CITY OF HAYWARD

MISSION SENIORS PROJECT

CEQA INFILL CHECKLIST

Prepared for:
CITY OF HAYWARD
777 B STREET
HAYWARD, CA 94541

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NOVEMBER 2017

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ABAG	Association of Bay Area Governments
APN	Assessor's Parcel Number
BAAQMD	Bay Area Quality Management District
BART	Bay Area Rapid Transit
BLM	Bureau of Land Management
BMP	best management practice
Cal-OSHA	California Occupational Health and Safety Administration
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CO	carbon monoxide
CO_2e	carbon dioxide equivalents
dBA	A-weighted decibel
DOC	California Department of Conservation
EIR	Environmental Impact Report
EPA	US Environmental Protection Agency
FTA	Federal Transit Administration
GHG	greenhouse gas
ITE	Institute of Transportation Engineers
LOS	level of service
mgd	million gallons per day
mph	miles per hour
MTC	Metropolitan Transportation Commission
NO_2	nitrogen dioxide
NOx	nitrous oxide
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center
OHP	California Office of Historic Preservation
O_3	ozone
PM	particulate matter
PM_{10}	coarse particulate matter
$PM_{2.5}$	fine particulate matter
ppm	parts per million
ROG	reactive organic gas
SB	Senate Bill
SCS	Sustainable Communities Strategy
SEIR	Supplemental Environmental Impact Report
SFBAAB	San Francisco Bay Area Air Basin
SO_2	sulfur dioxide
SR	State Route
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TPP	Transportation Priority Area
USFWS	US Fish and Wildlife Service
USGS	US Geological Survey
VdB	vibration decibel
VMT	vehicle miles traveled

1.0 Introduction

1.1 INTRODUCTION AND REGULATORY GUIDANCE

The City of Hayward developed the South Hayward Bay Area Rapid Transit (BART)/Mission Boulevard Form-Based Code to establish the framework for private and public improvements in the form-based code area. The form-based code covers an approximately 240-acre irregular linear-shaped area centered on the South Hayward BART station and Mission Boulevard. The form-based code aims to ensure neighborhoods and transit-oriented development are compact, pedestrian oriented, and mixed use, where ordinary activities of daily living occur within walking distance of most dwellings.

On September 13, 2011, the Hayward City Council certified the South Hayward BART/Mission Boulevard Form-Based Code Supplemental EIR (SEIR). This document tiered from the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR and the 2009 Route 238 Bypass Land Use Study Program EIR.

This document contains an Infill Checklist that tiers off the South Hayward BART/Mission Boulevard Form-Based Code SEIR. The checklist concludes that the Mission Seniors project would not have any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, the California Environmental Quality Act (CEQA) does not apply to such effects. The Infill Checklist has been prepared in accordance with Public Resources Code Section 21000 et seq. and the CEQA Guidelines, California Code of Regulations Section 15000 et seq.

An infill checklist is prepared by a lead agency to streamline the environmental review process for eligible infill projects by limiting the topics subject to review at the project level where the effects of infill development have been addressed in a planning-level decision or by uniformly applicable development policies. In accordance with CEQA Guidelines Section 15183.3, if the infill project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects are subject to CEQA. With respect to the effects that are subject to CEQA, the lead agency is to prepare an infill EIR if the written checklist shows that the effects of the infill project would be potentially significant.

SENATE BILL 743

Senate Bill (SB) 743, enacted in 2013, amended CEQA to provide that "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." Aesthetics and parking will no longer be considered in determining if a project has the potential to result in significant environmental effects, provided a project meets the following three criteria:

1. The project is in a transit priority area;[1] and

[1] A transit priority area is defined as an area that is within 0.5 mile of a major transit stop that is existing or planned (if the project is scheduled to be completed within the planning horizon included in an adopted federal Transportation Improvement Program), per Public Resources Code Section 21099(a)(7).

2. The project is on an infill site;[2] and

3. The project is residential, mixed-use residential, or an employment center.

The project meets these criteria, as it is within 0.5 mile of the South Hayward BART Station, is located in an urban area that has previously been developed, and is a residential project. Because of the project's consistency with SB 743 criteria, aesthetics issues are not considered to be impacts under CEQA and are not addressed in this Infill Checklist.

1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." Based on the criteria above, the City of Hayward (City) is the lead agency for the project.

1.3 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this Infill Checklist is to evaluate the project's potential environmental impacts. This document is divided into the following sections:

1.0 Introduction – This section provides an introduction and describes the purpose and organization of the document.

2.0 Project Information – This section provides general information regarding the project, including the project title, lead agency and address, contact person, brief description of the project location, General Plan land use designation, and zoning district, prior environmental document and its location, identification of surrounding land uses, and identification of other public agencies whose review, approval, and/or permits may be required. This section also includes an explanation as to how the project satisfies the CEQA Appendix M performance standards for use of an infill checklist. This section concludes with a list of the environmental factors that are potentially affected by the project and what CEQA document is required for compliance.

3.0 Project Description – This section describes the proposed project in detail.

4.0 Infill Checklist – This section describes the environmental setting and an overview for each of the environmental subject areas. It evaluates a range of impacts as compared to the certified South Hayward BART/Mission Boulevard Form-Based Code SEIR as "Significant Impact," "Less Than Significant or Less Than Significant with Mitigation Incorporated," "No Impact," "Analyzed in the Prior EIR" and "Substantially Mitigated by Uniformly Applicable Development Policies" in response to the environmental checklist.

5.0 References – This section lists documents, websites, people, and other sources consulted during the preparation of this infill checklist.

[2] An infill site is defined as a lot located in an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from parcels that are developed with qualified urban uses, per Public Resources Code Section 21099(a)(4).

1.4 EVALUATION OF ENVIRONMENTAL IMPACTS

Section 4.0, Environmental Checklist, is the analysis portion of this infill checklist. The section evaluates the project's potential environmental impacts. Section 4.0 includes 17 environmental issue subsections, including CEQA Mandatory Findings of Significance. The environmental issue subsections, numbered 1 through 17, consist of the following:

1. Agriculture and Forestry Resources
2. Air Quality
3. Biological Resources
4. Cultural Resources
5. Geology and Soils
6. Greenhouse Gases
7. Hazards and Hazardous Materials
8. Hydrology and Water Quality
9. Land Use and Planning
10. Mineral Resources
11. Noise
12. Population and Housing
13. Public Services
14. Recreation
15. Transportation/Traffic
16. Utilities and Service Systems
17. Mandatory Findings of Significance

Each environmental issue subsection is organized in the following manner:

As necessary, **Setting** sections were included to summarize the existing conditions at the regional, subregional, and local levels and identify applicable plans and technical information for the particular issue area.

The **Environmental Checklist and Discussion** provides a detailed discussion of each environmental issue checklist question. The level of significance for each topic is determined by considering the predicted magnitude of the impact. Five levels of impact significance are evaluated in this Infill Checklist:

Significant Impact: An impact that was not identified in the SEIR and may have a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project" (CEQA Guidelines Section 15382).

Less Than Significant or Less Than Significant with Mitigation Incorporated: The impact would not result in a substantial adverse change in the environment or is an impact that may have a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project" (CEQA Guidelines Section 15382). However, the incorporation of mitigation measures that are specified after analysis would reduce the project-related impact to a less than significant level.

No Impact: No project-related impact on the environment would occur with project development for a new specific effect that was not addressed in the prior EIR and that is specific to the infill project or the infill project site.

Analyzed in the Prior EIR: Effects of the infill project were analyzed in a prior EIR. Project-related impacts on the environment would be the same as or less than determined in the SEIR.

Substantially Mitigated by Uniformly Applicable Development Policies: Uniformly applicable development policies or standards will substantially mitigate new specific project effects or

more significant effects. "Substantially mitigate" means that the policy or standard will substantially lessen the effect but not necessarily below the level of significance (CEQA Guidelines Section 15183.3).

Mitigation and avoidance measures from the South Hayward BART/Mission Boulevard SEIR are referenced in this document and are contained in **Appendix F**.

2.0 PROJECT INFORMATION

1. **Project title:** Mission Seniors

2. **Lead agency name and address:** City of Hayward
777 B Street
Hayward, CA 94541

3. **Contact person and phone number:** Jeremy W. Lochirco, Principal Planner
Planning Division
City of Hayward
(510) 583-4239

4. **Project location:** The project site is located at 29312 Mission Boulevard and 794 Overhill Drive (Assessor's Parcel Numbers [APNs] 78C-455-1-8, 78C-455-1-5, 78C-455-2, and 83-275-2-7).

5. **Project sponsor's name and address:** Dahlin Group
Contact: Glen Simmons
5865 Owens Drive
Pleasanton, CA 94588
(925) 251-7224

6. **General Plan designation:** Sustainable Mixed Use and Limited Medium Density Residential

7. **Zoning:** T4 Urban General Zone (S-T4) and Single Family Residential (RSB10)

8. **Prior environmental document:** South Hayward BART/Mission Boulevard Form-Based Code Supplemental Environmental Impact Report (State Clearinghouse Number 2005092093)

9. **Location of prior environmental document:** City of Hayward
777 B Street
Hayward, CA 94541

10. **Project description:** The project would demolish the existing buildings on the property and construct 200 multifamily units and 3 single-family residences.

11. **Surrounding land uses and setting:** The project site is in an urbanized environment with commercial and single-family residential structures.

12. **Other public agencies whose approval is required:** None

SATISFACTION OF APPENDIX M PERFORMANCE STANDARDS

1. *Does the non-residential project include a renewable energy feature?*

   This is a residential project. Therefore, this performance standard is not applicable.

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

   The project site is not included on a list compiled pursuant to Section 65962.5 of the Government Code.

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

   Pursuant to Section 10-24.296, Air Quality Mitigation Measures, of the South Hayward BART/Mission Boulevard Form-Based Code, properties located within 500 feet of the curb line of Mission Boulevard are required to implement the mitigation measures listed below (Hayward 2011a).

   a. Indoor Air Quality. All new development, or existing development involving a use change to one that would be occupied by sensitive receptors, shall implement all of the features below, except as may be modified by Section 10-24.296 (c).

      i. Existing or new buildings to be occupied by sensitive receptors shall include and maintain in good working order a central heating and ventilation (HVAC) system or other air intake system in the building, or in each individual unit, that meets or exceeds an efficiency standard of MERV 13 or equivalent. The HVAC system shall include installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building.

      ii. Project applicants shall maintain, repair and/or replace HV system on an ongoing and as needed basis according to manufacturer specifications. For developments which are leased, sold or otherwise not maintained by the initial project developer, an operation and maintenance manual for the HVAC system shall be prepared. The manual shall include the operating instructions and the maintenance and replacement schedule. The Planning Director shall identify an appropriate filing location for the manual, which may include, but is not limited to, the project conditions, covenants and restrictions (CC&Rs), County recorder, or City development permit file.

      iii. The HVAC system or other air intake system required above, shall be submitted to the Planning Director for review and action prior to the issuance of a demolition, grading, or building permit.

b. Outdoor Air Quality. To the maximum extent practicable, individual and common exterior open space (e.g., playgrounds, patios, and decks) proposed as a part of developments within 500 feet of the curb line of Mission Boulevard and associated with sensitive receptors, shall either be shielded from air pollution originating at Mission Boulevard by buildings or otherwise buffered to further reduce air pollution for project occupants.

c. Compliance with Sections 10-24.296(a) and (b) above shall not be required or may be modified when all the following occur:

   i. A development project applicant submits to the Planning Director a Health Risk Assessment (HRA) prepared by a qualified air quality consultant in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements.

   ii. The HRA demonstrates that indoor and outdoor air quality can be maintained within currently applicable health risk standards of the Bay Area Air Quality Management District.

d. An HRA submitted in accordance with Section 10-24.296(c), must be approved by the Planning Director prior to issuance of a demolition, grading, or building permit.

e. The Planning Director may require review and approval of the HRA prior to scheduling discretionary permits (e.g. Site Plan Review, Conditional Use Permit) for public hearing.

f. The Development Services Department may require, at the applicant's sole expense, an independent review of the HRA by a qualified consultant.

g. An HRA submitted in accordance with Section 10-24.296(c), shall be subject to Planning Director review and action.

h. Sensitive receptors include, but are not limited to, residences, schools and school yards, parks and play grounds, daycare centers, nursing homes, and medical facilities. Residences may include, but are not limited to, houses, apartments, and senior living complexes. Medical facilities may include, but are not limited to, hospitals, convalescent homes, and health clinics. Playgrounds may be, but are not limited to, play areas associated with parks or community centers.

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

☐ Located within a low vehicle travel area, as defined in Appendix M. (Attach VMT map.)

☒ Located within 1/2 mile of an existing major transit stop or an existing stop along a high quality transit corridor. (See **Figure 3-2** illustrating proximity to transit.)

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

5. *For commercial projects with a single building floor-plate below 50,000 square feet, the project satisfies which of the following?*

   This is a residential project. Therefore, this performance standard is not applicable.

6. *For office building projects, the project satisfies which of the following?*

   This is a residential project. Therefore, this performance standard is not applicable.

7. *For school projects, the project satisfies which of the following?*

   This is a residential project. Therefore, this performance standard is not applicable.

8. *For small walkable community projects, the project must be a residential project that has a density of at least eight units to the acre or a commercial project with a floor area ratio of at least 0.5, or both.*

   Although project density would be greater than 8 units to the acre, the project is not a small walkable project. Therefore, this performance standard is not applicable.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The infill project could potentially result in one or more of the following environmental effects.

☐ Agriculture Resources	☐ Air Quality	☐ Biological Resources
☐ Cultural Resources	☐ Geology and Soils	☐ Greenhouse Gases
☐ Hazards and Hazardous Materials	☐ Hydrology and Water Quality	☐ Land Use and Planning
☐ Mineral Resources	☐ Noise	☐ Population and Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Tribal Cultural Resources	☐ Utilities and Service Systems	☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the lead agency)

On the basis of this initial evaluation:

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

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

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

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

Signature	Date
Jeremy W. Lochirco	City of Hayward
Printed Name	Lead Agency
Principal Planner	
Title	

3.0 Project Description

3.1 PROJECT LOCATION

The project site is located on the northeast side of Mission Boulevard at 29312 Mission Boulevard and 794 Overhill Drive between Industrial Parkway and Tennyson Road. Mission Boulevard (State Route 238) is a major arterial route in Hayward that carries traffic between Fremont to the south and Castro Valley to the north. Two single-family residences are adjacent to the project site to the east and northeast. An auto repair and sales business is adjacent to the project site to the west. All other land adjacent to the project site is undeveloped. Areas along Mission Boulevard in the project vicinity contain a variety of commercial businesses, multi-family housing, and religious facilities. Areas along Overhill Drive to the northeast contain single-family residences.

The project site consists of four parcels totaling 5.58 acres in Hayward. The project's Assessor's Parcel Numbers (APNs) are 78C-455-1-8, 78C-455-1-5, 78C-455-2, and 83-275-2-7. The project site is east of Interstate 880 and west of Interstate 680 (**Figure 3.1, Regional Vicinity**). It is within 0.50 mile of the South Hayward Bay Area Rapid Transit (BART) station.

3.2 EXISTING AND SURROUNDING LAND USES

The project site contains nine buildings, which range in size from 110 to 6,133 square feet (**Figure 3.2, Project Site**). The portion of the site closest to Mission Boulevard includes all the site's buildings and has been graded and paved or covered with gravel for the purposes of vehicular access. Buildings include large commercial structures and residential structures. The portion of the site adjacent to Overhill Drive has not been previously developed. It is gently sloped, contains native vegetation, and is surrounded by urban development. In total, 25 trees either canopy over the site or are located on the site.

The project site is adjacent to vacant properties that have been graded and paved or covered with gravel for the purposes of vehicular access to the north, south, and west. It is adjacent to single-family residences to the east and northeast.

According to the Hayward 2040 General Plan (2014b), three of the parcels that make up the project site are designated Sustainable Mixed Use, with the fourth parcel designated Limited Medium Density Residential. Adjacent land use designations are Sustainable Mixed Use to the north and south, Suburban Density Residential to the east, and Parks and Recreation to the west. Three of the parcels are zoned T4 Urban General Zone (S-T4), with the fourth parcel zoned Single Family Residential (RSB10).

PROJECT SITE HISTORY

The project site history is based on information from the project's Phase I Environmental Site Assessments, prepared by Cornerstone Earth Group (2015 and 2016). Parcel 78C-455-2 was developed with two structures in 1946 (Cornerstone Earth Group 2016). Aerial photographs from 1958 show a large residential structure and adjacent garage on the property. Additional residential structures and ancillary structures were added to the property in the 1990s or 2000s. The other three parcels were used for agricultural activities starting in the 1930s and 1940s (Cornerstone Earth Group 2015). A large structure, a residential structure, and a shed were visible on these properties in 1958, with the northeastern approximately two-thirds of the site undeveloped. Two additional structures were built on the site in the 1960s, and commercial tenants began to occupy the property. The 1960s building layout is similar to what exists today, with approximately one-half of the site undeveloped.

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FIGURE 3.1
Regional Vicinity

Michael Baker INTERNATIONAL

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Figure 3.2
Project Site

Michael Baker INTERNATIONAL

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3.3 PROJECT OVERVIEW

The project would demolish the existing buildings on the site and construct 200 multifamily units and 3 single-family residences. **Figure 3.3, Proposed Site Plan,** shows the project site plan, **Figure 3.4, Pedestrian Circulation**, shows pedestrian pathways and sidewalks on and adjacent to the site, and **Figure 3.5, Proposed Building Perspective,** shows a perspective of the project from Mission Boulevard. The project plans are included in **Appendix A**.

SINGLE-FAMILY DEVELOPMENT

The project's three single-family residences would be accessed from Overhill Drive. Each residence would be two stories and 4,063 square feet (including garages) on lots measuring 10,697 to 10,948 square feet. Residential lot coverage would be 40 percent, and maximum building height would be 30 feet. This portion of the project, which would be located outside of the South Hayward BART/Mission Boulevard Form-Based Code area, would be built at a density of 4.0 dwelling units per acre.

MULTIFAMILY DEVELOPMENT

Multifamily units would be constructed in three buildings: Building A, Building B, and Building C. **Table 3.0-1** includes breakdowns of the number of stories, area, and units for each building.

TABLE 3.0-1
DEVELOPMENT SUMMARY

Building	Stories	Area (sf)	Units
Building A	4 stories	96,934	58
Building B	2, 3 & 4 stories	196,123	90
Building C	3 & 4 stories	101,311	52
Total	**n/a**	**394,368**	**200**

Source: Dahlin Group 2017
Note: sf = square feet

Site improvements around the proposed buildings would include a 26-foot-wide road, bioretention areas, trash and recycling locations, perimeter fencing, retaining walls, underground utilities, and an entry sign. The project would include the following public amenities: a pedestrian corridor and bike lane, a bike repair station, bike parking, benches, and a drop-off zone. The project would include the following private amenities: fountain, wellness path, vegetable garden, orchard tree garden, mobility scooter parking, ridesharing parking stalls, and pedestrian connections to adjacent properties. Additionally, the project would include the amenities shown in **Table 3.0-2**.

