



CITY OF
HAYWARD
 HEART OF THE BAY

November 12, 2014

Alameda County Clerk
 1106 Madison Street, 1st Floor
 Oakland, CA 94607

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Zone Change Application No. PL-2013-0290 – from Medium Density Residential to Planned Development and Vesting Tentative Tract Map 8104 (Application No. PL-2013-0291) associated with the subdivision and construction of 10 townhomes and common areas on a 0.73-acre site located at 123-197 A Street. Natalie Monk, Habitat for Humanity East Bay/Silicon Valley (Applicant), City of Hayward (Owner)

Dear Mr. O'Connell,

Please post this letter with the attached Mitigated Negative Declaration and Initial Study for a period of 20 days to conform to CEQA Guideline Section 15072. The specific posted comment period is from Thursday, November 13, 2014 to Wednesday, December 3, 2014.

The Planning Commission of the City of Hayward has scheduled a public hearing on Thursday, December 18, 2014, at 7:00 p.m., Council Chambers, 2nd Floor, City Hall, 777 B Street, Hayward, to obtain citizen input on the proposed project and the Mitigated Negative Declaration and Initial Study. A copy of the staff report can be viewed on the City's website at www.hayward-ca.gov after December 12, 2014.

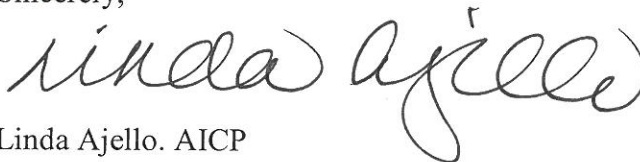
Following the Planning Commission public hearing this matter will then be heard by the City Council. Notice of the City Council hearing will be sent out at a later date. The Planning Commission can either recommend approval to the City Council or deny the application. If denied, the denial action is appealable. The appeal period is 10 days from the date of the decision. If recommended for approval or appealed, a public hearing will be scheduled before the City Council for final decision. Notice of the City Council hearing will be sent out at a later date.

Department of Development Services
 Planning Division

777 B Street, Hayward, CA 94541-5007
 Tel: 510/583-4200 Fax: 510/583-3649

If the Mitigated Negative Declaration is approved, a copy will be sent to the General Business Division of your office for recordation. If you have any questions, please contact me at (510) 583-4210 or e-mail me at linda.ajello@hayward-ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Linda Ajello". The signature is written in a cursive style with a large, looping "L" and "A".

Linda Ajello, AICP
Associate Planner



State of California - Department of Fish and Wildlife
NO EFFECT DETERMINATION REQUEST
 DFW 866 (Rev 01/13)

Lead agencies or project applicants that anticipate their project having no effect on fish and wildlife may use this form to request a "No Effect" Determination (NED) from the California Department of Fish and Wildlife (Department). This form prompts submittal of required information specified in the California Code of Regulations (Title 14 Section 753.5(c)(1)(A)). The California Environmental Quality Act (CEQA) document that was prepared for the project or a link to the webpage where the CEQA document has been published must also be provided with the written request.

Requests should be submitted when the CEQA document is released for public review, or as early as possible in the public comment period. Requests should include sufficient documentation to support a no effect determination, and must be submitted to the appropriate [Regional Office](#). Requests for projects with multi-region or statewide impacts should be submitted to the [Habitat Conservation Planning Branch](#).

If insufficient documentation is submitted, or if the project will cause a physical disturbance to habitat regardless of the magnitude of effect or size of a project a NED will not be issued. Please refer to Title 14 California Code of Regulations 753.5(d) for determination criteria.

Date Submitted: November 10, 2014

Applicant Name: Natalie Monk/Habitat for Humanity of the East Bay/Silicon Valley		Phone Number: 510-803-3372
Address: 2619 Broadway		Fax Number: 510-251-6309
City: Oakland	State: CA	Zip: 94612
		Email: NMonk@habitatebsv.org
Contact Person: Linda Ajello		Phone Number: 510-583-4207
Address: 777 B Street		Fax Number: 510-583-3649
City: Hayward	State: CA	Zip: 94541
		Email: linda.ajello@hayward-ca.gov
CEQA Lead Agency: City of Hayward		
Project Name: Sequoia Grove		
SCH Number and/or Local Agency ID number:		CEQA Document Type:
Zone Change Application No. PL-2013-0290 and Vesting Tentative Map Application No. PL-2013-0291		Mitigated Negative Declaration
Project Location: (Include street address, city, county, lat/long, township/range/section, or other description that clearly indicates the location of the project site. Submit an aerial photograph and/or topographic map showing the project location if otherwise not included with the CEQA document)		
123-197 A Street, Hayward, CA 94541 Alameda County		
Use "Comment" section on next page if more room is needed.		
Brief Project Description: (Include details on the type of project; e.g. new construction [with square footage], demolition of existing buildings, adaptive reuse of existing buildings, zoning amendments, general plan amendments, conditional use for sale of alcoholic beverages, etc.)		
Zone change application to change the zoning from Medium Density Residential (RM) to Planned Development (PD) and Vesting Tentative Tract Map to subdivide the property to construct 10 residential townhomes and common areas on a .73 acre in-fill site that was previously developed with single-family homes.		
Use "Comment" section on next page if more room is needed.		
Justification of No Effect Determination [Explain how the proposed project has no effect on fish and wildlife consistent with 14 CCR § 753.5(d)]:		
1. The Project would not result in or have the potential to result in hard, harassment, or take any fish and/or wildlife species because the project consists of an in-fill site that was previously developed with single-family homes that preclude movement of fish and wildlife species. No impacts related to wildlife movement or corridors are anticipated as a result of the project.		
Use "Comment" section on next page if more room is needed.		



