CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Agenda

Thursday, May 14, 2020

7:00 PM

Remote Participation

Planning Commission

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, regarding the COVID-19 pandemic.

How to observe the Meeting:

1. *Comcast Channel 15*
2. *Live stream https://hayward.legistar.com/Calendar.aspx*

How to submit written Public Comment:

Send an email to cityclerk@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the Planning Commission and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

How to provide spoken Public Comment during the Planning Commission Meeting:

Call the City Clerk at (510) 583-4400 prior to the close of public comment on an item as indicated by the Meeting Chair.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

Public comments are limited only to items on the Agenda as items are called.

ACTION ITEMS

The Commission will permit comment as each item is called for Public Hearing. Public comment may be provided by calling (510) 583-4400 at the time indicated by the Meeting Chair.

PUBLIC HEARING

For agenda items No. 1 & No. 2 the Planning Commission may make a recommendation to the City Council.

For agenda items No. 3 & No. 4, the decision of the Planning Commission is final unless appealed. The appeal period is 10 days from the date of the decision. If appealed, a public hearing will be scheduled before the City Council for final decision.

1. PH 20-025 Recommended FY 2021 - FY 2030 Capital Improvement Program

Attachments: Attachment I Staff Report

2. PH 20-024 Proposal to rezone a 2.67-acre site located at the intersection of Apple Avenue and Oak Street (Assessor Parcel Nos. 415-0160-052-00, & 415-0170-037-00), requiring a zoning map amendment and approval of an addendum to the Hayward 2040 General Plan EIR. Application No.202000605, City of Hayward (Applicant and Owner).

Attachments:
Attachment I Staff Report
Attachment II Findings
Attachment III EIR Addendum
Attachment IV Parcel Maps
Attachment V Public Comments

3. PH 20-026 Proposed Cannabis Microbusiness with Delivery, Distribution, and Manufacturing Activities Located at 23287 Foley Street, Unit B (Assessor Parcel No. 439-0036-104-00) Requiring Approval of Conditional Use Permit Application No. 201901361. Farhad Doctor (Applicant); Liang Xianghua (Property Owner).

Attachments:
Attachment I Staff Report
Attachment II Findings
Attachment III Conditions of Approval
Attachment IV Plans
Attachment V Business Plan
Attachment VI Public Correspondence
Attachment VII Applicant Response to Public Correspondence

4. PH 20-027 Proposed Cannabis Microbusiness with Cultivation, Manufacturing, Distribution, and Delivery Activities Located at 2730 Cavanagh Court (Assessor Parcel No. 439-0036-103-00) Requiring Approval of Conditional Use Permit Application No. 201805798. American Holdings (Applicant); Moose and Squirrel Holdings, LLC (Property Owner).

Attachments:
- Attachment I Staff Report
- Attachment II Findings
- Attachment III Conditions of Approval
- Attachment IV Plans
- Attachment V Business Plan
- Attachment VI Security and Safety Plan
- Attachment VII Environmental Compliance Program
- Attachment VIII Public Correspondence

APPROVAL OF MINUTES

5. MIN 20-050 Minutes of the Planning Commission Meeting of March 12, 2020

Attachments: Attachment I Draft Minutes of March 12, 2020

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters

Commissioners' Announcements, Referrals

ADJOURNMENT

NEXT MEETING, MARCH 28, 2020, 7:00PM

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.

File #: PH 20-025

DATE: May 14, 2020

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Recommended FY 2021 - FY 2030 Capital Improvement Program

RECOMMENDATION

That the Planning Commission finds that the Recommended FY 2021- FY 2030 Capital Improvement Program (CIP) is consistent with the Hayward 2040 General Plan.

SUMMARY

The City's General Plan is a planning document intended to guide the City's capital improvement activities over the next ten-years. This year, the CIP has also been reviewed and developed to ensure that it supports the Priorities identified by Council as part of the City's Strategic Roadmap.

The proposed CIP budget includes approximately $59 million in FY 2021 and an estimated $457 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, which may include street construction and improvements; wastewater, recycled water, storm water, and water systems upgrades; construction of public buildings; airport projects; groundwater projects; replacement of major equipment; clean and renewable energy generation; and other miscellaneous projects.
As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total $409 million.

ATTACHMENTS

Attachment I Staff Report

DATE: May 14, 2020

TO: Planning Commission

FROM: Planning Manager

SUBJECT Recommended FY 2021 – FY 2030 Capital Improvement Program

RECOMMENDATION

That the Planning Commission finds that the Recommended FY 2021– FY 2030 Capital Improvement Program[1] (CIP) is consistent with the Hayward 2040 General Plan.

SUMMARY

The City's General Plan is a planning document intended to guide the City's capital improvement activities over the next ten-years. This year, the CIP has also been reviewed and developed to ensure that it supports the Priorities identified by Council as part of the City's Strategic Roadmap.

The proposed CIP budget includes approximately $59 million in FY 2021 and an estimated $457 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, which may include street construction and improvements; wastewater, recycled water, storm water, and water systems upgrades; construction of public buildings; airport projects; groundwater projects; replacement of major equipment; clean and renewable energy generation; and other miscellaneous projects.

As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total $409 million.

BACKGROUND

State law requires the Planning Commission review of the City's currently Recommended FY 2021 – FY 2030 CIP to ensure conformance with the City's General Plan. The Council will review the Recommended FY 2021 – FY 2030 CIP at a work session to be scheduled in June 2020.

[1] https://www.hayward-ca.gov/your-government/documents/capital-improvement-program

DISCUSSION

The CIP includes an emphasis on updating and improving the City's infrastructure supporting a core priority of the Strategic Roadmap, which is aligned with various goals and policies from Elements of the General Plan which includes the following from the Public Facilities and Service Element:

> Policy PFS-1.2: Priority for Infrastructure
> The City shall give high priority in capital improvement programming to funding rehabilitation or replacement of critical infrastructure that has reached the end of its useful life or has capacity constraints.

The completion of the construction of the Plaza adjacent to the Hayward Public Library aligns with the following goal and policy of the Public Facilities and Services Element.

> Goal PFS-1: Ensure the provision of adequate and efficient facilities and services that maintain service levels, are adequately funded, accessible, reliable, and strategically allocated.

> Policy PFS-1.6 Public Facility Clustering
> The City shall promote the clustering of public and quasi-public facilities (e.g., schools, parks, libraries, childcare facilities, community activity centers), the joint-use of these facilities, and agreements for sharing costs and operational responsibilities among public service providers.

In addition to the previously stated Public Facilities and Services Policy PFS-1.2, sewer and water improvement projects such as the Water Pollution Control Facility (WPCF) Headworks Bar Screens Project in the CIP adheres to the policies under the following Public Facilities and Services goals:

> Goal PFS–3: Maintain a level of service in the City's water system that meets the needs of existing and future development while improving water system efficiency.

> Goal PFS–4: Maintain a level of service in the City's wastewater collection and disposal system to meet the needs of existing and future development.

Key projects which align with the Mobility Element goals and policies include completion of the design and construction of the Mission Boulevard Phase 3 Project and the Main Street Complete Street Project.

