Code requires that there are no obstructions between the height of three (3) feet and seven (7) feet within 10 feet in either direction of proposed driveways at the street property line. This would require parking restrictions within at least 10 feet of the Project's driveways and maintaining at least a 7-foot clearance between the ground and the lower branch of any tree within 10 feet of the Project's driveways.

With implementation of the above Uniformly Applicable Development Policies, including City Municipal Code requirements and General Plan policies, the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion d

Analysis in the 2035 General Plan EIR

Potential impacts related to inadequate emergency access were evaluated in the 2035 General Plan (Section 4.13.3, pages 4.13.65 and 4.13-6) and were found to be less than significant. The 2035 General Plan EIR cites General Plan policies that would facilitate emergency response related to individual projects, including Action T-2.1.C calling for narrower streets only where emergency access considerations can be addressed; Policy T-6.3, requiring traffic-calming at the neighborhood level; and Action T-6.3.A, requiring traffic impact studies prior to changes in street design or circulation patterns.

New Information and Specific Effects of the Project

Per the TIS, the proposed project's 24-foot-wide internal drive aisles are of sufficient width to accommodate two-way traffic operations for emergency vehicles. As described in Chapter 3, the project would include three, 26' x 42' fire access zones fronting project stairwells, in the following locations:

1. Mid-block on Callan Avenue;
2. Chumalia Street immediately west of Hyde Street; and
3. E. 14th Street immediately south of Chumalia Street.

The proposed project includes a fire access plan whereby the fire trucks access the Chumalia Street fire access zone from one-way, northbound Hyde Street via a left turn onto east-west Chumalia Street, which has one lane in each direction, and make left turns from Chumalia Street onto northbound Hyde Street.

INFILL CHECKLIST

Finally, the project site plans were reviewed to determine the adequacy of circulation and to address access for emergency vehicles. The project was also reviewed by the Alameda County Fire and San Leandro Police Departments, which determined that the site would have adequate fire access. As such, the project impact would not be more significant than the impacts that were evaluated in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.16 Tribal Cultural Resources.					
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☒	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☒	☒

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

This threshold was not included in Appendix G of the CEQA Guidelines at the time of the 2035 General Plan EIR or TOD Strategy EIR publication. The Native American Historic Resource Protection Act (Assembly Bill 52 or AB 52) went into effect July 1, 2015. It sets forth a proactive approach intended to reduce the potential for delay and conflicts between Native American and development interests. AB 52 adds "tribal cultural resources" (TCR) to the specific cultural resources protected under CEQA and requires lead agencies to notify relevant tribes about development projects. It also mandates lead agencies to consult with tribes if

requested by the tribe and sets the principles for conducting and concluding consultation. The Notice of Preparation for the 2035 General Plan EIR was filed prior to July 1, 2015, the deadline for tribal consultation in compliance with AB 52.

Regardless, the 2035 General Plan provides a discussion of potential impacts to TCRs. The 2035 General Plan concludes that compliance with the 2035 General Plan policy and actions listed below would protect unrecorded TCRs in San Leandro by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to convey their significance through excavation or preservation:

- 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.

Given these policies, the 2035 General Plan EIR concluded that impacts to TCRs would be **less than significant**. However, the potential impacts to tribal cultural resources as defined in Public Resources Code § 21074, including tribal outreach, were not analyzed directly in the 2035 General Plan EIR or TOD Strategy EIR.

New Information and Specific Effects of the Project

The site of the proposed project has been previously used for urban commercial and parking uses and has been graded, paved, and developed for its current uses. At the request of the lead agency, the Native American Heritage Commission (NAHC) conducted a site-specific search of the Sacred Lands File (SLF). The NAHC confirmed the results were negative in a letter to the City dated December 22, 2020 (see Appendix H). As summarized under Section 4.3.a, the federal, State, and City historic registers do not indicate any site, feature, place, or cultural landscape with cultural value to a California Native American tribe designated on the project site.

Per Assembly Bill 52, proactive consultation requests were sent to Native American tribes traditionally and culturally associated with the area. In response, Corrina Gould, Tribal Chair of the Confederated Villages of

Lisjan Tribe wrote that "The Tribe wishes to be contacted if there is any [tribal cultural resource] findings."[53]

Additionally, in the unlikely event that unknown archaeological resources are encountered on site, the found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in Public Resources Code (PRC) Section 21083.2.

The proposed project is required to comply with existing regulatory requirements in CCR Title 14, Part 15064.5(f), and PRC Section 20182,which require that, in the unlikely event that construction exposes archaeological resources (sites, features, or artifacts are exposed), all construction work taking place within 100 feet of the find would immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, evaluates the significance of the find and determines whether additional study is warranted. Depending on the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted. Compliance with existing regulatory requirements would ensure that impacts to archaeological resources would be less than significant, and no mitigation is required.

