CITY OF SAN LEANDRO

MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of San Leandro finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT NAME: San Leandro Downtown Technology Campus/Westlake Development Partners, LLC., Development Agreement Lot Line Adjustment/Planned Development/Site Plan Review. Planning Case File: PLN2013-00045

II. PROJECT APPLICANT: Gary Wong, President, Westlake Development Partners, LLC., 520 El Camino Real, 9th Floor, San Mateo, California 94402-1722

III. PROJECT LOCATION: The subject property encompasses an area totaling 317,600 square feet, or approximately 7.3 acres (including 1.8 acre of City right-of-way to be vacated). The site is located generally at 1333 Martinez Street and bounded by West Estudillo Avenue to the north, Thornton Street on the south, Alvarado Street on the west and Martinez Street on the east. The western boundary is adjacent to the Southern Pacific Railroad right of way. (Alameda County Assessor Parcel Numbers: 75-47-2, 75-47-7, 75-47-3-2; and 75-42-2-1)

IV. PROJECT DESCRIPTION:

The proposed project is a multi-phase, transit-oriented development project located adjacent to the Downtown San Leandro BART Station. The project will be the first development to implement the City's Transit Oriented Development Strategy (TOD Strategy) and is being evaluated under the Downtown Transit Oriented Strategy (TOD) EIR that was certified on September 4, 2007.

The 7.3-acre project site encompasses four separate parcels, identified as 1333 Martinez Street in this document. The project site is surrounded by professional office building to the north, industrial uses to the south, light industrial to the west and the San Leandro BART Station to the east. The site is vacant, relatively flat and has been previously graded and disturbed.

The proposed project includes the development of an Office/Technology Campus with up to a maximum of 500,000 square feet of office and other uses located in multiple buildings. The proposed Development Agreement, Lot Line Adjustment, Planned Development, and Site Plan Review Permit applications are the subjects of this review. It is expected that development will occur in three or more phases with a 132,000 square foot, six-story technology-focused office building and related site improvements are proposed in Phase 1. The project will be designed to meet LEED "Gold" requirements. Formal certification may or may not occur.

Phase I will also include on-site and off-site improvements including landscaping, bike path, pedestrian path and utilities. Surface parking will be provided for the development of Phase I while future phases will require the construction of a multi-level parking structure. On-site parking is expected to be provided at a maximum ratio of four (4) spaces per 1,000 square feet of building area during Phase 1. The parking ratio for future phases may be potentially reduced if reduced demand is demonstrated.

Pursuant to the Downtown TOD Strategy (Page 74 – Abandoned Streets), Martinez Street between Thornton Street and West Estudillo Avenue will be vacated as part of this proposal. The development plan for the vacated portion of the street includes pedestrian, bicycle, street, sidewalk, landscaping and utility improvements. As part of the overall development phasing plan, it may become necessary to record one or more Lot Line Adjustments to accommodate the buildings and parking layout on the site.

The project also includes the relocation of the existing at-grade railroad pedestrian crossing (currently located northeasterly of the Martinez Street terminus at West Estudillo Avenue between the subject property and the BART station) further south to provide more convenient access for pedestrians to access the BART fare gates. Public access to the crossing will be provided by a landscaped "Paseo" that will bisect the site in an east-west direction.

V. MANDATORY FINDINGS OF SIGNIFICANCE

The Planning and Housing Manager finds, based on the initial study, that the proposed project as described above will not have a significant effect on the environment and therefore does not require an environmental impact report. The mitigation measures identified herein would reduce all impacts to a less than significant level. Therefore, there is no substantial evidence, in light of the whole record before the agency, that the project, with mitigations, may have a significant effect on the environment.

VI. IDENTIFICATION OF ENVIRONMENTAL EFFECTS

An Initial Study conducted by the City of San Leandro (including an attached checklist) determined that the proposed project, with incorporated mitigation measures, will reduce any project impacts to a less than significant level. This Mitigated Negative Declaration has been prepared in accordance with Section 15070 of the State of California Environmental Quality Act (CEQA) Guidelines.

A. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared with a determination that the project will not have a significant impact on the environment and as long as the applicant complies with all identified mitigation measures.

B. The project area is located within the seismically-active Bay Area. Therefore, the project applicant would be required to comply with all applicable State and City regulations to address geologic hazards. The mitigation measures are conditions of approval.

VII. SUMMARY OF MITIGATION MEASURES

Mitigation Measure #1: The applicant shall cooperate with the appropriate regional, state and federal agencies to implement the regional Clean Air Plan and enforce air quality standards in compliance with General Plan Policy 31.01.

Mitigation Measure #2: The applicant shall promote strategies that help improve air quality by reducing the necessity of driving, such as programs for carpooling and vanpooling, better provisions for bicyclists and pedestrians, and implementing mixed use and higher density development around transit stations in compliance with General Plan Policy 31.02.

Mitigation Measure #3: The applicant shall conduct pre-construction surveys for the presence of nesting birds within each of the project sites. The project applicant shall retain a qualified biologist to conduct a pre-construction breeding-season survey (approximately February 1 through August 31) to determine if any birds are nesting on or directly adjacent to the project area. The survey shall be conducted during the same calendar year that construction is planned to begin. If no nesting birds are found, no further action would be required.

If nesting birds are found within the trees on or directly adjacent to the project area, the project applicant shall avoid all birds nest sites located in the project area during the breeding season (approximately February 1 through August 31), or until it is determined by a qualified biologist that all young have fully fledged (left the nest). If the construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone will be determined in consultation with the CDFG. The buffer zone shall be delineated by highly visible temporary construction fencing, and shall remain in place until it is determined by a qualified biologist that all young have fully fledged (left the nest).

Mitigation Measure #4: The applicant shall cease any grading or construction activities and shall consult with appropriate representatives of the Native American Heritage Commission if human remains are discovered, in accordance with State Law and Section 7050.5 of the Health and Safety Code, Section 15064.5 (e) of the State CEQA Guidelines and Section 5097.98 of the Public Resources Code.

Mitigation Measure #5: The City of San Leandro has incorporated the 2012 International Building Code into its municipal building code (Title 7, Chapter 7-5). The project applicant would be required to comply with all applicable State and City regulations to address potential geologic hazards associated with the proposed project, including ground shaking and liquefaction. Geotechnical and seismic design criteria must conform to engineering recommendations in accordance with the seismic requirements of the 2013 San Leandro Building Code. Additionally, because the project site is in a liquefaction Seismic Hazard Zone, the project applicant will be required to comply with the guidelines set forth by California Geological Survey Special Publication 117.

Mitigation #6: Applicant shall be required to excavate, remove and recompact potentially liquefiable soil. In-site ground densification, for example, compaction with vibratory probes, dynamic consolidation, compaction piles, compaction grouting, etc., shall be conducted. Ground modification techniques, such as permeation grouting, columnar jet grouting, deep soil mixing, stone columns, gravel or other drains shall be implemented, and deep foundations shall be put in place to mitigate potential liquefaction-induced settlement impacts. Implementation of Mitigation Measure #6 reduces potential impacts to a less than significant level.

Mitigation Measure #7: (Subsurface Investigations)
Subsurface investigations are required prior to development of the San Leandro Downtown Tech Campus. The sampling and analysis programs will be specific to each site based on the prior uses of that site. Additional groundwater sampling and analysis program will be implemented if necessary for chemical constituents that could have migrated onto the sites from off-site upgradient sources, if identified during due diligence. Detection limits for the analytical program will be sufficiently low to allow assessment of risks to human health under construction worker and residential exposure scenarios.

If the subsurface investigation programs yield data suggesting that there could be unacceptable risks to future construction workers or residents, a California state environmental regulatory agency will be consulted to provide its opinion on the findings of the subsurface investigations and the assessment of risk. This opinion would be sought prior to initiating construction.

Mitigation Measure #8: (Pre Development Mitigation Measures)

If the subsurface investigation programs yield data suggesting that there could be unacceptable risks to future construction workers or residents and a California state environmental regulatory agency determines that an active remedial response is warranted, the following mitigation measures listed below include methods that may be employed to mitigate unacceptable risks to human health of construction works and future residents.

- Remove the impacted soil and dispose of off-Site;
- Install a cap to prevent contact with the contamination;
- Install a physical barrier for vapors such as a vapor barrier or passive venting system, to prevent the accumulation of vapors in indoor environment;
- Stockpile soil and aerate on-Site, or in a staging area as may be appropriate, in compliance with all applicable laws and regulations;
- Conduct in situ bioremediation measures; or
- Implement liquid or vapor extraction measures.

The appropriateness of one of the above management measures over another will depend on many factors, such as the type of constituent detected, the size of the identified impacted area, and the estimated cost of implementing the remedy.

Results of the sampling activities and the proposed course of action, e.g., no action necessary, soil excavation and off-site disposal, on-site treatment and soil reuse, shall be reported to a State environmental regulatory agency and the contractor shall obtain concurrence before implementing the remedial measures.

Remedial action plans would be approved in advance by a state environmental regulatory agency. Any cleanup or remediation would be required to meet applicable federal, state and local laws, regulations and requirements.

Mitigation Measure #9: (Risk Management Measures for Construction Phases)

The following are risk management procedures to be followed by future contractors during site preparation and construction activities. General soil management protocols are presented; as well as, protocols for managing fill soils that may be brought to the Sites during filling operations.

- Pre-Construction Planning and Notification: Prior to the start of construction activities involving below-ground work, information regarding known areas of contamination shall be provided to the contractor by the Site owner.

- Site-Specific Health and Safety Worker Requirements: Each contractor will be responsible for the health and safety of their own workers, including, but not limited to, preparation of their own health and safety plan (HSP) and injury and illness prevention plan (IIPP). The purpose of these documents is to provide general guidance to the work hazards that may be encountered during each phase of construction activities
- Contractors are also required to determine the requirements for worker training, based on the level of expected contact to soil, soil vapor, and groundwater associated with the contractor's activities and locations. The HSP shall contain provisions for limiting and monitoring chemical exposure to construction workers, chemical and non-chemical hazards, emergency procedures, and standard safety protocols. Depending upon known conditions at the time of site development, employees conducting earthwork activities at the Site may be required to complete a 40-hour HAZWOPER training course (29 CFR 1910.120 (e)), including respirator and personal protective equipment training.
- Construction Impact Mitigation Measures: During construction, measures shall be taken by contractors to minimize dust generation, storm water runoff and tracking of soil off the Sites. In addition, measures will be taken to reduce the potential for the creation of preferential pathways (vertical or horizontal) for COPCs detected at the Sites during the planned subsurface investigations of soil, soil gas and/or groundwater beneath the Sites. Construction impact mitigation measures are described below.
- Site Control: Site control procedures shall be implemented to control the flow of personnel, vehicles and materials in and out of the Sites while working in known contaminated areas. (Currently, there are no known contaminated areas.) The control measures described below will help control the spread of COPCs.
- The perimeter of the sites shall be fenced. Access and egress shall be controlled at the appropriate locations. Signs will be posted instructing visitors to sign in at the project support areas at all site entrances.
- Equipment Decontamination: Contractors whose vehicles and construction equipment contact soil that is suspected of being contaminated shall be required to clean the equipment upon leaving the contaminated area. A decontamination area will be established near the construction exit of each area. Soil will be removed from the equipment and vehicles before leaving the contaminated area. Cleaning methods used may include dry methods, such as brushing, scraping, or vacuuming. If dry methods are not effective, wet methods, such as steam cleaning or pressure-washing, should be used. The contractor will contain, manage, and collect samples of the rinse water for analytical testing by a state certified laboratory prior to appropriate disposal. Decontamination procedures shall be developed and implemented by the construction contractor to minimize the possibility that equipment releases contaminated soil onto public roadways or to on-Site areas containing "clean" cover materials or new paving.
- Personal Protective Equipment: Personal Protective Equipment (PPE) and clothing shall be used to isolate workers from COPCs and physical hazards.

The minimum level of protection for workers coming into direct contact with contaminated materials will be Level D:

- Coveralls or similar clothing,
- Reflective safety vests,
- Work gloves, as necessary,
- Steel-toed boots,
- Safety glasses, as necessary,
- Hard hat, and
- Hearing protection, as necessary.

- Dust Control: Construction operations will be conducted to minimize the creation and dispersion of dust, including the following measures:

  - Application of water while grading, excavating, and loading, as needed;
  - Limiting vehicle speeds to 15 miles per hour on unpaved portions of the Sites;
  - Minimizing drop heights while loading/unloading soil; and,
  - Soil that is suspected of being contaminated will be covered by an impermeable layer.
  - Additional dust control measures may be identified and implemented by contractors, as necessary, especially if dry and windy conditions persist during periods of earthwork.
  - Compliance with all Bay Area Air Quality Management District rules and regulations.

- Vertical and Horizontal Preferential Pathways: If development plans include the construction of deep foundations, the foundation of the buildings shall incorporate measures to help reduce the potential for the downward migration of contaminated groundwater. These measures shall be identified in the site-specific geotechnical investigation reports. Appropriate measures shall be implemented to reduce vapor migration through trench backfill and utility conduits. Such measures may include placement of low-permeability backfill "plugs" at intervals on-site and where utilities extend off current parcel boundaries.

- Storm Water Pollution Controls: A storm water pollution prevention plan (SWPPP) will be required to be prepared for the site. Storm water pollution controls shall be based on best management practices (BMPs), such as those described in "Guidelines for Construction Projects" and "Erosion and Sediment Control Field Manual" published by the San Francisco Regional Water Quality Control Board.

- Excavation De-Watering: Although not anticipated, if excavation de-watering is required, the water will be sampled and analyzed prior to pumping to evaluate discharge alternatives. The developer's environmental consultant shall collect a sample of the water for

laboratory analyses for COPCs; other analyses may be required, based on the intended disposal or re-use of the water.

- Additional Soil Management Protocols During Construction Activities: Soil with residual COPCs may be present on-site. Subsurface investigations planned for the Sites will determine the presence or absence of COPCs in soils. Once soils are tested, a Site specific soil management plan (SMP) will be prepared. At the present time, there are no known chemical source areas or areas of soil contamination on either Site. The protocols to be followed in the event that unknown areas of contamination are identified during development are described in this section.

- Procedures for Discovery of Unknown Areas of Contamination: Site development activities may result in the identification of previously unknown areas or types of contamination. Unknown conditions which may trigger contingency monitoring procedures during site development include, but are not limited to, the following:

    - Oily, shiny, or chemical saturated soils;
    - Soil with a significant chemical or hydrocarbon-like odor; or
    - Significantly discolored soils.

Upon the discovery of one of the conditions identified above, the contractor will conduct the contingency monitoring. Contingency monitoring, if conducted, will consist of the following steps: If unknown areas of potential discolored soils are encountered, additional analyses should be conducted for the suspected constituents to assess the actual composition of the suspected contamination. A State environmental regulatory agency should be contacted for assistance in determining if additional sampling and potential mitigation is necessary. If the encountered materials are suspected to contain volatile organic chemicals, the following contingency monitoring procedures may be followed:

Conduct contingency monitoring by taking organic vapor readings using an organic vapor meter (OVM) or an organic vapor analyzer (OVA) to screen for the presence of fuel, oil, or solvents. If the OVM/OVA indicates that an unknown area of fuel, oil, or solvents has been detected, then a State environmental regulatory agency should be notified to determine if additional sampling is appropriate prior to continuing construction in that area. OVM or equivalent screening methods will be conducted by experienced personnel only.