State of California - Department of Fish and Wildlife
NO EFFECT DETERMINATION REQUEST
 DFW 866 (Rev 01/13)

COMMENTS (Continued from previous page)

Project Location: (Include street address, city, county, lat/long, township/range/section, or other description that clearly indicates the location of the project site. Submit an aerial photograph and/or topographic map showing the project location if otherwise not included with the CEQA document)

COMMENTS (Continued from previous page)

Brief Project Description: (Include details on the type of project; e.g. new construction [with square footage], demolition of existing buildings, adaptive reuse of existing buildings, zoning amendments, general plan amendments, conditional use for sale of alcoholic beverages, etc.)

COMMENTS (Continued from previous page)

Justification of No Effect Determination [Explain how the proposed project has no effect on fish and wildlife consistent with 14 CCR § 753.5(d)]:

2. The project would not result in or have the potential to result in direct or indirect destruction, ground disturbance, or other modification of any habitat that may support fish and/or wildlife species in that the project consists of development of an in-fill site that was previously developed and disturbed.
3. The project would not result in or have the potential to result in the removal of vegetation with potential to support wildlife in that the General Plan EIR notes that the City's urban area (which encompasses the project area), is composed of common upland habitat which does not provide suitable habitat conditions for special-status animal species. Furthermore, the site is an in-fill site that was previously developed and disturbed.
4. The project would not result in or have the potential to result in noise, vibration, dust, light, pollution, or an alteration in water quality that may affect fish and/or wildlife directly or from a distance in that the project site does not contain nor is it located near any riparian or wildlife corridors.
5. The project would not result in or have the potential to result in any interference with the movement of any fish and/or wildlife species in that the project consists of the construction of 10 townhomes on an in-fill site that was previously developed and disturbed.



State of California - Department of Fish and Wildlife
NO EFFECT DETERMINATION REQUEST
 DFW 866 (Rev 01/13)

No Effect Determination Request Form Instructions	
Applicant Name and Address	Full name and address of the CEQA project applicant
Date Submitted	Date of No Effect Determination Request Form submission
Phone Number	CEQA project applicant's phone number
Email	CEQA project applicant's email address
Fax Number	Primary fax line for the CEQA project applicant
Contact Person and Address	Full name and address of the person that should be contacted should additional information be needed to issue an NED
Phone Number	Contact person's direct phone or cell number
Email	Contact person's email address
Fax Number	Contact person's direct fax number (if available)
CEQA Lead Agency	The agency responsible for primary approval of the project, and for filing the Notice of Determination, or Decision, and any applicable findings
SCH Number and/or Local Agency ID Number	State Clearinghouse Number – "SCH" – tracking number generated by Office of Planning and Research (OPR) when a project's CEQA documents are filed/circulated with/through OPR's State Clearinghouse Local Agency ID Number – tracking/file number generated by the local agency (e.g. city or county) when a local agency is CEQA lead AND the project's CEQA documents will not be filed/circulated with/through OPR's State Clearinghouse
CEQA Document Type	Options include: <ul style="list-style-type: none"> • Negative Declaration, • Mitigated Negative Declaration, • Environmental Impact Report, or • Document for Certified Regulatory Program
Project Location	May be the project's street address including city and county, geographic coordinates (latitude/longitude, UTM), public land survey system coordinates (township/range/section), or other description that clearly indicates the location of the project site Submit an aerial photograph and/or topographic map showing the project location if otherwise not included with the CEQA document
Brief Project Description	Please include details on the type of project; e.g. new construction (with square footage), demolition of existing buildings, adaptive reuse of existing buildings, zoning amendments, general plan amendments, conditional use for sale of alcoholic beverages, etc.
Justification of No Effect Determination	Explain how the proposed project has no effect on fish and wildlife consistent with CCR Title 14 § 753.5(d)



CITY OF HAYWARD MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

Project title: Sequoia Grove; Zone Change Application PL-2013-0290 and Vesting Tentative Tract Map Application No. PL-2013-0291 (8104).