As discussed in Section 4.3, Cultural Resources, the project site is not likely to contain any unknown human remains due to the disturbed nature of the Project site. In the unlikely event that human remains are encountered during Project grading, the proper authorities would be notified, and standard procedures for the respectful handling of human remains during the earthmoving activities would follow California Code of Regulations (CCR) Section 15064.5(e), PRC Section 5097, and Section 7050.5 of the State's Health and Safety Code. Compliance with these provisions would ensure that any potential impacts to unknown buried human remains would be less than significant by ensuring appropriate examination, treatment, and protection of human remains as required by State law.

The negative results of the SLF request and ongoing coordination with the Confederated Villages of Lisjan Tribe in the case of cultural resource discovery or disturbance would reduce potential impacts associated with a substantial adverse change in the significance of a tribal cultural resource. Compliance with the Uniformly Applicable Development Policies in the form of 2035 General Plan policies, would ensure the impact is less than significant:

- 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.

[53] Gould, Corrina, e-mail to Mogensen, Andrew, City of San Leandro Planning Manager, January 21, 2021.

- 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.

As such, the project impact would not be more significant than the impacts that were evaluated in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.17 Utilities and Service Systems. Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☒	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☒	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☒	☐	☒	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☒	☐	☒	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☒	☐	☒	☒☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Water and Wastewater Facilities

Potential impacts from construction of new or expanded water or wastewater treatment facilities were analyzed in the 2035 General Plan EIR (Section 4.14.1.3, pages 4.14-13 through 4.14-21; Section 4.14.2.3, pages 4.14-28 through 4.14-37) and were determined to be less than significant. General Plan buildout would be served with existing or planned water supplies and construction of new distribution infrastructure for new development would not result in significant effects. The 2035 General Plan EIR also

determined that no additional wastewater facility improvements would be needed beyond those currently planned, as projected wastewater generated from the proposed plan would not exceed the wastewater treatment requirements or capacity of the San Leandro Water Pollution Control Plant or the Oro Loma treatment plant

The TOD Strategy EIR included Mitigation Measure G3 for the City's continued sewer replacement program and other capital improvements necessary to accommodate planned future growth. As described in the TOD Strategy EIR, the City would evaluate the impact of TOD on sewer infrastructure and develop an estimated cost and schedule. Each new TOD project would be required to pay an impact fee to fund needed improvements.

Stormwater

Potential impacts from construction of new or expanded stormwater facilities were analyzed in the 2035 General Plan EIR (Section 4.14.4.3, pages 4.14-60 through 4.14-64). The 2035 General Plan EIR stated that future project under the 2035 General Plan that involve the disturbance of one acre or more of land would be subject to NPDES construction permit requirements, including preparation of a SWPPP, which includes BMPs to limit the discharge of sediment and non-stormwater discharges from the site. Projects that involve the creation and/or replacement of more than 10,000 square feet of impervious surfaces would trigger the implementation of source control measures and site design measures to address stormwater runoff, as per the C.3 provisions of the Alameda County Clean Water Program. The City also determined that implementation of source control and regulatory measures would limit runoff from new developments such that the City would not need new or expanded stormwater drainage facilities, and that General Plan policies and actions would further reduce the impact to a less than significant level. These policies include:

- Policy OSC-5.7: Creek Maintenance. Support creek maintenance projects that minimize erosion, stabilize creek banks, and protect property from the threat of flooding. Work with private property owners and Alameda County to ensure that fallen vegetation and other potentially hazardous flow obstructions are promptly removed.
- 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.
- Action CD-7.4.A: Paving of Planter Strips. Consider an ordinance or zoning amendment to prohibit the paving of planter strips along City streets, except where these strips are narrow and such a prohibition would be impractical or conflict with the City's water conservation goals.
- Action CD-7.4.B: Bio-Swales in Planter Strips. Consider a program wherein, at the request of the homeowner, the City would remove existing planter strips so that they may be replaced with Bay-friendly landscaping, or converted to bio-swales that support the City's stormwater management and green infrastructure plans. If initiated, such a program would need to be grant-funded or funded by property owners, with on-gong maintenance provided by property owners rather than the City.