If an unknown area of soil contamination has been identified, and the State environmental regulatory agency requests additional characterization, the following steps will be taken:

- Soil samples will be collected from the identified area and analyzed for the likely COPC, depending on the suspected type of contamination. The sampling strategy will be discussed with a State environmental regulatory agency prior to the initiation of the sampling activities. Analytical results collected from the suspected source will be compared to the health-based screening levels and results discussed with a State environmental regulatory agency. If the levels are below the relevant health-based screening levels and the State environmental regulatory agency concurs, no additional action may be necessary.
- If the soil contains COPCs at levels that exceed the relevant health-based screening levels, or if the State regulatory agency concludes that an unacceptable risk to construction worker or future residents may be present, then management measures, such as the following, will be undertaken:

    - Remove the impacted soil and dispose of off-Site;
    - Install a cap to prevent contact with the contamination;
    - Install a physical barrier for vapors such as a vapor barrier or passive venting system, to prevent the accumulation of vapors in indoor environment;
    - Stockpile soil and aerate on-Site, or in a staging area as may be appropriate, in compliance with all applicable laws and regulations;
    - Conduct in situ bioremediation measures; or
    - Implement liquid or vapor extraction measures.

The appropriateness of one of the above management measures over another will depend on many factors, such as the type of constituent detected, the size of the identified impacted area, and the estimated cost of implementing the remedy.

Results of the sampling activities and the proposed course of action, e.g., no action necessary, soil excavation and off-site disposal, on-site treatment and soil reuse, shall be reported to a State environmental regulatory agency and the contractor shall obtain concurrence before implementing the remedial measures. Construction activities in the specific area where the unknown conditions were identified will resume following the completion of the additional sampling activities and the implementation of any required responses.

Any cleanup or remediation shall be required to meet applicable federal, state and local laws, regulations and requirements.

- Imported Fill: To minimize the potential introduction of contaminated fill, all imported fill shall have adequate documentation so it can be verified that the fill source is appropriate for the site's intended use. Documentation shall include detailed information on previous land use of the fill source, any Phase I Environmental Site Assessments performed and the findings, and the results of any analytical testing

performed. If no documentation is available or the documentation is inadequate or if no analytical testing has been performed, samples of the potential fill material shall be collected and analyzed. The analyses selected shall be based on the fill source and knowledge of the previous land use as determined by the developer's environmental consultant. The sample frequency for potential fill material shall be in accordance with that outlined in the Department of Toxic Substances Control technical document titled, "Information Advisory on Clean Imported Fill Material". The developer's environmental consultant shall approve the use of imported fill.

Mitigation Measure #10: Prior to issuance of a grading permit, the project applicant must prepare and implement an erosion and sediment control plan (ESCP) including interim and permanent erosion and sediment control measures, and a pollutant control plan (PCP).

Mitigation Measure #11: Prior to issuance of a grading permit, the project applicant shall file the required documentation to the State Water Resources Quality Board and prepare a Storm Water Pollutant Prevention Plan (SWPPP) which will be reviewed and approved by the City Engineer. The City Engineer must conduct inspections prior to issuing a certificate of occupancy, to ensure that requirements are complied with.

Mitigation Measure #12: The applicant will comply with applicable waste discharge requirements and municipal code requirements including preparation of a SWPPP for construction activities and compliance with the Alameda Countywide Clean Water Program (ACCWP). These permit programs are designed to prevent violation of water quality standards through mitigation and control of pollutant transport in storm water runoff and infiltrating waters. The City of San Leandro Municipal Code ensures that permit conditions are met.

Mitigation Measure #13: Applicant shall be required to demonstrate adequacy of the existing storm drain system to handle existing run-off from the drainage basin as well as run-off from the project, upgrade the storm drain system to handle existing run-off from the drainage basin as well as run-off from the project, or meter run-off from the site so that it leaves the site at the same rate as it currently does.

Mitigation Measure #14: Applicant shall remove pollutants from storm water prior to discharging the water from the site per the current NPDES permit

Mitigation Measure #15: All commercial construction shall comply with the City's existing building codes related to sound attenuation.

Mitigation Measure #16: All construction activity shall comply with the City's Noise Ordinance (Municipal Code Chapter 4-1, Section 11) so as not to make or cause disturbing, excessive or offensive noise which causes annoyance or discomfort to persons.

Mitigation Measure #17: The minimum levels of service standards for police and fire response times shall be maintained in accordance with General Plan Policy 45.01.

Mitigation Measure #18: The applicant shall incorporate lighting, landscaping and other design features that reduce the potential for crime and facilitate rapid response to emergency calls in accordance with General Plan Policy 45.06.

Mitigation Measure #19: The significant impact at this intersection during the PM peak hour can be mitigated by restriping the eastbound approach to be two lanes, a shared left through lane and a shared through-right lane. These improvements would occur within the existing right-of-way. This mitigation measure results in the intersection operating at LOS E during the PM peak-hour. Therefore, this impact is less than significant.

Mitigation Measure #20: The applicant shall promote the efficient use of existing water supplies through a variety of water conservation measures, including evaluating the potential for the use of recycled water for landscaping in accordance with General Plan Policy 27.02.

Mitigation Measure #21: The applicant shall conserve water through the use of such measures as low-flow plumbing fixtures and water-saving appliances in accordance with General Plan Policy 27.04.

Mitigation Measure #22: The applicant shall be required to pay its fair share of the cost of improving the water, sewer, drainage and other infrastructure systems needed to serve the development through use fees or other appropriate forms of mitigation in accordance with General Plan Policy 52.02.

Mitigation Measure #23: American Disabilities Act (ADA)–compliant Detectable Warning Devices (Truncated Domes), bike lanes, pedestrian channelization barriers and swing gates shall be installed at the Davis Street crossing (DOT#749728V). Fencing the railroad right-of-way must be considered in order to prevent pedestrians from crossing the railroad tracks in unsafe locations.

Mitigation Measure #24: ADA detectable warning devices are to be installed on all sidewalks approaches near the Davis Street crossing in the proximity of the project site (DOT#834250S). In addition, fencing the railroad right-of-way must be considered in order to prevent pedestrians from crossing the railroad tracks in unsafe locations.

Mitigation Measure #25: Improve the Alvarado Street crossing (DOT#912075T) by adding pedestrian channelization barriers and swing gates.

Mitigation Measure #26: ADA detectable warning devices are to be installed on all sidewalks approaches near the Thornton Street crossing in the proximity of the project site (DOT#834254U). In addition, parking shall be restricted within 70 feet of the railroad crossing.

Mitigation Measure #27: ADA detectable warning devices are to be installed on all sidewalks approaches near the Parrott Street crossing in the proximity of the project site (DOT#834253M). In addition, parking shall be restricted within 70 feet of the railroad crossing.

Mitigation Measure #28: Pavement markings and signage on the proximal railroad crossings are to be verified that they are in compliance with the California Manual on Uniform Traffic Control Devices.

VIII. PERSON WHO PREPARED INITIAL STUDY:

Tom Liao, Planning and Housing Manager

Date: January 16, 2014

IX. REVIEW PERIOD:

The review period is from January 20, 2014 to February 19, 2014. All written comments regarding this Mitigated Negative Declaration must be received by the City of San Leandro, Planning Services Division, 835 East 14th Street, San Leandro, California 94577, no later than 4:00 p.m., February 19, 2014.

The City of San Leandro Planning Commission will review the Proposed Initial Study and Mitigated Negative Declaration, and provide a recommendation to the City of San Leandro City Council, the Decision Making Authority, regarding this project.

The Planning Commission Public Hearing is scheduled for 7:00 p.m., February 20, 2014, in the City Council Chambers, 1st Floor of City Hall, 835 East 14th Street, San Leandro, California.

The City Council Public Hearing to consider action on this Mitigated Negative Declaration and this project is scheduled for 7:00 p.m., March 17, 2014, City Council Chambers, 1st Floor of City Hall, 835 East 14th Street, San Leandro, California.

COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of San Leandro, Planning Services Division, 835 East 14th Street, San Leandro, California 94577, Telephone (510) 577-3314, or e-mail epenaranda@sanleandro.org

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CITY OF SAN LEANDRO
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Services Division

INITIAL STUDY CHECKLIST FORM

1.	**Project Title:**	San Leandro Downtown Technology Campus/Westlake Development Partners, LLC., Development Agreement Lot Line Adjustment/Planned Development/Site Plan Review. Planning Case File: PLN2013-00045
2.	**Lead Agency Name and Address:**	City of San Leandro 835 East 14th Street San Leandro, California 94577
3.	**Contact Person and Phone Number:**	Tom Liao, Planning and Housing Manager (510) 577-6003
4.	**Project Location:**	The subject property encompasses an area totaling 317,600 square feet, or approximately 7.3 acres (including 1.8 acre of City right-of-way to be vacated). The site is located generally at 1333 Martinez Street and bounded by West Estudillo Avenue to the north, Thornton Street on the south, Alvarado Street on the west and Martinez Street on the east. The western boundary is adjacent to the Southern Pacific Railroad right of way.(Alameda County Assessor Parcel Numbers: 75-47-2, 75-47-7, 75-47-3-2; and 75-42-2-1).
5.	**Project Sponsor's Name and Address:**	Gary Wong, President Westlake Development Partners, LLC 520 El Camino Real, 9th Floor San Mateo, California 94402-1722
6.	**General Plan Designation:**	Transit-Oriented Development Mixed Use
7.	**Zoning:**	DA-5(S) and PS(S)

8. **Project Description:** **San Leandro Downtown Technology Campus**

The proposed project is a multi-phase, transit-oriented development project located adjacent to the Downtown San Leandro BART Station. The project will be the first development to implement the City's Transit Oriented Development Strategy (TOD Strategy) and is being evaluated under the Downtown Transit Oriented Strategy (TOD) EIR that was certified on September 4, 2007.

The 7.3-acre project site encompasses four separate parcels, identified as 1333 Martinez Street in this document. The project site is surrounded by professional office building to the north, industrial uses to the south, light industrial to the west and the San Leandro BART Station to the east. The site is vacant, relatively flat and has been previously graded and disturbed.

The proposed project includes the development of an Office/Technology Campus with up to a maximum of 500,000 square feet of office and other uses located in multiple buildings. The proposed Development Agreement, Lot Line Adjustment, Planned Development, and Site Plan Review Permit applications are the subjects of this review. It is expected that development will occur in three or more phases, with a 132,000 square foot, six-story technology-focused office building and related site improvements proposed in Phase I. The project will be designed to meet LEED "Gold" requirements. Formal certification may or may not occur.

Phase I will also include on-site and off-site improvements including landscaping, bike path, pedestrian path and utilities. Surface parking will be provided for the development of Phase I while future phases will require the

construction of a multi-level parking structure. On-site parking is expected to be provided at a maximum ratio of four (4) spaces per 1,000 square feet of building area during Phase 1. The parking ratio for future phases may be potentially reduced if reduced demand is demonstrated.

Pursuant to the Downtown TOD Strategy (Page 74 – Abandoned Streets), Martinez Street between Thornton Street and West Estudillo Avenue will be vacated as part of this proposal. The development plan for the vacated portion of the street includes pedestrian, bicycle, street, sidewalk, landscaping and utility improvements. As part of the overall development phasing plan, it may become necessary to record one or more Lot Line Adjustments to accommodate the buildings and parking layout on the site.

The project also includes the relocation of the existing at-grade railroad pedestrian crossing (currently located northeasterly of the Martinez Street terminus at West Estudillo Avenue between the subject property and the BART station) further south to provide more convenient access for pedestrians to access the BART fare gates. Public access to the crossing will be provided by a landscaped "Paseo" that will bisect the site in an east-west direction.

Project-specific impacts other than those identified in the TOD Strategy EIR are evaluated here.

9. **Surrounding Land Uses and Setting:** North: Commercial Office
South: Industrial
East: San Leandro BART Station
West: Light Industrial

10. **Other public agencies whose approval is required:** Approval by the Public Utilities Commission for the relocation of the at-grade railroad pedestrian crossing will be required. A Water Service Agreement (WSA) was approved by East Bay Municipal Utility District in December 2013.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

X Aesthetics	___Agriculture and Forestry Resources	X Air Quality
__ Biological Resources	___Cultural Resources	X Geology/Soils
__ Greenhouse Gas Emissions	X Hazards & Hazardous Materials	X Hydrology/Water Quality
X Land Use/Planning	___Mineral Resources	X Noise
___Population/Housing	X Public Services	___ Recreation
X Transportation/Traffic	X Utilities/Service Systems	X Mandatory Findings of Significance

DETERMINATION:
On the basis of this initial evaluation:

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

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

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

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

___ I find that although the proposed project could have a significant effect on the environment, because all 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: _____ **Date:** January 16, 2014

Printed name: Tom Liao **Title:** Planning and Housing Manager

ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
I. AESTHETICS. *Would the project:*				
a. Have a substantial adverse effect on a scenic vista?				X
Comment: There are no designated scenic vistas or scenic resources on or adjacent to the project area. Accordingly, the proposed project would have no impact on scenic resources nor damage scenic resources within a state scenic highway.				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
Comment: The proposed development is proposed for land that is currently vacant and includes limited trees, no rock outcroppings and no historic buildings. It is not located within a state scenic highway and therefore, would not be a substantial adverse effect on scenic resources.				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
Comment: The proposed development is located in a relatively flat area of downtown San Leandro in an area that has been zoned by the City for the type of buildings proposed. The surrounding area includes industrial and commercial uses and is located adjacent to the Downtown San Leandro BART Station. The visual setting is characterized by one- and two-story commercial office and light industrial buildings. The project site has been previously graded and disturbed and is presently a vacant lot surrounded by a commercial office building to the north, industrial uses to the south, light industrial to the west and the San Leandro BART Station and associated parking lots to the east. There is limited natural landscaping in the project vicinity. A small cluster of mature trees occurs along the easterly and westerly edges of the project site along Alvarado Streets and Martinez Streets. There is limited ornamental landscaping in the form of mature trees surrounding adjacent buildings and in adjacent parking lots. The project site is visible from San Leandro Boulevard on the east, as well as from surrounding roadways and adjacent development. Distant views to and from the project site are limited due the flat topography and the presence of existing development. However, the East Bay Hills are visible from some areas of the project site beyond the BART Station. The project site would be visible to BART riders as they pass the project site from the BART trains leaving and entering the San Leandro BART Station. While the proposed project will change the visual character and quality of the project site, which is currently vacant and currently surrounded by low-rise, light industrial and commercial buildings, the change in character is not considered a significant impact.				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
Comment: Existing lighting at the project site is non-existent, since it is currently vacant. Surrounding light sources are characterized by low-intensity security and safety lighting along walkways, within the adjacent BART parking lots, and at building entrances. The proposed project will include lighting plans to address nighttime and security lighting, however, the new buildings may involve lighting designs or construction materials that could increase potential light and glare impacts for neighboring uses and motorists. The Applicant will be required to design street, site and other exterior lighting to reduce glare on adjacent properties by using techniques such as automatic shut off controls and glare shields and by appropriately orienting and positioning fixtures at a height consistent with the intended use. Therefore, the development will not create a source of substantial light or glare that would adversely affect day or nighttime views in the area.				