Units would be one bedroom, two bedrooms, and three bedrooms, ranging in size from 829 to 1,701 square feet. The density for this portion of the project would be 41.7 dwelling units per acre with a floor area ratio of 1.89[1] for the multi-family portion of the project. Individual buildings would have a maximum height of 57 feet. However, the project would reach a maximum height of 133

[1] Calculation: 394,368 square feet of building area on 209,183 square feet of site area

feet 4 inches above ground level (measured from Mission Boulevard to the highest point of Building C).

TABLE 3.0-2
COMPREHENSIVE LIST OF AMENITIES

Building	Indoor Amenity	Area (sf)	Outdoor Amenity	Area (sf)
Building A	Lobby	632	Outdoor Lounge Sitting	1,739
	Guest Suite	1,716	Raised Planters	205
	Medical Consultation Room	308	Bike Racks (Short-Term Parking)	
	Mail Room	200		
	Manager's Office	191		
	Manager's Unit	834		
	Parcel Room	245		
	Public Restroom	114		
	Bicycle Storage	165		
Building B	Temp Sales Office/Future Amenity	954	Decorative Fountain	
	Lobby	3,412	Pool & Pool Deck	4,768
	Mail Room	217	Outdoor Lounge Sitting & Shaded Sitting	8,808
	Workshop	1,285	Vegetable Garden	528
	Bicycle Storage	519	Raised Planters	1,975
	Auditorium	2,547	Bike Racks (Short-Term Parking)	
	Dining Room	4,351		
	Kitchen	3,122		
	Activity Room	812		
	Fitness	805		
	Hair Salon	213		
	Jacuzzi & Massage Room	391		
	Shower	235		
	Locker Room	364		
	Dog Wash Area	254		
Building C	Lobby	333	Pickle-Ball Court	945
	Mail Room	259	Cabana & Lounge Sitting	3,865
	Bicycle Storage	192	Vegetable Garden	1,096
			Bike Racks (Short-Term Parking)	

Source: Dahlin Group 2017
Note: sf = square feet

PROJECT SITE CIRCULATION

Pedestrian access would be provided next to the property's Mission Boulevard frontage, adjacent to Overhill Drive (for the single-family residences), down from Overhill Drive to Mission Boulevard, and through a public pedestrian passage running northwest to southeast between Buildings A and B. Vehicle access would be via a driveway on Mission Boulevard that connects to a 26-foot-wide road within the project and Overhill Drive (for the single-family residences).

LIGHTING

The project would install new streetlights on Mission Boulevard and Overhill Drive and interior post-mounted lighting, bollard lighting, and wall-mounted lighting. Lighting would be installed along the project road and parking areas, along pedestrian pathways, and on buildings and building patios as shown in **Figure 3.6, Lighting Plan**.

UTILITIES

The project would be connected to existing water, sewer, and electrical lines. The project would utilize water from the City of Hayward, which operates its own water distribution system and purchases its water from the San Francisco Public Utilities Commission (Hayward 2014a). The project would also be served by the City of Hayward for sanitary sewer service. The City's Utilities and Environmental Services Division provides weekly garbage collection and disposal services through a franchise agreement with Waste Management, Inc. The project would connect to public service providers' infrastructure. Trash would be collected from on-site trash collection areas.

STORMWATER

The project site drains to the southwest toward Mission Boulevard. Stormwater from the project's roofs and pavement/walkways would be directed into planter boxes, bioretention areas, and self-retaining areas, including an underground detention facility. The storm drain would connect to the existing 12-inch storm drain pipe that runs under Mission Boulevard, as shown in **Figure 3.7, Stormwater Control Plan**.

PROJECT DESIGN FEATURES

Project design features would include:

- Supplemental stability analysis to estimate and address any potential risk of construction-related slope stability.
- Slabs-on-grade with sufficient reinforcement and support on a layer of non-expansive fill.
- Footings that extend below the zone of seasonable moisture fluctuation.
- Positive drainage away from buildings.
- Limitations on landscape watering.
- Removal of the small quantities of hazardous materials observed during Cornerstone Earth Group's site visit for appropriate disposal or recycling.

- Documentation of the source and quality of any imported soil.
- Evaluation of the geotechnical and environmental quality of the fill material reportedly used during backfilling of underground storage tanks on the site.
- Preparation of a Site Management Plan and Health Safety Plan to establish appropriate management practices, as detailed in the 2015 Cornerstone Earth Group Phase I Environmental Site Assessment.
- Removal of asbestos-containing materials by an appropriately licensed asbestos contractor prior to building demolition.

BEST MANAGEMENT PRACTICES

The project would implement the following best management practices:

- No pets or firearms would be allowed on the project site.
- All trash that may attract predators would be properly contained and removed from the work site. All such debris and waste would be picked up daily and properly disposed of at an appropriate site.
- All refueling, maintenance, and staging of equipment and vehicles would occur at least 100 feet from any wetland or city stormwater system. A plan would be in place for prompt and effective response to any accidental spills prior to the onset of work activities. All workers would be informed of the appropriate measures to take should an accidental spill occur.
- To control sedimentation during and after project implementation, appropriate erosion control best management practices (i.e., use of coir rolls, jute netting, etc.) would be implemented to control and prevent runoff from entering any drainage. No plastic monofilament netting would be utilized on-site.
- All vehicles and equipment would be in good working condition and free of leaks.
- Work would be restricted to daylight hours.
- A qualified wildlife biologist would conduct preconstruction surveys to determine presence/absence of breeding or wintering burrowing owl burrows no fewer than 14 days prior to ground-disturbing activities. The project would also include preconstruction bat surveys.
- Off-road diesel-powered equipment would have engines with more than 50 horsepower CARB Tier 3 certified or better.
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site will be covered.

- All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

- All vehicle speeds on unpaved roads is limited to 15 mph.

- All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used.

- Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations).

- Clear signage will be provided for construction workers at all access points.

- All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified visible emissions evaluator.

- A publicly visible sign will be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The air district's phone number will also be visible to ensure compliance with applicable regulations.

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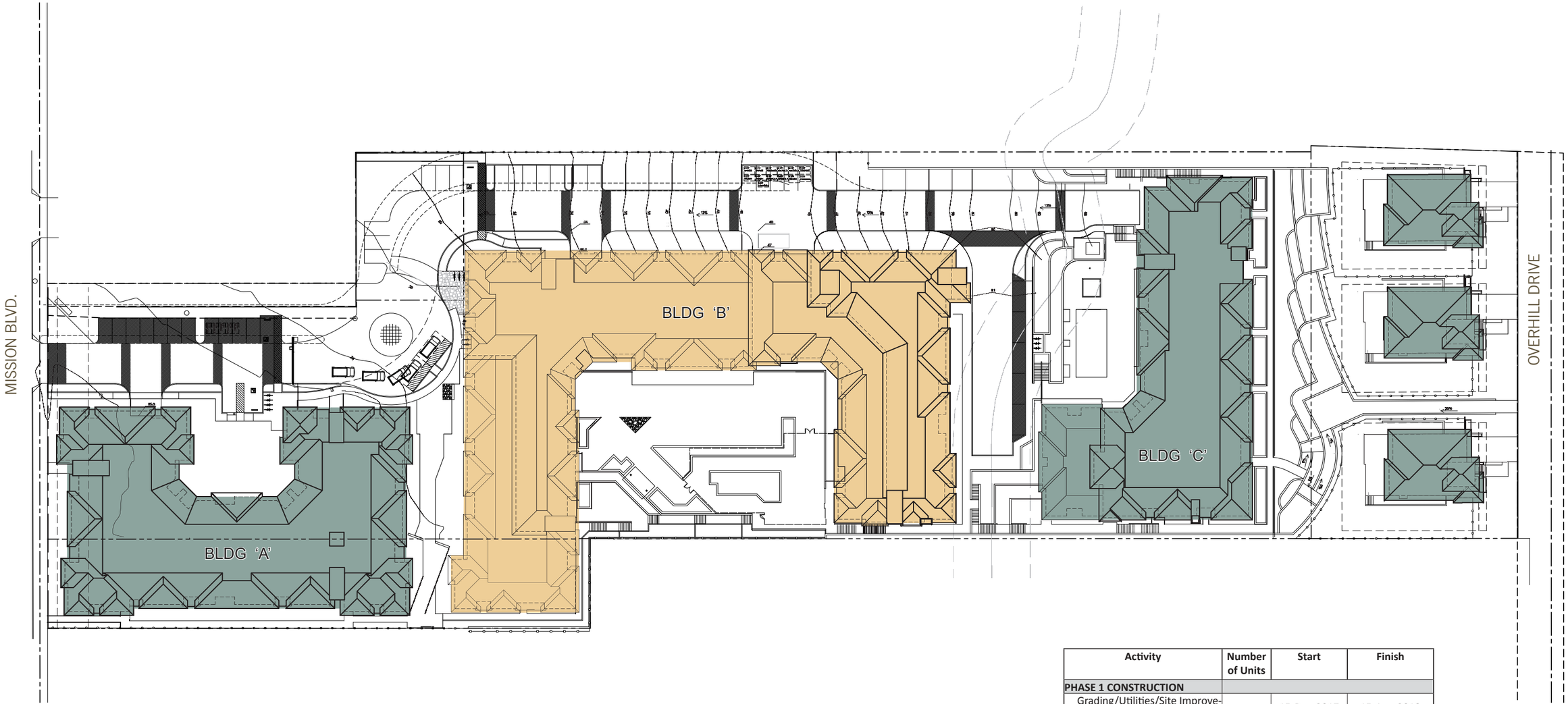

Activity	Number of Units	Start	Finish
PHASE 1 CONSTRUCTION			
Grading/Utilities/Site Improvements/Foundations(A,B, &C)	-	15-Dec-2017	15-Aug-2018
PHASE 2 CONSTRUCTION			
Superstructure "B"	90	15-Mar-2018	15-Mar-2019
PHASE 3 CONSTRUCTION			
Superstructures "A", "C" and SF Homes	113	15-Sep-2018	13-Sep-2019

Source: Dahlin Group Architecture, 2017

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FIGURE 3.3
Proposed Site Plan

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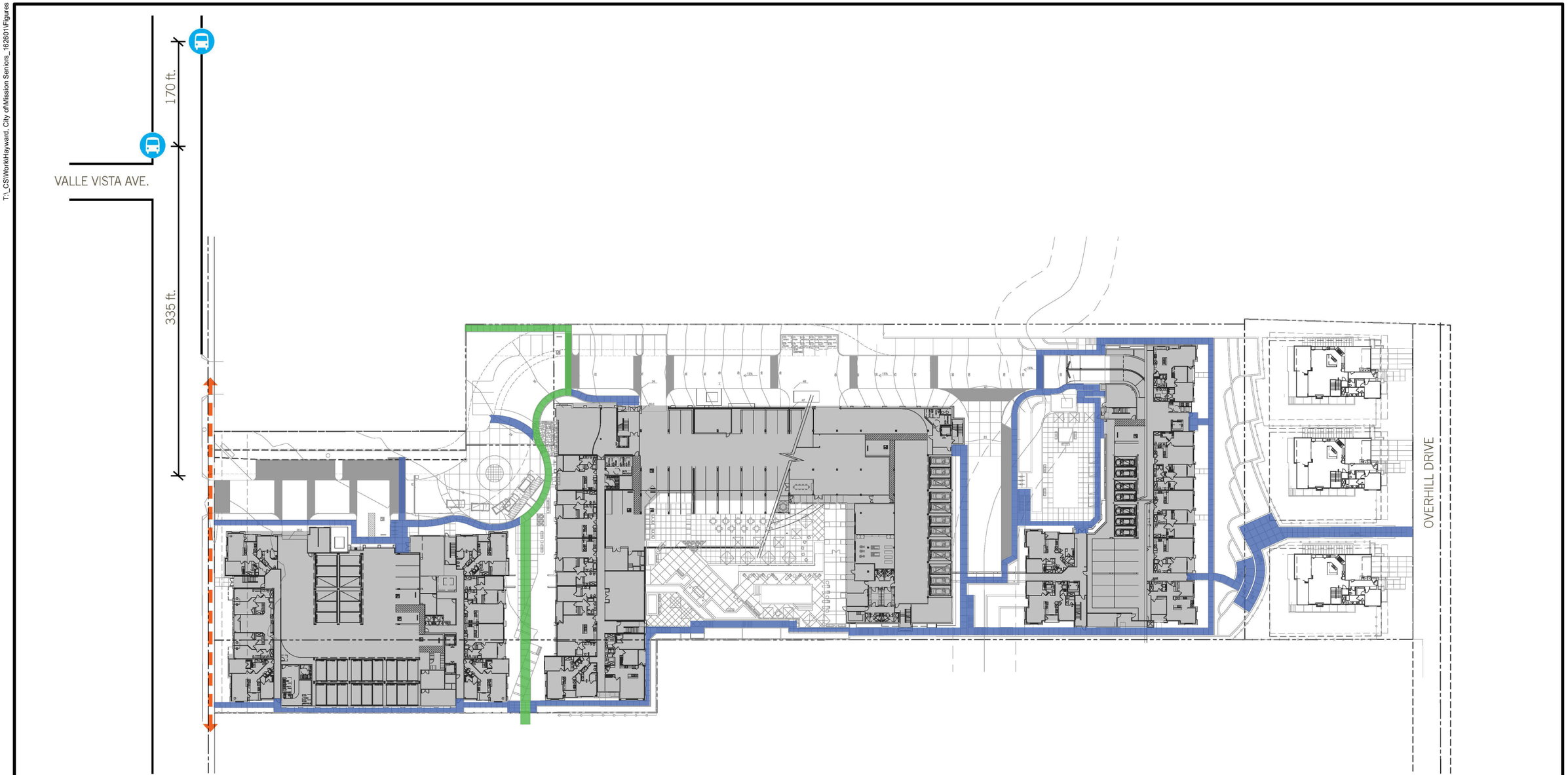

Source: Dahlin Group Architecture, 2017

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FIGURE 3.4
Pedestrian Circulation

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Source:

Not To Scale

FIGURE 3.5
Proposed Building Perspective

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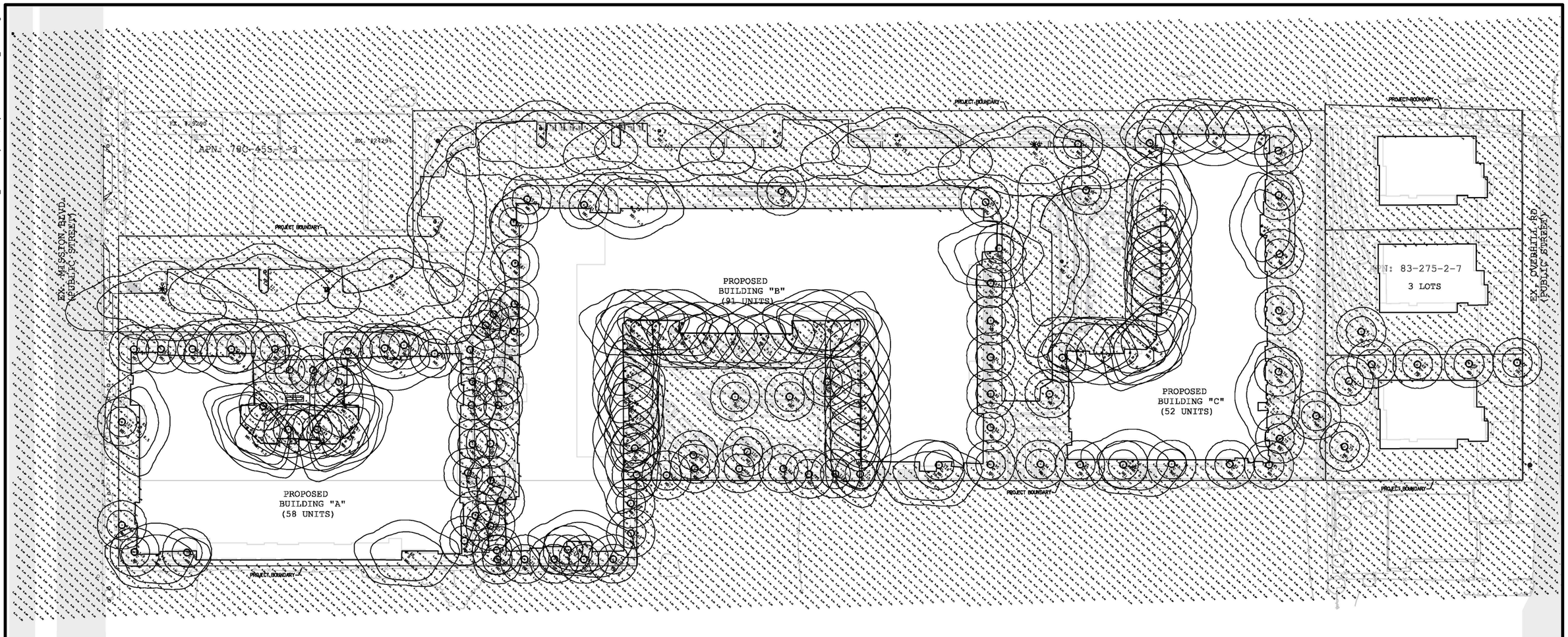

Luminaire Schedule										
Symbol	Qty	Label	Arrangement	LLF	Description	Arm	Tag	Lum. Watts	Lum. Lumens	BUG Rating
	10	A	SINGLE	0.850	CE21T4B-FGC-3MHS-60W-4K	0	Paseo 60W	67	5014	B1-U0-G2
	56	B	SINGLE	0.850	Wall Pack	0	Wall Pack 47W	52.86	4503	B1-U1-G1
	98	C	SINGLE	0.850	CBM1210C-CAP-5-35W-4K	0	Bollard 35W	42	1094	B1-U3-G1

Calculation Summary							
Label	CalcType	Units	Avg	Min	Max	Avg/Min	Max/Min
Area	Illuminance	Fc	0.83	0.00	30.35	N.A.	N.A.
Building A Patio	Illuminance	Fc	6.60	0.33	26.79	20.00	81.18
Building B Patio	Illuminance	Fc	4.52	0.01	30.35	452.00	3035
Central Path	Illuminance	Fc	1.86	0.37	5.13	5.03	13.86
Street & Parking Spaces	Illuminance	Fc	1.03	0.13	7.61	7.92	58.54