- Goal CSF-6: Infrastructure. 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-6.7: Storm Drainage. Require storm drainage improvements for new development which ensure that stormwater runoff is adequately handled both on-site and off-site. Such regulations should fully implement state and federal clean water requirements. The City will also support legislation to increase funding for local storm drainage improvements, including improvements aimed at water quality.
- Policy CSF-6.8: Maintenance. Ensure that sufficient funding is provided for the ongoing maintenance of City-owned facilities, including streets, street lights, traffic signals, landscaping, street trees, storm drains, public buildings and other infrastructure.
- Action CSF-6.8.A: Financing and Assessment Districts. Explore the use of special assessment districts, community benefit districts, enhanced infrastructure financing districts, and other financing tools to create reliable funding streams for the development, maintenance and operation of infrastructure in high growth areas of the city.
- Policy EH-1.7: Reducing Flood Hazards. Work collaboratively with County, State, and federal agencies to develop short- and long-term programs that reduce flood hazards in the City. At the local level, the City will regularly maintain its storm drainage system and ensure that those portions of San Leandro Creek under its jurisdiction remain clear of obstructions.
- Action EH-1.7.A: Coordination With ACFCWCD. Improve coordination with the Alameda County Flood Control and Water Conservation District to ensure that flood channels are regularly cleaned and maintained. This should include coordination of tree removal projects on ACFCWD land.
- Action EH-1.7.B: Increase Flood Channel Capacity. Work with Alameda County, State and federal agencies, and elected officials to improve flood control channel Line A Zone 2 (the Estudillo Canal) to reduce flood hazards, including reconstruction of golf course bridges to improve channel

capacity. As appropriate and necessary, pursue measures to increase the capacity of other flood control facilities to reduce the number of adjacent San Leandro properties subject to flooding.

- 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 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 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 Countywide Clean Water Program.
- 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-4.11: Green Infrastructure. Consistent with the Municipal Regional Stormwater Permit for the San Francisco Bay Area, promote the increased use of green infrastructure as a means of improving stormwater quality. This shall include the incorporation of low impact development (LID) drainage design in public and private streets, parking lots, roofs, and other facilities. This also includes the use of best management practices to reduce impervious surfaces, including strategies using vegetation, soils, and natural processes to manage water and create a healthier urban environment.
- Action EH-4.11.A: Green Infrastructure Plan. Develop and implement a Green Infrastructure Plan, as required by the Regional Water Quality Control Board. The Plan should include a mechanism to prioritize and map areas for planned and potential projects, projections for impervious surface reductions, a process for tracking and mapping completed projects, design guidelines and details for green infrastructure projects, an implementation program, and an evaluation of funding options to cover construction and ongoing maintenance.
- Action EH-4.11.B: Green Infrastructure Capital Projects. Annually review planned capital projects to identify opportunities to incorporate green infrastructure.
- Action EG-4.11.C: Green Infrastructure Outreach. Conduct outreach and education to gain support for green infrastructure plans and demonstrate the benefits of such plans, such as water

quality improvement, flood control, greenhouse gas reduction, and safer pedestrian and bike access.

Electrical Power and Natural Gas

Potential impacts from construction of new or expanded electrical and natural gas facilities were analyzed in the 2035 General Plan EIR (Section 4.14.5.3, pages 4.14-73 through 4.14-80). The 2035 General Plan EIR concludes that these impacts would be **less than significant** because:

- Development under the General Plan would comply with existing state and local energy efficiency standards and guidelines that conserve energy, such as Title 24 of the California State Building Code and the City's Green Building Ordinance, Chapter 3.19 of the Municipal Code.
- Construction would comply with the EPA's Heavy-Duty National Program to establish fuel efficiency and GHG emission standards in the heavy-duty highway vehicle sector, which includes combination tractors (semi-trucks), heavy-duty pickup trucks and vans, and vocational vehicles (including buses and refuse or utility trucks).
- Development under the General Plan would comply with 2035 General Plan policies related to efficiency, such as Policy OSC-8.1: Conservation and Energy Efficiency, Action OSC-8.1.A: Climate Action Plan Implementation, Policy OSC-8.3: Weatherization and Energy Upgrades, Policy OSC-8.4: Local Energy Resources, and Policy OSC-8.6: Reducing Peak Demand.
- Development would comply with 2035 General Plan policies related to transportation energy efficiency, such as Policy T-1.10: Reduced Trip Generation; Policy T-2.1: Complete Streets Serving All Users and Modes; Policy T-3.7: Removing Barriers to Active Transportation; and Policy T-5.2: Evaluating Development Impacts.