Description of project: The project proposes a subdivision of an approximately .73 acre vacant site in order to develop 10 townhomes and common open space that would be provide access from existing public streets.

Project review involves consideration of a vesting tentative map and rezoning.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project, with the mitigation measures identified in the attached initial study checklist, will not have a significant effect on the environment.

III. FINDINGS SUPPORTING DECLARATION:

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources. A lighting plan will be required to ensure that light and glare do not affect area views. Also, compliance with the City's Design Guidelines will ensure visual impacts are minimized. Landscape plans will also be required to ensure that structures are appropriately screened.
3. The project will not have an adverse effect on agricultural land since the subject site is not used for such purposes, does not contain prime, unique or Statewide important farmland.
4. The project will not result in significant impacts related to changes in air quality. When the property is developed the City will require the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any grading or building permit.
5. The project, proposed on properties surrounded by other residential development and within an urbanized area, will not result in significant impacts to biological resources. Any trees removed are required to be replaced as per the City's Tree Preservation ordinance.

6. The project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.
7. The project will not result in significant impacts to geology and soils. The project is located west of the Hayward fault, which poses potential risk to any development in the city of Hayward. Recommendations of the project geotechnical engineer will be required to be incorporated into project design and implemented throughout construction, to address such items as seismic shaking. Construction will also be required to comply with the California Building Code standards to minimize seismic risk due to ground shaking.
8. The project will not lead to the exposure of people to hazardous materials.
9. The project will be required to meet all water quality standards as part of the normal development review and construction process, to be addressed in a Stormwater Pollution Prevention Plan and Erosion Control Plan that utilize best management practices. Drainage improvements will be required to accommodate stormwater runoff, so as not to negatively impact the existing downstream drainage system of the Alameda County Flood Control and Water Conservation District.
10. The project is consistent with the overall density supported by the Hayward General Plan. In addition, the project will be required to be consistent with the City of Hayward's Design Guidelines.
11. The project will not result in any long-term noise impacts. Construction noise will be mitigated through restriction on construction hours, mufflers, etc., to be approved as part of the future building permits for the homes.
12. The project will not result in significant impacts related to population and housing in that the amount of development proposed is within the range of development analyzed in the Hayward General Plan.
13. The project will not result in a significant impact to public services in that development is at least as intensive as that proposed was analyzed in the Hayward General Plan EIR and found to have less-than-significant impacts.
14. The project will not result in significant impacts to traffic since it would not generate sufficient traffic to cause nearby intersections to operate at an unacceptable level of service.

IV. PERSON WHO PREPARED INITIAL STUDY:



Linda Ajello, AICP, Associate Planner

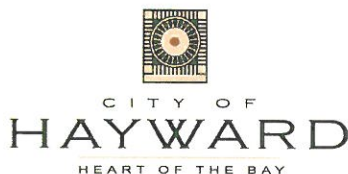
Dated: November 7, 2014

V. COPY OF ENVIRONMENTAL CHECKLIST IS ATTACHED

For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4200

DISTRIBUTION/POSTING

- Provide copies to all organizations and individuals requesting it in writing.
- Provide a copy to the Alameda County Clerk's Office.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



DEPARTMENT OF DEVELOPMENT SERVICES
Planning Division

INITIAL STUDY CHECKLIST

Project Title: Sequoia Grove Residential Development

Lead agency name/address: City of Hayward / 777 B Street, Hayward

Contact person: Linda Ajello, AICP, Associate Planner

Project location: 123-197 A Street; Assessor's Parcel Number: 431-0016-088-03

Project sponsors:

Name and Address: Natalie Monk, Habitat for Humanity East Bay/Silicon Valley, 2619 Broadway, Oakland, CA 94612

Existing General Plan Designation: Medium Density Residential

Existing Zoning: RM/SD4 (Medium Density Residential/Special Design Overlay District)

Project description: The project proposes a subdivision of an approximately .73 acre vacant site in order to develop 10 townhomes and common open space that would be provide access from existing public streets.

Approval of the project would require a change to the zoning designation for the site, from *Medium Density Residential (RM)* to *Planned Development (PD)*.

Surrounding land uses and setting: The project site is located within an already developed area just west of downtown Hayward. The project site is comprised of a single parcel, which previously contained residential development. The project site is surrounded by residential uses to the south, residential and commercial uses to the north and east and the Amtrak Station to the west.