Source: Tarrar Utility Consultants, 2017

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FIGURE 3.6
Lighting Plan

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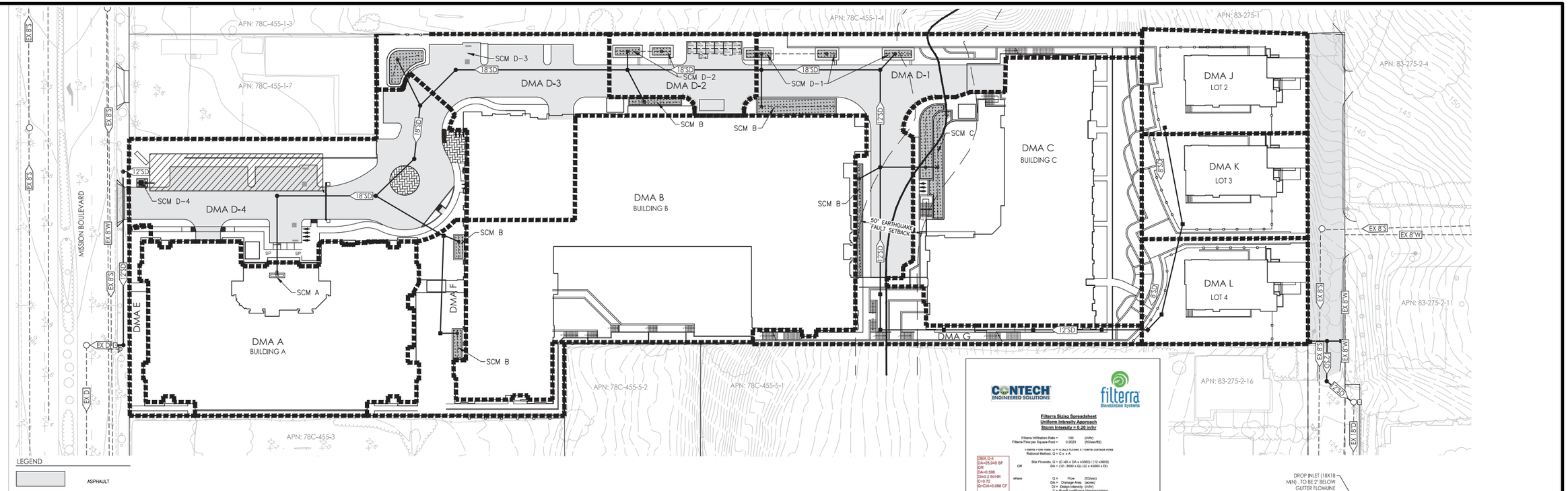
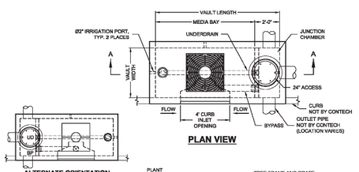


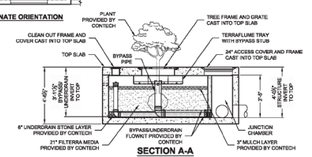
LEGEND

- ASPHAULT
- BIORETENTION AREA
- DMA BOUNDARY
- DMA — DRAINAGE MANAGEMENT AREA
- SCM — STORMWATER CONTROL MEASURE
- 140' X 30' X 4.5' DEEP UNDERGROUND DETENTION FACILITY STORMTRAP OR EQUIVALENT
- CONTECH 4 CARTRIDGE CATCHBASIN STORMFILTER (18") OR EQUIVALENT (SPECIFICATIONS TO BE PROVIDED BY CONTECH DURING PREPARATION OF CONSTRUCTION DOCUMENTS)

DRAINAGE MANAGEMENT AREA	PAVEMENT/ WALKWAY (SF)	ROOF (SF)	TOTAL IMPERVIOUS (SF)	TOTAL PERVIOUS (SF)	TOTAL EFFECTIVE DRAINAGE AREA (SF)	REQUIRED TREATMENT AREA (SF)	TREATMENT TYPE
DMA A	-	28,455	28,455	-	28,455	-	MEDIA FILTER[2] SCM A
DMA B	-	53,551	53,551	-	53,551	1690[1]	PLANTER BOX SCM B
DMA C	-	34,305	34,305	-	34,305	1,416[1]	PLANTER BOX SCM C
DMA D-1	10,398	-	10,398	9,536	11,352	342[1]	BIORETENTION SCM D-1
DMA D-2	4,600	-	4,600	2,107	4,811	210[1]	BIORETENTION SCM D-2
DMA D-3	16,184		16,184	3,588	16,543	478[1]	BIORETENTION SCM D-3
DMA D-4	16,079	-	16,079	9,866	17,066	-	FILTERRA [2] SCM D-4
DMA E	360	-	360	2,150	2,510	-	SELF-RETAINING [4]
DMA F	2,968	-	2,968	4,927	7,895	-	SELF-RETAINING [4]
DMA G	2,405	-	2,405	3,684	6,089	-	SELF-RETAINING [4]
DMA J	-	5,551	5,551	5,550	11,101	222[3]	ON-LOT BIORETENTION
DMA K	-	5,685	5,685	5,685	11,370	227[3]	ON-LOT BIORETENTION
DMA L	-	5,687	5,687	5,687	11,374	227[3]	ON-LOT BIORETENTION

[1] THE REQUIRED TREATMENT AREA IS CALCULATED USING THE COMBINED FLOW AND VOLUME METHOD WITH 7.3" MAXIMUM PONDING DEPTH
[2] PROJECT IS A SPECIAL PROJECT CATEGORY C QUALIFYING FOR A REDUCTION IN LID TREATMENT OF UP TO 55% OF THE TOTAL IMPERVIOUS AREA
[3] THE REQUIRE TREATMENT AREA IS CALCULATED USING THE 4% RULE ASSUMING 50% OF THE DMA IS IMPERVIOUS
[4] SELF-RETAINING AREA COMPLIES WITH 2:1 RATIO OF IMPERVIOUS AREA TO RECEIVING PERVIOUS AREA



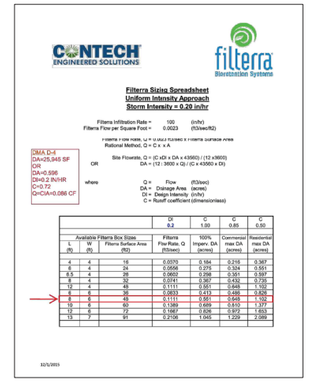


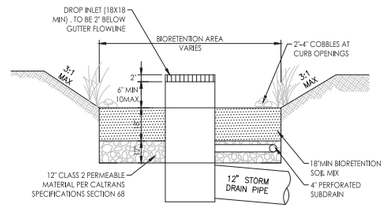
FTIBC-C LONG SIDE CURB INLET

DESIGNATION (LONG SIDE)	SIZE (MEDIA BAY)	VAULT LENGTH	VAULT WIDTH	MAX. BYPASS PIPE SIZE	MAX. BYPASS FLOW (CFS)	UNDERDRAIN PIPE DIA. (PERF.)	TREE GRATE QTY. & SIZE
FTIBC-C0404 LS	4' x 4'	8'-0"	4'-0"	8" SDR 35	1.42	4" SDR 35	(1) 3' x 3'
FTIBC-C0804	8' x 4'	8'-0"	4'-0"	8" SDR 35	1.89	4" SDR 35	(1) 3' x 3'
FTIBC-C0808 LS	8' x 8'	8'-0"	8'-0"	10" SDR 35	2.37	6" SDR 35	(1) 3' x 3'
FTIBC-C0808	8' x 8'	16'-0"	8'-0"	8" SDR 35	1.89	4" SDR 35	(1) 3' x 3'
FTIBC-C1008	10' x 8'	10'-0"	8'-0"	10" SDR 35	2.37	6" SDR 35	(1) 4' x 4'
FTIBC-C1208	12' x 8'	12'-0"	8'-0"	10" SDR 35	2.37	6" SDR 35	(1) 4' x 4'
FTIBC-C1204	12' x 4'	14'-0"	4'-0"	8" SDR 35	1.89	4" SDR 35	(2) 3' x 3'
FTIBC-C1208	12' x 8'	14'-0"	8'-0"	10" SDR 35	2.37	6" SDR 35	(2) 4' x 4'
FTIBC-C1307	13' x 7'	15'-0"	7'-0"	10" SDR 35	2.37	6" SDR 35	(2) 4' x 4'

INTERNAL PIPE CONFIGURATION MAY VARY DEPENDING ON VAULT SIZE.

* DIMENSIONS MAY VARY ± 2" DEPENDING ON PRECASTER BUILD CONFIGURATION.





BIORETENTION AREA DETAIL (SCM D-1, D-2, & D-3)
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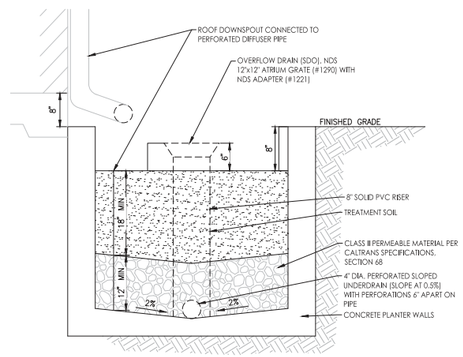
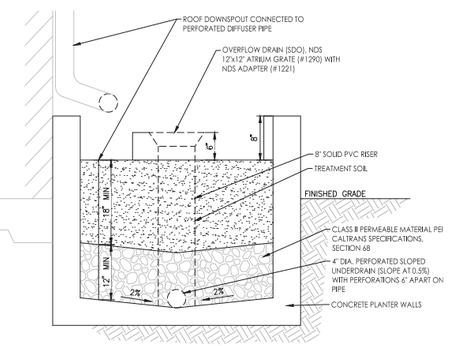


PLANTER BOX DETAIL (SCM B & C)
NOT TO SCALE



RAISED PLANTER BOX DETAIL (SCM B & C)
NOT TO SCALE

Source: Wood Rodgers, 2017

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FIGURE 3.7
Stormwater Control Plan

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CONSTRUCTION

Construction, which would occur in three phases, is anticipated to last approximately 21 months. Consistent with the City's Noise Ordinance, construction would generally occur Mondays through Saturdays between the hours of 7:00 a.m. and 7:00 p.m. and between 10:00 a.m. to 6:00 p.m. on Sundays. Phasing would occur as detailed in **Table 3.0-3**.

TABLE 3.0-3
CONSTRUCTION PHASING

Activity	Description	Start	Finish
Phase 1 Construction	Grading, Utilities, Site Improvements, Foundations (Buildings A, B, C)	December 2017	August 2018
Phase 2 Construction	Building B	March 2018	March 2019
Phase 3 Construction	Buildings A & C and Single-Family Residences	September 2018	September 2019

Source: Dahlin Group 2017

Construction activities would consist of demolition of existing buildings, site preparation (including grading), removal of existing road surfaces, and construction of new structures. Construction would require excavation and off-hauling of materials as well as use of heavy equipment such as bulldozers, scrapers, backhoes, excavators, loaders, compactors, rollers, and a paving machine. All off-road diesel-powered equipment with more than 50 horsepower would be CARB Tier 3 certified or better to reduce construction-generated diesel particulate matter emissions. The construction crew would vary in size and could be up to 80 to 100 people for short segments of the approximately 21-month construction period.

3.4 PROJECT APPROVALS

As the lead agency, the City of Hayward has the ultimate authority for project approval or denial. The project would require the following discretionary approvals by the City for actions proposed as part of the project:

- Determine that no further review is required for this infill project under CEQA
- Approve Thoroughfare Plan Map Amendment
- Approve Form-Based Code Exception
- Approve Form-Based Code Warrants
- Approve Vesting Tentative Map
- Approve Grading Permit
- Approve Density Bonus
- Approve Site Plan Review

3.5 RELATIONSHIP OF PROJECT TO OTHER PLANS AND DOCUMENTS

CITY OF HAYWARD GENERAL PLAN

The project would be located entirely in Hayward. The City's General Plan is the fundamental document governing land use development. The General Plan includes numerous goals and

policies pertaining to land use and community character, mobility, economic development, community safety, natural resources, hazards, education and lifelong learning, community health and quality of life, public facilities and services, and housing. The project would be required to abide by all applicable goals and policies included in the adopted General Plan (Hayward 2014b).

SOUTH HAYWARD BART/MISSION BOULEVARD FORM-BASED CODE

The project would be developed in compliance with the City's South Hayward BART/Mission Boulevard Form-Based Code. The code aims to ensure neighborhoods and transit-oriented development are compact, pedestrian oriented, and mixed use, where ordinary activities of daily living occur within walking distance of most dwellings (Hayward 2011a).

SOUTH HAYWARD BART/MISSION BOULEVARD FORM-BASED CODE SUPPLEMENTAL EIR

The Hayward City Council certified the South Hayward BART/Mission Boulevard Form-Based Code Supplemental Environmental Impact Report (SEIR) on September 13, 2011. The SEIR covers an approximately 240-acre irregular linear-shaped area centered on the South Hayward BART station and Mission Boulevard, as shown in **Figure 3.8, South Hayward BART/Mission Boulevard Form-Based Code Project Area**. The SEIR tiered from the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR and the 2009 Route 238 Bypass Land Use Study Program EIR.

CITY OF HAYWARD MUNICIPAL CODE

The project site is zoned T4 Urban General Zone (S-T4) and Single Family Residential (RSB10). Pursuant to the Hayward Zoning Ordinance, a Site Plan Review approved by the Director of Planning is required for all new development. Site Plan Review approval requires the following findings to be made:

- The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the city.
- The development takes into consideration physical and environmental constraints.
- The development complies with the intent of City development policies and regulations.
- The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

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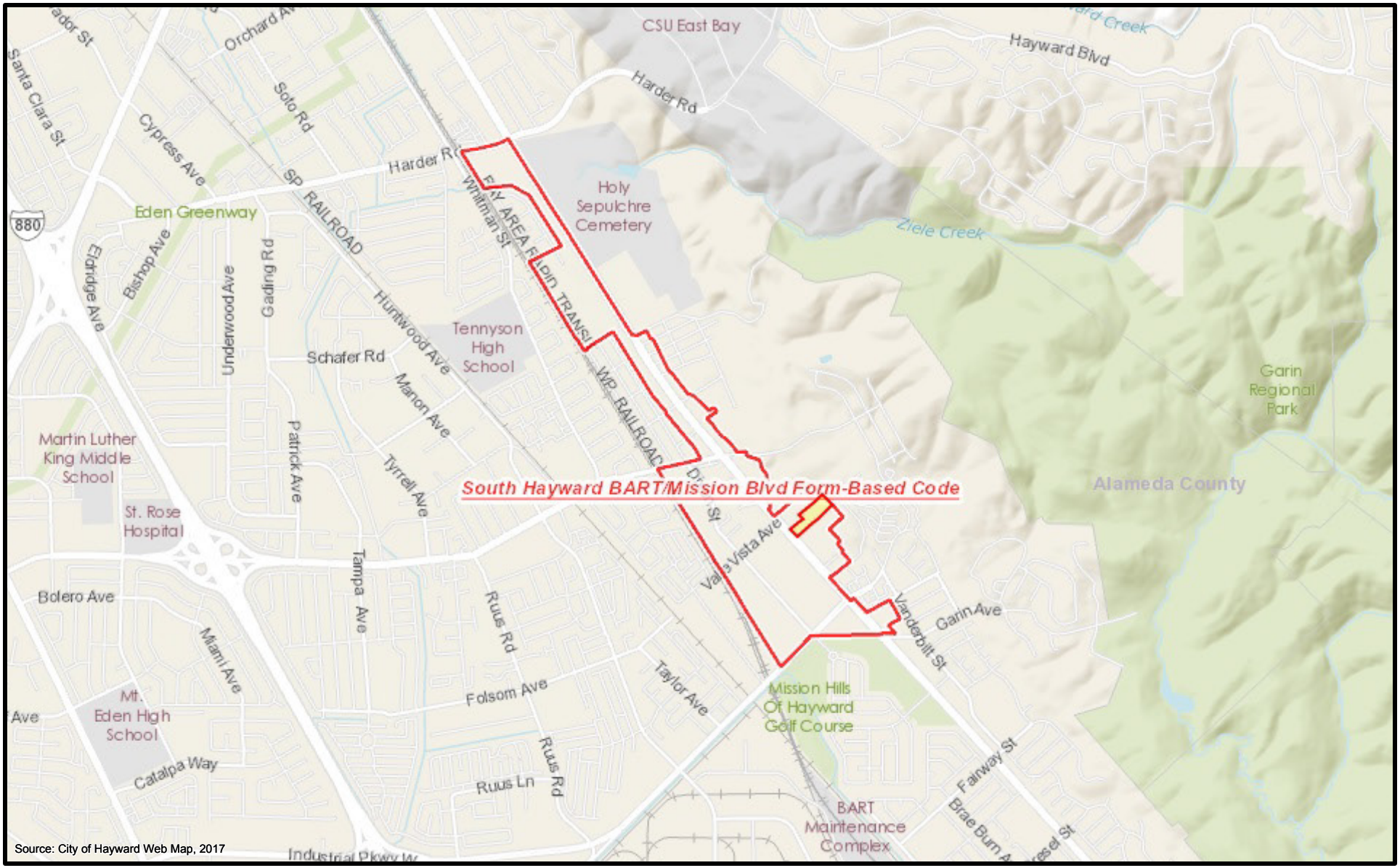

FIGURE 3.8

Not To Scale

South Hayward BART/Mission Boulevard Form-Based Code Project Area

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4.0 ENVIRONMENTAL CHECKLIST

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

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 38) and was determined to result in **no impact** because the project would not convert any types of farmland to nonagricultural use.

New Information and Specific Effects of the Project

The project will be developed on an infill development site that has not recently been used as farmland. Furthermore, according to the 2014 Farmland Mapping and Monitoring Program (FMMP) from the California Department of Conservation (2014), the project site is in an area that is designated as Urban and Built-Up Land and Other Land. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion b)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 38) and was determined to result in **no impact** because the project would not conflict with agricultural zoning or a Williamson Act contract.

New Information and Specific Effects of the Project

The project site is not within existing zoning for agricultural use (it is zoned T4 Urban General and Single-Family Residential) and is not under a Williamson Action contract. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion c)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 38) and was determined to result in **no impact** because the project would not involve any changes in the existing environment that could result in conversion of farmland to nonagricultural use.

New Information and Specific Effects of the Project

The project area has already been developed for urbanized uses, and no prime agricultural land exists in the project vicinity. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criteria d and e)

Analysis in the SEIR

These checklist items were not analyzed in the SEIR.