New Information and Specific Effects of the Project

Water and Wastewater

Project-generated sewage would be handled by the City's existing sewer system and treated at the San Leandro Water Pollution Control Plant (SLWPCP) which, as described under criterion c, had approximately 3.3 mgd of unused permitted dry weather flow capacity in 2015. Moreover, the project would be required to pay impact fees and would therefore contribute its fair share toward any needed improvements. As a result, the impact of the project would **not be more significant than the impacts that were evaluated in the prior EIR.**

Stormwater

As described and assessed under 4.8.a, 4.8.b and 4.8.c, a Stormwater Management Plan was prepared for the project. The Plan complies with the requirements of Section 4.8, Provision C.3 of the Municipal Regional Stormwater Permit (MRP) establishing eligibility of the project as Special Project Category B. As a Special Project Category B, the project is not required to include Low Impact Development (LID) stormwater treatment strategies such as infiltration and biotreatment. Additionally, hydromodification is not required because the total impervious surface area would decrease from pre-project conditions.

The proposed project's Stormwater Management Plan would include the following features to regulate stormwater runoff:

1. Self-Retaining Areas. The project would include a pair of self-retaining runoff treatment areas, consisting of 706 SF of impervious surface at the corner of E. 14th and Callan, designed to drain runoff to an adjacent, 535-SF self-retaining drainage treatment area.
2. Pervious areas. The project would include 2,381-sf of pervious area, most associated with ground-level landscaping at the corner of Hyde Street and Callan Avenue, and landscaping on the rooftop courtyard (see Section 3.2.4, above).
3. Drainage Management Area (DMA). The project would include a single, 67,615-SF DMA encompassing nearly all the impervious project surface, with a drainage area of 65,900 SF. Run-off from the DMA would be directed to a 6-foot wide, below-grade concrete vault containing a non-LID media filter. The filter would contain 10 replaceable cartridges with a total flow rate of 120 gallons per minute (GPW).

Stormwater would drain directly into the storm sewer system via a new, 12-inch line running beneath Hyde Street. Installation of this on-site drainage system would ensure that stormwater facilities would accommodate the project and that stormwater from the project would be treated appropriately. Moreover, compliance wit the following uniformly applicable General Plan policies:

- 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.

Would ensure the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Electrical Power, Natural Gas and Telecommunications

The proposed project would not require or result in the relocation or construction of new electrical power, natural gas or telecommunications facilities. As established in Chapter 3, community choice aggregate East Bay Community Energy (EBCE) would provide electric and natural gas services to the site. The project does not include any telecommunications facilities. Moreover, as outlined above under *Analyses in the 2035 General Plan EIR and TOD Strategy EIR*, the project, like all development under the 2035 General Plan, would:

- Comply with existing state and local energy efficiency standards and guidelines that conserve energy, such as Title 24 of the California State Building Code and the City's Green Building Ordinance, Chapter 3.19 of the Municipal Code.
- Comply with the EPA's Heavy-Duty National Program to establish fuel efficiency and GHG emission standards in the heavy-duty highway vehicle sector, which includes combination tractors (semi-trucks), heavy-duty pickup trucks and vans, and vocational vehicles (including buses and refuse or utility trucks).
- Comply with 2035 General Plan policies related to efficiency, such as Policy OSC-8.1: Conservation and Energy Efficiency, Action OSC-8.1.A: Climate Action Plan Implementation, Policy OSC-8.3: Weatherization and Energy Upgrades, Policy OSC-8.4: Local Energy Resources, and Policy OSC-8.6: Reducing Peak Demand.
- Comply with 2035 General Plan policies related to transportation energy efficiency, such as Policy T-1.10: Reduced Trip Generation; Policy T-2.1: Complete Streets Serving All Users and Modes; Policy T-3.7: Removing Barriers to Active Transportation; and Policy T-5.2: Evaluating Development Impacts.

The residential infill and transit-oriented nature of the project combined with compliance with the above Uniformly Applicable Development Policies, would ensure the project impact not be more significant than the impacts that were evaluated in the prior EIR.

Criterion b

Analysis in the 2035 General Plan EIR

Potential impacts on water supply entitlements were analyzed in the 2035 General Plan EIR (Section 4.14.1.3, pages 4.14-13 through 4.14-21) and were determined to be less than significant. General Plan buildout would not result in water shortages in normal years, and East Bay Municipal Utility District's (EBMUD) water conservation programs and supplemental supply plans would address dry years and new entitlements would not be needed. In addition, General Plan policies and actions for water conservation and reclamation, including Policy OSC-7.2; Action 7.2A; Action 7.2B; Policy OSC-7.3 and Policy OSC-7.4, would reduce impacts to water supplies.

The 2007 TOD Strategy EIR found that implementation of the TOD Strategy would increase water demand and would necessitate conservation and reclamation programs. The TOD Strategy EIR concluded that adoption of General Plan policies as part of the TOD Strategy would ensure that water conservation measures would be required of each new development and that cumulative demand impacts would be less than significant.