Other public agencies whose approval is required: None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Linda Ajello, AICP, Associate Planner

11.07.14
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista? Comment <i>There are no designated scenic vistas in the vicinity of the project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? Comment <i>The project is not located within a state scenic highway; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? Comment <i>The existing site is vacant and was previously developed with single family homes. The proposed townhomes will be consistent with surrounding residential development and will add to the visual character of the site; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? Comment <i>The new residential units will add some additional light to this area, but the amount is considered less than significant given the surrounding developed area; no mitigation is required.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

II. AGRICULTURE AND FOREST 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to 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 Forest Protocols adopted by the California Air Resources Board. -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? Comment <i>The project does not involve any Prime Farmland, Unique Farmland or Farmland of Statewide Importance; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? Comment <i>The project site is not zoned for agricultural uses nor under a Williamson Act contract; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? Comment <i>The project does not involve the rezoning of forest land or timberland; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? Comment <i>The project does not involve the loss of forest land or involve conversion of forest land; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? Comment <i>The project does not involve changes to the environment that could result in conversion of Farmland or forest land; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan? Comment <i>The project is a residential in-fill project located near public transit and will not conflict with the goals of the air quality plan; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Comment <i>The Bay Area Air Quality Management District (BAAQMD) has established screening criteria as part of their CEQA</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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guidance to assist in determining if a proposed project could result in potentially significant air quality impacts. Based on the District's criteria, the proposed project of 10 new townhomes screens below what would require additional evaluation; thus the proposed project and impacts caused by construction activities will not violate any air quality standard and the impact is less than significant. However, implementation of the following measures for the Project is recommended to reduce fugitive dust and exhaust emissions:

Mitigation Measure 1¹: *The Project shall adhere to the following Bay Area Air Quality Management District (BAAQMD) "Basic Construction Mitigation Measures".*

- i) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*
- ii) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*
- iii) 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.*
- iv) 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.*
- v) 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 California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.*
- vi) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.*

¹ BAAQMD's recommendation to require, "All vehicle speeds on unpaved roads shall be limited to 15 mph" has not been included with Air-1 since the Project would not result in unpaved roads or surfaces where vehicles could exceed 15 mph.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
vii) 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.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? Comment The proposed project meets the screening criteria in Table 3-1 of the Air District's CEQA Guidelines; thus, it can be determined that the project would result in a less-than-significant cumulative impact to air quality from criteria air pollutants and precursor emissions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations? Comment The project is an in-fill development located in an already developed area that will not involve exposing sensitive receptors to substantial pollutant concentrations; thus the impact is less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people? Comment The project is an in-fill residential development that will not create any objectionable odors; thus no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Comment The General Plan EIR notes that the City's urban area (which encompasses the project area), is composed of common upland habitat which does not provide suitable habitat conditions for special-status animal species. The General Plan EIR also notes that special-status plant species are found along the bay front and within the Hayward hills area, neither of which includes the project area. Since the project area is an in-fill site that was previously developed and disturbed, no significant impact related to special-status species is anticipated as a result of the project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? Comment <i>The project site is an in-fill site that was previously developed and does not contain any riparian habitat or known sensitive natural communities; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? Comment <i>The project site, located in an urban setting, contains no wetlands; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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? Comment <i>The project site is an in-fill site that was previously developed with urban uses that preclude movement of fish and wildlife species. No impacts related to wildlife movement or corridors are anticipated as a result of the project.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? Comment <i>The project site contains mature trees that will be impacted and the applicant proposes removal of 8 trees and preservation of 9 trees. To be preserved are five Sequoia trees onsite and 4 offsite trees, including a Coast Live Oak, Willow, Plum and Avocado tree. Of the trees to be removed, 3 were rated in poor condition, 3 in fair condition, and 2 were rated in good condition. Traverso Tree Service prepared an arborist report and tree appraisal dated August 6, 2012 which identified 17 protected trees (13 on-site, 4 off-site) per the City's Tree Preservation Ordinance, 8 of which are proposed to be removed. Traverso Tree Service prepared a Tree Protection Plan, dated August 6, 2012, identifying methods for tree preservation to mitigate for the potential impacts. The following recommendations will reduce impacts to a level of insignificance.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mitigation Measure 2: *The applicant shall follow all recommendations in the tree evaluation report including protection of all trees adjacent to the project site to be preserved during all phases of the development:*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Pre-construction

- i) *Hand dig or use an airspade to trench adjacent to redwoods #13-14 along the proposed perimeter footing for the driveway where within 12' of the trees. The trenching shall avoid any damage to roots over 2" in diameter and shall extend down to the depth of the proposed footing. Design adjustments, such as bridging the roots, to avoid damage to roots over 2" will be necessary to avoid significant damage to the trees.*
- ii) *Establish a Tree Protection Zone (TPZ) around trees #11-15, 23, 24 and 26 as indicated on the Tree Inventory Map using 6' chain-link fencing attached to metal stakes driven firmly into the ground.*
- iii) *Apply a 4" layer of chipper mulch throughout the tree protection zones.*
- iv) *Irrigate trees to a depth of 14" throughout their driplines where extending over the project property 2 weeks prior to grading.*