> Goal M-1: Provide a comprehensive, integrated, and connected network of transportation facilities and services for all modes of travel.

> Policy M-1.2: Multimodal Choices: The City shall promote development of an integrated, multi-modal transportation system that offers desirable choices among modes including pedestrian ways, public transportation, roadways, bikeways, rail, and aviation.

> Policy M-1.6: Bicycling, Walking, and Transit Amenities: The City shall encourage the development of facilities and services, (e.g., secure term bicycle parking, street lights, street furniture and trees, transit stop benches and shelters, and street sweeping of bike lanes) that enable bicycling, walking, and transit use to become more widely used modes of transportation and recreation.

Projects aligning with the Natural Resources Element goals and policies include conducting the analysis of Expanding EV Charging Infrastructure for City Fleet and Employees, Transition 15% of Total City Fleet to EV/Hybrid Models and completion of construction of the Initial Phase of the Recycling Water Project.

> Goal NR-2: Improve the health and sustainability of the community through continued local efforts to improve regional air quality, reduce greenhouse gas emissions, and reduce community exposure to health risks associated with toxic air contaminants and fine particulate matter.
>
> Policy NR-2.10: Zero-Emission and Low-Emission Vehicle Use
> The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities throughout the City.
>
> Policy NR-6.10: Water Recycling
> The City shall support efforts by the regional water provider to increase water recycling by residents, businesses, non-profits, industries, and developers, including identifying methods for water recycling and rainwater catchment for indoor and landscape uses in new development.

An additional project which aligns with Natural Resources Element goals and policies is the Design and Construction of the La Vista Park.

> Policy NR-1.5: Large-Scale Natural Area Access
> The City shall support efforts to improve access to publicly owned large-scale natural areas located within the Planning Area, including the shoreline, creeks, regional parks, riparian corridors, and hillside open space areas, by allowing them to be open for controlled access to improve public enjoyment and education, while also limiting access to extremely sensitive natural habitat and minimizing human-related environmental impacts.

The Two-Megawatt Solar Photovoltaic Energy System at the Water Pollution Control Facility (WPCF) is a renewable energy project which aligns with:

> Goal NR-4.1: Reduce energy consumption through increased production and use of renewable energy, sustainable energy purchasing, and improved energy efficiency.

> Policy NR-4.10- Energy Efficiency Measures: The City shall ensure that all new City-owned facilities are built with renewable energy, as appropriate to their functions, and shall install renewable energy systems at existing City facilities, where feasible.

Paving and transportation projects, including the FY 2021 Pavement Maintenance and Pavement Rehabilitation Project, the Old Hayward Highland Association (OHHA) Pavement Improvement Program Design and Financing Structure, FY21 New Sidewalk Project, Main Street Complete Street Project, Implementation of Downtown Parking Plan, Hayward Boulevard Feasibility Study and Mission Boulevard Phases 2 and 3, align with Mobility Element goals and policies.

> Goal M-3: Provide complete streets that balance the diverse needs of users of the public right-of- way.
>
> Policy M-3.1 Serving All Users: The City shall provide safe, comfortable, and convenient travel along and across streets to serve all users, including pedestrians, the disabled, bicyclists, motorists, movers of commercial goods, and users and operators of public transportation.

The construction of the new Fire Station No. 6 and Training Center adjacent to the Hayward Airport aligns with Community Safety Element goals and policies related to Fire Protection and Emergency Medical Services.

> Goal 4: Provide coordinated fire protection and emergency medical services to promote a safe and healthy community.
>
> Policy CS-4.4 Timing of Services: The City shall ensure that growth and development does not outpace the expansion of Hayward Fire Department staffing and the development of strategically located and fully equipped fire stations.
>
> Policy CS-4.5 Station Call Volumes and the Reallocation of Resources
> The City shall monitor call volumes at individual fire stations to determine if certain areas of the City are in high demand of fire and emergency medical services. The City shall consider reallocating resources (fire units and/or equipment) or building new fire stations to serve high demand areas.

The CIP also focuses on beautification and improvement of landscaping along key thoroughfares, including Complete Gateway and Corridor Landscape Beautification Project and Compete Jackson Corridor Landscape Beautification Project, which align with many General Plan Land Use Element goals and policies, including:

> Goal LU-4: Create attractive commercial and mixed-use corridors that serve people traveling through the City, while creating more pedestrian-oriented developments that foster commercial and social activity for nearby residents and businesses.

Policy LU-4.11 Streetscape Enhancements: The City shall strive to improve the visual character of corridors by improving streetscapes with landscaped medians, and widened sidewalks that are improved with street trees, pedestrian-scaled lighting, underground utilities, landscaping, and streetscape furniture and amenities.

ECONOMIC IMPACT

The direct economic impact of these projects is not quantifiable. However, maintaining and improving the City's infrastructure and fleet will have an unquestionable impact on maintaining and improving economic health and vitality of the City.

FISCAL IMPACT

Five of the twenty-one CIP funds rely on transfers from the General Fund for project expenses.

Changes are noted in the table below:

CIP Fund	FY 2020 GF Transfer	FY 2021 GF Transfer	Increase/(Decrease) from FY 2020 CIP
405/Capital Projects (General)	$640,000	$15,000	($625,000)
460/Transportation System Improvement	$350,000	$400,000	$50,000
726/Facilities Management Capital	$360,000	---	($360,000)
731/Information Technology Capital	$700,000	$435,000	($265,000)
736/Fleet Replacement	$35,000	---	($35,000)
Total Cost to General Fund	**$2,085,000**	**$850,000**	**($1,235,000)**

Three of the CIP funds are also Internal Service Funds (ISF), meaning they use Internal Service fees to finance project expenses. Internal Service fees are collected when one City department provides a service to another, drawing those service expenses from the operating budget of the benefiting department. Although some departments are funded by Enterprise funds, many are part of the General Fund. The total General Fund impact of Internal Service fees are shown below.

CIP Fund	FY 2020 ISF (GF Impact)	FY 2021 ISF (GF Impact)	Increase/ (Decrease) from FY 2020 CIP
726/Facilities Management Capital	$225,000	$300,000	$75,000
731/Information Technology Capital	$756,000	$756,000	---
736/Fleet Management Capital (General Fund)	$2,325,000	$500,000	($1,825,000)
Total Cost to General Fund	**$3,306,000**	**$1,556,000**	**($1,750,000)**

There is an overall decrease of $2,985,000 the General Fund impact compared with the FY 2020 adopted CIP. The capital budget for FY21 totals about $59 million, with a total of approximately $457 million tentatively programmed for the entire ten-year period from FY21 through FY30. An additional $409 million of unfunded needs have been identified for

the same period. Project costs by CIP category are as follows:

Project Category	FY 2020 Adopted	FY 2021 Recommended	Increase/ (Decrease) from FY 2020 CIP
Livable Neighborhoods Projects	$27,192,000	$11,880,080	($15,311,920)
Road and Street Projects	$24,120,000	$8,198,000	($15,922,000)
Pavement Rehabilitation Projects	$10,913,000	$9,727,500	($1,185,500)
Fleet Management Projects	$4,249,000	$1,565,000	($2,684,000)
Building & Misc. Projects	$31,825,000	$3,105,000	($28,720,000)
Equipment Projects	$2,499,000	$1,955,860	$543,140
Water System Projects	$22,240,000	$6,000,000	($16,240,000)
Sewer System Projects	$18,908,000	$14,351,000	($4,557,000)
Airport Projects	$5,884,000	$1,787,000	($4,097,000)
Total Capital Improvement Projects	**$147,830,000**	**$58,569,440**	**($89,260,560)**

The major CIP funding sources are as follows:

CIP Funding Source	FY 2021
Measure B/BB	11%
General Fund (GF)/Internal Service Fund (ISF)	17%
Gas Tax/Vehicle Registration Fee/Road Repair and Accountability Act	11%
Other Reimbursements/Contributions	19%
Measure C	1%
Grants	<1%
Enterprise/Utilities	41%

COVID-19 IMPACTS ON CIP FUNDING

In response to COVID-19, the Alameda County Public Health Department has mandated that residents "Shelter in Place" (SIP) when not engaged in essential activities. The SIP order has resulted in the closure of many local businesses, leading to dramatic decreases in sales tax revenue, as well as the sale of transportation fuel – both of which are major sources of revenue for many CIP funds. It is also important to note that the Alameda County Public Health Department has ordered a halt on all nonessential construction, resulting in delays to a number of CIP projects.

Staff has reviewed all affected CIP funds and has made necessary adjustments in revenues and expenditures to acount for the anticipated revenue shortfalls. Many revenue projections will remain unchanged because their respective funds have sufficient FY21 fund balances to cushion a moderate shortfall.

STRATEGIC ROADMAP

The 2024 Vision and Strategic Roadmap set in 2019 are at the forefront of the City's capital project planning efforts. To the greatest extent possible, a formal management and implementation process ensure that CIP projects are aligned with the City's Strategic Roadmap and that the value each generates is maximized.

CIP Projects touch the Combat Climate Change, Support Quality of Life, and Improve Organizational Health Priorities, but predominantly support the Improve Infrastructure Priority.

SUSTAINABILITY FEATURES

The action taken for this agenda report will not result in a physical development, purchase or service, or a new policy or legislation. Any physical work will depend upon a future Council action. Sustainability features for individual CIP projects are listed in each staff report.

PUBLIC CONTACT

The public has the opportunity to review and comment on the CIP at this evening's Planning Commission meeting and will again at the Council work session to be scheduled in June 2020. A notice advising residents about the public hearings on the CIP are published in the paper the requisite ten days in advance. The agenda for the Council work session on the CIP is posted in City Hall as well as both Libraries. A printed copy of the Recommended CIP is made available online, at the Public Works' Department office, at the City Clerk's office, and at both Libraries. Individual projects receive Council approval and public input as appropriate.

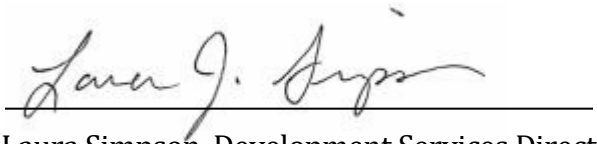
NEXT STEPS

Once the Commission has completed the review of the Recommended CIP and found it in conformance with the General Plan, the CIP will be reviewed at a Council public hearing and adoption of the CIP budget to be scheduled in late June 2020.

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Sara Buizer, Planning Manager

Approved by:



Laura Simpson, Development Services Director

File #: PH 20-024

DATE: May 14, 2020

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Proposal to rezone a 2.67-acre site located at the intersection of Apple Avenue and Oak Street (Assessor Parcel Nos. 415-0160-052-00, & 415-0170-037-00), requiring a zoning map amendment and approval of an addendum to the Hayward 2040 General Plan EIR. Application No.202000605, City of Hayward (Applicant and Owner).

RECOMMENDATION

That the Planning Commission recommend that City Council approve the proposed rezoning application and the addendum to the Hayward 2040 General Plan EIR for the subject parcels located at the intersection of Apple Avenue and Oak Street (Assessor Parcel Nos. 415-0160-052-00, & 415-0170-037-00) from High Density Residential (HDR) and Commercial Office (CO) to General Commercial (CG) , based on the analysis set forth in this report and subject to the required Findings (Attachment II)

SUMMARY

The applicant, the City of Hayward, is requesting to rezone 2.67 acres, which is currently zoned High Density Residential (HDR), and Office Commercial (CO) (Attachment IV Figure 3). The project site is located at the intersection of Apple Avenue and Oak Street and was acquired in 2016 by way of a purchase and sale agreement between the City of Hayward and California Department of Transportation (Caltrans). Currently known as Parcel Group 9, some of the land acquired from Caltrans is in unincorporated Alameda County and currently zoned Public Facility and High Density Residential. The 1.59-acre portion of land located in Alameda County would remain as is and is not subject to the rezoning request (Attachment IV Figure 2). The remainder of Parcel Group 9, 2.67 acres, lies within the City of Hayward jurisdiction, which is subject to the proposed rezoning application (Attachment IV Figure 2).

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Findings
Attachment III	EIR Addendum

Attachment IV	Parcel Maps
Attachment V	Public Comments

CITY OF HAYWARD
HEART OF THE BAY

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SUMMARY

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Pursuant to the Hayward 2040 General Plan, the subject parcels have a General Plan designation of Commercial High Density Residential (CHDR), which allows for retail and lodging uses. However, the parcels zoned HDR (APN: 415-0160-052-00) and CO (APN: 415-0170-037-00) do not allow for retail use and limits the allowed lodging uses. If approved, the rezone would reclassify the HDR parcel and the CO parcel as General Commercial (CG) Zone, consistent with the underlining General Plan designation that allows for retail uses and lodging uses such as a hotel. Additionally, the rezone would not preclude residential projects, and it would maintain the currently allowed maximum residential density of 34.8 units per net acre. Further, this application does not include entitlement for development, but if approved, City staff is likely to subsequently release a Request for Proposals (RFP) to potentially redevelop the site as a hotel project.

BACKGROUND

In the mid-1960s, Caltrans purchased more than 400 parcels of property for construction of a 14-mile 238 Corridor Bypass Freeway to run through the City of Hayward and parts of unincorporated Alameda County. In 1971, a lawsuit, filed in federal court on behalf of residents to be displaced by the freeway construction, blocked the project. Caltrans subsequently abandoned the freeway plan.

In 2011, the City approached Caltrans with a proposal to allow the City to take responsibility for the disposition and development of some Caltrans-owned property. Caltrans agreed to negotiate, and a Purchase and Sale Agreement was approved by City Council and the California Transportation Commission in January 2016.