New Information and Specific Effects of the Project

The project area has already been developed for urbanized uses and contains no forestland or timberland. Therefore, the project would result in **no impact** to forestland or timberland.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior SEIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.2 AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	☐

SETTING

The project site is in the San Francisco Bay Area Air Basin (SFBAAB). Air quality and compliance with federal and state standards for the SFAAB falls under the regulatory authority of the Bay Area Air Quality Management District (BAAQMD). The air quality setting, standards, and regulatory framework are described in Section 5, Air Quality, of the SEIR. Changes to the setting or regulatory framework since the SEIR was certified are discussed for each applicable criterion.

The current federal and state ambient air quality attainment status is shown in **Table 4.2-1.**

TABLE 4.2-1
FEDERAL AND STATE AMBIENT AIR QUALITY ATTAINMENT STATUS FOR THE SAN FRANCISCO BAY AREA AIR BASIN

Pollutant	Averaging Time	California Standards		National Standards	
		Concentration	Attainment Status	Concentration	Attainment Status
Ozone (O_3)	8 Hours	0.070 ppm (137$\mu g/m^3$)	N	0.070 ppm	N
	1 Hour	0.09 ppm (180 $\mu g/m^3$)	N	No standard	Not applicable
Carbon Monoxide (CO)	8 Hours	9.0 ppm (10 mg/m^3)	A	9 ppm (10 mg/m^3)	A
	1 Hour	20 ppm (23 mg/m^3)	A	35 ppm (40 mg/m^3)	A
Nitrogen Dioxide (NO_2)	1 Hour	0.18 ppm (339 $\mu g/m^3$)	A	0.100 ppm	U
	Annual Arithmetic Mean	0.030 ppm (57 $\mu g/m^3$)		0.053 ppm (100 $\mu g/m^3$)	A
Sulfur Dioxide (SO_2)	24 Hours	0.04 ppm (105 $\mu g/m^3$)	A	0.14 ppm (365/$\mu g/m^3$)	—
	1 Hour	0.25 ppm (665 $\mu g/m^3$)	A	0.075 ppm (196/$\mu g/m^3$)	—
	Annual Arithmetic Mean			0.030 ppm (80/$\mu g/m^3$)	—
Particulate Matter (PM_{10})	Annual Arithmetic Mean	20 $\mu g/m^3$	N	No standard	Not applicable
	24 Hours	50 $\mu g/m^3$	N	150 $\mu g/m^3$	U
Particulate Matter – Fine ($PM_{2.5}$)	Annual Arithmetic Mean	12 $\mu g/m^3$	N	15 $\mu g/m^3$	A
	24 Hours			35 $\mu g/m^3$	N
Sulfates	24 Hours	25 $\mu g/m^3$	A	—	—
Lead	30-Day Average	1.5 $\mu g/m^3$		—	A
	Calendar Quarter	—	—	1.5 $\mu g/m^3$	A
	Rolling 3-Month Average	—	—	0.15 $\mu g/m^3$	—
Hydrogen Sulfide	1 Hour	0.03 ppm (42 $\mu g/m^3$)	U	—	—
Vinyl Chloride (chloroethene)	24 Hours	0.01 ppm (26 $\mu g/m^3$)	No information available	—	—
Visibility-Reducing Particles	8 Hours (10:00 to 18:00 PST)	—	U	—	—

Source: BAAQMD 2017a

Notes: A = attainment; N = nonattainment; U = unclassified; mg/m^3 = milligrams per cubic meter; ppm = parts per million; ppb = parts per billion; $\mu g/m3$ = micrograms per cubic meter.

Based on the nonattainment status, ozone (O_3) and particulate matter (PM_{10} and $PM_{2.5}$) are the pollutants most intensely affecting the SFBAAB. Ambient concentrations of these pollutants at specific sites will vary due to localized variations in emission sources and climate. Concentrations near the project site can be inferred from ambient air quality measurements conducted by the BAAQMD at nearby air quality monitoring stations. The Hayward–La Mesa air quality monitoring station is the closest station to the project site, approximately 1.6 miles to the northeast. The closest monitoring station with data for $PM_{2.5}$ is the Oakland–9925 International Boulevard station, 10 miles northwest of the project site. There are no monitoring stations in the region that collect data for PM_{10}. **Table 4.2-2** summarizes the published data since 2014 from the closest air quality monitoring stations for each year that monitoring data is provided.

TABLE 4.2-2
SUMMARY OF AMBIENT AIR QUALITY DATA

Pollutant Standards	2014	2015	2016
Ozone (Hayward–La Mesa Station)			
Max 1-hour concentration (ppm) state	0.096	0.103	0.083
Number of days above state 1-hour standard	1	2	0
Max 8-hour concentration (ppm) state	0.076	0.085	.065
Number of days above state 8-hour standard (0.070 ppm)	4	2	0
Max 8-hour concentration (ppm) federal	0.075	0.084	.064
Number of days above federal 8-hour 2015 standard (0.070 ppm)	4	2	0
Fine Particulate Matter ($PM_{2.5}$) (Oakland–9925 International Boulevard Station)			
Max 24-hour concentration ($\mu g/m^3$) federal	37.6	44.7	15.5
Number of days above federal standard	1	1	0

Source: CARB 2017

*Notes: □g/m³ = micrograms per cubic meter; ppm = parts per million; * = No data is currently available from CARB to determine the value.*

Sensitive Receptors

Some land uses are considered more sensitive to air pollution than others because of the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases.

Residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Recreational land uses are considered moderately sensitive to air pollution.

As a senior housing development, the project itself is considered a new sensitive receptor. The closest existing sensitive receptors are single-family residential buildings adjacent to the project site to the east and northeast. The closest school is Cesar Chavez Middle School approximately 0.6 mile to the northwest.

DISCUSSION OF IMPACTS

Criterion a)

Analysis in the SEIR

This checklist item was analyzed in the SEIR (page 5-14) and was determined to result in a **less than significant impact** because the project would not conflict with the BAAQMD 2010 Clean Air Plan.

New Information and Specific Effects of the Project

When the SEIR was prepared, the Bay Area 2010 Clean Air Plan was the current plan. The 2010 Clean Air Plan laid out a comprehensive strategy to reduce emissions of ozone precursors, particulate matter (PM), greenhouse gases, and toxic air contaminants. The plan included 18 Stationary Source Measures (SSMs), 10 Mobile Source Measures (MSMs), 17 Transportation Control Measures (TCMs), 6 Land Use and Local Impact Measures (LUMs), and 4 Energy and Climate Measures (ECMs). The most recent air quality management plan applicable to the Bay Area is the 2017 Clean Air Plan, entitled Spare the Air, Cool the Climate. The BAAQMD adopted the plan in April 2017. As described in the 2017 plan, all of the 2010 TCMs were carried forward into the 2017 Clean Air Plan, although the measure descriptions and numbering were updated. Eight of the MSMs remain in the 2017 plan. The six LUMs in the 2010 Clean Air Plan were carried forward into the 2017 plan. The four ECMs in the 2010 plan are also in the 2017 plan (BAAQMD 2017a). The SSMs are not applicable to the project. The MSMs primarily address vehicles and their components as they relate to emissions and are not directly applicable to the project.

The project site is an infill site that is partially developed and that is in the area evaluated in the SEIR. Although the housing density would be greater than assumed in the SEIR with the application of the density bonus, the project would develop single-family and multifamily residential uses that would be consistent with current land use designations and zoning for the South Hayward BART/Mission Boulevard area. There would be no inconsistency with the 2017 Clean Air Plan. Therefore, the effect of the project **would not be more significant than what has already been analyzed**.

Criteria b and c)

Analysis in the SEIR

These checklist items were partially analyzed in the SEIR or in the SEIR Initial Study. For construction-related emissions, the City's (2006) Concept Design Plan DEIR analyzed fugitive dust PM emissions solely and concluded that the impact would be less than significant with the implementation of Mitigation Measure 8.1 from the City of Hayward General Plan EIR to control fugitive dust.

New Information and Specific Effects of the Project

The BAAQMD has developed project-level thresholds of significance to provide a conservative indication of whether a project could result in potentially significant air quality impacts. To meet the project-level threshold of significance for construction-related criteria air pollutant and precursor impacts, the project must emit no more than 54 pounds per day (lbs/day) of reactive organic gases (ROG), nitrogen oxides (NOx), and/or exhaust-related $PM_{2.5}$, and no more than 82 lbs/day of exhaust-related PM_{10}. Concerning fugitive dust–related $PM_{2.5}$ and PM_{10} emissions generated during construction, for all projects, the BAAQMD recommends the implementation of all Basic Construction Mitigation Measures (**Table 4.2-4**), whether or not construction-related

emissions exceed applicable thresholds of significance. For operational-related criteria air pollutant and precursor impacts, the project must emit no more than 54 lbs/day of ROG, NOx, and/or $PM_{2.5}$ and no more than 82 lbs/day of PM_{10} to be considered less than significant.

Construction-Generated Emissions

The project would generate short-term emissions from construction activities such as site grading, asphalt paving, building construction, and architectural coatings (e.g., painting). Common construction emissions include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. During construction, fugitive dust, the dominant source of PM_{10} and $PM_{2.5}$ emissions, would be generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. Demolition can also generate PM_{10} and $PM_{2.5}$ emissions. Off-road construction equipment is often diesel-powered and can be a substantial source of NOx emissions, in addition to PM_{10} and $PM_{2.5}$ emissions. Worker commute trips and architectural coatings are dominant sources of ROG emissions.

Predicted maximum daily unmitigated construction-generated emissions for the project are summarized in **Table 4.2-3**. Some construction phases may overlap. Architectural coating activities are assumed to occur throughout the building construction period, as components are completed. Project construction is assumed to take a maximum of 21 months and commence in December 2017. As shown in **Table 4.2-3**, construction-generated criteria pollutant emissions of NOx are predicted to exceed their respective BAAQMD significance thresholds.

TABLE 4.2-3
CONSTRUCTION-RELATED CRITERIA POLLUTANT AND PRECURSOR EMISSIONS – UNMITIGATED
(MAXIMUM POUNDS PER DAY)

Construction Activities	ROG	NOx	Exhaust PM_{10}	Exhaust $PM_{2.5}$	Fugitive Dust PM_{10}	Fugitive Dust $PM_{2.5}$
2017 maximum daily emissions	5.1	52.4	2.9	2.6	18.2	10.0
2018 maximum daily emissions	19.0	77.4	3.3	3.1	18.2	10.0
2019 maximum daily emissions	15.2	29.6	1.5	1.4	2.4	0.6
Maximum Daily Emissions of All Years of Construction	*19.0*	***77.4***	*3.3*	*3.1*	*18.2*	*10.0*
BAAQMD Potentially Significant Impact Threshold	54	54	82	54	Basic Construction Mitigation Measures	Basic Construction Mitigation Measures
Exceed BAAQMD Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

*Source: CalEEMod version 2016.3.2. See **Appendix D** for emission model outputs.*

Notes: Project construction activities are assumed to occur over a 21-month period.

The generation of NOx is predicted to have peak daily emissions of 77.4 pounds per day, above the threshold of 54 pounds per day. The generation of NOx during construction is primarily the result of operating diesel-powered equipment. The US Environmental Protection Agency (EPA) enacted the first federal standards (Tier 1) for new off-road diesel engines in 1994. In 1998, the EPA enacted more stringent Tier 2 and Tier 3 standards for all equipment with phase-in schedules from 2000 to 2008. As a result, all off-road, diesel-fueled construction equipment manufactured in 2006 or later has been manufactured to Tier 3 standards. All project off-road diesel-powered equipment with more than 50 horsepower would be California Air Resources Board (CARB) Tier 3 certified or better to reduce construction-generated diesel particulate matter emissions.

While unmitigated construction activities would not exceed any of the $PM_{2,5}$ or PM_{10} thresholds, the BAAQMD recommends implementation of the Basic Construction Mitigation Measures listed in **Table 4.2-4** as mitigation for dust and exhaust construction impacts for all projects. In addition, the Hayward Municipal Code, Chapter 10, Article 8 (Grading and Clearing) requires measures to control fugitive dust. Implementation of the BAAQMD Basic Construction Mitigation Measures would satisfy the requirements of the City's Municipal Code.

TABLE 4.2-4
BAAQMD BASIC CONSTRUCTION MITIGATION MEASURES

BAAQMD Basic Construction Mitigation Measures
1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district's phone number shall also be visible to ensure compliance with applicable regulations.

Source: BAAQMD 2017a

Implementation of BAAQMD Basic Construction Mitigation Measures, which are uniformly applicable development policies, would result in the estimated construction-generated criteria pollutant and precursor emissions shown in **Table 4.2-5**. As shown, all estimated construction-generated criteria pollutant and precursor emissions would be below the BAAQMD significance thresholds for NOx. Therefore, the effect of the project **would not be more significant than what has already been analyzed**.

TABLE 4.2-5
CONSTRUCTION-RELATED CRITERIA POLLUTANT AND PRECURSOR EMISSIONS – MITIGATED
(MAXIMUM POUNDS PER DAY)

Construction Activities	ROG	NO_x	Exhaust PM_{10}	Exhaust $PM_{2.5}$	Fugitive Dust PM_{10}	Fugitive Dust $PM_{2.5}$
Year 2017 maximum daily emissions	1.5	21.4	1.0	1.0	8.3	4.5
Year 2018 maximum daily emissions	15.6	53.5	2.0	2.0	8.3	4.5
Year 2019 maximum daily emissions	14.1	23.4	1.1	1.1	2.2	0.6
Maximum Daily Emissions of All Years of Construction	*15.6*	*53.5*	*2.0*	*2.0*	*8.3*	*4.5*
BAAQMD Potentially Significant Impact Threshold	54	54	82	54	Basic Construction Mitigation Measures	Basic Construction Mitigation Measures
Exceed BAAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

*Source: CalEEMod version 2016.3.2. See **Appendix D** for emission model outputs.*

Notes: Project construction activities are assumed to occur over a 21-month period. Emissions estimates account for the quantifiable components of the BAAQMD's Basic Construction Mitigation Measures; specifically, watering unpaved potions of the construction site twice daily and limiting off-road equipment to speeds of 15 mph. Emissions estimates assume implementation of Best Management Practices detailed in Section 3.0, Project Description.

Operational Emissions

The project would result in long-term operational emissions of criteria air pollutants and ozone precursors (i.e., ROG and NOx). Project-generated increases in emissions would be predominantly associated with motor vehicle use, energy required for commercial and residential building operations, energy used due to water consumption, energy used in solid waste collection and disposal, and area sources such as hearths and use of landscaping equipment. Long-term operational emissions are summarized in **Table 4.2-6.** In developing its thresholds of significance, the BAAQMD has considered the levels at which individual impacts would be cumulatively considerable. As shown, all criteria pollutant emissions would remain below the BAAQMD significance thresholds. Therefore, the effect of the project **would be substantially mitigated by uniformly applicable development policies**.

TABLE 4.3-6
LONG-TERM OPERATIONAL EMISSIONS

Source	Emissions			
	ROG	NO_x	PM_{10}	$PM_{2.5}$
Summer Emissions (Pounds per Day)				
Area	7.3	1.5	0.2	0.2
Energy	0.6	0.5	0.04	0.04
Mobile	1.6	8.3	3.6	1.0
Total	**8.9**	**10.4**	**3.8**	**1.2**
Winter Emissions (Pounds per Day)				
Area	7.3	1.5	0.2	0.2
Energy	0.06	0.5	0.04	0.04
Mobile	1.4	8.7	3.6	1.0
Total	**8.7**	**10.7**	**3.8**	**1.2**
BAAQMD Potentially Significant Impact Threshold (Daily Emissions)	54	54	82	54
Exceed BAAQMD Daily Threshold?	**No**	**No**	**No**	**No**
Annual Emissions (Tons per Year)				
Proposed Project	1.5	1.7	0.6	0.2
BAAQMD Potentially Significant Impact Threshold (Annual Emissions, Tons per Year)	10	10	15	10
Exceed BAAQMD Annual Threshold?	**No**	**No**	**No**	**No**

*Source: CalEEMod version 2016.3.2 See **Appendix D** for emission model outputs. Trip rates from ITE (2012) Trip Generation Manual, 9th edition.*

Notes:

Emissions estimates account for the BAAQMD Regulation 6, Rule 3: no wood-burning devices shall be installed in a new building construction.

Trip rates were adjusted to be consistent with a senior housing development, ITE Code 252 (ITE 2012).

Criterion d)

Analysis in the SEIR

This checklist item was analyzed in the SEIR (page 5-18) and was determined to result in a **less than significant impact with mitigation incorporated** because the project could potentially site new sensitive receptors within 500 feet of Mission Boulevard.

The SEIR included **Mitigation Measure AIR-2**, which would require project design features limiting exposure of sensitive receptors to toxic air contaminants (TACs) from vehicle exhaust emissions, or alternatively, require a health risk assessment that demonstrates air quality risks are at or below acceptable standards.

New Information and Specific Effects of the Project

Project information has been analyzed below for the following topics:

- Toxic air contaminants generated during construction activities
- Asbestos-containing materials
- Toxic air contaminants generated during project operations
- Carbon monoxide hot spots

Toxic Air Contaminants Generated During Construction Activities

The closest existing sensitive receptors are single-family residential buildings adjacent to the project at the east and northeast property lines.

Project construction would result in the generation of diesel particulate matter (PM) emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The amount to which the receptors could be exposed, which is a function of concentration and duration of exposure, is the primary factor used to determine health risk (i.e., potential exposure to toxic air contaminants (TACs) emission levels that exceed applicable standards). Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (CARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. Project construction is anticipated to be completed within 21 months.

According to the BAAQMD (2017a), construction-generated diesel PM emissions contribute to negative health impacts when construction is extended over lengthy periods of time. The use of diesel-powered construction equipment during construction would be temporary and episodic and would not be concentrated in areas closest to sensitive receptors. The project would implement a best management practice that would result in all off-road diesel-powered equipment with more than 50 horsepower having CARB Tier 3 certified or better engines, which would reduce construction-generated diesel PM emissions (see Section 3.0, Project Description). Furthermore, all construction activities would be subject to and would comply with California regulations limiting idling to no more than 5 minutes, which would further reduce nearby sensitive receptors' exposure to temporary and variable diesel PM emissions. For these reasons and because diesel fumes disperse rapidly over relatively short distances, diesel PM generated by most construction activities, in and of itself, would not be expected to create conditions where the probability of contracting cancer is greater than 10 in one million for nearby receptors. Also, the BAAQMD requires implementation of basic construction mitigation measures (see **Table 4.2-4**). These measures include actions that would substantially reduce nuisance fugitive dust and diesel PM emissions. Therefore, the effect of the project **would not be more significant than what has already been analyzed**.