New Information and Specific Effects of the Project

The proposed project would have fewer than 500 units. As such, it does not require an assessment of water supply availability Pursuant to Sections 10910–10915 of the California Water Code.

The East Bay Municipal Utilities District (EBMUD) 2015 Urban Water Management Plan (UWMP) identifies a regional, planning-level 2040 water demand forecast of 230 million gallons per day (mgd),[54] assuming implementation of water recycling and implementation programs. Per the UWMP, EBMUD can meet planning-level customer demands out to 2040 during normal years, single dry year and second dry year conditions. Third dry year conditions would require additional water to meet unmet demand.[55]

The UWMP establishes an initial 2020 average daily per capita water use of 80 gallons per capita/day (gpcd) for residential indoor demand and58 gpcd for commercial demand.[56] Applying this per capita demand to the projected 560 new residents and 51 new employees of the proposed project, the project would create the demand for 47,758 gallons per day (gpd), or 0.047 mgd. As estimated in the 2035 General Plan EIR, the 2035 General Plan would result in a net increase of 1,988,780 gpd, less than 1 percent of the total projected demand in the EBMUDs service territory (page 4.14-14). Given this future demand, and the fact that the project is consistent with adopted land use and planning policies, the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion c

Analyses in the 2035 General Plan EIR and TOD Strategy EIR

Potential impacts on wastewater treatment and capacity were analyzed in the 2035 General Plan EIR (Section 4.14.2.3, pages 4.14-28 through 4.14-37) and were determined to be less than significant. The EIR determined that projected wastewater generated from buildout, including TOD, would not exceed wastewater treatment requirements. Similarly, the TOD Strategy EIR determined that the adoption of General Plan policies designed to maintain adequate capacity at the San Leandro wastewater treatment plant would address any potential impacts by ensuring adequate wastewater facilities and treatment. The 2035 General Plan EIR also found that the wastewater generated from General Plan buildout would not exceed wastewater treatment plant capacity or permit limits and would not result in a determination of insufficient capacity by the wastewater treatment providers.

New Information and Specific Effects of the Project

The project site is located in the City's sewer service area. Wastewater from the service area is collected and treated by the City-owned and operated system (a portion of San Leandro is instead serviced by the Oro Loma Sanitary District). Wastewater from the project area is treated by the San Leandro Water Pollution Control Plant (SLWPCP). The SLWPCP has a maximum dry weather flow capacity of 7.6 million gallons per day (mgd). In 2015, the average dry weather flow from the plant was 4.3 mgd.[57] Thus, the SLWPCP had approximately 3.3 mgd of unused permitted dry weather flow capacity in 2015.

[54] East Bay Municipal Utilities District, 2015 Urban Water Management Plan, page 58

[55] Ibid, Page 57

[56] Ibid, page G-8

[57] San Francisco Bay Regional Water Quality Control Board, Tentative Order No. R2-2017-00X, NPDES No. CA0037869. https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2017/May/EBDA/EBDA_Tentative_Order.pdf

As described under Section 4.8.a, the proposed project would create and/or replace 10,000 square feet or more of impervious surfaces, and as such would comply with the C.3 requirements for stormwater control. Through demonstrated C.3 compliance, the proposed project would include actions to minimize runoff from the project site, including pervious areas and a non-LID media filter.

As summarized under Section 4.9.b, the density of the proposed project is consistent with the current zoning and General Plan land use designation of the site. The project's wastewater flows would not be substantially higher than what was evaluated in the 2035 General Plan EIR. Furthermore, the 2035 General Plan EIR determined that projected wastewater flows would not exceed wastewater treatment requirements or capacity.

Consequently, the proposed Project would not require the expansion of existing stormwater facilities or the construction of new facilities, the construction of which could otherwise have significant impacts. Therefore, this impact would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion d

Analysis in the 2035 General Plan EIR

Potential impacts on landfill capacity and solid waste regulations were analyzed in the 2035 General Plan EIR (Section 4.14.3.3, pages 4.14-42 through 4.14-47) and were determined to be less than significant. The capacities of the four primary landfills serving the City were assessed, and it was concluded that the total estimated solid waste generation rate for the proposed General Plan of 90 tons per day is less than 5 percent of the smallest daily capacity of those landfills. Moreover, Development projects would be required to comply with existing recycling regulations. Diversion of solid waste would address potential impacts on landfill disposal capacity.