II. AGRICULTURE 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. Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
Comment: There is no designated farmland in San Leandro.				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
Comment: There is no land within San Leandro that is subject to a Williamson Act contract. Furthermore, the proposed development is located on land zoned and used for industrial general purposes.				
c. Involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
Comment: There is no designated farmland in San Leandro.				

III. 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?		X		
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X		
e. Create objectionable odors affecting a substantial number of people?			X	

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comment a-e: The proposed project will intensify existing land uses at the project site and permit office and commercial uses that do not currently exist on the site. The traffic related to the new office and commercial uses could result in additional regional air emissions, although traffic generation is expected to be substantially reduced as this is a transit-oriented development located at a BART station. This increase in emissions could contribute to local traffic congestion that may result in "hotspots" of localized air pollutants such as carbon monoxide. In addition, the construction activities involved during the construction phase of the project would emit particulate matter and construction equipment exhausts. Also, new uses could create odors that may disturb any sensitive receptors near the project area. Because of potential new uses, the proposed project may hinder efforts to attain state and federal air quality standards for ozone and small particulate matter, for which the Bay Area is in nonattainment. Any of these effects would be considered potentially-significant impacts. This project is a development at a transit station (BART) and meets the city's TOD Strategy for reducing driving and air pollution due to lower vehicle miles traveled.

Air-quality related concerns were examined in both the *San Leandro General Plan EIR* and the *Downtown San Leandro Transit Oriented Development Strategy EIR*. Specific uses by square footage, and their impacts were analyzed in the TOD Strategy. The impact of 718,000 square feet of office was analyzed and this application falls within the umbrella/overarching analysis. Specific policies, actions and mitigation measures were developed as part of the San Leandro General Plan and Downtown San Leandro TOD Strategy to reduce air quality impacts, as follows:

Mitigation Measure #1: The applicant shall cooperate with the appropriate regional, state and federal agencies to implement the regional Clean Air Plan and enforce air quality standards in compliance with General Plan Policy 31.01.

Mitigation Measure #2: The applicant shall promote strategies that help improve air quality by reducing the necessity of driving, such as programs for carpooling and vanpooling, better provisions for bicyclists and pedestrians, and implementing mixed use and higher density development around transit stations in compliance with General Plan Policy 31.02.

Implementation of Mitigation Measures #1 and 2 will reduce potential impacts to a less than significant level.

IV. BIOLOGICAL RESOURCES. *Would the project:*

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

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comment a-b: The California Natural Diversity Database (CNDDB) for the U.S. Geological Survey (USGS) San Leandro, Hayward, Oakland East, Oakland West, Las Trampas Ridge and Newark 7.5-minute quadrangles identifies 82 special-status plant and animal species, and four sensitive natural communities in the database. This includes species listed as rare, threatened, endangered, or proposed for listing as such, under the California and Federal Endangered Species Acts, species of special concern to California Department of Fish and Game (CDFG), and plants on the California Native Plant Society (CNPS) list 1 or 2 (considered rare or endangered within California and elsewhere). The extensive species lists generated by the CNDDB and CNPS queries are the result of populations of sensitive species associated with freshwater wetlands and undisturbed native grasslands found within the region (primarily east of the project site); and species associated with the brackish and freshwater habitats of San Francisco Bay (approximately two miles west of the project site).

Although the distance to some of these known resources is less than two miles, the site does contain vacant land. Plant species within and adjacent to the project sites are limited to ruderal vegetation and ornamental species confined to limited landscaping on the property, and introduced weedy annual grasses and forbs occurring in pavement cracks, or other highly disturbed unpaved areas. No sensitive natural communities such as vernal pools, marshes or riparian areas are present within, or adjacent to the project boundaries. Therefore, implementation of the proposed project would not result in impacts on any special-status plant or wildlife species or on any sensitive natural communities.

An examination of the limited number of trees and shrubs on the site during the field investigation did not reveal the presence of any nests of birds protected by the Migratory Bird Treaty Act. However, any project activities that would result in the removal of existing woody vegetation could potentially impact nesting birds; that is, the loss of young birds or the abandonment of an active nest, which would be a violation of Fish and Game Code Section 3503 and the federal Migratory Bird Treaty Act and would be potentially significant impact. The mitigation measure below would reduce potential impacts to nesting birds to a less-than-significant level.

Mitigation Measure #3: The applicant shall conduct pre-construction surveys for the presence of nesting birds within each of the project sites. The project applicant shall retain a qualified biologist to conduct a pre-construction breeding-season survey (approximately February 1 through August 31) to determine if any birds are nesting on or directly adjacent to the project area. The survey shall be conducted during the same calendar year that construction is planned to begin. If no nesting birds are found, no further action would be required.

If nesting birds are found within the trees on or directly adjacent to the project area, the project applicant shall avoid all birds nest sites located in the project area during the breeding season (approximately February 1 through August 31), or until it is determined by a qualified biologist that all young have fully fledged (left the nest). If the construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone will be determined in consultation with the CDFG. The buffer zone shall be delineated by highly visible temporary construction fencing, and shall remain in place until it is determined by a qualified biologist that all young have fully fledged (left the nest).

Implementation of Mitigation Measure #3 reduces potential impacts to a less than significant level.

Comment c-d: No "wetlands or other waters of the United States" are present within, or adjacent to the project boundaries, as the surrounding sites are almost entirely developed. Implementation of the proposed project would not result in a substantial adverse effect on any wetland protected by state or federal regulations. As the surrounding area is almost entirely developed, it does not serve as a migratory corridor for native species; nor does it provide nesting sites for wildlife species. Therefore, no further analysis is necessary.

Comment e-f: Implementation of the project will not result in conflicts with any local tree protection ordinances and will likely result in a net increase in tree cover, as the property is developed and landscaped. The project site and surrounding area does not lie within or adjacent to an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. Accordingly, there would be no impact to these resource areas.

V. CULTURAL RESOURCES. *Would the project:*

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

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comment a-d: Historic and archaeological resources were evaluated in the Downtown San Leandro TOD Strategy EIR (September 2007) and in the San Leandro General Plan EIR (November 2001). A review of historical maps indicate that the property, while currently vacant, was previously used as the Del Monte Processing Plant, but that building has since been demolished. The Del Monte facility was first identified in the 1968 Sanborn Map. There is the presence of residual foundation structures along the southwestern boundary of the property that are left behind from the previous use. However, since the State Office of Historic Preservation typically considers structures to be potentially historic if they are at least 45 years old (built in 1950 or earlier) the remaining foundation structure is not considered to be eligible for historic status. Therefore, there are no historic structures on the project site and no impacts to buildings or resources that could have historic status.

Based on an evaluation of the environmental setting and features associated with known sites, Native American cultural resources in this part of Alameda County are found in many areas adjacent to water resources like the bayshore or intermittent and perennial watercourses. The proposed project area is on a broad alluvial plain that is marginal to the bayshore. For this reason it is unlikely that unrecorded Native American cultural resources exist in the project area. Although the project site does not contain recorded Native American or historic-period archeological resources, there remains a low possibility of encountering Native American and cultural archaeological or human remains during site disturbance. Construction activities could result in ground disturbance that would cause a substantially adverse change in the significance of an unknown archeological resource.

Mitigation Measure #4: The applicant shall cease any grading or construction activities and shall consult with appropriate representatives of the Native American Heritage Commission if human remains are discovered, in accordance with State Law and Section 7050.5 of the Health and Safety Code, Section 15064.5 (e) of the State CEQA Guidelines and Section 5097.98 of the Public Resources Code.

Implementation of Mitigation Measures #4 reduces potential impacts to a less than significant level.

VI. GEOLOGY AND SOILS. *Would the project:*

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?		X		
iii) Seismic-related ground failure, including liquefaction?		X		
iv) Landslides?				X
b. Result in substantial soil erosion or loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, (excavation, grading, clearing, grubbing or fill) and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (21,27)		X		
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (n/a)				X
f. Any increase in wind or water erosion of soils, either on or off-site?				X

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
g. Changes in deposition or erosion of beach, sands, or changes in siltations, deposition or erosion which may modify the channel of a river or stream or the bed or the ocean or any bay, inlet or lake?				X

Comments:

a) i. The Alquist-Priolo Earthquake Fault Zoning Act requires the delineation of zones along sufficiently active and well-defined faults by the California Department of Conservation, Geological Survey (CGS). The project site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. The nearest active fault to the project is the Hayward fault, approximately 2.9 miles to the northeast; the Calaveras, approximately 17 miles to the northeast; and the San Andreas, approximately 26 miles to the southwest. Therefore no fault rupture hazards are anticipated with the project.

ii, iii. In 2002, the U.S. Geologic Survey (USGS) predicted a 62 percent probability of a magnitude 6.7 or greater earthquake occurring in the San Francisco Bay Area by the year 2032. During a major earthquake on a segment of one of the nearby faults, strong shaking is expected to occur at the project site. The project site is also within a designated liquefaction hazard zone. Strong shaking during an earthquake can result in ground failure such as that associated with soil liquefaction, lateral spreading and cyclic densification. Test borings and cone penetration tests were performed on site by Rockridge Geotechnical in August, 2008, and in October 2013 and these results were used to evaluate the potential for seismic hazards to occur. Based on preliminary field investigations, potentially significant impacts could occur with geologic hazards associated with strong shaking on a nearby fault and the presence of compressible clay zones below the site. Therefore, mitigation of potential liquefaction hazards is required with project implementation.

Mitigation Measure #5: The City of San Leandro has incorporated the 2012 International Building Code into its municipal building code (Title 7, Chapter 7-5). The project applicant would be required to comply with all applicable State and City regulations to address potential geologic hazards associated with the proposed project, including ground shaking and liquefaction. Geotechnical and seismic design criteria must conform to engineering recommendations in accordance with the seismic requirements of the 2013 San Leandro Building Code. Additionally, because the project site is in a liquefaction Seismic Hazard Zone, the project applicant will be required to comply with the guidelines set forth by California Geological Survey Special Publication 117.

Implementation of Mitigation Measure #5 reduces potential impacts to a less than significant level.

iv. The TOD Strategy Area is nearly flat, and there are no hilly areas immediately adjacent to the project site. The site consists of four undeveloped parcels with elevations ranging between 45 and 49 feet. The site is underlain by alluvium consisting of interbedded clay, sand and gravel. The site is not associated with significant slopes, and there are no adjacent hillsides. Therefore, the proposed project would not create potential impacts associated with landslides, mudflows or other mass soil movements.

b) The proposed project would require grading activities that could create effects on water quality as a result of erosion. Because the project site exceeds one acre in size, the project applicant would be required to apply for coverage under the State General Construction Permit in order to comply with federal National Pollutant Discharge Elimination System (NPDES) requirements, in accordance with the State Water Resources Control Board (see Section VIII, Hydrology and Water Quality). The applicant would be required to develop and implement a Storm Water Prevention Plan (SWPPP) to reduce potential erosion and subsequent sedimentation of storm water runoff. The SWPPP would include Best Management Practices (BMPs) to control erosion associated with grading, trenching and other ground surface disturbance. Additionally, all construction activities will be required to comply with Chapter 18 of the San Leandro Municipal Code regulating excavation activities and the construction of foundations and retaining walls, as well as the San Leandro Grading Ordinance regulating grading activities, drainage and erosion control.

Therefore, compliance with the NPDES permit process and the California Building Code requirements would minimize potential impacts from erosion during and after project construction and would ensure that potential geology and soils impacts are less than significant.

c-e) Two samples of near surface soil were analyzed that showed that the soil is classified as "moderately corrosive to corrosive". Soft, weak and easily disturbed soil may be encountered during the excavation of the site. An acceptable degree of soil stability would be achieved for expansive, liquefaction-prone and compressible soils by incorporating soil treatment programs such as replacement, grouting, compaction and drainage control during the excavation and construction phases of the project in order to address site-specific soil conditions. No septic tanks or leach field systems are proposed as part of the project, but rather wastewater disposal would be handled through the sanitary sewer system.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Mitigation #6: Applicant shall be required to excavate, remove and recompact potentially liquefiable soil. In-site ground densification, for example, compaction with vibratory probes, dynamic consolidation, compaction piles, compaction grouting, etc., shall be conducted. Ground modification techniques, such as permeation grouting, columnar jet grouting, deep soil mixing, stone columns, gravel or other drains shall be implemented, and deep foundations shall be put in place to mitigate potential liquefaction-induced settlement impacts. Implementation of Mitigation Measure #6 reduces potential impacts to a less than significant level.

Implementation of Mitigation Measure #6 reduces potential impacts to a less than significant level.

f-g) Development and intensification of the project site could result in wind or water erosion of soils on or off-site, as a vacant parcel is replaced with the proposed development. To ensure that impacts are less than significant, the project applicant will be required to adhere to Best Management Practices. All construction activities will be required to comply with Chapter 18 of the San Leandro Municipal Code regulating excavation activities and the construction of foundations and retaining walls, as well as the San Leandro Grading Ordinance regulating grading activities, drainage and erosion control. Therefore, compliance with the NPDES permit process and the California Building Code requirements would minimize potential impacts from erosion during and after project construction and would ensure that potential geology and soils impacts are less than significant. The proposed development will not result in significant amounts of deposition or erosion of beach sands or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake, as there are no bodies of water on or near the project site.

VII. GREENHOUSE GAS EMISSIONS. *Would the project:*

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Comment a) Generation of greenhouse gas emissions were evaluated in the Downtown San Leandro TOD Strategy EIR (September 2007). Combined with cumulative increase of all other sources of greenhouse gases, when taken together, could contribute to global climate change impacts. Development under the proposed Strategy would directly contribute to greenhouse gas emissions due to energy use associated with the manufacture and transport of construction materials and on-site demolition and construction activities. Development under the strategy may also directly result in increases in energy consumption associated with buildings and motor vehicle use, although the net change in greenhouse gas emissions id difficult to determine, since residents and workers would already live and work somewhere, and generate greenhouse gas emission elsewhere. Cumulative volumes of greenhouse gas emissions generated by the project could exceed the reduced levels of such emissions that were targeted under AB 32. In such a case, a significant cumulative impact would occur.

However as discussed in in the Downtown San Leandro TOD Strategy EIR, Regulatory Setting, City Resolutions 2006-013 and 2007-009 would reduce the emission of greenhouse gas emissions over time and the potential contribution to climate change. In addition, the Strategy contains several recommended actions that would serve to reduce the volume of greenhouse gases that could be created as a result of its implementation. Examples include, but are not limited to, Actions F1 – F5 in the Strategy Implementation Matrix, which promote the inclusion of green building practices into projects occurring under the Strategy. In terms of travel demand management, Action E4 encourages the establishment of car-sharing and/or rental car services, especially in proximity to the BART station. Action E1 is to develop high-quality and direct pedestrian connections between development and BART, BRT and other transit systems, and to place commercial office entrances closest to the BART station. While the City's existing policies and certain recommended actions in the Strategy, such as those specified above, would help reduce the cumulative amount of greenhouse gases created as a result of the Strategy and other projects, the City's adherence to the strategies set forth in the EPA Climate Action Team's Report would be required to reduce potential cumulative impacts to a less-than-significant level.