Asbestos-Containing Materials

The project proposes to demolish existing structures on the project site. The Phase I Environmental Site Assessment completed for the project by Cornerstone Earth Group (2015) identified asbestos-containing materials (ACMs) in these structures.

Demolition of the existing structures would be subject to BAAQMD Regulation 11, Rule 2 – Asbestos Demolition, Renovation, and Manufacturing, which regulates the safe handling and disposal of ACMs (BAAQMD 1998). Section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants. In accordance with the state regulation, the BAAQMD must be notified prior to demolition or abatement activities. Compliance with state and BAAQMD regulations would ensure the impacts due to airborne asbestos would be less than significant. Therefore, the effect of the project **would not be more significant than what has already been analyzed**.

Toxic Air Contaminants Generated During Project Operations

The project would not site any new TAC sources. While the project would add a small amount of car and light truck traffic to Mission Boulevard, it would not contribute significantly to existing diesel PM concentrations. Therefore, the project would not exacerbate existing conditions.

The project would construct new senior residences within 500 feet of Mission Boulevard. Hayward Municipal Code, South Hayward BART/Mission Boulevard Form-Based Code Section 10-24-296 requires the following:

> At properties located within 500 feet of the curb line of Mission Boulevard, the following air quality mitigation measures shall apply to address health risks associated with traffic-related emissions:
>
> a. Indoor Air Quality. All new development, or existing development involving a use change to one that would be occupied by sensitive receptors, shall implement all of the features below, except as may be modified by Section 10-24.296(c).
>
> i. Existing or new buildings to be occupied by sensitive receptors shall include and maintain in good working order a central heating and ventilation (HVAC) system or other air intake system in the building, or in each individual unit, that meets or exceeds an efficiency standard of MERV 13 or equivalent. The HVAC system shall include installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building.
>
> ii. Project applicants shall maintain, repair and/or replace HV system on an ongoing and as needed basis according to manufacturer specifications. For developments which are leased, sold or otherwise not maintained by the initial project developer, an operation and maintenance manual for the HVAC system shall be prepared. The manual shall include the operating instructions and the maintenance and replacement schedule. The Planning Director shall identify an appropriate filing location for the manual, which may include, but is not limited to, the project conditions, covenants and restrictions (CC&Rs), County recorder, or City development permit file.
>
> iii. The HVAC system or other air intake system required above, shall be submitted to the Planning Director for review and action prior to the issuance of a demolition, grading, or building permit.
>
> b. Outdoor Air Quality: To the maximum extent practicable, individual and common exterior open space (e.g., playgrounds, patios, and decks) proposed as a part of developments within 500 feet of the curb line of Mission Boulevard and associated with sensitive receptors,

shall either be shielded from air pollution originating at Mission Boulevard by buildings or otherwise buffered to further reduce air pollution for project occupants.

c. Compliance with Sections 10-24.296(a) and (b) above shall not be required or may be modified when all the following occur:

   i. A development project applicant submits to the Planning Director a Health Risk Assessment (HRA) prepared by a qualified air quality consultant in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements.

   ii. The HRA demonstrates that indoor and outdoor air quality can be maintained within currently applicable health risk standards of the Bay Area Air Quality Management District.

d. An HRA submitted in accordance with Section 10-24.296(c), must be approved by the Planning Director prior to issuance of a demolition, grading, or building permit.

e. The Planning Director may require review and approval of the HRA prior to scheduling discretionary permits (e.g., Site Plan Review, Conditional Use Permit) for public hearing.

f. The Development Services Department may require, at the applicant's sole expense, an independent review of the HRA by a qualified consultant.

g. An HRA submitted in accordance with Section 10-24.296(c), shall be subject to Planning Director review and action.

h. Sensitive receptors include, but are not limited to, residences, schools and school yards, parks and play grounds, daycare centers, nursing homes, and medical facilities. Residences may include, but are not limited to, houses, apartments, and senior living complexes. Medical facilities may include, but are not limited to, hospitals, convalescent homes, and health clinics. Playgrounds may be, but are not limited to, play areas associated with parks or community centers.

Therefore, the effect of the project **would be substantially mitigated by uniformly applicable development policies**.

Carbon Monoxide Hot Spots

The primary mobile-source criteria pollutant of local concern is carbon monoxide (CO). Concentrations of CO are a direct function of the number of vehicles, length of delay, and traffic flow conditions. Transport of this criteria pollutant is extremely limited; CO disperses rapidly with distance from the source under normal meteorological conditions. Under certain meteorological conditions, however, CO concentrations close to congested intersections that experience high levels of traffic and elevated background concentrations may reach unhealthy levels, affecting nearby sensitive receptors. Areas of high CO concentrations, or "hot spots," are typically associated with intersections that are projected to operate at unacceptable levels of service

during the peak commute hours.[1] Modeling is therefore typically conducted for intersections that are projected to operate at unacceptable levels of service during peak commute hours.

Based on BAAQMD (2017a) CEQA Air Quality Guidelines, projects meeting all of the following screening criteria would be considered to have a less than significant impact on localized carbon monoxide concentrations if:

1. The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plans, and local congestion management agency plans.

2. The project traffic would not increase traffic volumes at project-affected intersections to more than 44,000 vehicles per hour.

3. The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Project consistency with applicable congestion management programs and plans is analyzed in subsection 4.15, Transportation/Traffic, of this Infill Checklist. The project is consistent with all applicable congestion management plans.

The South Hayward Bart/Mission Boulevard Concept Design Program EIR (Hayward 2006) analyzed emissions of CO and found the impact to be less than significant (page 42). Per the traffic analysis completed in the SEIR, two intersections in the project vicinity are predicted to operate at LOS F in the year 2025 plus project conditions. The intersection of Mission Boulevard and Tennyson Road is predicted to carry a peak-hour volume of 7,292 vehicles. The intersection of Mission Boulevard and Industrial Parkway is predicted to carry a peak-hour volume of 6,728 vehicles. No project-affected intersections would exceed 44,000 vehicles per hour, nor are there any intersections with limited vertical mixing. Therefore, the effect of the project **would not be more significant than what has already been analyzed**.

Criterion e)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 41) and was determined to result in **no impact** because the project would not increase any odor-related impacts other than those disclosed in the previous CEQA documents.

New Information and Specific Effects of the Project

Construction-Related Odors

The BAAQMD does not have a recommended odor threshold for construction activities. For purposes of this analysis, it is recognized that heavy-duty construction equipment would emit odors. However, construction activities would be short term and finite in nature. Furthermore,

[1] Level of service (LOS) is a measure to determine the effectiveness of transportation infrastructure. LOS is most commonly used to analyze intersections by categorizing traffic flow with corresponding safe driving conditions. LOS A is considered the most efficient level of service and LOS F the least efficient.

equipment exhaust odors would dissipate quickly and are common in an urban environment. For these reasons, construction-related odors associated with the project would not be anticipated to create objectionable odors affecting a substantial number of people. Therefore, the effect of the project **would not be more significant than what has already been analyzed**.

Operational Odors

The project does not include any of the land uses that have been identified by the BAAQMD as odor sources, nor would it locate new receptors near any of these sources. Therefore, the project is not anticipated to create objectionable odors affecting a substantial number of people. Therefore, the effect of the project **would not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.3 BIOLOGICAL RESOURCES. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒	☐
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 wetlands, etc.), through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	☐
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a, b, and d)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 42 and 43) and were determined to result in **no new impact from those identified in previous CEQA documents** because the project would be in an urban area where candidate, sensitive, or special-status species are not commonly found and where vacant property exists that has been previously developed and disturbed.

SEIR Mitigation Measure Bio-1 was included to protect special-status plant species in the project area. **SEIR Mitigation Measure Bio-2** was included to protect California red-legged frog species in the project area. **SEIR Mitigation Measure Bio-3** was included to restrict clearing of vegetation and the initiation of construction to the non-breeding season between September and January of each year. **SEIR Mitigation Measure Bio-4** requires preconstruction bat surveys prior to grading, tree removal, or other construction occurring between November 1 and August 31.

New Information and Specific Effects of the Project

Rincon Consultants (2017) conducted a biological resources assessment for the project and prepared a letter report of its assessment dated August 7, 2017 (**Appendix E**). No suitable habitat for any special-status plant or wildlife species was observed during the field survey completed by Rincon Consultants. The biological resources assessment recommends that future construction be conducted consistent with the protections afforded to native birds under the Migratory Bird Treaty Act and California Fish and Game Code Section 3503. Furthermore, assessment recommends four best management practices for wildlife.

As described in Section 3.0, Project Description, the project's best management practices call for the implementation of general wildlife best management practices for construction, including that work should be restricted to daylight hours and no pets or firearms are allowed on the project site. Another best management practice identifies nesting bird and avoidance measures, which are consistent with **SEIR Mitigation Measure Bio-3**. Another calls for a qualified wildlife biologist to conduct preconstruction surveys to determine presence/absence of breeding or wintering burrowing owl burrows no fewer than 14 days prior to ground-disturbing activities. In addition, a best management practice calls for a qualified biologist to conduct preconstruction bat surveys, consistent with **SEIR Mitigation Measure Bio-4**. The applicant would implement these best management practices as part of the project.

The project would include the above-referenced best management practices and implement the applicable mitigation measures from the SEIR. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion c)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 43) and was determined to result in a **less than significant impact with revised mitigation** because two man-made ditches, which are part of the Alameda Flood Control and Water Conservation District's drainage system. The first ditch crosses the southern end of the project area (between Valle Vista Avenue and Industrial Parkway, extending from Mission Boulevard to Dixon Street). The second ditch is adjacent to the

South Hayward BART Station. It was determined that project implementation, including the Thoroughfare Plan, could result in encroachment upon and possible partial fill of these ditch; wetland delineations of the ditches had not been performed. **SEIR Mitigation Measure Bio-1(1)** was included to address potential impacts on wetlands and other waters, with this mitigation measure applied to the entire project area.

New Information and Specific Effects of the Project

The project site is located approximately 175 feet from the ditch between Valle Vista Avenue and Industrial Parkway. Mission Boulevard divides the project site from the ditch, and the project would not encroach upon the ditch or partially fill it. Furthermore, there are no wetlands on the project site or in the project vicinity (USFWS 2017). Therefore, the mitigation measure established in the SEIR is not applicable to the project and the effect of the project would **not be more significant than what has already been analyzed**.

Criterion e)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (pages 44 and 45) and was determined to result in a **less than significant impact with revised mitigation** because there are trees located in the project area, some of which may quality as "protected trees." Additionally, **SEIR Mitigation Measure Bio-2(2)** was included to require tree surveys conducted by a certified arborist on all properties proposed for development and replacement trees to be provided based on the replacement value of the protected trees to be removed.

New Information and Specific Effects of the Project

The project tree removal plan, prepared by Hortscience, Inc., and included in the project plans (Page 4 of **Appendix A**), identifies 25 trees that would be impacted by the project. Eighteen of these trees are protected and planned for removal. Pursuant to **SEIR Mitigation Measure Bio-2(2)** and the City's Tree Preservation Ordinance, the applicant would be required to install replacement landscaping. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion f)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 45) and was determined to result in **no impact** because no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan was applicable to the project area.

New Information and Specific Effects of the Project

There is still no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan applicable to the project area (CDFW 2017b). Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.4 CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒	☐
TRIBAL CULTURAL RESOURCES. Consultation with a California Native American tribe that has requested such consultation may assist a lead agency in determining whether the project may adversely affect tribal cultural resources, and if so, how such effects may be avoided or mitigated. Whether or not consultation has been requested, would the project cause a substantial adverse change in a site, feature, place, cultural landscape, sacred place, or object, with cultural value to a California Native American tribe, which is any of the following:					
a) Included or determined to be eligible for inclusion in the California Register of Historical Resources?	☐	☐	☐	☐	☒
b) Included in a local register of historical resources?	☐	☐	☐	☐	☒
c) Determined by the lead agency, in its discretion and supported by substantial evidence, to be a tribal cultural resource, after applying the criteria in Public Resources Code Section 5024.1(c), and considering the significance of the resource to a California Native American tribe?	☐	☐	☐	☐	☒

SETTING

The impact analysis in this subsection is based on a number of resources, including review of the SEIR, records search conducted at the Northwest Information Center (NWIC), map review, field survey of the project area, and evaluation of three built environment resources to the California Register of Historical Resources and the Hayward Register per the City of Hayward's Historic Preservation Ordinance (Hayward Municipal Code Chapter 10, Article 11), as well as Assembly Bill (AB) 52 consultation efforts.

CULTURAL RESOURCES IDENTIFICATION AND EVALUATION EFFORTS

Records Search

To determine the presence of previously identified cultural resources, Michael Baker International staff conducted a records search (NWIC File #17-1137) of the project area within a quarter-mile search radius on October 18, 2017. The Northwest Information Center (NWIC), as part of the California Historical Resources Information System, California State University, Sonoma, an affiliate of the California Office of Historic Preservation (OHP), is the official state repository of cultural resource records and reports for Alameda County. As part of the records search, the following federal and state inventories were reviewed:

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

Results

Two resources were identified within the project site, and two were identified within a quarter-mile radius of the site. These resources had been identified during survey, but were not evaluated for inclusion in the National Register, California Register, or Hayward Register. **Table 4.4-1** briefly describes each resource.

TABLE 4.4-1
NEARBY RESOURCES

Resource Name/#	Address	Description	National Register/California Register Evaluation	OHP Status Code	In Project Area?
29338 Mission Blvd. P-01-011665	29338 Mission Boulevard	Single-family residence	N/A	N/A	Yes
Professional Welding P-01-011666	29312 Mission Boulevard	Commercial building	N/A	N/A	Yes
Budget Auto Sales P-01-011667	29290 Mission Boulevard	Commercial building	N/A	N/A	No
All Purpose Glass P-01-011668	Mission Boulevard	Commercial building	N/A	N/A	No

One cultural resources study was completed within the project area, and seven have been completed with a quarter-mile radius. **Table 4.4-2** briefly describes each report.

TABLE 4.4-2
CULTURAL RESOURCES STUDIES IN THE PROJECT AREA

Author	Date	Title	In Project Area?
Denise O'Conner, et al.	1986	*Historic Properties Survey Report, 04-ALA-238, P.M. 9.3/14.7, Construction of New Alignment for Route 238 in the City of Hayward, California, Alameda County, 04208-155300*	Yes
Suzanne Baker	1992	*Archaeological Survey Report, Widening of Mission Boulevard in Hayward, Union City, and Fremont, Alameda County*	No
Donna M. Garaventa, et al.	1991	*Preliminary Cultural Resources Evaluation for Route 84 Realignment Project Alternatives in Hayward, Union City and Fremont, Alameda County, California*	No
Colin I. Busby	2005	*Cultural Resources Assessment - La Vista Quarry, City of Hayward, Alameda County, 28814 Mission Boulevard, Hayward*	No
Suzanne Baker	2011a	*Archaeological Survey Report for the Dixon Street Improvement Project (Tennyson Road to Valle Vista Avenue), City of Hayward, Alameda County, California 04-ALA-0-HAY; Federal Project No. CML-5050(038)*	No
Suzanne Baker	2011b	*Historical Property Report for the Dixon Street Improvement Project in the City of Hayward, Alameda County, California*	No
Daniel Shoup	2016	*Cultural Resources Survey Report, Mission Boulevard Streetscape Project, Hayward, California*	No
Dottie Odell	1994	*Proposed Negative Declaration and Draft Initial Study Route 238 (Mission Boulevard) Improvement Project in Hayward, Union City and Fremont, Alameda County, 4-ALA-238 3.1/9.5 4185-233020*	No

Map and Literature Review

Michael Baker International staff conducted a map search of the project area to determine the presence of cultural resources. The following were reviewed:

- Official Map of the County of Alameda (Higley 1857)
- Township 3 South, Range 2 West Public Land Survey Map (BLM 1876)
- Haywards, Calif., 15-minute topographic quadrangle (USGS 1899)
- Haywards, Calif., 15-minute topographic quadrangle (USGS 1915)
- Hayward, Calif., 7.5-minute topographic quadrangle (USGS 1947)
- Hayward, Calif., 7.5-minute topographic quadrangle (USGS 1950)
- Hayward, Calif., 7.5-minute topographic quadrangle (USGS 1959 [photorevised 1968])
- Aerial Single Frame Photo ID: 1CP0000030018 (USGS 1946)
- Aerial Single Frame Photo ID: 1VUO000010083 (USGS 1958)
- Aerial Single Frame Photo ID: 1VBZJ00030180 (USGS 1968)
- City of Hayward Historic Context Statement (Circa: Historic Property Development 2010a)
- City of Hayward Historical Resources Survey and Inventory Report (Circa 2010b)

Results

Historical maps show that the project area remained unsettled throughout much of the nineteenth and early twentieth centuries. Historic maps dating from between 1857 and 1947 depict no features in the project area (Higley 1857; BLM 1876; USGS 1899, 1915). The project area was once part of the Rancho Arroyo de la Alameda (BLM 1876).

By 1946, aerial views indicate the project area was used as an orchard and contained a residential complex (29338 Mission Boulevard). By 1958, the orchard had been removed and the project area was further developed for residential and commercial purposes. By 1968, the area appears as it does today (USGS 1946, 1958, 1968).

The properties on the project site were not identified in the City's Historic Context Statement or Historical Resources Survey and Inventory Report (Circa 2010a, 2010b).

Ethnography

The project area was formerly the territory of the Costanoan within the Ohlone language group. The basic Ohlone social unit was the patrilineal family household. Households grouped together to form villages, and villages combined to form tribelets. There were approximately 40 Ohlone tribelets who traded goods such as obsidian, shell beads, and baskets; participated in ceremonial and religious activities together; intermarried; and maintained extensive reciprocal obligations to one another involving resource collection (Levy 1978; Milliken 1995).

For the Ohlone, acorns served as a dietary staple. Acorns were knocked from trees with poles, leached to remove bitter tannins, and eaten as mush or bread. The Ohlone used a range of other plant resources including buckeye, California laurel, elderberries, strawberries, manzanita berries, gooseberries, toyon berries, wild grapes, wild onion, cattail, amole, wild carrots, clover, and an herb called chuchupate. The Ohlone also hunted black-tailed deer, Roosevelt elk, antelope, and marine mammals; smaller mammals such as dog, skunk, raccoon, rabbit, and squirrel; birds, including geese and ducks; and fish such as salmon, sturgeon, and mollusks (Levy 1978).

The Ohlone lived in dome-shaped shelters thatched with ferns, tule, grass, and carrizo. The Ohlone also built small sweathouses dug into creek banks and roofed with brush, as well as circular dance areas enclosed by fences woven from brush or laurel branches. Basketmaking was generally done by women who crafted cooking and storage containers. Tightly woven baskets, decorated with feathers or shell, were valued exchange items (Levy 1978; Margolin 1978).