Furthermore, the following 2035 General Plan policies and strategies would promote recycling and conservation, which would ensure adequate waste collection and disposal facilities and that General Plan buildout, including TOD, would be consistent with solid waste statutes and regulations:

- Goal OSC-7: Resource Conservation and Greenhouse Gas Reduction. 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 7.1.A: Source Reduction and Recycling Programs. Continue to implement Source Reduction and Recycling programs, consistent with the Stopwaste.org Strategic Plan.
- Action 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 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 7.1.D: Food Waste Recycling. Continue to operate green waste and food waste recycling programs.
- Action 7.1.E: Public Education. Expand public education on recycling, particularly for apartment dwellers. Promote school programs that educate children about recycling.
- Action 7.1.F: Discouraging Unnecessary Consumption. Promote waste reduction through initiatives that discourage excessive or unnecessary consumption and encourage the use of "second hand" goods and recycled materials.

New Information and Specific Effects of the Project

As noted above and assessed in the 2035 General Plan EIR, solid waste from the proposed project would be transferred to one of four landfills that serve the City. The largest of those landfills is the Altamont Landfill in Livermore, which is permitted to receive up to 11,500 tons of waste per day and is set to close in 2025. The smallest of those landfills, Vasco Sanitary Landfill in Livermore, is permitted to receive up to 2,250 tons of waste per day and is set to close in 2019 (remains open). Potrero Hills Landfill has longest future operation, as it is set to close in 2048.

According to CalRecycle, the City of San Leandro's Annual Per Capita Disposal Rate per resident in 2019 was 8.6 pounds per day (ppd); the Annual Per Capita Disposal Rate per business employee was 15.6 ppd.[58] Both rates are below 2019 CalRecycle target rates of 8.7 ppd per resident and 18.2 ppd per employee.[59]

As established in Section XII, Population and Housing, it is estimated that the Project will generate a net increase of 560 residents and 61 employees. For analysis purposes, if solid waste generation is assumed to be equivalent to 2019 San Leandro per capita generation rates, the total solid waste generated by the project is estimated at 5,768 pounds per day[60], or 2.9 tons per day.

This represents approximately 0.1 percent of the permitted daily capacity of the smallest landfill that would serve of the Project, and 0.02 percent of the largest landfill. Together, these facilities have sufficient capacity to accommodate the proposed Project's solid waste disposal needs. Combined with Uniformly Applicable Development Policies in the form of General Plan waste and recycling policies and Alameda County Mandatory Recycling Ordinance #2012-01, which requires recycling and composting

[58] CalRecycle, Jurisdiction Diversion/Disposal Rate Summary, City of San Leandro, https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006.

[59] CalRecycle, Jurisdiction Per Capita Disposal Rate Trends (Post 2006), https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports.

[60] (8.6 ppd x 560) + (15.6 ppd x 61) = 4,816 + 962 = 5,768 ppd.

service for multi-family buildings, his impact would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion e

Analysis in the 2035 General Plan EIR

Potential impacts related to solid waste regulations were analyzed in the 2035 General Plan EIR (Section 4.14.3.3, pages 4.14-42 through 4.14-47) and were determined to be less than significant. Development projects would be required to comply with existing recycling regulations. Diversion of solid waste would address potential impacts on landfill disposal capacity. Furthermore, the General Plan's policies and strategies related to solid waste (e.g., Policy OSC-7.1, Recycling, and related actions) would promote recycling and conservation, which would ensure adequate waste collection and disposal facilities and that General Plan buildout, including TOD, would be consistent with solid waste statutes and regulations.

New Information and Specific Effects of the Project

The proposed project would have a significant environmental impact if it failed to comply with federal, state and local law management and reduction statutes, leading to a breach of public standards relating to solid waste or litter control. The City of San Leandro fully complies with State requirements to reduce the volume of solid waste through recycling and reuse. As noted under Criterion d, the City's per capita disposal rates are below the target rate established by CalRecycle. The City has established a Uniformly Applicable Development Policy in the form of a mandatory Green Building Checklist, which must be submitted with and incorporated into development plan sets, and any items that are marked on the checklist must then be referenced and detailed in the plans.

In addition, the General Plan includes goals, policies, actions and strategies that promote recycling and conservation and will help ensure adequate waste collection and disposal facilities are available for the residents and workers of San Leandro. Together these policies and actions will help to ensure that the proposed Project is consistent with statutes and regulations related to solid waste. Therefore, this impact would not be more significant than the impacts that were evaluated in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.18 Wildfire. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Analysis in the 2035 General Plan EIR

This threshold was not included in Appendix G of the CEQA Guidelines at the time of the 2035 General Plan EIR or TOD Strategy EIR publication. Thus, the potential impacts of wildfire, as current prescribed by CEQA, were not analyzed in the 2035 General Plan EIR or TOD Strategy EIR.