Comment b) The proposed project does not have any component that is intended to conflict with any applicable plan, policy or regulation of the City adopted for the purpose of reducing the emissions of greenhouse gases. The project implements the Parking Framework, Plan and Strategy that cites the southern edge of the subject property is a potential parking structure location. It is shown as one of five sites for a parking structure in order to establish strategic reservoirs of off-street parking.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
VIII. 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?		X		
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X		
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comments:

a-d: The proposed project will not result in the routine transport, use, or disposal of hazardous materials. However, construction activities will require the excavation and grading that will result in the disruption of the onsite soils. Numerous Environmental Site Assessments have been completed for the project sites and no Record of Environmental Contamination (RECs) have been identified. However, because of the location's historical industrial use, the potential exists for the presence of chemicals of potential concern (COPC) in the soils beneath the sites. If found, these materials could present unacceptable risks to construction workers at the site.

Phase I and Phase II Environmental Site Assessments have been prepared for the project sites (by Stantec, IRIS Environmental and by SGI Environmental) to identify the potential for onsite or nearby soil or groundwater contamination. Based on a preliminary review of available aerial photographs and topographic maps, the site has been vacant since the Del Monte facility was demolished in 1989. Observations of the adjoining properties provided indications of past usage and activities. The surrounding properties are commercial and light industrial and appear to have been developed since before 1939. No pits, ponds, lagoons or waterways were observed on the adjacent properties. Based on the observations during the reconnaissance of the property and surrounding areas, no Record of Environmental Contamination (REC) or historic REC's were identified in connection with the property. IRIS Environmental prepared a Phase II proposal subsequent to the Phase I prepared by Stantec. The IRIS Environmental proposal included a soil sample plan and a menu of mitigation measures to be utilized as necessary. The following is an excerpt from that document:

"Stantec did not identify any recognized environmental conditions (RECs) in connection with either property but did identify long site use histories involving chemical usage. The 1333 Martinez site was used as a cannery for decades. Furthermore, the subject site is located in an industrial portion of San Leandro where off-site chemical releases have resulted in local groundwater contamination. Three sites illustrating off-site contamination concerns include:

- *The former Caterpillar facility at 800 Davis Street*
- *Richards Automotive and Gas at 1495 Hayes Street, and*
- *Liquid Gold Oil Corporation at 1696 Martinez Street."*

The Phase II subsurface investigation proposed in the Iris Environmental document will be completed prior to any construction activities on the site and will require the applicant to address the potential of on-site chemical releases and the potential for the subject sites to have been contaminated from chemical migration from neighboring sites.

The San Leandro Downtown Tech Campus site has the potential presence of COPC beneath the sites that could present unacceptable risks to construction workers and future residents of the site. IRIS Environmental has developed a soil sample plan and a menu of mitigation measures to be utilized as necessary. The "San Leandro Crossings (now the San Leandro Tech Campus) Potential Mitigation Measures for Proposed Development Projects, November 12, 2008" is attached for reference purposes. The potential Mitigation Measures will apply to all properties included in the San Leandro Tech Campus project.

An Updated Remedial Action Plan ("Updated RAP") was prepared by West Environmental Services & Technology, Inc. (WEST), to update the January 2010 Remedial Action Plan (IRIS, 2010) for 1333 Martinez Street in San Leandro, California ("the Site;" Figure 1-1) to reflect the change in Site use from residential to commercial. Consistent with the January 2010 RAP, this Updated RAP recommends soil excavation with Land Use Covenant (LUC) to address TPH in soil and groundwater. Details of the modifications to the January 2010 RAP are provided in this report.

The mitigation measures include Subsurface Investigations, Pre-Development Mitigation Measures, Risk Management Measures for Construction Phases, Pre-Construction Planning and Notification, Site-Specific Health and Safety Worker Requirements, Construction Impact Mitigation Measures, Site Control, Equipment Decontamination, Personal Protective Equipment, Dust Control, Vertical and Horizontal Preferential Pathways, Storm Water Pollution Controls, Excavation De-Watering, Additional Soil Management Protocols During Construction Activities, Procedures of Unknown Areas of Contamination, and Imported Fill.

Specifically for 1696 Martinez Street, the Source Group, Inc. (SGI) prepared a Limited Subsurface Investigation Report (LSI Report) dated May 21, 2013, Including the results of the environmental investigation activities conducted on Martinez Street and Thornton Avenue in front of 1696 Martinez Street. The Site consists of an undeveloped, approximately 6,400 square foot triangular-shaped property bounded by Martinez Street to the west, Thornton Street to the south, a railroad easement and the BART tracks beyond to the east. Based on a review of investigation reports prepared for nearby sites, the interpreted groundwater flow direction in the area of the Site is to the west and southwest toward San Francisco Bay. Previous environmental assessment activities have been conducted at the Site to assess potential environmental impacts. The findings of the prior assessment did not identify significant environmental concerns. The findings of the assessment activities are included in the report

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

As stated previously in this narrative the "San Leandro Crossings (now the San Leandro Tech Campus) Potential Mitigation Measures for Proposed Development Projects, November 12, 2008" are as follows:

Mitigation Measure #7: (Subsurface Investigations)
Subsurface investigations are required prior to development of the San Leandro Downtown Tech Campus. The sampling and analysis programs will be specific to each site based on the prior uses of that site. Additional groundwater sampling and analysis program will be implemented if necessary for chemical constituents that could have migrated onto the sites from off-site upgradient sources, if identified during due diligence. Detection limits for the analytical program will be sufficiently low to allow assessment of risks to human health under construction worker and residential exposure scenarios.

If the subsurface investigation programs yield data suggesting that there could be unacceptable risks to future construction workers or residents, a California state environmental regulatory agency will be consulted to provide its opinion on the findings of the subsurface investigations and the assessment of risk. This opinion would be sought prior to initiating construction.

Preliminary environmental testing programs have been completed on the sites and have concluded that there are no chemical source areas known to exist. The mitigation measures presented below are proposed as means to mitigate potential chemical exposures and associated unacceptable risks to human health should COPCs be found at the Sites at levels of concern in soil, soil gas or groundwater.

Mitigation Measure #8: (Pre Development Mitigation Measures)

If the subsurface investigation programs yield data suggesting that there could be unacceptable risks to future construction workers or residents and a California state environmental regulatory agency determines that an active remedial response is warranted, the following mitigation measures listed below include methods that may be employed to mitigate unacceptable risks to human health of construction works and future residents.

- **Remove the impacted soil and dispose of off-Site;**
- **Install a cap to prevent contact with the contamination;**
- **Install a physical barrier for vapors such as a vapor barrier or passive venting system, to prevent the accumulation of vapors in indoor environment;**
- **Stockpile soil and aerate on-Site, or in a staging area as may be appropriate, in compliance with all applicable laws and regulations;**
- **Conduct in situ bioremediation measures; or**
- **Implement liquid or vapor extraction measures.**

The appropriateness of one of the above management measures over another will depend on many factors, such as the type of constituent detected, the size of the identified impacted area, and the estimated cost of implementing the remedy.

Results of the sampling activities and the proposed course of action, e.g., no action necessary, soil excavation and off-site disposal, on-site treatment and soil reuse, shall be reported to a State environmental regulatory agency and the contractor shall obtain concurrence before implementing the remedial measures.

Remedial action plans would be approved in advance by a state environmental regulatory agency. Any cleanup or remediation would be required to meet applicable federal, state and local laws, regulations and requirements.

Mitigation Measure #9: (Risk Management Measures for Construction Phases)

The following are risk management procedures to be followed by future contractors during site preparation and construction activities. General soil management protocols are presented; as well as, protocols for managing fill soils that may be brought to the Sites during filling operations.

- **Pre-Construction Planning and Notification: Prior to the start of construction activities involving below-ground work, information regarding known areas of contamination shall be provided to the contractor by the Site owner.**
- **Site-Specific Health and Safety Worker Requirements: Each contractor will be responsible for the health and safety of their own workers, including, but not limited to, preparation of their own health and safety plan (HSP) and injury and illness prevention plan (IIPP). The purpose of these documents is to provide general guidance to the work hazards that may be encountered during each phase of construction activities.**

- Contractors are also required to determine the requirements for worker training, based on the level of expected contact to soil, soil vapor, and groundwater associated with the contractor's activities and locations. The HSP shall contain provisions for limiting and monitoring chemical exposure to construction workers, chemical and non-chemical hazards, emergency procedures, and standard safety protocols. Depending upon known conditions at the time of site development, employees conducting earthwork activities at the Site may be required to complete a 40-hour HAZWOPER training course (29 CFR 1910.120 (e)), including respirator and personal protective equipment training.

- Construction Impact Mitigation Measures: During construction, measures shall be taken by contractors to minimize dust generation, storm water runoff and tracking of soil off the Sites. In addition, measures will be taken to reduce the potential for the creation of preferential pathways (vertical or horizontal) for COPCs detected at the Sites during the planned subsurface investigations of soil, soil gas and/or groundwater beneath the Sites. Construction impact mitigation measures are described below.

- Site Control: Site control procedures shall be implemented to control the flow of personnel, vehicles and materials in and out of the Sites while working in known contaminated areas. (Currently, there are no known contaminated areas.) The control measures described below will help control the spread of COPCs.

- The perimeter of the sites shall be fenced. Access and egress shall be controlled at the appropriate locations. Signs will be posted instructing visitors to sign in at the project support areas at all site entrances.

- Equipment Decontamination: Contractors whose vehicles and construction equipment contact soil that is suspected of being contaminated shall be required to clean the equipment upon leaving the contaminated area. A decontamination area will be established near the construction exit of each area. Soil will be removed from the equipment and vehicles before leaving the contaminated area. Cleaning methods used may include dry methods, such as brushing, scraping, or vacuuming. If dry methods are not effective, wet methods, such as steam cleaning or pressure-washing, should be used. The contractor will contain, manage, and collect samples of the rinse water for analytical testing by a state certified laboratory prior to appropriate disposal. Decontamination procedures shall be developed and implemented by the construction contractor to minimize the possibility that equipment releases contaminated soil onto public roadways or to on-Site areas containing "clean" cover materials or new paving.

- Personal Protective Equipment: Personal Protective Equipment (PPE) and clothing shall be used to isolate workers from COPCs and physical hazards. The minimum level of protection for workers coming into direct contact with contaminated materials will be Level D:

    - Coveralls or similar clothing,
    - Reflective safety vests,
    - Work gloves, as necessary,
    - Steel-toed boots,
    - Safety glasses, as necessary,
    - Hard hat, and
    - Hearing protection, as necessary.

- Dust Control: Construction operations will be conducted to minimize the creation and dispersion of dust, including the following measures:

    - Application of water while grading, excavating, and loading, as needed;
    - Limiting vehicle speeds to 15 miles per hour on unpaved portions of the Sites;
    - Minimizing drop heights while loading/unloading soil; and,
    - Soil that is suspected of being contaminated will be covered by an impermeable layer.
    - Additional dust control measures may be identified and implemented by contractors, as necessary, especially if dry and windy conditions persist during periods of earthwork.
    - Compliance with all Bay Area Air Quality Management District rules and regulations.

- Vertical and Horizontal Preferential Pathways: If development plans include the construction of deep foundations, the foundation of the buildings shall incorporate measures to help reduce the potential for the downward migration of contaminated groundwater. These measures shall be identified in the site-specific geotechnical investigation reports. Appropriate measures shall be implemented to reduce vapor migration through trench backfill and utility conduits. Such measures may include placement of low-permeability backfill "plugs" at intervals on-site and where utilities extend off current parcel boundaries.

- Storm Water Pollution Controls: A storm water pollution prevention plan (SWPPP) will be required to be prepared for the site. Storm water pollution controls shall be based on best management practices (BMPs), such as those described in "Guidelines for Construction Projects" and "Erosion and Sediment Control Field Manual" published by the San Francisco Regional Water Quality Control Board.

- Excavation De-Watering: Although not anticipated, if excavation de-watering is required, the water will be sampled and analyzed prior to pumping to evaluate discharge alternatives. The developer's environmental consultant shall collect a sample of the water for laboratory analyses for COPCs; other analyses may be required, based on the intended disposal or re-use of the water.

- Additional Soil Management Protocols During Construction Activities: Soil with residual COPCs may be present on-site. Subsurface investigations planned for the Sites will determine the presence or absence of COPCs in soils. Once soils are tested, a Site specific soil management plan (SMP) will be prepared. At the present time, there are no known chemical source areas or areas of soil contamination on either Site. The protocols to be followed in the event that unknown areas of contamination are identified during development are described in this section.

- Procedures for Discovery of Unknown Areas of Contamination: Site development activities may result in the identification of previously unknown areas or types of contamination. Unknown conditions which may trigger contingency monitoring procedures during site development include, but are not limited to, the following:

    - Oily, shiny, or chemical saturated soils;
    - Soil with a significant chemical or hydrocarbon-like odor; or
    - Significantly discolored soils.

Upon the discovery of one of the conditions identified above, the contractor will conduct the contingency monitoring. Contingency monitoring, if conducted, will consist of the following steps: If unknown areas of potential discolored soils are encountered, additional analyses should be conducted for the suspected constituents to assess the actual composition of the suspected contamination. A State environmental regulatory agency should be contacted for assistance in determining if additional sampling and potential mitigation is necessary. If the encountered materials are suspected to contain volatile organic chemicals, the following contingency monitoring procedures may be followed:

Conduct contingency monitoring by taking organic vapor readings using an organic vapor meter (OVM) or an organic vapor analyzer (OVA) to screen for the presence of fuel, oil, or solvents. If the OVM/OVA indicates that an unknown area of fuel, oil, or solvents has been detected, then a State environmental regulatory agency should be notified to determine if additional sampling is appropriate prior to continuing construction in that area. OVM or equivalent screening methods will be conducted by experienced personnel only.

If an unknown area of soil contamination has been identified, and the State environmental regulatory agency requests additional characterization, the following steps will be taken:

- Soil samples will be collected from the identified area and analyzed for the likely COPC, depending on the suspected type of contamination. The sampling strategy will be discussed with a State environmental regulatory agency prior to the initiation of the sampling activities. Analytical results collected from the suspected source will be compared to the health-based screening levels and results discussed

with a State environmental regulatory agency. If the levels are below the relevant health-based screening levels and the State environmental regulatory agency concurs, no additional action may be necessary.

- **If the soil contains COPCs at levels that exceed the relevant health-based screening levels, or if the State regulatory agency concludes that an unacceptable risk to construction worker or future residents may be present, then management measures, such as the following, will be undertaken:**
  - **Remove the impacted soil and dispose of off-Site;**
  - **Install a cap to prevent contact with the contamination;**
  - **Install a physical barrier for vapors such as a vapor barrier or passive venting system, to prevent the accumulation of vapors in indoor environment;**
  - **Stockpile soil and aerate on-Site, or in a staging area as may be appropriate, in compliance with all applicable laws and regulations;**
  - **Conduct in situ bioremediation measures; or**
  - **Implement liquid or vapor extraction measures.**

The appropriateness of one of the above management measures over another will depend on many factors, such as the type of constituent detected, the size of the identified impacted area, and the estimated cost of implementing the remedy.