Animal bones, teeth, beaks, and claws were used to make awls, pins, knives, and scrapers. Pelts and feathers were used to make clothing and bedding; and sinews were used for cordage and bow strings. Feathers, bone, and shells were crafted into ornaments (Levy 1978).

By the late eighteenth century, Spanish settlers established the mission system in Northern California. Mission records indicate that the first tribelet arrived at Mission San Francisco in the fall of 1794. Following the secularization of the missions in 1834, many Ohlone worked as manual laborers on ranchos (Milliken 1995; Levy 1978).

Historical Society Consultation

On September 28, 2017, Michael Baker International sent a letter describing the project with maps depicting the project area to the Hayward Area Historical Society. The letter requested any

information or concerns about cultural resources in the project area (**Appendix G**). No response was received.

Field Survey

On October 11, 2017, an archaeologist and architectural historian surveyed the project site. The archaeologist surveyed unpaved areas with 200-meter transects and inspected rodent backdirt and burrows for archaeological materials. The entire project site was accessible and surveyed, but ground visibility was limited by paved surfaces and dense vegetation. Ground visibility in the unpaved portion of the project site ranged from 0 to 15 percent. No archaeological materials were observed.

Three built environment properties were photographed during the field survey to aid in the California Register and Hayward Register evaluations of the resources.

California Register and Hayward Register Evaluations

The properties with built environment resources were evaluated and recommended not eligible for inclusion in the California Register and the Hayward Register based on lack of association with a historic context. See **Appendix G** for the full evaluations. **Table 4.4-3** includes a brief overview of the properties evaluated.

TABLE 4.4-3
OVERVIEW OF PROPERTIES EVALUATED

Resource Name	APN	Hayward Register Eligibility	California Register Eligibility	Historical Resource for CEQA
648 Overhill Drive	078C-0455-001-05	No	No	No
29312 Mission Boulevard	078C-0455-001-08	No	No	No
29338 Mission Boulevard	078C-0455-002-00	No	No	No

AB 52 Native American Consultation

Concepts and Terminology for Identification of Tribal Cultural Resources

Tribal cultural resources are defined in CEQA as a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, which may include non-unique archeological resources previously subject to limited review under CEQA.

ENVIRONMENTAL CHECKLIST AND DISCUSSION

CULTURAL RESOURCES

Criterion a)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 46–47) and was determined to result in **less than significant with revised mitigation** because (1) the Hayward General Plan EIR did not

identify any historical or archaeological resources within the SEIR project area; (2) the City uses standard conditions of approval for grading operations which require that if human remains or cultural resources are discovered, grading operations must be halted and the resources and/or remains be evaluated by a qualified professional and, if necessary, mitigation plans formulated and implemented; and (3) the City will follow the following mitigation measure from the SEIR:

Mitigation Cult-1: *(Cultural Resources Impacts to Historic Resources)*

a) Specific development proposals that involve any structure older than 45 years shall be reviewed by the Hayward Planning Division to ensure consistency with the City's Historic Preservation Program and applicable CEQA Guideline provisions. If substantial changes to a historic resource is proposed, modifications may be required in the design of such project to ensure consistency with the Historic Preservation Program.

b) Future construction adjacent to any identified historic structure shall be complementary to the historic structure in terms of providing appropriate setbacks, consistent design and use of colors, as determined by the Hayward Planning Division.

New Information and Specific Effects of the Project

The SEIR provided a broad review of the larger planning area. In accordance with **Mitigation Measure Cult-1**, Michael Baker International conducted a NWIC records search, map review, intensive-level field survey of the project site, and evaluation of three built environment resources for inclusion in the California Register and the Hayward Register. No historical resources, as defined by CEQA Section 15064.5(a), were identified on the project site. The effect of the project would have **no impact** on historical resources. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criteria b, c, and d)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (page 46–47) and were determined to result in **less than significant with revised mitigation** for the same reasons identified in Criterion a) above.

New Information and Specific Effects of the Project

The SEIR provided a broad review of the planning larger area. In accordance with **Mitigation Measure Cult-1**, Michael Baker International conducted a NWIC records search, map review, and intensive-level archaeological field survey of the project site. No archaeological resources were identified on the project site.

Furthermore, no new information regarding paleontological resources was identified, and human remains are not known within the project site. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

TRIBAL CULTURAL RESOURCES

Criteria a, b, and c)

Analysis in the SEIR

These checklist items were not analyzed in the SEIR because the SEIR was completed in 2011 prior to the implementation of AB 52 on July 1, 2015.

New Information and Specific Effects of the Project

AB 52 requires a lead agency (in this case, the City of Hayward) to begin consultation with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the project. Consultation shall occur prior to the release of a negative declaration or mitigated negative declaration if:

1. The California Native American tribe that is traditionally and culturally affiliated with the geographic area requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects; and

2. The California Native American tribe responds, in writing, within 30 days of receipt of the formal notification and requests the consultation (Public Resources Code Section 21080.3.1[d]).

One tribe, the Ione Band of Miwok Indians, has requested AB 52 consultation with the City for projects subject to CEQA.

The City sent the project notification letter to Randy Yonemura of the Ione Band of Miwok Indians on October 17, 2017. The letter provided a brief project description and requested any information regarding tribal cultural resources in the project area. No response to the letter has been received to date. See **Appendix G** for the consultation appendix.

No tribal cultural resources (as defined in Public Resources Code Section 21074) were identified on the project site. However, the project includes ground-disturbing activities that could result in the unanticipated or accidental discovery of tribal cultural resources. Implementation of the City's standard conditions of approval for grading operations would mitigate impacts to less than significant because the standard conditions of approval require grading operations to halt if human remains or cultural resources are discovered, and the resources and/or remains must be evaluated by a qualified professional and, if necessary, mitigation plans formulated and implemented. The standard conditions of approval for grading operations would ensure that provisions are in place to protect tribal cultural resources encountered during construction. Therefore, the effect of the project would be **substantially mitigated by uniformly applicable development policies**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.5 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.	☐	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a, b, and c)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 48 to 51) and were determined result in a **less than significant level with revised mitigation** because the active Hayward earthquake fault is located to the east of the project area and poses a significant hazard to the

city. The fault is one of the principal seismogenic sources in the eastern San Francisco Bay Area, and it poses a hazard from both surface rupture and strong ground shaking. Considerable geological and geotechnical work has been conducted along the Hayward fault over the past several decades, leading to more accurate plotting of the location of the main fault trace and knowledge of its characteristics, as well as information associated with additional active traces of the Hayward fault. No portion of the area lies within an Alquist-Priolo Earthquake Fault Zone.

The SEIR identifies three mitigation measures from the 2009 Route 238 Bypass Land Use Study Program EIR that are applicable: **Mitigation Measures Geo-1** through **Geo-3**. These mitigation measures require site-specific geologic fault investigations for all development projects within an Earthquake Fault Zone, geotechnical investigations, and evaluation of potential for landslides, including seismically induced landslides.

New Information and Specific Effects of the Project

The project site is not within an Alquist-Priolo Earthquake Fault Zone, Seismic Landslide Zone, or Seismic Liquefaction Zone (Hayward 2017). As detailed in **Appendix C**, a fault rupture hazard report was prepared by Cornerstone Earth Group for the project site dated September 29, 2016. Cornerstone Earth Group encountered a potentially active fault on the project site. The fault, however, is not considered to be part of the main trace of the Hayward fault, which is located approximately 700 to 800 feet east of the project site. Due to the potentially active fault, the project has been designed to include a 50-foot-wide building exclusion zone (25 feet on either side of the fault trace). The City requires peer review for the project's geotechnical report. To address potential for liquefaction-induced settlements, final building plans would be reviewed by Cornerstone Earth Group for conformance with its geotechnical development requirements.

Additionally, because the project is located in a known seismically active area, seismic design criteria would be implemented. These criteria include structural design based on the 2016 California Building Code as well as the specific project design features recommended in the applicant's geotechnical report.

No landslides have been mapped on the project site, and no indications of shallow or deep-seated landsliding were observed at the project site during Cornerstone Earth Group's reconnaissance of the site (2017; **Appendix C**). However, short-term slope instability could occur due to construction slopes or steep cuts. According to the project geotechnical report, steep temporary cut slopes could become unstable or susceptible to failure if left unsupported for long periods of time. As described in Section 3.0, Project Description, the applicant would perform supplemental stability analysis to estimate and address any potential risk of construction-related slope instability.

Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion d)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 51) and was determined to result in **no new impact** because of the City's development review and construction oversight, which incorporates the recommendations of a registered geotechnical engineer in accordance with the California Building Code and standard geotechnical practices.

New Information and Specific Effects of the Project

The project geotechnical report found that highly to very highly expansive surface soils generally cover the site. Project design features would include slabs-on-grade with sufficient reinforcement and support on a layer of non-expansive fill, footings that extend below the zone of seasonable moisture fluctuation, positive drainage away from buildings, and limitations on landscape watering. These project design features would address risks to life and property associated with expansive soil. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion e)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 51) and was determined to result in **no impact** because projects in the project area must connect to Hayward's municipal sewer system.

New Information and Specific Effects of the Project

The project would connect to Hayward's municipal sewer system. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

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

SETTING

The science and potential effects of greenhouse gas (GHG) emissions, regional and local inventories of GHG emissions, and regulatory framework were discussed in SEIR Section 6, Greenhouse Gas Emissions. Changes to the setting and regulatory framework are discussed in the analysis of each criterion below.

GHG emissions in this analysis are presented in carbon dioxide equivalents (CO_2e), which weigh each gas by its global warming potential. Expressing GHG emissions in CO_2e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only carbon dioxide were being emitted.

DISCUSSION OF IMPACTS

Criterion a)

Analysis in the SEIR

This checklist item was analyzed in the SEIR (page 6-16) and was determined to result in a **less than significant impact** because the project GHG efficiency, which accounts for the population and employment in the project area, would be below the BAAQMD's GHG efficiency-based threshold.

New Information and Specific Effects of the Project

The BAAQMD adopted revised guidelines in May 2017. Thresholds of significance for GHG emissions did not change, and methodologies for modeling GHG emissions have been updated. For purposes of the analysis in this Infill Checklist, the project's estimated GHG emissions were estimated using CalEEMod version 2016.3.1 and compared with the current (2017) BAAQMD project-level threshold of significance for GHG emissions of 4.6 metric tons of CO_2e per service population per year (BAAQMD 2017a).

BAAQMD thresholds were developed based on substantial evidence that such thresholds represent quantitative levels of GHG emissions, compliance with which means that the environmental impact of the GHG emissions would normally not be cumulatively considerable under CEQA (BAAQMD 2009, 2017a).

The BAAQMD recommends that lead agencies determine appropriate air quality thresholds to use for each project they review based on substantial evidence which they should include in the administrative record for the project. The BAAQMD (2009) provides the following reference for determining appropriate thresholds: Revised Draft Options and Justification Report California Environmental Quality Act Thresholds of Significance developed by staff in 2009.

Construction GHG Emissions

The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, the BAAQMD recommends quantification and disclosure of GHG emissions that would occur during construction and that a determination be made on the significance of these construction-generated GHG emissions impacts in relation to meeting Assembly Bill (AB) 32 GHG reduction goals (statewide reduction of GHG emissions to 1990 levels by 2020). Project construction is anticipated to be completed by the end of 2019.

The projected quantity of annual GHG emissions generated by construction equipment is shown in **Table 4.6-1.** The total estimated GHG emissions from construction activities are amortized over the 30-year expected life span of the buildings and included in the project's estimated operational GHG emissions.

TABLE 4.6-1
CONSTRUCTION-RELATED GREENHOUSE GAS EMISSIONS

Construction Year	CO_2e (Metric Tons per Year)
2017	42.6
2018	1,070.8
2019	516.0
Total	1,629.4
Amortized Construction Emissions	
1,386.6 metric tons/30 years	**54.3**

*Source: CalEEMod version 2016.3.2. See **Appendix D** for emission model outputs.*
Notes: Project construction activities are assumed to occur over a 21-month period.

Operational GHG Emissions

The Revised Draft Options and Justification Report California Environmental Quality Act Thresholds of Significance (BAAQMD 2009) outlines substantial evidence supporting a variety of thresholds of significance. Based on the discussion above and exercising its own discretion as lead agency, the City of Hayward has selected the BAAQMD CEQA Guidelines efficiency metric threshold for the project's GHG analysis. Service population is defined as project residents plus project employees. The CalEEMod default population for the project is 581. However, senior housing typically has a lower population per dwelling unit. To be conservative, a population was assumed of 2 per dwelling unit for the attached housing and 3 per dwelling unit for the single-family residences (total population of 409). The projected annual GHG emissions resulting from project operation are summarized in **Table 4.6-2**.

TABLE 4.6-2
GREENHOUSE GAS EMISSIONS – PROJECT OPERATIONS

Emissions Source	Metric Tons CO_2e per Year
Construction (amortized over 30 years)	54.3
Area	10.8
Energy	708.4
Mobile	789.4
Waste	48.2
Water	47.4
Total	1,658.5
Efficiency (Total GHG 1,658.5 / Service Population 409) (Metric Tons CO_2e/Service Population/Year)	**4.1**
Annual Threshold Comparison	
BAAQMD Potentially Significant Impact Threshold (Metric Tons CO_2e/Service Population/Year)	4.6
Exceed BAAQMD Threshold?	**No**

*Source: CalEEMod version 2016.3.2 See **Appendix D** for emission model outputs.*

Notes: No wood hearths per BAAQMD Regulation 6, Rule 3.

Service population estimated to be 3 per DU for single-family houses and 2 per DU for senior multifamily attached housing.

As shown, project-related operational GHG emissions would not exceed the BAAQMD service population efficiency threshold. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion b)

Analysis in the SEIR

This checklist item was analyzed in SEIR (page 6-19) and was determined to result in **no impact** because the project would be consistent with the AB 32 Scoping Plan, the Bay Area 2010 Clean Air Plan, and the City of Hayward Climate Action Plan.

New Information and Specific Effects of the Project

Senate Bill 32

In August 2016, Governor Brown signed Senate Bill (SB) 32 (Amendments to California Global Warming Solutions Action of 2006), which extends California's GHG reduction programs beyond 2020. SB 32 amended the California Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emissions reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by Governor Brown's Executive Order B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in Executive Orders S-3-05 and B-30-15 of 80 percent below 1990 emissions levels by 2050. As of the date of publication of this Infill Checklist, no specific policies or emissions reduction mechanisms have been established.

2017 Bay Area Clean Air Plan

The BAAQMD adopted the latest version of its Clean Air Plan in April 2017. The plan expands on the goals and strategies of the 2010 Clean Air Plan to achieve the targets specified in SB 32 for 2030 and 2050: "Consistent with the GHG reduction targets adopted by the state of California, the plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050" (BAAQMD 2017b).

Plan Bay Area 2040

As required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) have developed a Sustainable Communities Strategy (SCS) as a component of Plan Bay Area 2040 (MTC and ABAG 2017). This plan seeks to reduce GHG and other mobile source emissions through coordinated transportation and land use planning to reduce vehicle miles traveled (VMT). A component of the plan is to focus higher-density residential and mixed-use development in Transportation Priority Project (TPP) areas. The area within a 0.5-mile radius of the South Hayward BART station has been designated a TPP area. The project site is within this TPP area, and the entire project's density of 36.4 dwelling units per acre[2] is above the minimum density of 20 dwelling units per acre required of a TPP.

Because the project would support the goals of the Bay Area 2017 Clean Air Plan and Plan Bay Area 2040 by focusing higher-density residential growth in a TTP area, thereby reducing regional VMT, it would also be in line with 2030 targets established in SB 32. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

[2] Calculation: 203 total residential units divided by 5.58 acres (entire project site) = 36.4 dwelling units per acre.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.7 HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	☐
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a, b, c, and d)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 52 to 55) and were determined to result in **no new impact** because previous CEQA documents already identified potential impacts through the release of asbestos-containing materials, lead-based paints, and other hazardous materials during demolition of existing structures as older buildings and related improvements are removed to allow for new development. Additionally, the SEIR identified that one property in the project area is on the Cortese List, and a number of properties in the project area have been affected by various contaminants. Lastly, the SEIR identifies one public school in the project area (Bowman Elementary School) and five schools within a quarter mile.

The SEIR identifies six mitigation measures from the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR and 2009 Route 238 Bypass Land Use Study Program EIR that are applicable: **Mitigation Measures Haz-1** through **Haz-6**. These mitigation measures address potential hazards related to hazardous air emissions and potential soil and groundwater contamination.

New Information and Specific Effects of the Project

Construction (Hazardous Material Transport, Use, and Disposal)

Both the EPA and the US Department of Transportation (DOT) regulate the transport of hazardous waste and material, including transport via highway. The EPA administers permitting, tracking, reporting, and operations requirements established by the Resource Conservation and Recovery Act. The DOT regulates the transportation of hazardous materials through the Hazardous Materials Transportation Act. This act includes requirements for container design and labeling, as well as for driver training. The established regulations are intended to track and manage the safe interstate transportation of hazardous materials and waste. Additionally, state and local agencies enforce the application of these acts and coordinate safety and mitigation responses in the case that accidents involving hazardous materials occur.

Project construction would include refueling and minor maintenance of construction equipment on-site, which could lead to minor fuel and oil spills. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA) requirements. All construction activities would be subject to the National Pollutant Discharge Elimination System (NPDES) permit process that requires the preparation of a stormwater pollution prevention plan (SWPPP), which would be reviewed and approved by the Regional Water Quality Control Board. With compliance with existing regulations, the project would **not be more significant than what has already been analyzed**.

Operation (Hazardous Material Transport, Use, and Disposal)

Project operation would involve the routine transport, use, or disposal of hazardous materials in small quantities for residential use. All hazardous materials on the site would be handled in accordance with city and state regulations. Because any hazardous materials used for operations would be in small quantities, long-term impacts associated with handling, storing, and disposing

of hazardous materials from project operation would **not be more significant than what has already been analyzed**.

Release of Hazardous Materials into the Environment

No activities associated with project operation as a residential development would result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Additionally, there are no schools within a quarter mile of the project site, and the site is not on the Cortese List.

The Cornerstone Earth Group Phase I Environmental Site Assessment reports for the project site (2015 and 2016; **Appendix B**) recommend project design features as described in Section 3.0, Project Description. These features would address small quantities of hazardous materials observed on the site, initiate fill soil evaluation and documentation, establish a Site Management Plan and Health and Safety Plan, and require asbestos-containing materials to be removed by a licensed asbestos contractor.