Public Outreach. On November 15, 2018, the City conducted a community outreach meeting, held at the Matt Jimenez Community Center, to solicit feedback from the community as to their desires for future development of the various parcel groups, including Parcel Group 9. On March 14, 2019, staff conducted an additional community outreach meeting, held at the Douglas Morrison Theater, to solicit feedback specifically on Parcel Groups 8 and 9. On August 26, 2019, the City presented work to date and solicited additional feedback about these two parcel groups as part of the Castro Valley Municipal Advisory Council meeting. On February 4, 2020, an initial Notice of Application Receipt for the project application was sent to property owners, residents, and businesses within a 300-foot radius of the project site. Feedback received during these outreach events included: (1) concerns over hotel management and if not run well could become a draw for crime; (2) wanting more community facilities or spaces; and (3) increased traffic on Grove Way.

Following Notice of Receipt of Application, the City received two items of written correspondence on the project (Attachment V): one email from the Alameda County Planning Director, who did not see an issue with the proposed rezone, but asked for access to be maintained to the County's land located to the south of the site. The Alameda County Planning Director also asked that staff maintain communication with the Alameda County constituents. The second letter was from a member of the public who did not see the need for a hotel on that site.

On May 1, 2020, a Notice of Public Hearing for the Planning Commission meeting was sent to property owners, residents, and businesses within 300-feet of the project site and published in The Daily Review newspaper. Since the notice was sent, two public comments were provided by email. Both highlighting that the City should not allow for a hotel development (Attachment V).

PROJECT DESCRIPTION

Existing Conditions. The area proposed to be rezoned has a combined acreage of 2.67 acres, and it is relatively flat, primarily consists of vacant grassland with a few scattered trees (Attachment IV Figure 3). To the West, the site abuts the I-580 freeway. To the North, the site abuts vacant Alameda County land. To the East, the parcel abuts a multifamily planned development, and to the South, the site fronts on Apple Avenue. The nearest main street is

Foothill Boulevard, which has multiple commercial uses such as a church, auto sale dealerships, a discount mattress store, a used appliance store, and a mix of offices.

Proposed Project. There is no proposed entitlement as part of the rezone. However, if approved, City staff is likely to release a RFP to develop the site by way of a hotel project. If any proposals are received and a proposal is selected, the applicant would be required to obtain any necessary land use entitlements and secure any related site and building permits prior to construction.

As proposed, the rezone would be consistent with the intent of the CHDR General Plan land use designation, which supports retail and lodging uses in addition to residential uses. No changes in General Plan land use designations would be required. The project site would be rezoned from HDR and CO to CG to allow for retail uses and for a hotel development as well as continue to allow for residential development. Overall, the impacts of the COVID-19 crisis are creating substantial market and financing uncertainty for all types of development for the foreseeable near-term future. However, the Bay Area is well-positioned to recover quickly due to tech industry, lower transmission rates, and decades of pent up demand. While it may be difficult to know what type of development will be successful at this location in the future, the rezoning of the site to CG provides the most flexibility in terms of allowed uses in the future. A map of the existing and proposed land uses is included as (Attachment IV)

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan. The project site is designated Commercial High Density Residential (CHDR) in the *Hayward 2040 General Plan*[1]. Allowable uses include retail, dining, and service uses, professional office uses, mixed-use with multi-family homes or office on upper floors, attached single-family homes, multi-family homes, live-work units, and lodging, among other uses.

Zoning Ordinance. The project site is located within the HDR (415-0160-052-00) and CO (415-0170-037-00) Zone. Pursuant to the Hayward 2040 General Plan designation, the site allows for retail and lodging uses. However, the existing HDR and CO zones preclude retail uses and limit the allowed lodging uses. As proposed, rezoning the site to CG would allow for retail, lodging and/or residential uses, which would be consistent with the General Plan land use designation. Additionally, the rezone would not preclude residential projects, and would maintain the currently allowed maximum residential density of 34.8 units per acre.

Pursuant to Section 10.1-3425 of the Hayward Municipal Code, the Planning Commission may recommend approval of or deny a rezoning to the City Council based on several findings. The recommendations for approval shall be based upon all the following:

1. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward;

[1] Hayward 2040 General Plan
https://www.hayward2040generalplan.com/

2. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans;
3. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified; and
4. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

Staff has provided a more detailed analysis and findings to support the proposed rezoning in Attachment II.

STAFF ANALYSIS

As proposed, the rezone would be consistent with the intent of the CHDR General Plan land use designation, which supports a variety of retail and lodging uses. It is important to highlight, the rezone would not preclude residential projects and it would continue to allow a residential density of 34.8 units per acre. Additionally, by way of the rezone, most of the uses currently allowed in the HDR and the CO Zone would be allowed in the CG Zone. Further, the rezone would bring the site into conformance with the intent of the Hayward 2040 General Plan, which allows for retail uses and lodging uses such as a hotel. Staff has provided additional detail and findings to support the proposed rezoning in (Attachment II).

ENVIRONMENTAL REVIEW

On February 24, 2020, LSA processed an addendum to the Environmental Impact Report for the Hayward 2040 General Plan, adopted in 2014. The addendum was prepared pursuant to CEQA Guidelines Section 15164. Pursuant to CEQA Guidelines Section 15164(e), the purpose of the Addendum was to describe and evaluate the proposed rezone and future construction of a 150 room hotel project and assess the proposed modifications to the project evaluated in the General Plan Environmental Impact Report, and identify the reasons for the City's conclusion that changes to the proposed project and associated environmental effects would not require the preparation of a subsequent or supplemental EIR. A copy of the proposed addendum to the Hayward 2040 General Plan EIR is included as (Attachment III).

NEXT STEPS

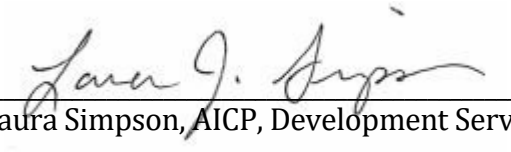
Following the Planning Commission hearing, the City Council will consider the proposed rezone and addendum to the General Plan Environmental Impact Report, along with the Planning Commission's recommendation, at a noticed public hearing, tentatively scheduled for June 16, 2020. If the rezone is approved by City Council, City staff is likely to release an RFP for a hotel project.

Prepared by: Edgar Maravilla, Associate Planner

Approved by:



Sara Buizer, AICP, Planning Manager



Laura Simpson, AICP, Development Services Director

CITY OF HAYWARD PLANNING DIVISION
APPLICATION NO. 202000605
REZONE AND ADDENDUM TO THE HAYWARD 2040 GENERAL PLAN ENVIROMENTAL IMPACT REPORT
APNS: 415-0160-052-00, & 415-0170-037-00
FINDINGS OF APPROVAL

REZONE FINDINGS

Pursuant to Section 10-1.3425 of the HMC, the Planning Commission may recommend approval of or deny a reclassification, to the City Council. Recommendations for approval shall be based upon all the following findings:

A. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward.

As proposed, the rezone would allow for the reclassification of the site to be in line with the land uses allowed per the Hayward 2040 General Plan. No project would be entitled by way of the rezone and any proposed planning application would be required to obtain the necessary land use entitlements. The project would also be subject to, but not limited to, the development standards of the General Commercial zoning districts, the Hayward Municipal Code, and policies as set forward by the Hayward 2040 General Plan. Additionally, the General Plan envisioned and allows for retail and lodging uses in addition to residential uses on this site. As such, the proposed rezone would be considered a minor land use change and would not be detrimental to public health, safety, convenience, and the general welfare of the community.

B. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans.

Pursuant to the Hayward 2040 General Plan, the parcels have a General Plan designation of Commercial High Density Residential (CHDR), which allows for several uses including retail and lodging[1]. However, the existing Residential High Density (RHD)[2] & Commercial Office (CO)[3] zones preclude retail uses and limit the allowed lodging uses. If the parcels are rezoned to General Commercial (CG)[4], the site would be more consistent with the policies and land uses envisioned in the General Plan. Further, if the parcels are reclassified, most of the allowed uses pursuant to the existing HDR and

[1] Hayward 2040 General Plan https://www.hayward-ca.gov/sites/default/files/documents/General_Plan_FINAL.pdf
[2] Residential High Density Allowed Uses
https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.500HIDEREDIRH
[3] Office Commercial Allowed Uses
https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1100COOFDICO
[4] General Commercial Allowed Uses
https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1000GECODICG

CO zones would be maintained, including multifamily residential uses, if developed above a commercial use.

Therefore, by way of the proposed rezone, all future projects would conform with the intent of the Hayward 2040 General Plan and better align with all other adopted policies and plans.

C. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified.

There is no project being proposed in association with the proposed rezone. However, if approved, the City is likely to release a RFP to develop the site and solicit proposals for a hotel project. Currently, the site is vacant and obtains access by way of two public streets: Apple Avenue and Oak Street. No changes are currently proposed to these roadways; however, any new project application filed with the City may require revisions to the existing access and circulation. Additionally, any project would be required to provide the necessary on and off-site improvements, consistent with adopted policies. Those improvements would include, but not to be limited to the construction of a formal driveway approach, sidewalk upgrades, American with Disability Act (ADA) upgrades, lighting upgrades, noise attenuation measures, and other improvements as required by way of the Hayward Municipal Code, the Hayward 2040 General Plan, and as conditioned by the multiple City Departments and Divisions.

D. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

Approval of the rezone would reclassify the HDR parcel and the CO parcel as GC, making it compatible with the existing underlining General Plan designation of CHDR, which allows for retail uses and lodging. The current zoning designations of HDR and CO prevent retail uses and limit the allowed lodging uses. By rezoning the site to GC, the allowed uses would be extended to include retail and lodging uses, such as hotels as well as still allowing for residential development.

Thereby, the property would be compatible with the present General Plan designation and with the future General Plan designation as envisioned by the Hayward 2040 General Plan. If the site is left with its current zoning designation, it would remain inconsistent with the General Plan land use designation by preventing retail uses and limit lodging uses. Therefore, the proposed rezoning would be beneficial to apply the appropriate land use and development standards of any new development with the adopted policies of the General Plan, which would not be obtainable under the existing land use regulations.

CEQA FINDINGS

In July 2014, City Council certified the Hayward 2040 General Plan Environmental Impact Report (GP EIR)[5]. In accordance with CEQA Guidelines Section 15164, LSA prepared an Addendum (Attachment III) which tiers off the Hayward 2040 GP EIR and analyzes proposed land use changes and the possible development of a 150-room hotel project.

The purpose of the Addendum is to describe and evaluate the proposed project, assess the proposed modifications to the project evaluated in the Hayward 2040 GP EIR, and identify the reasons for the City's conclusion that changes to the proposed project and associated environmental effects meets the requirements set forward by CEQA Guidelines Section 15164 , while not activating the need to prepare a subsequent or supplemental EIR as set forward by CEQA Guidelines Section 15162.

Further, the Addendum highlights that no new or more severe significant impacts were identified for the proposed project that were not identified and mitigated in the Hayward 2040 GP EIR, and no new mitigation measure would be required for the proposed project.

Overall, there would be no substantial change proposed in the project or the circumstances under which the project is being undertaken, nor is there any new information that would require additional environmental review. Therefore, pursuant to CEQA Guidelines Section 15164:

"The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of subsequent EIR have occurred."

Therefore, the proposed project complies with CEQA requirements and no subsequent EIR or other CEQA evaluation is required for the project.

[5] General Plan EIR https://www.hayward-ca.gov/sites/default/files/documents/Hayward%20GPU%20Final%20EIR_5-19-14_0.pdf

LSA

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POINT RICHMOND
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ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: February 24, 2020

TO: Jennifer Ott, Deputy City Manager
Monica Davis, Manager

FROM: Theresa Wallace, AICP, Principal
Shanna Guiler, AICP, Associate/Environmental Planner

SUBJECT: California Environmental Quality Act (CEQA) Addendum for the Route 238 Development Project - Apple Avenue/Oak Street (Parcel Group 9)

This document, prepared pursuant to the California Environmental Quality Act (CEQA) and the regulations and policies of the City of Hayward, provides information and analysis concerning the Route 238 Development Project – Apple Avenue/Oak Street (Parcel Group 9) (proposed project). This document is an Addendum to the City of Hayward 2040 General Plan Environmental Impact Report[1] (GP EIR), which was certified by the City of Hayward in July 2014. This Addendum to the GP EIR evaluates whether changes to development assumptions included in the General Plan associated with the proposed project would result in new or substantially more adverse significant effects or require new mitigation measures not identified in the GP EIR. See Attachment A for a full description of the proposed project. The City of Hayward is the Lead Agency under CEQA. In accordance with CEQA Section 21093(b) and CEQA Guidelines Section 15152(a), this Addendum tiers off the GP EIR, certified in July 2014, which is hereby incorporated by reference.

INTRODUCTION

Parcel Group 9 is located at the northern end of the City, immediately east of the Interstate 580/State Route 238 (I-580/SR-238) interchange, north of the Apple Avenue and Oak Street intersection. The central portion of the site is located within the City, and the northern portion of the site is located within Castro Valley.

The proposed project would result in the construction of a 150-room hotel and associated parking and landscaping on approximately 2.69 acres of land owned by the City of Hayward (City). The project would require a Zone Change, Site Plan Revie, Improvement Plans Review, Grading Permit and Building Permit.

This Addendum is prepared pursuant to CEQA Guidelines Section 15164 which states: “The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” Section 15162 specifies that “no subsequent EIR

[1] Hayward, City of, 2014. *Final Environmental Impact Report City of Hayward General Plan*. May.

shall be prepared for that project unless the lead agency determines … one or more of the following:"

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete was adopted, shows any of the following:

    a. The project will have one or more significant effects not discussed in the previous EIR;

    b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

    c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

    d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Pursuant to CEQA Guidelines Section 15164(e), the purpose of this Addendum is to describe and evaluate the proposed project (Route 238 Development Project – Apple Avenue/Oak Street), assess the proposed modifications to the project evaluated in the GP EIR, and identify the reasons for the City's conclusion that changes to the proposed project and associated environmental effects do not meet the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent or supplemental EIR.

Attachment A to this Addendum provides a complete description of the proposed project, its location, existing site characteristics, proposed development, and required approvals and entitlements.