Results of the sampling activities and the proposed course of action, e.g., no action necessary, soil excavation and off-site disposal, on-site treatment and soil reuse, shall be reported to a State environmental regulatory agency and the contractor shall obtain concurrence before implementing the remedial measures. Construction activities in the specific area where the unknown conditions were identified will resume following the completion of the additional sampling activities and the implementation of any required responses.

Any cleanup or remediation shall be required to meet applicable federal, state and local laws, regulations and requirements.

- **Imported Fill: To minimize the potential introduction of contaminated fill, all imported fill shall have adequate documentation so it can be verified that the fill source is appropriate for the site's intended use. Documentation shall include detailed information on previous land use of the fill source, any Phase I Environmental Site Assessments performed and the findings, and the results of any analytical testing performed. If no documentation is available or the documentation is inadequate or if no analytical testing has been performed, samples of the potential fill material shall be collected and analyzed. The analyses selected shall be based on the fill source and knowledge of the previous land use as determined by the developer's environmental consultant. The sample frequency for potential fill material shall be in accordance with that outlined in the Department of Toxic Substances Control technical document titled, "Information Advisory on Clean Imported Fill Material". The developer's environmental consultant shall approve the use of imported fill.**

Implementation of Mitigation Measures #7, 8, and 9, as required, would reduce potential impacts to a less than significant level.

Comments:

e-f) There are no airports or airstrips in the vicinity of the project site. Oakland International Airport is approximately 2 miles northwest of the project site and Hayward Executive Airport is approximately 4 miles to the southeast.

g) The project would not alter existing emergency response procedures, nor impose a substantial demand on emergency response personnel. Accordingly, the proposed project would not impair implementation or interfere with emergency response in the project vicinity and therefore have no impact.

h) The project site is in an urbanized setting, remote from wildlands. Therefore, safety hazards from wildland fires would have no impact on the proposed project.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*

IX. HYDROLOGY AND WATER QUALITY. *Would the project:*

a. Violate any water quality standards or waste discharge requirements?		X		
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		X		
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X		
f. Otherwise substantially degrade water quality?		X		
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Food Insurance Rate Map (FIRM) or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows				X
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j. Inundation by seiche, tsunami, or mudflow?				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comments:

a: The site is currently vacant and the runoff releases overland onto Martinez Street and Alvarado Street. Ultimately, both streets discharge into the San Pablo Bay sub-basin and the San Leandro Watershed. The City of San Leandro Municipal Code regulates the discharge of storm water and the potential for pollutant transport to water resources through Title 3: Health and Safety, Chapter 3-15 Storm Water Management and Discharge Control. Chapter 3-15 requires the best management practices (BMPs) for new development and redevelopment and compliance with BMPs where BMP guidelines or requirements have been adopted by any federal, state, regional and/or City agency (Section 3-15-215 – Reduction of Pollutants in Storm Water). Additionally, storm water dischargers are regulated through Title 7: Maps, Buildings, and Subdivisions, Chapter 1-12 Grading, Excavations and Fills.

The applicable water quality objectives and standards for the San Pablo Bay sub-basin is listed in the San Francisco Bay Basin Water Quality Control Plan Basin (Basin Plan) prepared by the Regional Water Quality Control Board (RWQCB) in compliance with the federal Clean Water Act (CWA) and the State Porter-Cologne Water Quality Control Act. Section 303(d) of the CWA requires that the states make a list of waters that are not attaining standards after the technology-based limits are put into place. For waters on this list, the states are to develop total maximum daily loads or TMDLs. TMDLs are established at the level necessary to implement the applicable water quality standards. The proposed project would be subject to existing TMDLs that are considered protective of water quality. Consequently, the proposed project would not violate water quality standards or waste discharge requirements and the impacts would be less than significant.

Mitigation Measure #10: Prior to issuance of a grading permit, the project applicant must prepare and implement an erosion and sediment control plan (ESCP) including interim and permanent erosion and sediment control measures, and a pollutant control plan (PCP).

Implementation of Mitigation Measure #10 reduces potential impacts to a less than significant level.

Mitigation Measure #11: Prior to issuance of a grading permit, the project applicant shall file the required documentation to the State Water Resources Quality Board and prepare a Storm Water Pollutant Prevention Plan (SWPPP) which will be reviewed and approved by the City Engineer. The City Engineer must conduct inspections prior to issuing a certificate of occupancy, to ensure that requirements are complied with.

Implementation of Mitigation Measure #11 reduces potential impacts to a less than significant level.

Mitigation Measure #12: The applicant will comply with applicable waste discharge requirements and municipal code requirements including preparation of a SWPPP for construction activities and compliance with the Alameda Countywide Clean Water Program (ACCWP). These permit programs are designed to prevent violation of water quality standards through mitigation and control of pollutant transport in storm water runoff and infiltrating waters. The City of San Leandro Municipal Code ensures that permit conditions are met.

Implementation of Mitigation Measure #12 reduces potential impacts to a less than significant level.

b: The project site is now vacant. The proposed project would replace a vacant site with a mix of offices, commercial uses and parking uses. The majority of water supplies serving the City of San Leandro are obtained from the East Bay Municipal Utilities District (EBMUD). The proposed project would not include development of any groundwater supply wells and would rely on EBMUD water supplies. About 90 percent of EBMUD water supplies are surface water resources from the Mokelumne River system with the rest from runoff from local watersheds to terminal reservoirs, such as Lake Chabot (EBMUD 2005).

There are few, if any wells in the area and the project area is small when compared to the total runoff "capture area."

As there would be no long-term impact of the project on the local groundwater table and as water supplies would not involve local groundwater resources, there are no new wells proposed. Therefore, local groundwater table impacts would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comments:

c-f: The site is currently flat and covered by vegetation consisting mostly of grasses. Light rainfall is absorbed by the ground and heavy or sustained rainfall flows over the surface to the adjacent street where it enters an existing storm drain system with an ultimate discharge into the San Francisco Bay. The proposed project includes impervious surfaces that will increase the rate and amount of runoff from the site. Mitigation Measure #13 will ensure that the project will not exceed the capacity of the storm drain system or result in flooding. Mitigation Measure #14 will ensure that run off from the site is not a substantial source of pollution or silt.

Mitigation Measure #13: Applicant shall be required to demonstrate adequacy of the existing storm drain system to handle existing run-off from the drainage basin as well as run-off from the project, upgrade the storm drain system to handle existing run-off from the drainage basin as well as run-off from the project, or meter run-off from the site so that it leaves the site at the same rate as it currently does.

Mitigation Measure #14: Applicant shall remove pollutants from storm water prior to discharging the water from the site per the current NPDES permit.

Implementation of Mitigation Measure #13 and 14 will reduce potential impacts to a less than significant level.

g-i: The property is not identified as being located within a Federal Emergency management Agency (FEMA) 100-year floodplain. Therefore, there would be no impacts of or to the 100-year floodplain.

j-k: Tsunamis are large sea waves generated by submarine earthquakes or similar large-scale, short-duration phenomena, such as volcanic eruptions, that can cause considerable damage to low-lying coastal areas. Because the project is located approximately 47 feet above mean sea level, not along an exterior coast, and over one mile inland from San Francisco East Bay, it would not be subject to tsunami inundation. Therefore, no impact would result, and no further analysis is required.

Seiches are waves caused by large-scale, short-duration oscillation of confined bodies of water (such as reservoirs and lakes) during earthquakes that may damage low-lying adjacent areas, although not as severely as a tsunami. The closest enclosed body of water that could result in earthquake-induced seiche is Lake Chabot, over 2.5 miles upstream of the project site. Furthermore, there have never been any documented impacts from seiches at Lake Chabot. Therefore, the project site is not subject to seiche risk. There would be no impact, and no further analysis is required.

X. LAND USE PLANNING. *Would the project:*

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

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comments:

a) The proposed project would complement rather than divide the established community by developing an underutilized urban site and would implement land uses approved by the Downtown San Leandro Transit-Oriented Development (TOD) Strategy. The TOD Strategy was previously analyzed in an EIR that was certified in September of 2007. Therefore, the proposed project would not disrupt or divide the physical arrangement of the community established by existing uses.

b) The City of San Leandro General Plan contains various policies pertaining to land use, housing, circulation and transportation, open space, recreation and noise, which could be applicable to the proposed project. The proposed project does not involve the creation of a new General Plan land use designation and zoning district, but rather implements land uses set forth in the Downtown San Leandro TOD Strategy and analyzed in the TOD Strategy EIR (TOD Strategy Approved and EIR Certified September 4, 2007). The TOD Strategy was developed to comply with and implement the overall vision of the General Plan as it relates to the downtown San Leandro area. The TOD Strategy is a comprehensive plan for the smart growth of the downtown area and supports office, residential and mixed-use development. As part of the TOD Strategy, a detailed land assessment was completed and thirty-nine opportunity sites were identified. This site was identified and included in that list of opportunity sites. Development of the project site will help to implement the Downtown San Leandro TOD Strategy. The proposed development is located in the DA-5 (S) and PS (S) zoning districts. These districts are located within the area of the Transit Oriented Development Strategy. The size, height development characteristics are consistent with policies included in the City's General Plan and zoning. As a result, the proposed project will not conflict with an applicable land use plan, policy or regulation and will therefore, not have a potentially significant effect.

c) There are no habitat conservation plans or natural community conservation plans in effect within the project area. The project site has been previously graded and disturbed, contains vegetation that is primarily ruderal in nature and is surrounded by existing development. Accordingly, the proposed project would not conflict with any habitat conservation or natural community conservation plans and will therefore have no impact.

XI. MINERAL RESOURCES. *Would the project*:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Comments:

a-b.: The State legislation protecting mineral resource zones is the Surface Mining and Reclamation Act of 1975. Part of the purpose of the act is to classify mineral resources in the State and to transmit the information to local governments which regulate land use in each region of the State. Local governments are responsible for designating lands that contain regionally-significant mineral resources in local general plans to assure resource conservation in areas of intensive competing land uses. The law has resulted in the preparation of Mineral Land Classification Maps delineating Mineral Resource Zones (MRZ) 1 through 4 for aggregate resources (sand, gravel and stone).

The project area is classified by the California Geological Survey as MRZ-1, a Mineral Resource Zone for which there is adequate information to indicate there are no aggregate mineral resources present. Consequently, there would be no impact on mineral resources with project implementation and no mitigation measures are required.

XII. NOISE. *Would the project result in:*

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?			X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Comments:

a-d: Existing ambient noise in the vicinity of the project site is predominantly due to proximity to the BART Station, motor vehicle traffic along San Leandro Boulevard, and noise from SPRR operations. After project buildout, the noise environment will be dominated by BART operations on the east façade of the proposed structures, by SPRR operations on the west façade and by a combination of both on the north and south facades. Aircraft-related noise is low and infrequent, with only occasional civil aircraft operations being audible for brief periods.

As described below in Section XV, Transportation/Traffic, implementation of the proposed project would result in a direct and indirect increase in employees and visitors to the project site over current conditions. The increased activity levels at the project site, in addition to traffic and operation of the proposed project, have the potential to increase noise levels in the vicinity of the project. This potential increase could impact both existing sensitive receptors, as well as new potential residents within the project area. Accordingly, the effects of noise and vibration could have a potentially significant impact.

Mitigation Measure #15: All commercial construction shall comply with the City's existing building codes related to sound attenuation.

Mitigation Measure #16: All construction activity shall comply with the City's Noise Ordinance (Municipal Code Chapter 4-1, Section 11) so as not to make or cause disturbing, excessive or offensive noise which causes annoyance or discomfort to persons.

Implementation of Mitigation Measures #15 and 16 will reduce potential impacts to a less than significant level.

e-f: The proposed project is not located within the vicinity of a public airport or private airstrip. Oakland International Airport is located approximately 2.1 miles northwest of the project site. The project site is slightly outside the airport's general referral area and well outside the designated noise zone.

XIII. POPULATION AND HOUSING. *Would the project:*

a. Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses or indirectly (for example, through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*

Comments:

a) The proposed project implements land uses set forth in the Downtown TOD Strategy. It is consistent with the City's effort to encourage jobs, services and other uses near transit in such a way as to reduce overall area vehicles miles traveled and the consequential air pollution and other environmental impacts that result from automobile use. The impacts associated with any direct or indirect population increases as a result of the project were analyzed in the TOD Strategy EIR that was certified in September of 2007. The proposed project, as a development project occurring under the TOD Strategy, is required to comply with the General Plan Policies and the Mitigation Measures Master List set forth in the TOD Strategy EIR, thereby resulting in no significant impacts for population and housing.

b) The proposed project would include development on a parcel that is currently vacant and has been previously graded and disturbed. No housing units are currently located on the site. Therefore, the construction of replacement housing would not be necessary since no housing units or residents will be displaced with project implementation.

c) The proposed project would include development on a parcel that is currently vacant and has been previously graded and disturbed. No development exists on the site. Therefore, the construction of replacement housing would not be necessary since no housing units or residents will be displaced with project implementation.

XIV. PUBLIC SERVICES.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government 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:				
a) Fire protection?		X		
b) Police protection?		X		
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X

Comments:

a-b: Implementation of the proposed project would result in a direct and indirect increase in employed persons and visitors to the project site over current conditions. This intensification of use may necessitate the acquisition of new or additional equipment and hiring of additional personnel in order to adequately maintain acceptable standards of fire and police protection. As evaluated in the TOD Strategy EIR that was certified in September 2007, new development occurring under the Strategy would be required to follow the Policies and Mitigation Measures Master List of the Development and Implementation Guidelines chapter within the TOD Strategy document that incorporates various General Plan policies and mitigation measures.

Mitigation Measure #17: The minimum levels of service standards for police and fire response times shall be maintained in accordance with General Plan Policy 45.01.

Mitigation Measure #18: The applicant shall incorporate lighting, landscaping and other design features that reduce the potential for crime and facilitate rapid response to emergency calls in accordance with General Plan Policy 45.06.

Implementation of Mitigation Measures #17 and 18 reduces potential impacts to a less than significant level.

c-e: The project will not significantly impact schools, parks or other public facilities as the developer will have to comply with City and School District development fee policies that have been created to mitigate development impacts city-wide and district-wide.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*

XV. 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?			X	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			X	

Comments:

a-b: The project will not create significant impacts on existing neighborhood and regional parks or other recreational facilities, nor will it require construction or expansion of facilities that could have an adverse physical effect on the environment. The project will create employment adjacent to the Downtown San Leandro BART Station and the site plan will include on-site recreational amenities for the employees including outdoor plazas, physical activity areas and landscaped green space. These facilities will be adequate to accommodate the recreational needs of the new businesses and employees.