With implementation of these recommended project design features and **Mitigation Measures Haz-1** through **Haz-6** from the SEIR (referenced above), the project would **not be more significant than what has already been analyzed.**

Criteria e and f)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (page 55) and were determined to result in **no impact** because the project area is not located in an airport land use area, within 2 miles of a public airport, or the vicinity of a private airstrip.

New Information and Specific Effects of the Project

The project site is approximately 3.6 miles from Hayward Executive Airport and is not in the vicinity of a private airstrip (Caltrans 2016). Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion g)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 55) and was determined to result in **no impact** because the project would improve access over time through implementation of its Thoroughfare Plan.

New Information and Specific Effects of the Project

Policy CS-5.6 of the City's General Plan Safety Element establishes that the City will maintain and implement a Comprehensive Management Plan to outline the City's responsibilities in emergencies, coordinate response and recovery efforts, and establish procedures for the City's Emergency Operations Center. This plan has not yet been developed. While the project proposes to remove the portion of road planned in the South Hayward BART/Mission Boulevard Form-Based Code, emergency vehicle access could be considered for the public trail planned on the site in its place if deemed necessary in the City's Comprehensive Management Plan for emergencies.

Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion h)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (pages 55 and 56) and was determined to result in **no new impact** because the portion of the project area located in a High Fire Hazard Zone is subject to the City's Hillside Design and Urban/Wildland Interface Guidelines.

New Information and Specific Effects of the Project

The project site is not within a High Fire Hazard Zone (Cal Fire 2007). Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.8 HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	☐
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)?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
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 that would result in flooding on- or off-site?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of a failure of a levee or dam?	☐	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a and f)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 57 and 58) and were determined to result in **no new impact** because new construction in the city is subject to mandatory water quality requirements imposed as a condition of construction. These regulations implement regional water quality regulations imposed by the San Francisco Bay Regional Water Quality Control Board and are consistent with the NPDES permit granted to all jurisdictions in Alameda County pursuant to the Alameda County Clean Water Program. New development projects are required to implement best management practices for both construction and post-construction periods that limit periods during which grading occurs and require filtration of stormwater prior to its entering public drainage systems and similar requirements.

New Information and Specific Effects of the Project

Construction

Construction activities would include demolition, grading, and excavation, which could disturb and expose soils to water erosion, potentially increasing the amount of silt and debris entering downstream waterways. In addition, refueling and parking of construction equipment and other vehicles on-site could result in oil, grease, and other related pollutant leaks and spills that could enter runoff. However, pursuant to Hayward Municipal Code Sections 11-5.40 and 11-5.43, the project would be required to adhere to the City's Site Design Standards and Guidance as related to best management practices (BMPs), and the City has the authority to enforce construction stormwater permits. Strict compliance with the stormwater pollution prevention plan, coupled with the use of appropriate BMPs, would minimize potential water quality impacts during construction activities.

Operation

Project operation could also contribute pollutants, such as oil, grease, and debris, to stormwater drainage flowing over project parking areas and entering the City's stormwater system. The project would connect to the City's existing storm drainage and sewer facilities. Pursuant to Hayward Municipal Code Section 11-5.38, all regulated projects are required to include stormwater treatment measures to reduce water quality impacts of urban runoff from the entire project site for the life of the project. The project's preliminary stormwater control plan designates drainage management areas with required treatment areas. The project site drains to the southwest toward Mission Boulevard. Stormwater from the project's roofs and pavement/walkways would be directed into planter boxes, bioretention areas, and self-retaining areas, including an underground detention facility. This storm drain would connect to the existing 12-inch storm drain pipe that runs under Mission Boulevard (see **Figure 3.7**).

Because of construction permitting requirements, BMPs, and project stormwater treatment design features, which would be required to be maintained for the life of the project, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion b)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 58) and was determined to result in **no new impact** because the underlying groundwater basin in the project area is not used as a water supply and no water supply pumping activities occur in the city.

New Information and Specific Effects of the Project

The project area is highly urbanized and is largely covered with impervious surfaces. The project would include areas of landscaping and new trees as well as other features designed to retain and treat stormwater on-site. The project would not require the pumping of groundwater (aside from necessary construction period dewatering operations to clear excavations) and therefore would not deplete local groundwater supplies. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criteria c and d)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 58 and 59) and were determined to result in **no new impact** because a number of regional drainage facilities exist in the project area. In addition, the City maintains localized storm drain facilities in the project area to collect stormwater to convey to regional Alameda County Flood Control and Water Conservation District facilities.

New Information and Specific Effects of the Project

In compliance with existing water quality regulations, the project would be required to implement construction and post-construction BMPs to minimize erosion and sedimentation. The project would alter and formalize the site's existing drainage pattern, both during construction and operation. However, because of construction permit requirements, BMPs, and project stormwater treatment design features, the project would not result in substantial erosion, siltation, or on- or off-site flooding. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion e)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (pages 59 and 60) and was determined to result in a **less than significant level with revised mitigation** because it was anticipated that the project could add to the amount of impervious surfaces, which could increase both the rate and the amount of stormwater leaving the project area. Furthermore, the ability of downstream drainage facilities to safely accommodate increased flows, especially during intense storm events when the rate of stormwater flows would be the greatest, could be significantly impacted and was determined to be a potentially significant impact.

The SEIR incorporated **Mitigation Measures Hyd-1** and **Hyd-2** from the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR and 2009 Route 238 Bypass Land Use

Study Program EIR. These mitigation measures require the preparation of site-specific drainage analysis and plans for future construction projects.

New Information and Specific Effects of the Project

The project site is located within the jurisdiction of the Alameda County Flood Control and Water Conservation District, which has designed and constructed flood control infrastructure assuming full buildout of the county. Cities and unincorporated areas, grouped by "zones" corresponding to area watersheds and community boundaries, joined the flood control district to gain protection from floods. Additionally, the project includes a preliminary stormwater control plan, which is required to comply with the City's Site Design Standards and Guidance, including flow duration and volume control measures. Policy NR-6.6 of the City's General Plan Natural Resources Element also requires the use of low-impact development techniques to best manage stormwater through conservation, onsite filtration, and water recycling (Hayward 2014b). Through adherence to the above requirements and due to existing county flood control infrastructure, the effect of the project would **not be more significant than what has already been analyzed**.

Criteria g, h, i, and j)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 60 and 61) and were determined to result in a **less than significant level with revised mitigation** because portions of the project area lie within a 100-year flood zone. The SEIR incorporated **Mitigation Measures Hyd-3** and **Hyd-4** from the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR and 2009 Route 238 Bypass Land Use Study Program EIR. These mitigation measures require flooding impact measures to be satisfied prior to construction taking place within a 100-year flood hazard area.

New Information and Specific Effects of the Project

According to the City's (2017) online web map, the project site is in Flood Zone X, which is not a 100-year flood hazard area. Additionally, the project site is not in a dam inundation zone, nor is it located near a body of water that would put the area at risk for seiche or tsunami. Lastly, the project site would not be exposed to significant risk of mudflow due to the policies listed in Table 13.3 of the Hayward 2040 General Plan (Hayward 2014b), which were adopted to avoid and reduce erosion and siltation. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.9 LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?	☐	☐	☐	☒	☐
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 ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 62) and was determined to result in **no impact** because the project would be located in an existing urban environment and it would help facilitate enhanced pedestrian and bike access in the area through the project Thoroughfare Plan.

New Information and Specific Effects of the Project

The project would develop existing infill properties and provide a new pedestrian connection between Overhill Drive and Mission Boulevard. Additionally, the project would incorporate a new public pedestrian and bicycle connection through the property, as shown in **Figure 3.4**. Established communities would benefit from new physical connections between the project and the community, and no physical divisions would be created. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion b)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 62) and was determined to result in **no impact** because the project would support high-intensity and well-designed quality development in areas within a half-mile of transit stations and a quarter-mile of major bus routes to encourage non-automotive modes of travel.

New Information and Specific Effects of the Project

The project site is in the Transect 4 (Urban General Zone) of the South Hayward BART/Mission Boulevard Form-Based Code, which allows a maximum height of four stories and maximum overall height of 57 feet, as measured from the midpoint of the frontage line and the midpoint of the ridge and eave. The project would have a maximum of four stories and a maximum height of 57 feet.

The project would not conflict with the City's noise policies, as described further in subsection 4.11, Noise.

Additionally, the multifamily portion of the project would be built at a density of 41.7 dwelling units per acre, which would be within the allowable maximum under the South Hayward BART/Mission Boulevard Form-Based Code, as detailed in subsection 4.12, Population and Housing.

The South Hayward BART/Mission Boulevard Form-Based Code includes a Thoroughfare Plan that would accommodate shorter block lengths, interconnect streets, add alleys, and avoid cul-de-sacs. The Thoroughfare Plan identifies a 56-foot right-of-way through the project site with sidewalks on both sides of the street, two vehicle traffic lanes, on-street parking, and a bike route. The project would implement the pedestrian and bicycle portions of the Thoroughfare Plan but not the vehicular portion. The purpose of the South Hayward BART/Mission Boulevard Form-Based Code is that neighborhoods and development are compact and pedestrian oriented, where ordinary daily activities are within walking distance of most dwellings (Hayward 2011a). Furthermore, the code meant to allow independence for those people who do not drive. While the Thoroughfare Plan creates interconnectivity between streets that is designed to disperse traffic and reduce the length of automobile trips, the portion of the thoroughfare that was planned for the project site was not put in place so as to avoid an environmental effect or a mitigation measure. Establishing a public pedestrian and bicycle facility through the project site would serve to implement the South Hayward BART/Mission Boulevard Form-Based Code's purpose of creating a pedestrian-oriented environment that allows independence for people who do not drive.

The project would be consistent with local land use plans, policies, and regulations stated in the Zoning Ordinance and the General Plan that were established for the purposes of avoiding or mitigating an environmental effect. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion c)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 63) and was determined to result in **no impact** because the project site is not subject to a habitat conservation plan or natural community conservation plan.

New Information and Specific Effects of the Project

There is still no adopted habitat conservation plan or natural community conservation plan applicable to the project area (CDFW 2017b). Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.10 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?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a and b)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (page 64) and were determined to result in **no impact** because no mineral resources exist in the project area.

New Information and Specific Effects of the Project

According to the Hayward 2040 General Plan Draft EIR, the only State-designated mineral resource "sector" of regional significance in Hayward is the La Vista Quarry (Hayward 2014a). All operations at the site have been terminated, and the Surface Mining Permit for the La Vista Quarry issued by Alameda County expired in 2008. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.11 NOISE. Would the project:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	☐	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	☐
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐

SETTING

The project site is on the northeast side of Mission Boulevard between Industrial Parkway and Tennyson Road. Mission Boulevard (State Route [SR] 238) is a major arterial route in Hayward that carries traffic between Fremont to the south and Castro Valley to the north. Single-family residences are located adjacent to the project site to the east and northeast. An auto repair and sales business is adjacent to the project site to the west. All other land adjacent to the project site is undeveloped. Areas along Mission Boulevard in the project vicinity contain a variety of commercial businesses, multifamily housing, and religious facilities. Areas along Overhill Drive to the northeast contain single-family residences.

CRITERIA FOR ACCEPTABLE NOISE EXPOSURE

The City of Hayward addresses noise in the policies of the General Plan and in the provisions of the City's Municipal Code. General Plan Hazards Element Table HAZ-1 and Policy HAZ-8.5, Residential Noise Standards, establish an L_{dn} of 60 dB as the maximum acceptable noise level for primary exterior open spaces of single-family residential homes, excluding front yards, balconies,

stoops, and porches.[3] For multifamily residential urban infill projects (including the South Hayward BART Urban Neighborhood), the exterior noise standard is defined as an L_{dn} of 70 dB, excluding front yards, balconies, stoops, and porches. Policy HAZ-8.5 defines the maximum interior noise level for all residential uses to be an L_{dn} of 45 dB with windows closed (Hayward 2014b).

Hayward Municipal Code Section 4-1.03.1 (Noise Restriction by Decibel) establishes a maximum noise level emanating from a residential property at 70 dB between the hours of 7:00 a.m. and 9:00 p.m. or 60 dB between the hours of 9:00 p.m. and 7:00 a.m. Section 4-1.03.4 (Construction and Alteration of Structures) restricts construction activities to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday and 10:00 a.m. to 6:00 p.m. on Sundays and holidays. For construction activities, no individual device may produce a noise level exceeding 83 dB at a distance of 25 feet and the noise level at any point outside of the property plane may not exceed 86 dB.

Fundamentals of sound were discussed in the South Hayward BART/Mission Boulevard Concept Design Plan DEIR. All noise levels reported in this section are in terms of A-weighted levels (dBA) but may be expressed as dB, unless otherwise noted.

DISCUSSION OF IMPACTS

Criterion a)

Analysis in the SEIR

This checklist item was evaluated in the SEIR Initial Study (page 65) and was determined to result in a **less than significant impact with revised mitigation** because the project would increase the number of dwelling units and vehicle trips in the project area above that studied in the previous CEQA documents. SEIR **Mitigation Measures Noise-1** through **Noise-4** were included to require site-specific noise reports that summarize existing noise levels, potential noise exposure levels, compatibility with the existing and future noise environment, and potential increases in noise levels from project operation.

New Information and Specific Effects of the Project

Consistent with the previously identified noise mitigation and to comply with the requirements of Hayward General Plan Policy HAZ-8.2 (Hayward 2014b), a noise study was completed for the project by Charles M. Salter Associates (2017; **Appendix H**). The study analyzed potential interior and exterior noise levels for the project and recommended changes to the project design to ensure compliance with the City's General Plan policies. These changes include minimum window sound transmission class (STC) ratings required to meet interior noise standards. Implementation of the recommendations of the noise study would reduce noise levels in residential areas to below the maximum levels defined by the City General Plan policies. Therefore, the impact of noise on sensitive receptors sited by the project would be **substantially mitigated by uniformly applicable development policies** and would **not be more significant than what has already been analyzed**.

[3] The standard unit of sound amplitude measurement is the decibel (dB). The decibel scale is a logarithmic scale that describes the physical intensity of the pressure vibrations which make up any sound. L_{dn} equals the Day-Night Average Level and is a 24-hour average, with a 10 dBA "weighting" added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the nighttime.

Criterion b)

Analysis in the SEIR

This checklist item was evaluated in the SEIR Initial Study (page 65) and was determined to result in a **less than significant impact with revised mitigation** because the project would increase the number of dwelling units and vehicle trips in the project area above that studied in the previous CEQA documents. The SEIR and the SEIR Initial Study did not analyze the impact of short-term construction-related groundborne vibrations or groundborne noise because the project did not specifically include a proposal to authorize construction that may result in groundborne noise or groundborne vibration.

Fundamentals of Environmental Groundborne Vibration

The following discussion supplements the vibration analysis in the SEIR and is specific to construction. It is included for informational purposes to provide a background for the analysis. The ground motion caused by vibration is measured as particle velocity in inches per second and in the United States is referenced as vibration decibels (VdB). Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Groundborne vibration is almost never annoying to people who are outdoors. Although the motion of the ground may be perceived, without the effects associated with the shaking of a building, the motion does not provoke the same adverse human reaction. In addition, the rumble noise that usually accompanies building vibration is perceptible only inside buildings (FTA 2006). As such, the range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

In urban environments, such as the project area, sources of groundborne vibration include construction activities, light rail transit, and heavy trucks and buses. Construction activities can cause vibration that varies in intensity depending on several factors. The use of pile driving and vibratory compaction equipment typically generates the highest construction-related groundborne vibration levels.

Vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. The California Department of Transportation (Caltrans) (2002) recommends a standard of 0.2 inches per second peak particle velocity (PPV) with respect to the prevention of structural damage for normal buildings.

New Information and Specific Effects of the Project

Project construction would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved. T**able 4.7-1** displays vibration levels for typical construction equipment, based on application of Caltrans's recommended standard.

TABLE 4.7-1
TYPICAL CONSTRUCTION EQUIPMENT VIBRATION LEVELS

Equipment	Peak Particle Velocity at 25 Feet (inches per second)
Large Bulldozer	0.089
Loaded Truck	0.076
Jackhammer	0.035
Small Bulldozer/Tractor	0.003

Source: FTA 2006; Caltrans 2004

The nearest residential structure to the project is a single-family residence on Overhill Drive, which is approximately 10 feet from the project site boundary. This location is adjacent to one of the proposed single-family homes. Construction activities in this area of the project site would not involve the use of equipment that would generate high levels of groundborne vibration such as large bulldozers, vibratory compactors, or pile drivers. Construction activities would occur throughout the project site and would not be concentrated at the points near adjacent structures. Based on the vibration levels presented in **Table 4.7-1**, ground vibration generated by heavy-duty equipment would not be anticipated to exceed 0.09 inches per second PPV at 25 feet. Therefore, the use of construction equipment would not result in a groundborne vibration velocity level above 0.2 inches per second; predicted vibration levels at the nearest off-site structures would not exceed recommended criteria. Additionally, this impact would be temporary and would cease when construction ends. Once operational, the project would not be a source of groundborne vibration. Therefore, new impacts would be **less than significant**.

Criterion c)

Analysis in the SEIR

This checklist item was evaluated in the SEIR Initial Study (page 65) and was determined to result in a **less than significant impact with revised mitigation** because the project would increase the number of dwelling units and vehicle trips in the project area above that studied in the previous CEQA documents.

New Information and Specific Effects of the Project

The SEIR Initial Study assumed maximum buildout in accordance with the South Hayward BART/Mission Boulevard Form-Based Code in determining traffic noise. Section 10-24.240 (Density Standards) of the Form-Based Code allows a maximum of 35 units per acre for the portion of the project site zoned T4 Urban General. The multifamily portion of the project site is 4.8 acres, which would allow for a maximum of 168 units. However, because the project meets the definition of a senior citizen housing development as described in Section 51.3 of the California Civil Code and is located within one-half mile of a major transit stop, it qualifies for a 20 percent senior citizen housing bonus under state density bonus law, as detailed in Government Code Section 65915. This bonus would result in 32 dwelling units above the maximum assumed in the SEIR Initial Study.

The estimated average daily trips (ADT) generated by a maximum-density multifamily residential development on the project site would be 976 trips.[4] The estimated ADT for the proposed senior housing development would be 688 trips[5] (ITE 2012). Because there would be no increase in ADT in the region due to the project above that assumed in the SEIR Initial Study, there would be no change in the potential for a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion d)

Analysis in the SEIR

This checklist item was evaluated in the SEIR Initial Study (pages 67 and 68) and was determined to result in a **less than significant impact with revised mitigation** because the project would facilitate the approval of development projects that would involve short-term, temporary increases in noise during their construction phases. SEIR **Mitigation Measures Noise-5** and **Noise-6** were included to require projects to submit Construction Noise Management Plans and follow reasonable construction practices.