Attachment B to this Addendum provides the Environmental Checklist prepared for the project. This checklist provides information to: (1) compare the environmental impacts of the proposed project with impacts expected to result from development approved in the City of Hayward 2040 General Plan and evaluated in the GP EIR; (2) demonstrate that the proposed project would not result in new or more severe significant environmental impacts; (3) provide new or revised mitigation measures

not identified in the GP EIR; and (4) conclude that no substantial changes with respect to the circumstances under which the project would be undertaken since the GP EIR was certified resulted in new or more severe significant environmental effects.

COMPARISON TO THE CONDITIONS LISTED IN CEQA GUIDELINES SECTIONS 15162 AND 15163

The following discussion summarizes the reasons that a subsequent or supplemental EIR, pursuant to CEQA Guidelines Sections 15162 and 15163, is not required and an Addendum to the GP EIR is the appropriate CEQA document.

Substantial Changes

Per the analysis included in Attachment B, Environmental Checklist, the proposed modifications to the project evaluated in the GP EIR would not result in new significant impacts beyond those identified in the GP EIR, would not substantially increase the severity of impacts identified in the GP EIR, and would not require major revisions to the GP EIR. Therefore, the proposed changes to the project would be minor modifications, not substantial changes, and an Addendum is the appropriate document to address these minor modifications rather than a subsequent or supplemental EIR.

Substantial Changes in Circumstances

As described in the Environmental Checklist for each topic, environmental conditions in and around the project site have not changed such that implementation of the proposed minor modifications to the GP EIR would result in new significant environmental effects or a substantial increase in the severity of environmental effects identified in the GP EIR, and thus would not require major revisions to the GP EIR.

New Information

No new information of substantial importance, which was not known or could not have been known when the GP EIR was certified, has been identified which shows that the proposed modifications to the GP EIR associated with the proposed project would be expected to result in: (1) new significant environmental effects not identified in the GP EIR; (2) substantially more severe environmental effects than shown in the GP EIR; (3) mitigation measures or alternatives previously determined to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the City declines to adopt the mitigation measure or alternative; or (4) mitigation measures or alternatives which are considerably different from those analyzed in the GP EIR would substantially reduce one or more significant effects on the environment, but the City declines to adopt the mitigation measure or alternative. As described through the Environmental Checklist, no new or substantially more severe impacts are expected beyond those identified in the GP EIR.

STANDARD CONDITIONS OF APPROVAL

Standard Conditions of Approval (SCAs) have been identified that incorporate development policies and standards from various plans, policies, and ordinances (e.g., Hayward Municipal Code, California Building Code, Uniform Fire Code, the Regional Water Quality Control Board's Municipal Regional Permit, etc.), which have been found to substantially mitigate environmental effects. The City of

Hayward applies SCAs for all projects and amends these conditions as needed. As applicable, the SCAs are adopted as requirements of an individual project when it is approved by the City, and are designed to, and will, avoid or substantially reduce a project's environmental effects.

In reviewing project applications, the City determines which SCAs apply based upon the zoning district, community plan, and the type of permits/approvals required for the project. Depending on the specific characteristics of the project type and/or project site, the City will determine which SCAs apply to a specific project. Because these SCAs are mandatory requirements imposed on a citywide basis, environmental analyses assume that these SCAs will be imposed and implemented by the project, and are not imposed as mitigation measures under CEQA.

CONCLUSION

The proposed modifications to the GP EIR described in this Addendum would not require major revisions to the GP EIR due to new or substantially increased significant environmental effects. The analysis contained in the Environmental Checklist confirms that the modified project is within the scope of the GP EIR and will have no new or more severe significant effects and no new mitigation measures are required. Therefore, no subsequent or supplemental EIR or further CEQA review is required prior to approval of the proposed project, as described in this Addendum.

Attachments: A – Project Description
B – Environmental Checklist

ATTACHMENT A
PROJECT DESCRIPTION

The following describes the proposed Route 238 Property Development – Apple Avenue/Oak Street (Parcel Group 9) project (proposed project) that includes a 150-room hotel and associated parking and landscaping on approximately 2.69 acres of land owned by the City of Hayward (City). In addition to the description of the proposed project itself, this section includes a summary description of the project's location and existing site characteristics. This project description is part of the preparation of an Addendum to the City of Hayward 2040 General Plan Environmental Impact Report[1] (GP EIR), certified by the City of Hayward in July 2014. The City is the CEQA lead agency for the proposed project.

PROJECT BACKGROUND

In the 1960s, the California Department of Transportation (Caltrans) purchased over 400 parcels in the Hayward foothills, east of Foothill and Mission Boulevards, for the construction of the Route 238 Bypass Freeway project. However, in 1971 the community filed a lawsuit to stop the project and it was eventually abandoned. Caltrans has been selling the State-owned properties within the right-of-way because they are no longer required for the freeway project.

In January 2016, the City negotiated a purchase and sale agreement with Caltrans to acquire several remaining parcel groups along the former freeway alignment. The City's goal is to develop these properties with uses that would be consistent with the comprehensive vision of the City's General Plan and to integrate these properties with the rest of the community. The acquisition and development of each of these parcel groups is independent from one another, and no part of any one development is related to or dependent on the development of any other group of parcels.

PROJECT SITE

The following section describes the location and site characteristics for the proposed project area and provides a brief overview of the existing land uses within and in the vicinity of the site.

Location and Surrounding Land Uses

The City of Hayward occupies approximately 64 square miles in southwestern Alameda County, approximately 14 miles south of Downtown Oakland, 20 miles southeast of Downtown San Francisco, and 25 miles north of Downtown San Jose. The City's planning area (Sphere of Influence) encompasses approximately 72 square miles and includes all land within the Hayward City limits and adjacent unincorporated county land, including Garin Regional Park, open space areas east of the City, portions of San Lorenzo and Castro Valley, and the communities of Hayward Acres, Cherryland, and Fairview.

Parcel Group 9 is located at the northern end of the City, immediately east of the Interstate 580/State Route 238 (I-580/SR-238) interchange, north of the Apple Avenue and Oak Street

[1] Hayward, City of, 2014. *Final Environmental Impact Report City of Hayward General Plan*. May.

intersection. The central portion of the site is located within the City, and the northern portion of the site is located within Castro Valley.

Regional vehicular access to Parcel Group 9 is provided by I-580 located adjacent to the project site and SR-238 that traverses the City. Figures 1 through 3 (attached) show the regional and local context of the proposed project site.

The on-ramp to I-580 East forms the western boundary of Parcel Group 9. Apple Avenue bounds the site to the south. Multifamily housing borders the eastern edge of the site. Foothill Boulevard runs parallel to the site, west of the I-580 on-ramp. A church and commercial uses, including hotels, auto sale dealerships, a discount mattress store, and a used appliance store are located along Foothill Boulevard, to the west and southwest of the site. Strobridge Elementary School is located approximately 800 feet to the east.

Site Characteristics and Current Site Conditions

The proposed project site is relatively flat and primarily consists of vacant grassland with a few scattered trees. A vacant lot used as a construction materials storage yard is located at the corner of Apple Avenue and the I-580 East on-ramp. An apartment building, located at the corner of Oak Street and Apple Avenue, is within unincorporated Castro Valley. The existing apartment building would be demolished prior to commencement of the development project described herein.