XVI. TRANSPORTATION/TRAFFIC. *Would the project:*

a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X		
b. Exceed, either individually or cumulatively, a level of service standard established in the Growth Limitation Plan, the county congestion management agency for designated roads or highways?		X		
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (3,25)			X	
e. Result in inadequate emergency access?			X	
f. Result in inadequate parking capacity?			X	
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
h. Trigger CMA Review (More that 100 PM Peak Hour Trips generated over existing General Plan)				X

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact

Comments:

a-b: Implementation of the proposed project would result in a direct and indirect increase in employees and visitors to the project site over current conditions, as a vacant site is replaced with offices and other uses. The additional traffic could add to congestion at local intersections and could exceed established levels of service. Accordingly, a Traffic Impact Analysis was prepared by Kimley Horn and Associates, Inc. in July 2013 to examine the transportation impacts of the proposed project on the existing and planned road network, pedestrian and bicycle traffic, transit services, parking and operational safety. The Kimley-Horn analysis determined that while traffic generated by the project is consistent with the development assumptions of the Downtown TOD Strategy EIR – and the project would not individually or cumulatively exceed a county congestion management level of service for designated roads or highways, the project ingress/egress design would exacerbate the already unacceptable level of service at San Leandro Boulevard and Parrott Street during the PM peak period. Because the San Leandro Boulevard/Parrott Street intersection operates at LOS F under existing conditions, it is considered an existing deficiency. This is a potentially significant impact.

Mitigation Measure #19: The significant impact at this intersection during the PM peak hour can be mitigated by restriping the eastbound approach to be two lanes, a shared left through lane and a shared through-right lane. These improvements would occur within the existing right-of-way. This mitigation measure results in the intersection operating at LOS E during the PM peak-hour. Therefore, this impact is less than significant.

Implementation of Mitigation Measure #19 reduces potential impacts to a less than significant level.

c: No aircraft use is required for operation or construction of the proposed facilities. As such, the proposed project would not lead to an increase in air traffic and would have no impact on this mode of travel or any safety considerations for air traffic.

d: The project includes no design features like sharp turns or dangerous intersections that would increase risks.

e: The project has been designed to ensure compliance with the City's requirements for emergency vehicle access.

f: The project is located adjacent to the Downtown San Leandro BART Station and is expected to benefit in ways that decrease the demand for onsite parking. As a result, the project has been designed to comply with the recommendations in the Downtown TOD Strategy.

g: The project is located adjacent to the Downtown San Leandro BART Station and is expected to increase transit ridership using BART and the local bus systems. In addition, the site plan includes accommodations for a bicycle path and bike racks and bicycle lockers.

h: The project is consistent with the development assumptions included in the Downtown TOD Strategy EIR. The Alameda County Congestion Management Agency (CMA) was consulted during the certification process of that document. Therefore, no further CMA review is required.

XVII. UTILITIES AND SERVICE SYSTEMS. *Would the project:*

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X		
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Comments:

a-g: The project is consistent with the development assumptions included in the Downtown TOD Strategy EIR and therefore the impacts to local water and wastewater utilities and solid waste disposal services were evaluated and mitigations adopted at the time the EIR was certified, including mitigations for adverse impacts on water supply. In addition, per CEQA Section 15155 (d) a water supply assessment study is required by the water provider. East Bay Municipal Utility District (EBMUD) reviewed the demand on water services for the proposed project and approved the Water Supply Assessment on December 10, 2013. The proposed project will be required to comply with the following mitigations.

Mitigation Measure #20: The applicant shall promote the efficient use of existing water supplies through a variety of water conservation measures, including evaluating the potential for the use of recycled water for landscaping in accordance with General Plan Policy 27.02.

Mitigation Measure #21: The applicant shall conserve water through the use of such measures as low-flow plumbing fixtures and water-saving appliances in accordance with General Plan Policy 27.04.

Mitigation Measure #22: The applicant shall be required to pay its fair share of the cost of improving the water, sewer, drainage and other infrastructure systems needed to serve the development through use fees or other appropriate forms of mitigation in accordance with General Plan Policy 52.02.

Implementation of Mitigation Measures #20, 21 and 22 reduces potential impacts to a less than significant level.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X

Comment:

The proposed project is located on a vacant site surrounded by developed properties. It provides no habitat for fish or wildlife species. Plant species within and adjacent to the project sites are limited to ruderal vegetation and ornamental species confined to limited landscaping on the property, and introduced weedy annual grasses and forbs occurring in pavement cracks, or other highly disturbed unpaved areas. No sensitive natural communities such as vernal pools, marshes or riparian areas are present within, or adjacent to the project boundaries. Therefore the project does not have the potential to degrade the quality of the environment or substantially affect the habitat of an rare or endangered species.

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

Comment: Impacts that are individually limited but can be cumulatively considerable include impacts related to aesthetics, air quality, geology/soils, hydrology and water quality, noise, hazards, public services, traffic, and utilities and service systems. Mitigation measures have been incorporated to reduce these impacts to a level that are less than significant.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Comment: A number of sections in this document note potential impacts that must be mitigated. Given these impacts, the project may have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, that require mitigation to reduce them to a level of less than significant.

Implementation of the Mitigation Measures identified in this document will reduce potential impacts to a less than significant level.

ATTACHMENTS

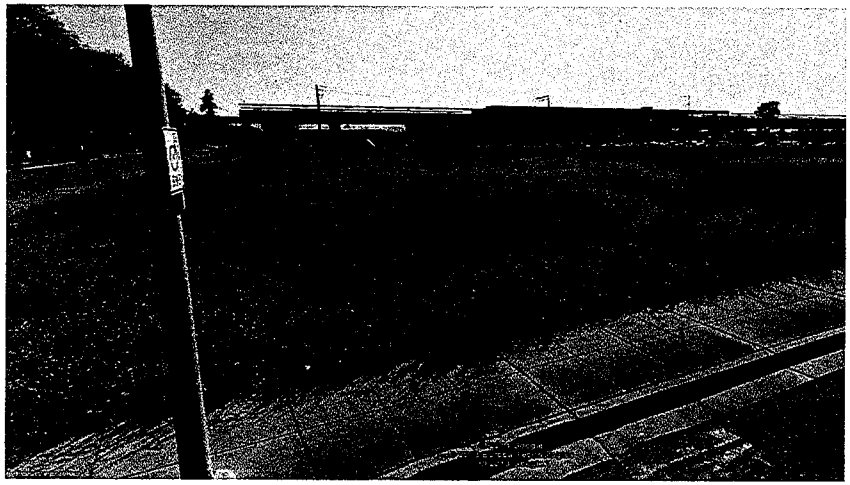
A. Cover Sheet with Region and Project Location Map
B. Proposed Site Plans
C. Proposed Elevations
D. Proposed Martinez Street Right-of-Way to be Vacated
E. Proposed Landscape Plans
F. Photographs of Project Site (Existing Conditions)

INITIAL STUDY SOURCES LIST - the following are available online at:
http://www.sanleandro.org/depts/cd/plan/polplanstudiesceqa/default.asp

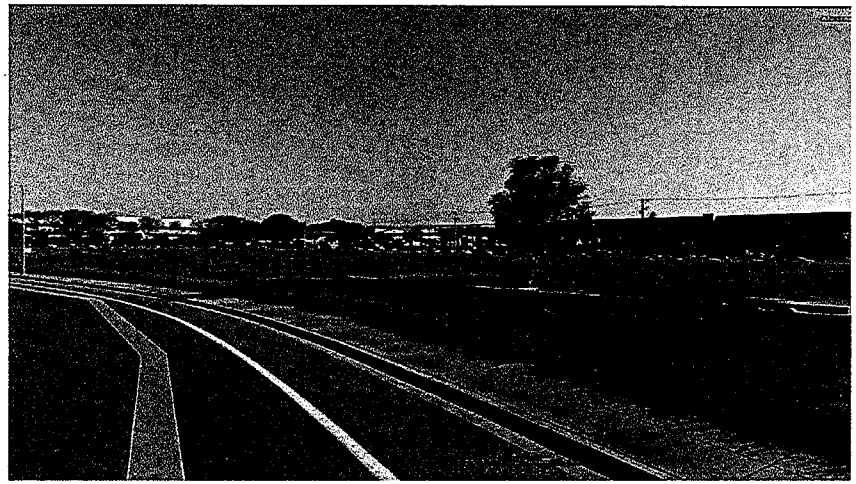
Sources

1. *City of San Leandro General Plan*, Adopted May 2002
2. Design, Community and Environment, *Downtown San Leandro Transit Oriented Development (TOD) Strategy EIR*, Prepared for City of San Leandro, June 5, 2007
3. *Preliminary Geotechnical Investigation San Leandro Crossing*, Rockridge Geotechnical, November 7, 2008. Updated October 28, 2013 (see no. 15 below)
4. *State of California Seismic Hazard Zones, San Leandro Quadrangle*, February 14, 2003
5. California Geological Survey, *Special Publication 117: Guidelines for Evaluating and Mitigating Seismic Hazards in California,* Adopted March 13, 1997 by the State Mining and Geology Board in Accordance with the Seismic Hazards Mapping Act of 1990
6. *San Leandro General Plan Update Draft Environmental Impact Report,* Prepared by Barry Miller, AICP, November 2001
7. *San Leandro Downtown Technology Campus – Traffic Analysis with Attachments,* Prepared by Kimley-Horn and Associates, Inc., July 15, 2013
8. Stinson, M.C., M.W. Manson, and J.J. Plappert, *Mineral Land Classification: Aggregate Materials in the San Francisco – Monterey Bay Area, Part II: Classification of Aggregate Resource Areas, South San Francisco Bay Production – Consumption Region,* California Division of Mines and Geology, Special Report 146, Part II, 1983, 75 maps at scales 1:485,000, 1:250,000, 1:48,000, see Plate 2.40
9. *Limited Subsurface Investigation Report For 1696 Martinez, prepared by* SGI Environmental, May 21, 2013
10. *Remedial Action Plan, Prepared* by IRIS Environmental, January 11, 2010 (revised January 27, 2010)
11. *Phase II Environmental Site Assessment* - IRIS Environmental - April 9, 2009
12. *Step-Out Sampling - San Leandro Crossings- Western Parcel* - IRIS Environmental - April 9, 2009
13. Phase I Environmental Site Assessment Report for 1333 Martinez Street, Prepared by Stantec Consulting Corporation, October 21, 2008
14. *Updated Remedial Action Plan - 1333 Martinez Street,* Prepared by West Environmental Services and Technology December 2013
15. *Preliminary Geotechnical Investigation – San Leandro Tech Campus*, Prepared by Rockridge Geotechnical, October 28, 2013

Alvarado @ W. Estudillo Ave

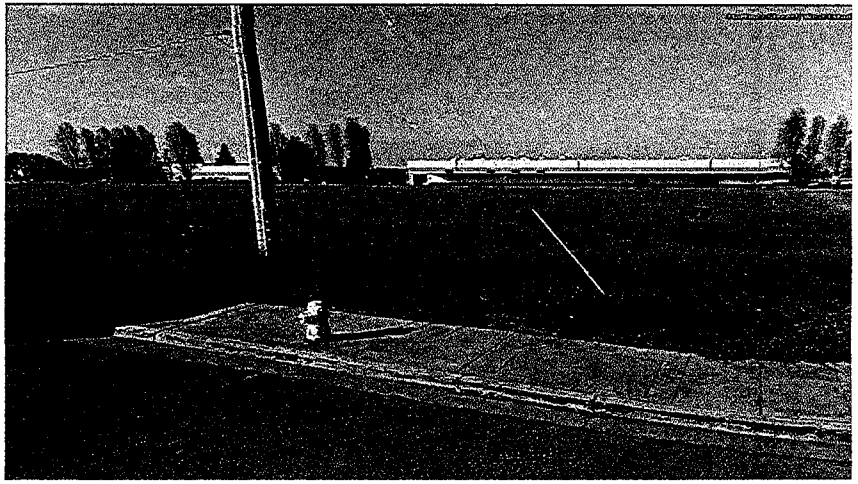


Alvarado looking North towards Davis St.



Martinez St at Parrot looking West

Martinez St at W. Estudillo Ave looking West



STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711

Flex your power!
Be energy efficient!

February 19, 2014

ALAVAR022
SCH#2014012045

Mr. Tom Liao
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Dear Mr. Liao:

San Leandro Downtown Technology Campus – Mitigated Negative Declaration

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the San Leandro Downtown Technology Campus project. The following comments are based on the Mitigated Negative Declaration. As lead agency, the City of San Leandro is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, and implementation responsibilities as well as lead agency monitoring should be fully discussed for all proposed mitigation measures and the project's traffic mitigation fees should be specifically identified in the environmental document. Any required roadway improvements should be completed prior to issuance of project occupancy permits. An encroachment permit is required when the project involves work in the State's right of way (ROW). Caltrans will not issue an encroachment permit until our concerns are adequately addressed. Therefore, we strongly recommend that the lead agency ensure resolution of Caltrans' CEQA concerns prior to submittal of the encroachment permit application; see the end of this letter for more information regarding the encroachment permit process.

Impact Analysis

According to Table 1 of the Traffic Analysis dated July 15, 2013, the proposed project will generate approximate 491 AM, 473 PM, and 3,485 daily trips respectively. Further, in Figure 3, it indicates that approximately 31 percent of the trips will access the project from the west and approximately 20 percent from the east. Please discuss why Interstate 880/Davis Street ramps and State Route 61 (Davis Street)/State Route 185 (E. 14th Street) intersections were not analyzed. Due to the significant number of trips generated by the project, it might significantly impact operations at these two locations.

In Table 7, the proposed project will generate significant queue on the westbound left-turn movement at the Davis Street/Alvarado Street intersection and to the northbound left-turn movement at the Davis Street/San Leandro Boulevard intersection. However, it appears that the proposed project did not provide any mitigation measures for queues at these locations. Without adequate mitigation, these impacts will significantly impact through traffic operations at these interactions. Please coordinate with Caltrans to develop mitigation measures for these impacts.

Furthermore, Table 7 also shows that the queue decreased for Cumulative (2030) plus Proposed Project compared to Existing (2013) plus Project queue. Please discuss what caused the decrease.

Encroachment Permit

Any work or traffic control within the State ROW requires an encroachment permit that is issued by Caltrans. Traffic-related mitigation measures will be incorporated into the construction plans during the encroachment permit process. See the following website link for more information:
http://www.dot.ca.gov/hq/traffops/developserv/permits/

To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans which clearly indicate State ROW to the address at the top of this letterhead, marked ATTN: David Salladay, Mail Stop #5E.

Should you have any questions regarding this letter, please call Yatman Kwan, AICP of my staff at (510) 622-1670.

Sincerely,

ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Kimley-Horn
and Associates, Inc.

Memorandum

To: Sunny Tong
Westlake Development Partners, LLC

From: Matt Weir, P.E., T.E., PTOE

Re: **Response to Caltrans' Comments**
San Leandro Crossings – San Leandro, California

Date: February 20, 2014

As requested, I am writing to provide responses to traffic related (referred to as "Impact Analysis") comments offered by Caltrans in a letter dated February 19, 2014.

Comment #1
The commenter asks for discussion pertaining to the selection of study intersections and, more specifically, why Interstate 880/Davis Street ramps and State Route 61 (Davis Street)/State Route 185 (E. 14th Street) intersections were not analyzed.