However, the potential for impacts from wildland fires was analyzed under Hazards and Hazardous Materials (HAZ-8) in the 2035 General Plan EIR (Section 4.7.3, pages 4.7-16 through 4.7-31). The City determined that this impact would be **less than significant** given that new development would generally occur in areas of low wildland fire risk and would not serve as an ignition source for wildland fires or provide additional fuel for fires, once burning. The evaluation found that compliance with applicable federal, state, and local laws and regulations would reduce impacts from wildland hazards.

New Information and Specific Effects of the Project

The project site is in a Local Responsibility Area (LRA) per the California Department of Forestry and Fire Protection (CAL FIRE). It is outside any moderate, high, and very high fire hazard areas.[61]The project site is approximately 0.75 miles east of the nearest high fire hazard severity zone,[62] which is located in the foothills of San Leandro.

Criterion a

New Information and Specific Effects of the Project

As stated in Section above, the project site is not located in or near state responsibility areas or high fire hazard severity zone. Therefore, it would not impair an emergency response or evacuation plan in these zones. There would be no impact. The effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion b

New Information and Specific Effects of the Project

As stated in Section above, the project site is not located in or near state responsibility areas or high fire hazard severity zone. Therefore, it would not exacerbate fire risks in these zones. There would be no impact. The effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion c

New Information and Specific Effects of the Project

As stated in Section above, the project site is not located in or near state responsibility areas or high fire hazard severity zone. Therefore, it would not require the installation or maintenance of associated infrastructure in these zones. There would be no impact. The effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion d

New Information and Specific Effects of the Project

As stated in Section above, the project site is not located in or near state responsibility areas or high fire hazard severity zone. Therefore, it would not expose people or structures to significant risks in these

[61] California Department of Forestry and Fire Protection, California Fire Hazard Severity Zone Viewer web page, https://egis.fire.ca.gov/FHSZ/, accessed May 2, 2020.

[62] California Department of Forestry and Fire Protection, California Fire Hazard Severity Zone Viewer web page, https://egis.fire.ca.gov/FHSZ/, accessed May 2, 2020.

zones. There would be no impact. The effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.19 Mandatory Findings of Significance.					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☒	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a

Analysis in the 2035 General Plan EIR

Potential impacts on the overall quality of the environment, sensitive species and communities, and important cultural resources were evaluated in the biological and cultural resources sections of the 2035 General Plan EIR. The City determined that any impacts on biological and cultural resources would be addressed by existing regulations, General Plan policies, and mitigation measures developed for individual projects and that any impacts would be less than significant. Similarly, the TOD EIR evaluated the potential impacts of development and found that any impacts would be less than significant with mitigation. The mitigation consisted of the General Plan policies in effect at the time.

New Information and Specific Effects of the Project

The project would be constructed in a previously developed urban area that does not support special-status species or their habitat and where no archaeological sites or historic structures are known to exist. Consistent with General Plan policies, the project would implement a range of measures to protect environmental quality, including minimizing air and noise pollution, controlling stormwater runoff, and locating near transit to minimize traffic and GHG emissions. Therefore, the project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory. Therefore, the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion b

Analysis in the 2035 General Plan EIR

The 2035 General Plan EIR evaluated the potential for cumulative impacts and determined that the impacts of General Plan buildout would be less than significant (less than cumulatively considerable) except for those related to air quality, GHG emissions, noise, and traffic.

Air Quality

The 2035 General Plan EIR concluded that regardless of the following mitigation measures for operational and construction criteria air pollutant emissions, air quality impacts would remain *significant and unavoidable*:

- 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 (shortened for brevity).
- AQ-2B-1: 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_{10} (shortened for brevity).
- AQ-2B-2: Prior to issuance of construction permits, development project applicants that are subject to CEQA and exceed the screening sizes in the BAAQMD's CEQA Guidelines shall prepare and submit to the City of San Leandro a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts (shortened for brevity).

GHG Emissions

The 2035 General Plan EIR concluded that regardless of following mitigation measure, it could not be demonstrated that San Leandro will achieve GHG emissions reductions that are consistent with an 80 percent reduction below 1990 levels by the year 2050. The impact would remain *significant and unavoidable:*

- GHG-2: No mitigation measures are currently available to address post-2030 GHG reductions. The proposed Plan and the Climate Action Plan (CAP) include measures to align the City with the GHG reductions of AB 32 and Executive Order B-30-15. However, additional State and federal actions are necessary to ensure that State and federally regulated sources (i.e., sources outside the City's jurisdictional control) take similar aggressive measures to ensure the deep cuts needed to achieve the 2050 target.