Grading and Construction Phase

- v) *Keep all equipment, debris, supplies, trenching, grading, stockpiling, or any other encroachments outside of the TPZ. Any desired adjustment or encroachment within the TPZ shall require consult with an arborist.*
- vi) *All pruning shall be performed by an ISA certified arborists or certified tree workers under the project arborist's supervision. Pruning to comply with all ISA and ANSI pruning standards and best management practices.*
- vii) *Trees #11-15, 24 and 26 shall be irrigated weekly to a depth of 12-14" throughout all accessible driplines, and at a minimum the entire TPZ.*
- viii) *Since trees #23, 24, 25 and 2 are all off site trees that hang over the project, written permission from the tree owners will need to be granted prior to accessing their canopies.*

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment *The project site is not located in an area covered by an adopted Habitat Conservation Plan or Natural Community Conservation Plan; thus, no impact.*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? **Comment:** *There are no historical resources associated with the improvements on the site or the affected parcels. Moreover, the project site was previously developed with structures. Due to the prior disturbance, there is a very low likelihood of impacting archeological or paleontological resources or disturbing human remains. In addition, the surrounding properties, which are fully developed, have no historical significance. Should any disturbance occur below previously developed areas, a remote possibility exists that historical or cultural resources might be discovered. If that should occur, standard measures should be taken to stop all work adjacent to the find and contact the City of Hayward Development Services Department for ways to preserve and record the uncovered materials. If standard procedures are followed in the event cultural/historical resources are uncovered at the project site, the proposed impact is less than significant.*

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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? **Comment** *No known archaeological resources exist on the currently developed site. Due to prior disturbance, there is a very low likelihood of impacting archeological resources. Should any disturbance occur below develop areas, a remote possibility exists that historical or cultural resources might be discovered. If that should occur, standard measures should be taken to stop all work adjacent to the find and contact the City of Hayward Development Services Department for ways to preserve and record the uncovered materials. If standard procedures are followed in the event cultural/historical resources are uncovered at the project site, the proposed impact is less than significant.*

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c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? **Comment** *No known paleontological resources exist on the site, which was previously developed. Due to extensive prior disturbance, there is a very low likelihood of impacting paleontological resources. There are no unique geological features on or near the site; thus, no impact.*

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries? Comment: <i>There are no known human remains nor cemeteries nearby the project site; however, standard procedures for grading operations would be followed during development, which require that if any such remains or resources are discovered, grading operations are halted and the resources/remains are evaluated by a qualified professional and, if necessary, mitigation plans are formulated and implemented. These standard measures would be conditions of approval should the project be approved.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. **Comment:** *Based upon a Geotechnical Investigation Report prepared by Rockridge Geotechnical dated July 19, 2012, the project site is not within the State-designated Alquist-Priolo Earthquake Fault Zone. Impacts related to fault rupture are not anticipated, thus no impact.*

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ii) Strong seismic ground shaking? **Comment:** *An earthquake of moderate to high magnitude could cause considerable ground shaking at the site; however, all structures will be designed using sound engineering judgment and adhere to the latest California Building Code (CBC) requirements, thus the impact is considered less than significant.*

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iii) Seismic-related ground failure, including liquefaction? **Comment:** *The site is located within a State-designated Liquefaction Hazard Zone (Geotechnical Investigation, Rockridge Geotechnical dated July 19, 2012) and could potentially be susceptible to liquefaction. Based on the analysis, the Investigation concluded that the potential for surface manifestation of liquefaction, such as ground fissures or sand boils, to be low, thus the impact is considered less than significant.*

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iv) Landslides? **Comment:** *Due to the relatively flat site topography, landslides are not likely; thus*

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>no impact.</i>				
b) Result in substantial soil erosion or the loss of topsoil? Comment: <i>Although the project would result in an increase in impervious surface, the project site is relatively flat and erosion control measures that are typically required for such projects, including but not limited to gravelling construction entrances and protecting drain inlets will address such impacts. Therefore, the potential for substantial erosion or loss of topsoil is considered less than significant.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? Comment: <i>The site is relatively flat and such impacts are not anticipated, thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? Comment: <i>According to the Geotechnical Investigation prepared by Rockridge Geotechnical dated July 19, 2012, moderately to highly expansive clay soils were observed on the near-surface of the project site. The Geotechnical Investigation recommends specific criteria be followed for all site preparation and grading, foundation support, flatwork and pavements, retaining walls, seismic design, and other geotechnical considerations and concludes with a recommendation that they be retained to: 1) review project plans and specifications to verify that they conform to the intent of their recommendations; 2) to be present to provide on-site observation during site preparation, placement, compaction fill, and installation of building foundation. Provided the recommendations in the geotechnical investigation report are followed, the impacts of the expansive soils will be mitigated to a less than significant level.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mitigation Measure 3: <i>All measures as recommended by the project geotechnical consultant shall be implemented. Such measures will reduce the significance of impacts related to expansive soils to a level of insignificance.</i>				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? Comment: <i>The project will be connected to an existing sewer system with sufficient capacity and does not involve septic</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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tanks or other alternative wastewater; thus, no impact.