Response: Early in the project scoping stage we reviewed the *Downtown San Leandro TOD Strategy* to confirm the development assumptions contemplated in the project area's EIR. This effort included a back-check of the entire *TOD Strategy*, as well as the subject project's site. In addition, we reviewed the *TOD Strategy* EIR and confirmed that the proposed project would generate fewer trips than the development intensity assumed for the site in the *TOD Strategy* EIR. The following is a summary of what was confirmed through this review:

- *TOD Strategy* included:
  - 3,431 dwelling units
  - 120,870-sf commercial/retail
  - 718,240-sf office
- Westlake site is described as:
  - Opportunity Site 24 within Special Planning Area 8, and as BART Block 53
    - 820 dwelling units
    - 74,000-sf office
    - 15,000-sf retail
    - 3,810 daily trips

Using the current proposed project, the current plan falls under the development combination assumed on the site in the EIR. The current proposed project is anticipated to generate ~3,500 daily trips (~300 daily trips less than the Opportunity Site 24 data presented above). This comparison incorporates the same transit and mixed-use trip reductions previously incorporated in the EIR traffic analysis. As a result, the *TOD Strategy* EIR considered, studied, and mitigated more intensive development than is being proposed on the project site. Therefore, only those intersections immediately surrounding the project site and those anticipated to be most affected by the proposed project were included in the traffic impact analysis.

Review of the *TOD Strategy* EIR revealed that no significant impacts were created at the Interstate 880/Davis Street ramps or at the Davis Street intersection with Hays Street. Therefore only the Davis Street/E. 14th Street intersection was previously documented as having a significant impact with the implementation of the entire *TOD Strategy* (not the subject San Leandro Tech Campus project). The following mitigation was included in the EIR:

> *"Convert outside southbound through lane to a shared through-right lane providing dual right turns southbound. This improvement, in combination with proposed improvements as identified in the TOD Strategy, would require widening of the west side of East 14th Street by 6-10 feet. This widening could occur when the block between Davis and Hays is redeveloped. With these improvements the intersection of East 14th Street and Davis Street would operate at LOS D or better (48.4 seconds of delay in AM and 54.4 seconds in the PM peak hour), and would result in a less-than-significant impact."*

Please note that this mitigation is not a requirement of the subject San Leandro Tech Campus project, and is understood to be accomplished through the Citywide traffic mitigation fees in combination with the development at the Davis/Hays intersection.

Comment #2

The commenter notes that "significant" queuing is documented to occur along the westbound left-turn movement at the Davis Street/Alvarado Street intersections, and the northbound left-turn movement at the Davis Street/San Leandro Boulevard intersections.

Davis Street/Alvarado Street

The westbound left-turn queues were analyzed at this intersection and the project resulted in an increase in queue length from 164 feet in the Existing scenario to 212 feet in the Existing plus Project plus SLB scenario. This is an increase of 48 feet. The existing storage length is 115 feet, so the existing queues already block the adjacent through lane. Although there is existing pavement for a double left-turn configuration, Alvarado Street does not have adequate width to receive dual left turns (single receiving lane). It is important to note that this intersection operates at LOS B during the subject peak-hour.

The analysis software used for this analysis (Traffix) is not designed to allow for advanced signal timing entry or modification. Nevertheless, as would be the case if other tools had been used (Synchro), simple adjustments to the signal timing parameters have been documented to lessen the subject queuing. Minor adjustments for the westbound left-turn's timing parameters results in a queue length of 171 feet, which is only 7 feet longer than the 164 feet without the project. The overall LOS and delay for the intersection goes from LOS B (19.3 seconds delay) to LOS C (22.3 seconds delay). As a result, this queuing (7-feet) is considered to be less than significant.

Davis Street/San Leandro Boulevard

The northbound left-turn queues at this intersection have an increase in queue length from 466 feet in the Cumulative scenario to 665 feet in the Cumulative Plus Project scenario. This is an increase of 199 feet. The existing storage length is 230 feet, so the Cumulative queues already block the adjacent through lane. The project's contribution of approximately 8 vehicles (4 vehicles per lane) to this substandard condition is considered insignificant and will be further reduced by the project's contribution to TOD Strategy Area improvements aimed at increasing transit use and reducing automobile trips.

Comment #3

The commenter notes that queues decreased for Cumulative (2030) plus Proposed Project compared to Existing (2013) plus Project queue and asks for clarification.

The queuing reductions can be attributed to use of a different trip assignment between the two scenarios. While the broad trip distributions remained consistent, there are multiple routes to reach each destination, therefore project trips were assigned to alternate routes based on the documented levels of service. This "reassignment" of trips resulted in a reduction in queuing at these locations.

STATE OF CALIFORNIA EDMUND G. BROWN JR., *Governor*

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
SAN FRANCISCO, CA 94102
(415) 703-1815

February 18, 2014

Mr. Elmer Penaranda
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Dear Mr. Penaranda:

Re: SCH 2014012045 San Leandro Downtown Technology Campus Project - DMND

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings Engineering Section (RCES) is in receipt of the draft Mitigated Negative Declaration (DMND) for the proposed San Leandro Downtown Technology Campus Project. The City of San Leandro (City) is the lead agency.

The project area is within the proximity of several active railroad tracks. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade rail crossings. RCES recommends that the City add language to the San Leandro Downtown Technology Campus Project, so that any future development adjacent to or near the railroad/light rail right-of-way (ROW) is planned with the safety of the rail corridor in mind. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act (ADA). Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.

The following crossings are of concern with the Commission and are in close proximity of the project site:

Davis Street (DOT # 749728V):

The Davis Street crossing has had a history of two (2) fatal pedestrian incidents. The Commission highly encourages the City to improve the safety of this crossing by adding ADA-compliant Detectable Warning Devices (Truncated Domes), bike lanes, pedestrian channelization barriers and swing gates. Fencing the railroad right of way must be considered by the City in order to prevent pedestrians from crossing the railroad tracks in unsafe locations.

Davis Street (DOT # 834250S)

The Davis Street crossing is in proximity of the project site. The Commission recommends ADA detectable warning devices on all sidewalk approaches. Fencing the railroad right of way must be

considered by the City in order to prevent pedestrians from crossing the railroad tracks in unsafe locations.

Alvarado Street (DOT # 912075T):

The Alvarado Street crossing has had a history of one (1) fatal pedestrian incident. The Commission highly encourages the City to improve the crossing by adding pedestrian channelization barriers and swing gates.

Williams Street (DOT # 749734Y):

The Williams Street crossing has had a history of one (1) fatal vehicular incident. The Commission highly encourages the City to improve the crossing by adding raised medians and ADA detectable warning devices on all sidewalk approaches.

Thornton Street (DOT # 834254U)

The Thornton Street crossing is in proximity of the project site. The Commission recommends ADA detectable warning devices on all sidewalk approaches and the parking to be restricted within 70 feet of the railroad crossing.

Parrot St (DOT # 834253M):

The Parrot Street crossing is in proximity of the project site. The Commission recommends ADA detectable warning devices on all sidewalk approaches and the parking to be restricted within 70 feet of the railroad crossing.

Upon completing the project it is recommended for the City to check the pavement markings and signage on the proximal railroad crossings to verify that they are in compliance with the California Manual on Uniform Traffic Control Devices.

If you have any questions in this matter, please contact me at (415) 703-1815, sm4@cpuc.ca.gov.

Sincerely,

S. Mozaffari

Sia Mozaffari
Utilities Engineer
Rail Crossings Engineering Section
Safety and Enforcement Division

C: State Clearinghouse

EAST BAY
MUNICIPAL UTILITY DISTRICT

January 24, 2014

Elmer Penaranda, Senior Planner
San Leandro Community Development Department
835 East 14th Street
San Leandro, CA 94577

Re: Notice of Intent to Adopt a Mitigated Negative Declaration for San Leandro Downtown Technology Campus, San Leandro.

Dear Mr. Penaranda:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration for the San Leandro Downtown Technology Campus located at 1333 Martinez Street in the City of San Leandro. EBMUD has the following comments.

WATER SERVICE

EBMUD's Central Pressure Zone, with a service elevation between 0 and 100 feet, will serve the proposed development. A main extension, at the project sponsor's expense, will be required to serve the proposed development. Off-site pipeline improvements, also at the project sponsor's expense, may be required to meet domestic demands and fire flow requirements set by the local fire department. Off-site pipeline improvements include, but are not limited to, replacement of existing water mains to the project site. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains and services requires substantial lead-time, which should be provided for in the project sponsor's development schedule.

The project sponsor should be aware that EBMUD will not inspect, install or maintain pipeline in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants. Project sponsors for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary.

In addition, the project sponsor must provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of all identified contaminated soil and/or groundwater. EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the project sponsor is insufficient EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the project sponsor's expense.

WATER CONSERVATION

The proposed project presents an opportunity to incorporate water conservation measures. EBMUD requests that the City include in its conditions of approval a requirement that the project sponsor comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation have been reviewed and approved by EBMUD.

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,

David J. Rehnstrom

FOR William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:GJC:sb
sb14_025

cc: Gary Wong, President
Westlake Development Partners, LLC
520 El Camino Real, 9th Floor
San Matero, CA 94402-1722

DRAFT MITIGATION MONITORING PROGRAM (MMP)

	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
Air Quality				
1.	Potential impacts on air quality standards.	**#1: The applicant shall cooperate with the appropriate regional, state and federal agencies to implement the regional Clean Air Plan and enforce air quality standards in compliance with General Plan Policy 31.01.** **#2: The applicant shall promote strategies that help improve air quality by reducing the necessity of driving, such as programs for carpooling and vanpooling, better provisions for bicyclists and pedestrians, and implementing mixed use and higher density development around transit stations in compliance with General Plan Policy 31.02.**	City of San Leandro Community Development Department	Prior to occupancy
Biological Resources				
2.	Potential impacts on avian species.	**#3: The applicant shall conduct pre-construction surveys for the presence of nesting birds within each of the project sites. The project applicant shall retain a qualified biologist to conduct a pre-construction breeding-season survey (approximately February 1 through August 31) to determine if any birds are nesting on or directly adjacent to the project area. The survey shall be conducted during the same calendar year that construction is planned to begin. If no nesting birds are found, no further action would be required.** **If nesting birds are found within the trees on or directly adjacent to the project area, the project applicant shall avoid all birds nest sites located in the project area during the breeding season (approximately February 1 through August 31), or until it is determined by a qualified biologist that all young have fully fledged (left the nest). If the construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone will be determined in consultation with the CDFG. The buffer zone shall be delineated by highly visible temporary construction fencing, and shall remain in place until it is determined by a qualified biologist that all young have fully fledged (left the nest).**	City of San Leandro Community Development Department	Prior to issuance of Grading Permit
Cultural Resources				
3.	The project will cause a substantial adverse change in the significance of an archeological resource or directly or indirectly destroy a	**#4: The applicant shall cease any grading or construction activities and shall consult with appropriate representatives of the Native American Heritage Commission if human remains are discovered, in accordance with State Law and Section 7050.5 of the Health and Safety Code, Section 15064.5 (e) of the State**	City of San Leandro Community Development Department	At such time as resources are discovered during excavation or construction activities

DRAFT MITIGATION MONITORING PROGRAM (MMP)

	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
	unique paleontological resource or site or unique geologic feature or disturb human remains.	**CEQA Guidelines and Section 5097.98 of the Public Resources Code.).**		
Geology and Soils				
4.	Project site has potential for expansive soils and is located in a seismically active area.	**#5: The City of San Leandro has incorporated the 2012 International Building Code into its municipal building code (Title 7, Chapter 7-5). The project applicant would be required to comply with all applicable State and City regulations to address potential geologic hazards associated with the proposed project, including ground shaking and liquefaction. Geotechnical and seismic design criteria must conform to engineering recommendations in accordance with the seismic requirements of the 2013 San Leandro Building Code. Additionally, because the project site is in a liquefaction Seismic Hazard Zone, the project applicant will be required to comply with the guidelines set forth by California Geological Survey Special Publication 117.** **#6: Applicant shall be required to excavate, remove and recompact potentially liquefiable soil. In-site ground densification, for example, compaction with vibratory probes, dynamic consolidation, compaction piles, compaction grouting, etc., shall be conducted. Ground modification techniques, such as permeation grouting, columnar jet grouting, deep soil mixing, stone columns, gravel or other drains shall be implemented, and deep foundations shall be put in place to mitigate potential liquefaction-induced settlement impacts. Implementation of Mitigation Measure #6 reduces potential impacts to a less than significant level.**	City Engineer and Building Official	Prior to issuance of Grading Permit
Hazards and Hazardous Materials				
5.	Project will require excavation and grading that will result in the disruption of onsite soils. These activities will emit hazardous emissions or handle hazardous or acutely hazardous material, substances or waste.	**#7: (Subsurface Investigations)** **Subsurface investigations are required prior to development of the San Leandro Downtown Tech Campus. The sampling and analysis programs will be specific to each site based on the prior uses of that site. Additional groundwater sampling and analysis program will be implemented if necessary for chemical constituents that could have migrated onto the sites from off-site upgradient sources, if identified during due diligence. Detection limits for the analytical program will be sufficiently low to allow assessment of risks to human health under construction worker and residential exposure scenarios.**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

DRAFT MITIGATION MONITORING PROGRAM (MMP)

	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
	Hazards and Hazardous Materials (Continued)	**Mitigation Measure #7 (Continued)** **If the subsurface investigation programs yield data suggesting that there could be unacceptable risks to future construction workers or residents, a California state environmental regulatory agency will be consulted to provide its opinion on the findings of the subsurface investigations and the assessment of risk. This opinion would be sought prior to initiating construction..** **#8: (Pre Development Mitigation Measures)** **If the subsurface investigation programs yield data suggesting that there could be unacceptable risks to future construction workers or residents and a California state environmental regulatory agency determines that an active remedial response is warranted, the following mitigation measures listed below include methods that may be employed to mitigate unacceptable risks to human health of construction works and future residents.** • **Remove the impacted soil and dispose of off-Site;** • **Install a cap to prevent contact with the contamination;** • **Install a physical barrier for vapors such as a vapor barrier or passive venting system, to prevent the accumulation of vapors in indoor environment;** • **Stockpile soil and aerate on-Site, or in a staging area as may be appropriate, in compliance with all applicable laws and regulations;** • **Conduct in situ bioremediation measures; or** • **Implement liquid or vapor extraction measures.** **The appropriateness of one of the above management measures over another will depend on many factors, such as the type of constituent detected, the size of the identified impacted area, and the estimated cost of implementing the remedy.** **Results of the sampling activities and the proposed course of action, e.g., no action necessary, soil excavation and off-site disposal, on-site treatment and soil reuse, shall be reported to a State environmental regulatory agency and the contractor shall obtain concurrence before implementing the remedial measures.** **Remedial action plans would be approved in advance by a state environmental regulatory agency. Any cleanup or remediation**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

DRAFT MITIGATION MONITORING PROGRAM (MMP)