New Information and Specific Effects of the Project

Construction activities would consist of demolition of the existing building, site preparation (including grading), removal of existing road surfaces, and construction of new structures. Construction would require excavation and off-hauling of materials as well as use of heavy equipment such as bulldozers, scrapers, backhoes, excavators, loaders, compactors, rollers, and a paving machine. These activities would be a source of noise and vibration that could affect off-site noise-sensitive receptors such as the single-family homes to the east and northeast and the on-site receptors in the units in Building A that would become occupied prior to the completion of Buildings B and C. Consistent with the City's Noise Ordinance, construction would generally occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday and 10:00 a.m. to 6:00 p.m. on Sundays and holidays. In addition, the project would be required to implement SEIR Initial Study **Mitigation Measure Noise-5**, which requires preparation of a Construction Noise Management Plan. The City must approve the plan prior to issuance of a grading permit or building permit. Implementation of the Construction Noise Management Plan would reduce construction noise impacts to a less than significant level. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criteria e and f)

Analysis in the SEIR

These checklist items were evaluated in the SEIR Initial Study (page 68) and were determined to result in **no impact** because the project is not located within an airport land use plan.

New Information and Specific Effects of the Project

The closest airport to the project is Hayward Executive Airport approximately 3.6 miles northwest. Per the Hayward Executive Airport Land Use Compatibility Plan, the project site is not within the

[4] Calculation: 168 units x 5.81 ADT/unit = 976 trips

[5] Calculation: 200 units x 3.44 ADT/unit = 688 trips

airport Influence area (Alameda County ALUC 2010). No new airports or private landing strips have been identified. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

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

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (pages 70 and 71) and was determined to result in a **less than significant impact with revised mitigation** because proposed population increase would be above the regional projections prepared by ABAG. **SEIR Mitigation Measures Pop-1** and **Pop-2** were included to require City consultation with ABAG to ensure that project buildout populations are included in future regional projections.

New Information and Specific Effects of the Project

The project would create 200 senior housing units and 3 single-family residences (within a single-family district). The project's senior housing units would be located on a portion of the site zoned T4 Urban General, which resulted from the South Hayward BART/Mission Boulevard Form-Based Code and establishes a density range of 17.5 to 35 dwelling units per acre. The project's senior housing units would be built at 41.7 units per acre. However, because the project meets the definition of a senior citizen housing development as described in Section 51.3 of the California Civil Code and is located within one-half mile of a major transit stop, it qualifies for a 20 percent senior citizen housing bonus under state density bonus law, as detailed in Government Code Section 65915. Therefore, the effect of the project would be **substantially mitigated by uniformly applicable development policies**.

Criteria b and c)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 70 and 71) and were determined to result in a **less than significant impact with revised mitigation** because the proposed population increase would be above the regional projections prepared by ABAG. SEIR **Mitigation Measures Pop-1** and **Pop-2** were included to require City consultation with ABAG to ensure that project buildout populations are included in future regional projections.

New Information and Specific Effects of the Project

The project site contains three existing single-family residences. These residences existed when the South Hayward BART/Mission Boulevard Form-Based Code was developed, and their demolition would not constitute a large-scale displacement of people and housing. Furthermore, the Hayward 2040 General Plan Draft EIR identifies mobile home parks and unincorporated areas located within the City's Sphere of Influence as potential areas where development could result in large-scale displacement of people and housing (Hayward 2014a). The project site is not a mobile home park or an unincorporated area in the City's Sphere of Influence. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

		Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.13	**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 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 following public services:					
a)	Fire protection?	☐	☐	☐	☒	☐
b)	Police protection?	☐	☐	☐	☒	☐
c)	Schools?	☐	☐	☐	☒	☐
d)	Parks?	☐	☐	☐	☒	☐
e)	Other public facilities?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a and b)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 72 and 73) and were determined to result in a **less than significant impact with revised mitigation** because new development could increase the risk of fire, and the number of calls for service for emergencies would increase based on a higher resident population.

The SEIR identifies four mitigation measures from the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR and 2009 Route 238 Bypass Land Use Study Program EIR that are applicable: **Mitigation Measures PS-1** through **PS-4**. These mitigation measures address potential shortages in fire and police equipment and staffing caused by implementation of the South Hayward BART/Mission Boulevard Form-Based Code.

New Information and Specific Effects of the Project

The multifamily portion of the project site would be developed at a density of 41.7 dwelling units per acre, which is 6.7 dwelling units per acre more than the density allowed for the site under the City's General Plan. However, the above-referenced mitigation measures require developers to pay a fair-share contribution for equipment. Funding for staffing would be done through a mechanism that may include a Community Facilities District, which could assess properties on a per-unit basis. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion c)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (pages 73 and 74) and was determined to result in **no new impact** because schools near the South Hayward BART/Mission Boulevard Form-

Based Code area were operating below maximum capacity and development would be required to pay school impact fees.

New Information and Specific Effects of the Project

The project would be required to pay school impact fees. Additionally, the project is not expected to substantially increase school impacts despite increased density because the multifamily units would be age-restricted and unlikely to house school-age children, and the three single family homes would be unlikely to increase school children enrollment beyond the schools' capacity. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion d)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 74) and was determined to result in **no impact** because the project would increase the amount of parkland in the project area from 4.19 acres to 14 acres and add 8.4 acres in greenways.

New Information and Specific Effects of the Project

The project would create greenway space through inclusion of a public multi-use trail. This trail was not identified in the South Hayward BART/Mission Boulevard Form-Based Code, which did not include any parkland on the project site. As such, the project would not result in a deterioration of existing park facilities or result in the need for new ones. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion e)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 74) and was determined to result in **no impact** because there are no other public facilities upon which the project would be reliant.

New Information and Specific Effects of the Project

The Weekes Branch Library is approximately 1.6 miles from the project site (located at 27300 Patrick Avenue). Policy EDL-6.3 of the Hayward General Plan calls for the City to consider various facility renovations and expansions to the Weekes Branch Library to enhance library services and programs based on community needs. Additionally, Policy EDL-6.8 calls for the City to consider the establishment of a library impact fee for new residential construction. The project would comply with applicable library impact fee requirements. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

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

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a and b)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (page 75) and were determined to result in **no impact** because the project would increase the area dedicated to parks to above that identified in the previous CEQA documents.

New Information and Specific Effects of the Project

The multifamily portion of the project site would be developed at a density of 41.7 dwelling units per acre, which is 6.7 dwelling units per acre more than the density allowed for the site under the City's General Plan. As detailed in subsection 4.12, Population and Housing, the project qualifies for a 20 percent senior citizen housing bonus under state density bonus law, resulting in the project including 32 more units than allowed under the maximum residential density in the City's General Plan. The project site is located across the street from the Civic Space Zone on Mission Boulevard, which is intended for public open space, civic buildings and civic uses. Additionally, the future La Vista Park, as identified in the South Hayward BART/Mission Boulevard Form-Based Code, is planned approximately 0.3 mile from the project site (Hayward 2011a).

The project includes an on-site public multi-use trail that would could serve as a future extension of and connection to the Civic Space Zone and the future La Vista Park. This trail was not identified in the South Hayward BART/Mission Boulevard Form-Based Code. The public multi-use trail would be located on a previously developed portion of the site; however, it would not have an adverse physical effect on the environment. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.15 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)?	☐	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a and b)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 76 and 77) and were determined to result in a **new potentially significant impact** because the development potential under the project would result in additional new traffic above that which was studied in the previous CEQA documents. In particular, the project would contribute additional trips to Mission Boulevard, Tennyson Road, Industrial Parkway, and other roadways in the area.

The SEIR identifies four mitigation measures from the Concept Design Plan EIR that are applicable to the project: **Mitigation Measures Traf-1** through **Traf-4**. **Mitigation Measure Traf-1** calls for a southbound left turn lane and modification of the traffic signal at Dixson Street/Tennyson Road to improve the level of service at this intersection. **Mitigation Measure Traf-2** calls for modified traffic

signal phasing at Mission Boulevard/Industrial Parkway to improve the level of service at this intersection. **Mitigation Measure Traf-3** calls for split phasing signal timing at Mission Boulevard/Tennyson Road to improve the level of service at this intersection. **Mitigation Measure Traf-4** calls for right turn overlap phasing and prohibiting northbound U-turns at Mission Boulevard and Harder Road to improve the level of service at this intersection.

New Information and Specific Effects of the Project

Table 4.15-1 shows the project's potential vehicle trips during operation. The incremental increase in single-family trips would not have a significant impact on the intersection of Overhill Drive and Mission Boulevard, which only allows for outbound and inbound turning movements onto westbound Mission Boulevard. As an attached senior housing project, the project trip generation estimates are lower than they would be for a condominium project built to the maximum allowable density permitted (168 units), which is the trip generation analyzed in the SEIR. As shown in **Table 4.15-2**, a 168-unit condominium project would generate more daily and peak hour trips than the project. Thus, the project is estimated to generate fewer average daily trips than a condominium project built to the maximum allowable density.

Additionally, earthmoving activities would be required for project construction. The project would require excavation of 49,634 cubic yards (CY) of soil. The soil would be transported using trucks with a capacity of approximately 20 CY (generally filled to 18 CY). Excavation would require approximately 87 days of off-haul at 32 truckloads per day.[6] The construction crew would vary in size and would be approximately 80 to 100 people. Construction crew sizes would only reach 80 to 100 people for short segments of the approximately 21-month construction period. The project truck off-haul and construction crew trip generation would be less intense than the project's operational trip generation because it would be limited in duration and construction days with more trips generated than operational days would be infrequent.

Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

TABLE 4.15-1
PROJECT TRIP GENERATION ESTIMATES

Land Use	Number of Dwelling Units	Average Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	Inbound	Outbound	Total	Inbound	Outbound
Senior Adult Housing – Attached	200	688	40	14	26	50	27	23
Single-Family Homes	3	29	3	1	2	3	2	1
Total Project Trip Generation		**717**	**43**	**15**	**28**	**53**	**29**	**24**

Note: All rates are from the ITE (2012) Trip Generation Manual, 9th Edition.

[6] Calculation: 8 trucks x 4 loads/day = 32 loads/day for a total of approximately 2,758 haul truckloads of off-haul (total = 87 days)

TABLE 4.15-2
TRIP GENERATION ESTIMATE COMPARISON

Land Use	Number of Dwelling Units	Average Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	Inbound	Outbound	Total	Inbound	Outbound
Senior Adult Housing – Attached	200	688	40	14	26	50	27	23
Residential Condominiums	168	976	74	13	61	87	58	29
Difference	**+32**	**-288**	**-34**	**+1**	**-35**	**-37**	**-31**	**-6**

Note: All rates are from the ITE (2012) Trip Generation Manual, 9th Edition.

Criterion c)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 78) and was determined to result in **no impact** because the project is located over 2 miles from the nearest airport, Hayward Executive Airport.

New Information and Specific Effects of the Project

The project site is approximately 3.6 miles away from Hayward Executive Airport and is not in the vicinity of a private airstrip (Caltrans 2016). Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion d)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 78) and was determined to result in a **less than significant impact** because the project would result in the construction of new public streets intersecting with existing public streets.

New Information and Specific Effects of the Project

The project site contains two existing driveways and no through vehicle connections to nearby roads. The project would remove one driveway and add a public multi-use trail instead of the two-vehicle travel lane road called for in the South Hayward BART/Mission Boulevard Form-Based Code Thoroughfare Plan. By removing a driveway from the property and building a public multi-use trail instead of the planned two-vehicle travel lane road, the project would reduce conflict points between vehicles, bicycles, and pedestrians. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion e)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 78) and was determined to result in **no new impact** because the project's Thoroughfare Plan would improve emergency access in the project area through the construction of additional paths of ingress and egress that would meet City of Hayward standards.

New Information and Specific Effects of the Project

The project would comply with the City's emergency access requirements, including paved surfaces, with fire hydrant connections, that are designed to accommodate fire truck turning movements. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion f)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (pages 78 and 79) and was determined to result in **no new impact** because the project would have a positive effect on public transit by providing a type and form of development with an interconnected street system—all within walking distance of existing transit service stops.

New Information and Specific Effects of the Project

The project would add senior housing within a half mile of the South Hayward BART Station, provide a new, direct pedestrian connection between Overhill Drive and Mission Boulevard, and build a segment of a public multi-use trail that can be connected to a larger trail system. The project would also include 24 short-term, public bike parking spaces, a public bike repair station, and 93 long-term bike parking spaces (inside each multifamily building). Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.16 UTILITIES AND SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider that 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?	☐	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criteria a and e)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 80 and 81) and were determined to result in **no new impact** because the anticipated increase in wastewater generation of up to 867,524 million gallons per day (mgd) by the project could be accommodated at the City's wastewater treatment plant.

New Information and Specific Effects of the Project

The City's Water Pollution Control Facility is permitted to provide primary to advanced secondary treatment for up to 18.5 mgd (Hayward 2014b). As required by Hayward 2040 General Plan Policy PFS-4.9, the City reviews individual development proposals to ensure that an adequate localized wastewater conveyance capacity can be provided prior to project approval. Individual development proposals may be required to provide replacement or upgraded local wastewater systems, as determined by the City, prior to construction and occupancy. The project would not substantially increase the wastewater treatment demand analyzed in the SEIR. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criteria b and c)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (pages 81 and 82) and were determined to result in a **less than significant impact with revised mitigation** because the project could add to the amount of impervious surfaces, which could increase both the rate and the amount of stormwater leaving the project area.

The SEIR identifies two mitigation measures from the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR and 2009 Route 238 Bypass Land Use Study Program EIR that are applicable: **Mitigation Measures Hyd-1** and **Hyd-2**. These mitigation measures require site-specific drainage plans that include new or improved drainage facilities needed to accommodate stormwater increases.

New Information and Specific Effects of the Project

The project would increase the water demand for the property, from 9 commercial and residential buildings (combined) to the water demand of 3 single-family housing units and 200 senior housing units with accompanying landscaping and accessory facilities. The City of Hayward provides water for residential, commercial, industrial, governmental, and fire suppression uses. The City owns and operates its own water distribution system and purchases all of its water from the San Francisco Public Utilities Commission (Hayward 2014b). Hayward 2040 General Plan Policy PFS-3.13 requires the City to ensure that water supply capacity is in place prior to granting building permits for new development. This would include the construction of potential new water treatment facilities. Additionally, the General Plan includes policies requiring the conservation and reuse of water; the project would be required to comply with those policies.

Figure 3.7 depicts the project's drainage management areas and shows the project's underground stormwater detention facility. Additionally, the project applicant has prepared a C.3 Stormwater Requirements checklist that includes the total amount of new impervious surface created by the project (180,425 square feet). Implementation of this site-specific drainage plan would ensure that stormwater facilities exist to accommodate the project and that stormwater from the project would be treated appropriately. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion d)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 82) and was determined to result in **no new impact** because Hayward's 2005 Urban Water Management Plan assumes water capacity to serve up to 5,000 dwellings in the project area, which is greater than the number of dwellings that could be constructed under the project.

New Information and Specific Effects of the Project

The Hayward's (2016) 2015 Urban Water Management Plan projected increases in multifamily water demand and determined that the present water system has enough supply to meet project demand for average years. The incremental increase in the density of the project would not require a significant amount of new water supply. During dry years, particularly multiple consecutive dry years, the City plans to implement an aggressive water shortage contingency plan with increased levels of prohibitions and consumption reduction. The project would be required to comply with the city's water conservation requirements. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criteria f and g)

Analysis in the SEIR

These checklist items were analyzed in the SEIR Initial Study (page 83) and were determined to result in **no new impact** because the developments ultimately approved under the project would comply with Chapter 5, Article 10 of the Hayward Municipal Code, which requires the submission and approval of a Debris Recycling Statement prior to the commencement of construction. Additionally, the SEIR found that increased solid waste resulting from the construction and occupancy of new dwellings and businesses can be accommodated by existing disposal services and facilities.

New Information and Specific Effects of the Project

The Altamont Landfill, which serves the City, has an expected closure date of 2040 (Hayward 2014a). Additionally, the City recorded diversion rates of 67 (between 2006 and 2009) and 71 (between 2010 and 2013) percent in an effort to achieve the countywide goal of diverting 75 percent of all generated waste from landfills (Hayward 2014a). Hayward 2040 General Plan Policy PFS-7.3 requires the City to continue to coordinate with the Alameda County Waste Management Authority to ensure adequate landfill capacity in the region for the duration of the contract with its landfill franchisee. Additionally, Policy PFS-7.4 requires the City to comply with state goals regarding diversion from landfills and to strive to comply with the provisions approved by the Alameda County Waste Management Authority, which includes construction and demolition waste recycling, food scraps collection, and mandatory recycling for multifamily uses. The project would comply with policies in the 2040 Hayward General Plan. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

	Significant Impact	Less Than Significant or Less Than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
4.17 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 rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	☐	☐	☐	☒	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST AND DISCUSSION

Criterion a)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 84) and was determined to result in **no new impact** because the project would not degrade the quality of the environment with respect to plant and animal habitats and cultural resources. Implementation of **Mitigation Measures Bio-1** and **Bio-2** would ensure biological resource impacts are reduced to less than significant levels. Similarly, implementation of **Mitigation Measure Cult-1** would ensure cultural resource impacts are reduced to less than significant levels.

New Information and Specific Effects of the Project

As detailed in subsection 4.3, Biological Resources, the project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion b)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (page 84) and was determined to result in **no new impact** because since certification of the prior CEQA documents, two development projects (mentioned in the Introduction) have been approved in the project area. However, both projects were found to be consistent with Hayward's General Plan and Zoning Ordinance. Therefore, it can be assumed those projects were also consistent with the corresponding analysis of the previous CEQA documents.

New Information and Specific Effects of the Project

Cumulatively considerable impacts were identified in the SEIR for air quality and transportation, noise and vibration, cultural resources, biological resources, GHG emissions, and population and housing. These impacts are listed and detailed in **Appendix F**.

Based on the findings of this Initial Study, the project would not have any new potentially significant impacts beyond the impacts identified in the SEIR. Therefore, the potential is low for project cumulative effects in combination with other planned or anticipated improvements, particularly given the projects already analyzed under the SEIR. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

Criterion c)

Analysis in the SEIR

This checklist item was analyzed in the SEIR Initial Study (pages 84 and 85) and was determined to result in a **potentially significant impact** because the project may result in emissions of air quality pollutants that may contribute on a cumulative basis toward exceeding established air quality thresholds.

New Information and Specific Effects of the Project

Based on the findings of this Initial Study, the project would not have a substantial impact on human beings. Therefore, the effect of the project would **not be more significant than what has already been analyzed**.

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5.0 REFERENCES

5.0 DOCUMENTS REFERENCED IN INITIAL STUDY AND/OR INCORPORATED BY REFERENCE

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