VII. GREENHOUSE GAS EMISSIONS --
Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? **Comment:** *The Bay Area Air Quality Management District (BAAQMD) has established screening criteria as part of their CEQA guidance to assist in determining if a proposed project could result in operational-related impacts to Greenhouse Gases. The project involves the construction of 10 new residential townhomes. General condo/townhouse projects with less than 78 dwelling units have been identified by the BAAQMD Air Quality Guidelines as having emissions less than 1,100 metric tons of CO₂e per year which is below the threshold recommended by the Air District for evaluation of greenhouse gas emissions for new land use projects; thus no impact.*

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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? **Comment:** *As discussed in VII(a) above, the project will not exceed the threshold for operational greenhouse gases. In addition, the project proposes incorporating such amenities as solar panels on all of the residential units; thus no impact.*

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VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **Comment:** *The project is an in-fill residential project that does not involve the transport or use of hazardous materials; thus, no impact.*

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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? **Comment:** *A Phase I assessment was conducted on the site by Environ, dated October 2011. The assessment revealed no evidence of "Recognized Environmental Conditions", as defined in the ASTM standards; thus no impact.*

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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or

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proposed school? **Comment:** *The project will not emit hazardous materials, substances, or waste; thus no impact.*

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? **Comment:** *See VIII(b) above. The project site is not listed as a hazardous materials site; thus, no impact.*

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? **Comment:** *The project is not located within an airport land use plan area; thus, no impact.*

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? **Comment:** *The site is not located within the vicinity of a private air strip and therefore, no such impacts would occur as a result of the project.*

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? **Comment:** *The project site is bounded by two publically maintained roads including A Street and Walnut Street within an urbanized area and will not interfere with an adopted emergency response plans or evacuation plan; thus, no impact..*

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? **Comment:** *The project site is located within a suburban setting, away from areas with wildland fire potential. Therefore, no such impacts related to wildland fires are anticipated.*

IX. HYDROLOGY AND WATER QUALITY

-- Would the project:

a) Violate any water quality standards or waste discharge requirements? **Comment:** *The project will comply with all water quality and wastewater discharge requirements of the city; thus, no impact.*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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)?</p> <p>Comment <i>The project will be connected to the existing water supply and will not involve the use of water wells and will not deplete groundwater supplies or interfere with groundwater recharge; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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? Comment <i>The project site is an infill site. All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development run-off rates do not exceed pre-development run-off rates; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Comment <i>The project site is an infill site. All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development run-off rates do not exceed pre-development run-off rates; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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? Comment <i>The project site is an infill site. All drainage from the site is required to be treated before it enters the storm drain system and there is sufficient capacity to handle any drainage from the property; thus, the impact is considered less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f) Otherwise substantially degrade water quality? Comment <i>The project site is an infill site. All drainage from the site is required to be treated before it enters the storm drain system; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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? Comment</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard area; thus no impact.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? **Comment** According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard are; thus no impact.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? **Comment** According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard area; thus no impact.

j) Inundation by seiche, tsunami, or mudflow? **Comment** The project site is not located within a 100-year flood hazard area and is located approximately 75 feet above mean sea level; thus, no impact.

X. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community? **Comment:** The proposed project is in a developed suburban setting and would not divide an established community; thus, no impact.

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? **Comment** The project involves construction of 10 new residential townhomes and is consistent with the designated General Plan density. The project does include a request to modify the zoning designation; however, the Planned Development designation is to allow for flexibility in the development standards, not to accommodate additional density not anticipated by the General Plan, thus no impact.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? **Comment** The project site is not covered by any habitat conservation plan or natural community conservation plan; thus, no impact.

XI. MINERAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? Comment According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard are; thus no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? Comment According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard area; thus no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? Comment The project site is not located within a 100-year flood hazard area and is located approximately 75 feet above mean sea level; thus, no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. LAND USE AND PLANNING -- Would the project:				
a) Physically divide an established community? Comment: The proposed project is in a developed suburban setting and would not divide an established community; thus, no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? Comment The project involves construction of 10 new residential townhomes and is consistent with the designated General Plan density. The project does include a request to modify the zoning designation; however, the Planned Development designation is to allow for flexibility in the development standards, not to accommodate additional density not anticipated by the General Plan, thus no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? Comment The project site is not covered by any habitat conservation plan or natural community conservation plan; thus, no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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? Comment: <i>There are no known mineral resources on the project site; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? Comment: <i>There are no known mineral resources on the project site; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Comment: <i>The project is a residential development and will not involve an increase in the ambient noise levels above standards established in the General Plan; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Comment: <i>No significant vibration impacts are anticipated for the project site; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? Comment: <i>The project is a residential development and will not involve an increase in the ambient noise levels in the area; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Comment: <i>Existing residential development will experience a slight increase in ambient noise levels during the construction of the proposed project. Construction is limited to the allowable hours per the City's Noise Ordinance; thus the impact is considered less-than-significant and no mitigation is required.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? Comment: <i>The project is not located within</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

an airport land use plan area; thus, no impact.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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? **Comment:** *The project is not located within the vicinity of a private air strip; thus, no impact*