	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
	Hazards and Hazardous Materials (Continued)	**Mitigation Measure #8 (Continued)** **would be required to meet applicable federal, state and local laws, regulations and requirements.** **#9: (Risk Management Measures for Construction Phases)** **The following are risk management procedures to be followed by future contractors during site preparation and construction activities. General soil management protocols are presented; as well as, protocols for managing fill soils that may be brought to the Sites during filling operations.** **• Pre-Construction Planning and Notification: Prior to the start of construction activities involving below-ground work, information regarding known areas of contamination shall be provided to the contractor by the Site owner.** **• Site-Specific Health and Safety Worker Requirements: Each contractor will be responsible for the health and safety of their own workers, including, but not limited to, preparation of their own health and safety plan (HSP) and injury and illness prevention plan (IIPP). The purpose of these documents is to provide general guidance to the work hazards that may be encountered during each phase of construction activities** **• Contractors are also required to determine the requirements for worker training, based on the level of expected contact to soil, soil vapor, and groundwater associated with the contractor's activities and locations. The HSP shall contain provisions for limiting and monitoring chemical exposure to construction workers, chemical and non-chemical hazards, emergency procedures, and standard safety protocols. Depending upon known conditions at the time of site development, employees conducting earthwork activities at the Site may be required to complete a 40-hour HAZWOPER training course (29 CFR 1910.120 (e)), including respirator and personal protective equipment training.** **• Construction Impact Mitigation Measures: During construction, measures shall be taken by contractors to minimize dust generation, storm water runoff and tracking of soil off the Sites. In addition, measures will be taken to reduce the potential for the creation of preferential pathways (vertical or horizontal) for COPCs detected at the Sites during the planned subsurface**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

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IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
Hazards and Hazardous Materials (Continued)	**Mitigation Measure #9 (Continued)** **investigations of soil, soil gas and/or groundwater beneath the Sites. Construction impact mitigation measures are described below.** **• Site Control: Site control procedures shall be implemented to control the flow of personnel, vehicles and materials in and out of the Sites while working in known contaminated areas. (Currently, there are no known contaminated areas.) The control measures described below will help control the spread of COPCs.** **• The perimeter of the sites shall be fenced. Access and egress shall be controlled at the appropriate locations. Signs will be posted instructing visitors to sign in at the project support areas at all site entrances.** **• Equipment Decontamination: Contractors whose vehicles and construction equipment contact soil that is suspected of being contaminated shall be required to clean the equipment upon leaving the contaminated area. A decontamination area will be established near the construction exit of each area. Soil will be removed from the equipment and vehicles before leaving the contaminated area. Cleaning methods used may include dry methods, such as brushing, scraping, or vacuuming. If dry methods are not effective, wet methods, such as steam cleaning or pressure-washing, should be used. The contractor will contain, manage, and collect samples of the rinse water for analytical testing by a state certified laboratory prior to appropriate disposal. Decontamination procedures shall be developed and implemented by the construction contractor to minimize the possibility that equipment releases contaminated soil onto public roadways or to on-Site areas containing "clean" cover materials or new paving.** **• Personal Protective Equipment: Personal Protective Equipment (PPE) and clothing shall be used to isolate workers from COPCs and physical hazards. The minimum level of protection for workers coming into direct contact with contaminated materials will be Level D:** **o Coveralls or similar clothing,** **o Reflective safety vests,** **o Work gloves, as necessary,** **o Steel-toed boots,** **o Safety glasses, as necessary,**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

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	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
	Hazards and Hazardous Materials (Continued)	**Mitigation Measure #9 (Continued)** **o Hard hat, and** **o Hearing protection, as necessary.** **• Dust Control: Construction operations will be conducted to minimize the creation and dispersion of dust, including the following measures:** **• Application of water while grading, excavating, and loading, as needed;** **• Limiting vehicle speeds to 15 miles per hour on unpaved portions of the Sites;** **• Minimizing drop heights while loading/unloading soil; and,** **• Soil that is suspected of being contaminated will be covered by an impermeable layer.** **• Additional dust control measures may be identified and implemented by contractors, as necessary, especially if dry and windy conditions persist during periods of earthwork.** **• Compliance with all Bay Area Air Quality Management District rules and regulations.** **• Vertical and Horizontal Preferential Pathways: If development plans include the construction of deep foundations, the foundation of the buildings shall incorporate measures to help reduce the potential for the downward migration of contaminated groundwater. These measures shall be identified in the site-specific geotechnical investigation reports. Appropriate measures shall be implemented to reduce vapor migration through trench backfill and utility conduits. Such measures may include placement of low-permeability backfill "plugs" at intervals on-site and where utilities extend off current parcel boundaries.** **• Storm Water Pollution Controls: A storm water pollution prevention plan (SWPPP) will be required to be prepared for the site. Storm water pollution controls shall be based on best management practices (BMPs), such as those described in "Guidelines for Construction Projects" and "Erosion and Sediment Control Field Manual" published by the San Francisco Regional Water Quality Control Board.**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

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IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
Hazards and Hazardous Materials (Continued)	**Mitigation Measure #9 (Continued)** **• Excavation De-Watering: Although not anticipated, if excavation de-watering is required, the water will be sampled and analyzed prior to pumping to evaluate discharge alternatives. The developer's environmental consultant shall collect a sample of the water for laboratory analyses for COPCs; other analyses may be required, based on the intended disposal or re-use of the water.** **• Additional Soil Management Protocols During Construction Activities: Soil with residual COPCs may be present on-site. Subsurface investigations planned for the Sites will determine the presence or absence of COPCs in soils. Once soils are tested, a Site specific soil management plan (SMP) will be prepared. At the present time, there are no known chemical source areas or areas of soil contamination on either Site. The protocols to be followed in the event that unknown areas of contamination are identified during development are described in this section.** **• Procedures for Discovery of Unknown Areas of Contamination: Site development activities may result in the identification of previously unknown areas or types of contamination. Unknown conditions which may trigger contingency monitoring procedures during site development include, but are not limited to, the following:** **• Oily, shiny, or chemical saturated soils;** **• Soil with a significant chemical or hydrocarbon-like odor; or** **• Significantly discolored soils.** **Upon the discovery of one of the conditions identified above, the contractor will conduct the contingency monitoring. Contingency monitoring, if conducted, will consist of the following steps: If unknown areas of potential discolored soils are encountered, additional analyses should be conducted for the suspected constituents to assess the actual composition of the suspected contamination. A State environmental regulatory agency should be contacted for assistance in determining if additional sampling and potential mitigation is necessary. If the encountered materials are suspected to contain volatile organic chemicals, the following contingency monitoring procedures may**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

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	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
	Hazards and Hazardous Materials (Continued)	**Mitigation Measure #9 (Continued)** **be followed:** **Conduct contingency monitoring by taking organic vapor readings using an organic vapor meter (OVM) or an organic vapor analyzer (OVA) to screen for the presence of fuel, oil, or solvents. If the OVM/OVA indicates that an unknown area of fuel, oil, or solvents has been detected, then a State environmental regulatory agency should be notified to determine if additional sampling is appropriate prior to continuing construction in that area. OVM or equivalent screening methods will be conducted by experienced personnel only.** **If an unknown area of soil contamination has been identified, and the State environmental regulatory agency requests additional characterization, the following steps will be taken:** **o Soil samples will be collected from the identified area and analyzed for the likely COPC, depending on the suspected type of contamination. The sampling strategy will be discussed with a State environmental regulatory agency prior to the initiation of the sampling activities. Analytical results collected from the suspected source will be compared to the health-based screening levels and results discussed with a State environmental regulatory agency. If the levels are below the relevant health-based screening levels and the State environmental regulatory agency concurs, no additional action may be necessary.** **o If the soil contains COPCs at levels that exceed the relevant health-based screening levels, or if the State regulatory agency concludes that an unacceptable risk to construction worker or future residents may be present, then management measures, such as the following, will be undertaken:** **□ Remove the impacted soil and dispose of off-Site;** **□ Install a cap to prevent contact with the contamination;** **□ Install a physical barrier for vapors such as a vapor barrier or passive venting system, to prevent the accumulation of vapors in indoor environment;** **□ Stockpile soil and aerate on-Site, or in a staging area as may be appropriate, in compliance with all applicable laws and regulations;**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

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	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
	Hazards and Hazardous Materials (Continued)	**Mitigation Measure #9 (Continued)** **□ Conduct in situ bioremediation measures; or** **□ Implement liquid or vapor extraction measures.** **The appropriateness of one of the above management measures over another will depend on many factors, such as the type of constituent detected, the size of the identified impacted area, and the estimated cost of implementing the remedy.** **Results of the sampling activities and the proposed course of action, e.g., no action necessary, soil excavation and off-site disposal, on-site treatment and soil reuse, shall be reported to a State environmental regulatory agency and the contractor shall obtain concurrence before implementing the remedial measures. Construction activities in the specific area where the unknown conditions were identified will resume following the completion of the additional sampling activities and the implementation of any required responses.** **Any cleanup or remediation shall be required to meet applicable federal, state and local laws, regulations and requirements.** **• Imported Fill: To minimize the potential introduction of contaminated fill, all imported fill shall have adequate documentation so it can be verified that the fill source is appropriate for the site's intended use. Documentation shall include detailed information on previous land use of the fill source, any Phase I Environmental Site Assessments performed and the findings, and the results of any analytical testing performed. If no documentation is available or the documentation is inadequate or if no analytical testing has been performed, samples of the potential fill material shall be collected and analyzed. The analyses selected shall be based on the fill source and knowledge of the previous land use as determined by the developer's environmental consultant. The sample frequency for potential fill material shall be in accordance with that outlined in the Department of Toxic Substances Control technical document titled, "Information Advisory on Clean Imported Fill Material". The developer's environmental consultant shall approve the use of imported fill.**	City of San Leandro Community Development Department and Environmental Services Division of the Public Works Department	Prior to issuance of Grading Permit

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	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
Hydrology and Water Quality				
6.	Project has the potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge and substantially alter the existing drainage patterns of the site or otherwise substantially degrade water quality.	**#10: Prior to issuance of a grading permit, the project applicant must prepare and implement an erosion and sediment control plan (ESCP) including interim and permanent erosion and sediment control measures, and a pollutant control plan (PCP).**	City Engineer	Prior to issuance of Grading Permit
		#11: Prior to issuance of a grading permit, the project applicant shall file the required documentation to the State Water Resources Quality Board and prepare a Storm Water Pollutant Prevention Plan (SWPPP) which will be reviewed and approved by the City Engineer. The City Engineer must conduct inspections prior to issuing a certificate of occupancy, to ensure that requirements are complied with.	Regional Water Quality Control Board (RWQCB) and City Engineer	Prior to issuance of Grading Permit
		#12: The applicant will comply with applicable waste discharge requirements and municipal code requirements including preparation of a SWPPP for construction activities and compliance with the Alameda Countywide Clean Water Program (ACCWP). These permit programs are designed to prevent violation of water quality standards through mitigation and control of pollutant transport in storm water runoff and infiltrating waters. The City of San Leandro Municipal Code ensures that permit conditions are met.	City Engineer	Prior to Final Map
		#13: Applicant shall be required to demonstrate adequacy of the existing storm drain system to handle existing run-off from the drainage basin as well as run-off from the project, upgrade the storm drain system to handle existing run-off from the drainage basin as well as run-off from the project, or meter run-off from the site so that it leaves the site at the same rate as it currently does.	City Engineer	Prior to Final Map
		#14: Applicant shall remove pollutants from storm water prior to discharging the water from the site per the current NPDES permit.	City Engineer	Prior to Final Map
Noise				
7.	Potential noise/sound impacts.	**#15: All commercial construction shall comply with the City's existing building codes related to sound attenuation.**	City of San Leandro Chief Building Official	Prior to issuance of Building Permit
		#16: All construction activity shall comply with the City's Noise Ordinance (Municipal Code Chapter 4-1, Section 11) so as not to		

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IMPACT		MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
		make or cause disturbing, excessive or offensive noise which causes annoyance or discomfort to persons		
Public Services				
8.	Project will result in substantial physical impacts associated with 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.	**#17: The minimum levels of service standards for police and fire response times shall be maintained in accordance with General Plan Policy 45.01.** **#18: The applicant shall incorporate lighting, landscaping and other design features that reduce the potential for crime and facilitate rapid response to emergency calls in accordance with General Plan Policy 45.06.**	City of San Leandro Community Development Department City of San Leandro Community Development Department	Prior to Final Map Prior to Final Map
Transportation/Traffic				
9.	Project ingress/egress design would exacerbate the already unacceptable level of service at San Leandro Boulevard and Parrott Street during the PM peak period. Because the San Leandro Boulevard/Parrott Street intersection operates at LOS F under existing conditions, it is considered an existing deficiency.	**#19: The significant impact at this intersection during the PM peak hour can be mitigated by restriping the eastbound approach to be two lanes, a shared left through lane and a shared through-right lane. These improvements would occur within the existing right-of-way. This mitigation measure results in the intersection operating at LOS E during the PM peak-hour. Therefore, this impact is less than significant.**	City Traffic Engineer	Prior to Final Map
Utilities and Service Systems				
10.	Project will require construction of new water or wastewater facilities, storm water drainage facilities and result in a determination by the wastewater treatment provider which serves the project that it has adequate capacity.	**#20: The applicant shall promote the efficient use of existing water supplies through a variety of water conservation measures, including evaluating the potential for the use of recycled water for landscaping in accordance with General Plan Policy 27.02.** **#21: The applicant shall conserve water through the use of such measures as low-flow plumbing fixtures and water-saving appliances in accordance with General Plan Policy 27.04.** **#22: The applicant shall be required to pay its fair share of the cost of improving the water, sewer, drainage and other**	City Engineer City of San Leandro Chief Building Official City Engineer	Prior to issuance of Grading Permit Prior to issuance of Building Permit Prior to issuance of Building Permit

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	IMPACT	MITIGATION REQUIRED	MONITORING RESPONSIBILITY	TIMING
		infrastructure systems needed to serve the development through use fees or other appropriate forms of mitigation in accordance with General Plan Policy 52.02.		
Added per Public Utilities Commission				
11.	Project is within the proximity of active railroad tracks.	**#23: American Disabilities Act (ADA)–compliant Detectable Warning Devices (Truncated Domes), bike lanes, pedestrian channelization barriers and swing gates shall be installed at the Davis Street crossing (DOT#749728V). Fencing the railroad right-of-way must be considered in order to prevent pedestrians from crossing the railroad tracks in unsafe locations.** **#24: ADA detectable warning devices are to be installed on all sidewalks approaches near the Davis Street crossing in the proximity of the project site (DOT#834250S). In addition, fencing the railroad right-of-way must be considered in order to prevent pedestrians from crossing the railroad tracks in unsafe locations.** **#25: Improve the Alvarado Street crossing (DOT#912075T) by adding pedestrian channelization barriers and swing gates.** **#26: ADA detectable warning devices are to be installed on all sidewalks approaches near the Thornton Street crossing in the proximity of the project site (DOT#834254U). In addition, parking shall be restricted within 70 feet of the railroad crossing.** **#27: ADA detectable warning devices are to be installed on all sidewalks approaches near the Parrott Street crossing in the proximity of the project site (DOT#834253M). In addition, parking shall be restricted within 70 feet of the railroad crossing.** **#28: Pavement markings and signage on the proximal railroad crossings are to be verified that they are in compliance with the California Manual on Uniform Traffic Control Devices.**	City Engineer and Public Utilities Commission, Rail Crossings Engineering Section, Safety and Enforcement Division Public Utilities Commission, Rail Crossings Engineering Section, Safety and Enforcement Division	Prior to Final Map Prior to Certificate of Occupancy
Reserved				
12.	Intentionally left blank	Column was not used	Intentionally left blank	Column was not used