General Plan

The City's General Plan Land Use Map designates the portion of Parcel Group 9 within the City as Commercial/High Density Residential (up to 34.8 dwelling units per net acre) and Public/Quasi-Public. The site is zoned for Commercial Office, Public Facilities, and High Density Residential (minimum lot size 1,250 square feet). The purpose of the Commercial Office District is to provide for and protect administrative, professional, business, and financial organizations that are compatible with residential use of adjacent properties. The City of Hayward Zoning Ordinance outlines specific development standards and design guidelines for development within the Commercial Office, Public Facilities, and High Density Residential districts.

The proposed project is located solely on land that lies within the City of Hayward. The land adjacent to the project site is located within the unincorporated community of Castro Valley. This land is designated as Public/Institutional on the Castro Valley General Plan Land Use Map and is zoned for Retail Business, Suburban Residential (8 dwelling units per acre), General Business, and Industrial Park. However, the proposed project would be located solely within the portion of the project site that lies within the City of Hayward.

The GP EIR analyzed implementation and buildout of the General Plan over a 26-year planning period. Although no specific development projects were proposed in conjunction with the General Plan, the GP EIR analyzed a development potential of approximately 7,475 additional single-family dwelling units; 7,339 additional multi-family dwelling units; and 25,787 additional jobs. The jobs are generally categorized as follows: retail, service, manufacturing, wholesale, agricultural, and other.

As a largely built-out community, future development opportunities are limited to relatively small infill sites and the redevelopment of underutilized parcels. The development capacity assumptions are derived from already adopted plans and initiatives as well as housing, population, and employment projections issued by the Association of Bay Area Governments. Table A identifies the Hayward 2040 General Plan development capacity assumptions used in the GP EIR.

Table A: Existing and Proposed Development in the General Plan Planning Period

Land Use	Existing 2010	Proposed Through 2040	Net New Development
Single-Family Housing	30,989	38,461	7,472
Multi-Family Housing	20,395	27,794	7,399
Employment	76,067	101,854	25,787

Source: City of Hayward (July 2014).

PROPOSED PROJECT

The Parcel Group 9 Project would consist of a 150-room hotel and associated parking and roadway improvements, including curbs, gutters, sidewalks, utilities and lighting. The land use concept for the proposed project is shown in Figure 4 (attached).

The proposed project is consistent with the intent of the Commercial/High Density Residential (CHDR) designation, which supports lodging uses. No changes in General Plan land use designations would be required for the proposed project. The project site would need to be re-zoned from High Density Residential (RH) and Commercial Office (CO) to General Commercial (GC) to allow for hotel development.

Hotel

The proposed four-story, approximately 100,000-square-foot building would include 150 guest rooms. In addition to the guest rooms, the proposed building could include a meeting room, lounge area with a bar and seating space, office space, and fitness center. An outdoor pool could also be provided. The building frontage would be oriented towards the Oak Street to the east. A conceptual site plan for the proposed project is shown in Figure 4.

Parking

Parking would be provide pursuant to City requirements, which require one parking space for each room and one space for every two employees on the largest shift. An approximately 150-space parking area would be provided for hotel guests and employees.

On-Site Pedestrian and Vehicle Circulation

Inbound access to the project site would be via Apple Avenue, an existing one-way road from northbound Foothill Boulevard. In the vicinity of the project site, Foothill Boulevard is a two-way street with three to four 11- to 12-foot travel lanes in each direction and a median. Inbound and outbound access would be provided via Oak Street to Grove Way. Grove Way includes one travel lane and street parking in each direction.

Pedestrian facilities are provided along Foothill Boulevard, including sidewalks, continental crosswalks, and ADA-compliant curb ramps. Sidewalk gaps exist on Grove Way east of Foothill Boulevard (north and south side) leading to the Oak Street access point. The Oak Street crosswalk at Grove Way is also fading. No sidewalks are provided along Oak Street or Apple Valley Avenue. As part of the proposed project, sidewalks would be provided along the project frontage, as well as Oak Street and Apple Avenue.

Open Space and Landscaping

The proposed project would also include landscaping around the project site, particularly along I-580 to provide screening from the freeway. In addition, trees would be provided within the parking area. Signage would be installed that provides visibility from the surrounding streets, consistent with adjacent commercial development.

Infrastructure Requirements

Oak Street contains existing public utilities and would extend into the project site; therefore, the proposed project would have frontage on a public right-of-way containing public utilities. A description of utilities and infrastructure associated with the project is provided below.

Water

The Parcel Group 9 site is located within the EBMUD service area. An 8-inch steel main is located in Apple Avenue and Oak Street. In addition, a 36-inch EBMUD transmission line is located within Oak Street and Apple Avenue.

Sewer Service

Wastewater collection is provided by Oro Loma Sanitary District. A 6-inch vitrified clay pipe (VCP) main is located in Apple Avenue and Oak Street. In addition, a 6-inch VCP is located in the undeveloped Oak Street right-of-way within the site.

Stormwater/Drainage

No storm drain infrastructure is located in Oak Street. An 18-inch metal storm drain line is located in Apple Avenue adjacent to the site. Proposed development would be required to provide hydromodification of all proposed runoff, to ensure post-construction runoff levels are the same as existing runoff.

Gas and Electrical Improvements

Electric service is accessible to the site by overhead electric lines on joint utility poles in Oak Street, and by extending into the undeveloped Oak Street right-of-way on the site. Gas service is distributed to the site by underground mains. A 1.25-inch and a 2-inch gas main are located in Apple Avenue and Oak Street

Outdoor Lighting

Outdoor lighting would be in conformance with the City's Municipal Code. Limited safety and security lighting and indirect shielded lighting would be provided on the outside of the hotel and within the parking area as needed for public safety.

Grading

The western portion of the site is relatively level, and the eastern portion of the site is moderately to steeply sloping hillside. The proposed project would be located in the southeastern portion of the project site, where it is relatively flat. Grading would be in conformance with the City's Municipal Code (Chapter 10, Article 18, Grading and Clearing), which requires approval of a grading permit prior to commencement of grading activities and adherence to performance and design standards to prevent erosion, preserve existing slopes and vegetation, protect existing structures, and accommodate site drainage.

Construction

Construction is anticipated to occur over 12 to 24 months starting in spring 2021. For the purpose of this Addendum, it is assumed that project construction would not require pile driving, but would utilize a typical mix of construction equipment for projects of a similar type and size, including graders, bulldozers, jackhammers, and cement mixers.

RELATED PROJECTS

When evaluating cumulative impacts, CEQA requires the use of either a list of past, present, and probable future projects, including projects outside the control of the lead agency, or a summary of projections in an adopted planning document, or some reasonable combination of the two approaches.

The cumulative analysis of this Addendum is consistent with Section 15130(b)(1) of the CEQA Guidelines as it is based on both a list of past, present and probable future development projects in the area (short-term cumulative development) and a summary of development projections. Cumulative impacts would most likely result from short-term and long-term development in the immediate vicinity of the proposed project. Where appropriate, this Addendum assesses the short-term and long-term cumulative impacts that would result from the project plus other projected development in the project vicinity. The following sections discuss the anticipated short-term and long-term development in the project vicinity.