Noise

The 2035 General Plan EIR concluded that regardless of the following mitigation measure, cumulatively excessive noise levels within the city would remain *significant and unavoidable*:

- NOI-7: Beyond General Plan Environmental Hazards Element policies, there are no feasible mitigations for preventing substantial increases in ambient noise levels, since all conceivable mitigations would be, in some circumstances, economically impractical, scientifically unachievable, outside the City's jurisdiction, and/or inconsistent with City planning goals and objectives.

Traffic

All traffic related analyses in the 2035 General Plan EIR we considered cumulative. As stated in the 2035 General Plan EIR, "The analysis of the proposed Plan… addresses cumulative impacts to the transportation network…accordingly, cumulative impacts would be the same as proposed Plan-impacts."[63]

The 2035 General Plan EIR concluded the General Plan would result in a significant impact to transportation plan consistency. This is due to operational impacts to several intersections and freeway segments. As noted on page 4-121 of this Infill Checklist, some of the mitigation measures identified for those intersections and segments were shown to be infeasible, and the overall cumulative impact was deemed *significant and unavoidable*.

New Information and Specific Effects of the Project

As discussed throughout this Infill Checklist, the proposed project is a Transit Priority Project (TPP) located in a Transit Priority Area (TPA) (a geographic area within ½-mile of a major transit stop included in a Transportation Improvement Program or a Regional Transportation Plan). As such, per PRC Section §21159.28(a), cumulative impacts from cars and light-duty truck trips generated by the Proposed Project

[63] City of San Leandro, 2035 General Plan EIR, page 4.13-70.

on global warming or the regional transportation network are not required to be referenced, described, or discussed.

The proposed project site was assumed for development in the 2035 General Plan EIR and is being developed at the intensity consistent with that analyzed in the 2035 General Plan EIR. Based on the findings of this Infill Checklist, the project would not have a cumulatively considerable contribution to any cumulative impacts that were not identified in the EIR. The proposed project would result in an incremental contribution to 2035 General Plan cumulative impacts related to air quality, GHG emissions, and noise and transportation, despite the implementation of General Plan policies and Uniformly Applicable Development Policies identified in Sections 4.2, 4.7, 4.11 and 4.17. These 2035 General Plan impacts would remain significant and unavoidable. However, the proposed project would not result in new specific effects or substantially increase the severity of effects identified in 2035 General Plan EIR and the TOD Strategy EIR. Therefore, no new impacts would occur, and no new mitigation measures are required. The effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

Criterion c

Analysis in the 2035 General Plan EIR

Potential impacts that could directly affect human beings were analyzed in the 2035 General Plan EIR. Direct impacts from carbon monoxide, toxic air contaminants, geological risks, hazardous waste, and flooding were all determined less than significant. However, as outlined under Criterion b, above, the EIR identified several potential impacts, such as air quality, GHG emissions, noise, public services, and transportation, that could be significant and unavoidable.

New Information and Specific Effects of the Project

Based on the findings of this Infill Checklist, the project would not result in any direct unmitigated significant impacts on human beings. With the implementation of EIR mitigation measures, General Plan policies, and design measures identified in this document, any impacts that would directly or indirectly affect humans (e.g., toxic air contaminants, flooding, noise) would be less than significant or less than significant with mitigation, and no impacts would be greater than those of the 2035 General Plan. Therefore, the project would not have a substantial impact on human beings, and the effect of the project would not be more significant than the impacts that were evaluated in the prior EIR.

5. Organizations and Persons Consulted

This Infill Environmental Checklist was prepared by the following consultants and individuals:

LEAD AGENCY

CITY OF SAN LEANDRO

Grace Wu, Senior Planner

REPORT PREPARER

LEAD CONSULTANT

PlaceWorks

- Steve Noack, Principal, Principal-in-Charge
- Greg Goodfellow, Senior Associate, Project Manager
- Nicole Vermillion, Principal, Air Quality & Greenhouse Gas Emissions Manager
- Kristie Nguyen, Project Planner
- Josh Carman, Senior Associate, Noise and Vibration
- Fernando Sotelo, Senior Associate, Transportation Engineer
- Steve Bush, PE, Senior Engineer
- Grant Reddy, Graphics Design Specialist

ORGANIZATIONS CONSULTED

- Native American Heritage Commission
- CHS Consulting Group
- Cornerstone Earth Group
- AEI Consultants


CITY OF SAN LEANDRO
INCORPORATED 1872

PLACEWORKS

3 MacArthur Place, Suite 1100
Santa Ana, California 92707
t 714.966.9220

www.placeworks.com