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XIII. POPULATION AND HOUSING --

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? **Comment:** *The project involves the construction of 10 new residential townhomes, however, the residential development is consistent with the density established by the City's General Plan; thus, no impact.*

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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? **Comment:** *The project involves the construction of 10 residential townhomes on a vacant site and will not result in the displacement of existing housing; thus, no impact.*

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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? **Comment:** *The project involves the construction of 10 residential townhomes on a vacant site and will not result in the displacement of people or existing housing; thus, no impact*

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XIV. PUBLIC SERVICES --

a) 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 public services:

Fire protection? **Comment:** *No such facilities are required and therefore, no such impacts are expected to occur.*

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Police protection? **Comment:** *No such facilities are required and therefore, no such impacts are expected to occur.*

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Schools? **Comment:** *The project site is within the Burbank Elementary School, Winton Middle School and Hayward High School attendance areas of the Hayward Unified School District. The developer will be required to pay school impact mitigation fees, which, per State law, is considered full mitigation, thus the impact is considered less than significant.*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Parks? **Comment:** *The project proponent would be required to pay park dedication in-lieu fees. Such measures would reduce such impacts to levels of insignificance.*

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Other public facilities? **Comment:** *Approval of the project may impact long-term maintenance of roads, streetlights and other public facilities; however, the project will be conditioned to become part of the City's Communities Facilities District; thus no impact.*

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XV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? **Comment:** *Each new residential townhome will have private open space and access to common open space within the development. The development is also located approximately 250 feet north of Cannery Park and future residents will be able to utilize this facility. In addition, the developer will be required to pay applicable park in-lieu fees; thus the impact is considered less-than-significant.*

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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? **Comment:** *Each new single family home will have private open space and access to common open space within the development. The development is also located approximately 250 feet north of Cannery Park and future residents will be able to utilize this facility. In addition, the developer will be required to pay applicable park in-lieu fees; thus the impact is considered less-than-significant.*

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XVI. TRANSPORTATION/TRAFFIC --

Would the project:

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a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking

into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? **Comment:** *The project will not conflict with any plan regarding effective performance of the circulation system. The project is a residential project located near multiple public transportation options including BART, AC Transit and the Amtrak; thus, no impact.*

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways **Comment:** *No level of service will be impacted by the construction of the additional residential units on an existing in-fill site; thus, no impact.*

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? **Comment:** *The project involves no change to air traffic patterns; thus, no impact.*

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? **Comment:** *The project has been designed to meet all City requirements, including site distance and will not increase any hazards; thus no impact.*

e) Result in inadequate emergency access? **Comment:** *The project is on an in-fill site completely accessible and will not result in inadequate emergency access; thus, no impact.*

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? **Comment:** *The project does not involve any conflicts or changes to policies, plans or programs related to public transit, bicycle or pedestrian facilities; thus, no impact.*

XVII. UTILITIES AND SERVICE SYSTEMS

-- Would the project:

a) Exceed wastewater treatment requirements of

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? Comment: <i>The project will not conflict with any plan regarding effective performance of the circulation system. The project is a residential project located near multiple public transportation options including BART, AC Transit and the Amtrak; thus, no impact.</i>				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways Comment: <i>No level of service will be impacted by the construction of the additional residential units on an existing in-fill site; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? Comment: <i>The project involves no change to air traffic patterns; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Comment: <i>The project has been designed to meet all City requirements, including site distance and will not increase any hazards; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? Comment: <i>The project is on an in-fill site completely accessible and will not result in inadequate emergency access; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? Comment: <i>The project does not involve any conflicts or changes to policies, plans or programs related to public transit, bicycle or pedestrian facilities; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVII. UTILITIES AND SERVICE SYSTEMS				
-- Would the project:				
a) Exceed wastewater treatment requirements of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the applicable Regional Water Quality Control Board? Comment <i>The project will not exceed wastewater treatment requirements; thus no impact.</i>				
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? Comment <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Comment <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Comment <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? Comment <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Comment <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? Comment <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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animal or eliminate important examples of the major periods of California history or prehistory?

Comment: *The project will not have any impacts on wildlife or fish habitat nor eliminate a plant or animal community; thus, no impact.*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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)? **Comment:** *The proposed 10-lot development is consistent with the density of development identified in the City's General Plan; therefore, no such impacts are anticipated.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Comment: *The project is consistent with the City of Hayward General Plan, which is a long-range document that addresses desired goals and future development for the City of Hayward. Since the project is consistent with the adopted plan, it is therefore not expected to cause substantial adverse effects on human beings either directly or indirectly; thus no impact is anticipated.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Sequoia Grove

Mitigation Monitoring and Reporting Program

**Zone Change Application No. PL-2013-0290 and Vesting Tentative Tract
Map Application No. PL-2013-0291 (8104);
Natalie Monk, Habitat for Humanity East Bay/Silicon Valley (Applicant)
City of Hayward (Owner)**

November 7, 2014

Mitigation 1

Significant environmental Impact:

Based on the Bay Area Air Quality Management District's (BAAQMD) established screening criteria for potentially significant air quality impacts, construction of the proposed project would not violate any air quality standards. However, implementation of BAAQMD "Basic Construction Mitigation Measures" are recommended, as follows:

Mitigation Measure 1¹

The Project shall adhere to the following Bay Area Air Quality Management District (BAAQMD) "Basic Construction Mitigation Measures".

- i) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- ii) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- iii) 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.
- iv) 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.
- v) 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 California Code of Regulations [CCR]).

¹ BAAQMD's recommendation to require, "All vehicle speeds on unpaved roads shall be limited to 15 mph" has not been included with Air-1 since the Project would not result in unpaved roads or surfaces where vehicles could exceed 15 mph.

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

- vi) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- vii) 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.

Implementation Responsibility: Project developer

Monitoring Responsibility: City of Hayward Planning and Building Divisions

Timing: During project construction

Mitigation 2

Significant environmental Impact:

The project site contains mature trees that will be impacted and the applicant proposes removal of 8 trees to accommodate 10 new townhomes. Preservation and/or protection of trees on adjacent properties are suggested as part of the project. Traverso Tree Service prepared an arborist report and tree appraisal dated August 6, 2012 identifying methods for tree preservation and tree replacement to mitigate for the potential impacts. The following requirements will reduce impacts to a level of insignificance.

Mitigation Measure:

The applicant shall follow all recommendations in the tree evaluation report including protection of all trees adjacent to the project site to be preserved during all phases of the development:

Pre-construction

- i) Hand dig or use an airspade to trench adjacent to redwoods #13-14 along the proposed perimeter footing for the driveway where within 12' of the trees. The trenching shall avoid any damage to roots over 2" in diameter and shall extend down to the depth of the proposed footing. Design adjustments, such as bridging the roots, to avoid damage to roots over 2" will be necessary to avoid significant damage to the trees.
- ii) Establish a Tree Protection Zone (TPZ) around trees #11-15, 23, 24 and 26 as indicated on the Tree Inventory Map using 6' chain-link fencing attached to metal stakes driven firmly into the ground.
- iii) Apply a 4" layer of chipper mulch throughout the tree protection zones.
- iv) Irrigate trees to a depth of 14" throughout their driplines where extending over the project property 2 weeks prior to grading.

Grading and Construction Phase

- v) Keep all equipment, debris, supplies, trenching, grading, stockpiling, or any other encroachments outside of the TPZ. Any desired adjustment or encroachment within the TPZ shall require consult with an arborist.
- vi) All pruning shall be performed by an ISA certified arborists or certified tree workers under the project arborist's supervision. Pruning to comply with all ISA and ANSI pruning standards and best management practices.
- vii) Trees #11-15, 24 and 26 shall be irrigated weekly to a depth of 12-14" throughout all accessible driplines, and at a minimum the entire TPZ.
- viii) Since trees #23, 24, 25 and 2 are all off site trees that hang over the project, written permission from the tree owners will need to be granted prior to accessing their canopies.

Implementation Responsibility: Project developer

Monitoring Responsibility: City of Hayward Planning Division

Timing: Prior to any project construction and during project construction

Mitigation 3

Significant environmental Impact:

According to the Geotechnical Investigation prepared by Rockridge Geotechnical dated July 19, 2012, moderately to highly expansive clay soils were observed on the near-surface of the project site. The Geotechnical Investigation recommends specific criteria be followed for all site preparation and grading, foundation support, flatwork and pavements, retaining walls, seismic design, and other geotechnical considerations and concludes with a recommendation that they be retained to: 1) review project plans and specifications to verify that they conform to the intent of their recommendations; 2) to be present to provide on-site observation during site preparation, placement, compaction fill, and installation of building foundation. Provided the recommendations in the geotechnical investigation report are followed, the impacts of the expansive soils will be mitigated to a less than significant level.

Mitigation Measure:

Prior to issuance of a Building Permit for the project, the applicant shall implement all measures as recommended by the project geotechnical consultant. Such measures will reduce the significance of impacts related to the expansive soils to a level of insignificance.

Implementation Responsibility: Project developer

Monitoring Responsibility: City of Hayward Building Division

Timing: Prior issuance of a Building Permit for the project