Short-Term Development

As described above, the proposed project is anticipated to start construction in spring 2021, extending approximately 12 to 24 months. Other projects anticipated to be under construction concurrent with the proposed project include other projects located within the Route 238 Study Area. These projects are located in the vicinity of the proposed project and could contribute to cumulative construction impacts. These projects are described below.

- **Parcel Group 2.** The Parcel Group 2 project site is composed of two parcels that total about 12.2 acres. The first parcel totals approximately 4.65 acres and is located at 29212 Mission Boulevard. The second parcels, approximately 7.6 acres, abuts the first parcel on the south and extends from Mission Boulevard on west to Tennyson Road on the north. The proposed project would result in the development of approximately 190 residential units, approximately 10,800 square feet of ground floor commercial uses, and related site improvements.

- **Parcel Group 3.** The Parcel Group 3 project site is located at the northeastern corner of Mission Boulevard and Tennyson Road. The proposed project will consist of 180 affordable rental apartments and a charter school serving approximately 400 elementary students.

- **Parcel Group 5 (Bunker Hill).** Parcel Group 5 is located northwest of Harder Road, approximately 1,000 feet east of Mission Boulevard and adjacent to and southwest of CSU East Bay. Proposed development at this site would include up to 74 single-family residential units and 8 accessory dwelling units (ADUs), approximately 10.5 acres of open space, and associated roadway and infrastructure connections.

- **Parcel Group 6 (Quarry Site).** Parcel Group 6 is located north of Carlos Bee Boulevard, south of Highland Boulevard, approximately 1,000 feet northeast of Mission Boulevard and approximately 2,000 feet northwest of California State University East Bay (CSU East Bay). Proposed development at this site would include a maximum of 500 townhomes/multi-family units and 500 student-housing units, up to 10,000 square feet of retail/commercial space, passive open space, a neighborhood park, and associated roadway and infrastructure connections.

- **Parcel Group 7 (Mission Boulevard/Carlos Bee Boulevard).** Parcel Group 7 is located at the southeastern corner of Mission Boulevard and Carlos Bee Boulevard. Proposed development at this site would include a new auto dealership. The new auto dealership would consist of an approximately 65,000-square-foot facility that will include sales, service, and display. The new dealership would be located on the lower five acres of the site towards Mission Boulevard.

- **Parcel Group 8 (Grove Way/Foothill Boulevard)**. Parcel Group 8 is located at the northern end of the City, south of Grove Way and east of Foothill Boulevard. Proposed development at this site would include a mix of townhomes, commercial, multifamily high density residential and a large open space parkland.

- **21339 Oak Street Development.** The 21339 Oak Street Development consists of a 40-unit townhome development on 1.66-acres on Oak Street between Apple Avenue and Grove Way. The proposed project would include 40 townhouse units, housed in six three-story buildings. Units would range in size from 1,327 to 1,441 square feet. The project would also include new landscaping, frontage and site improvements, and two common open space areas. This project was approved by the City Council on October 29, 2019.

Long-Term Development

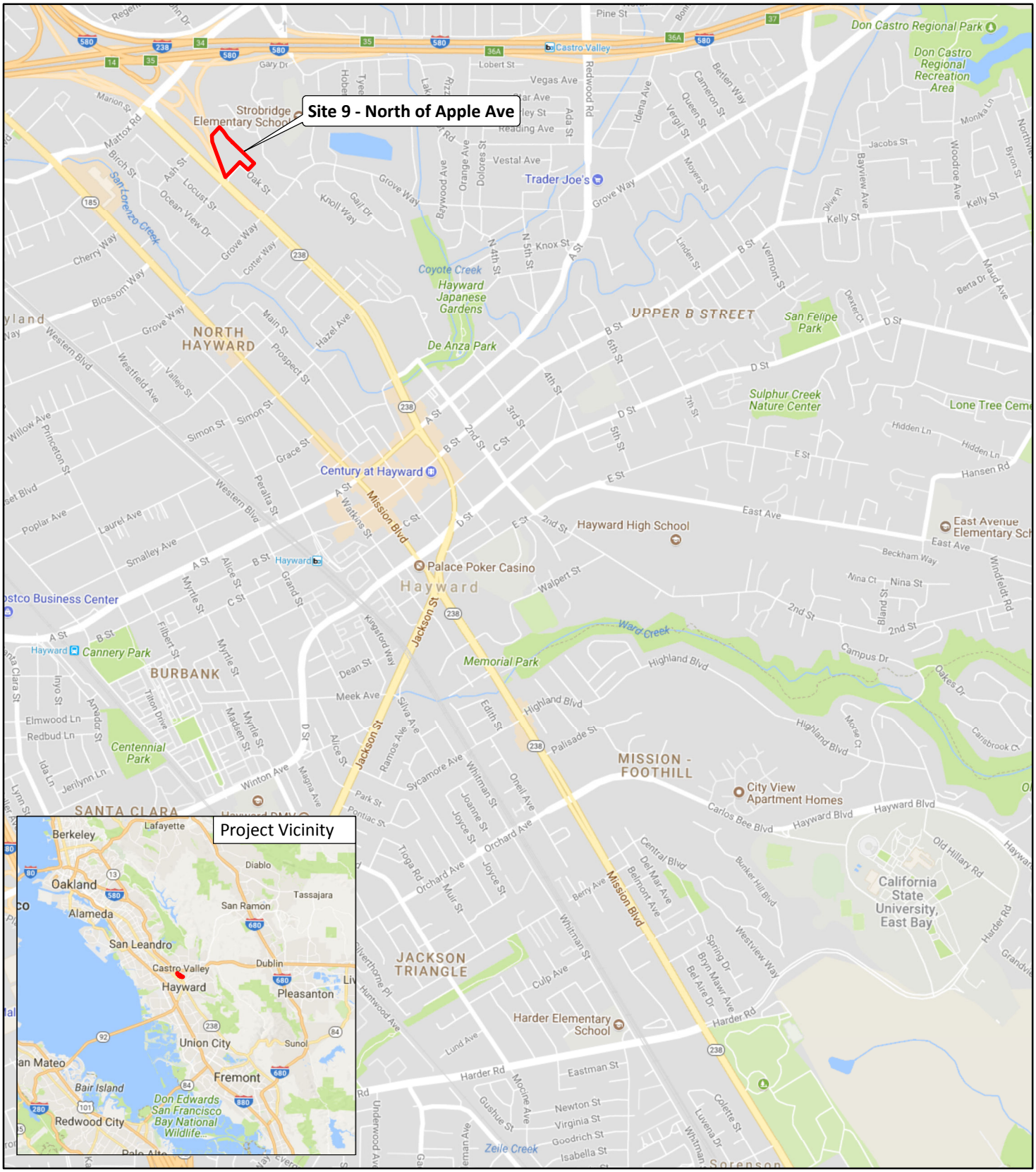
The potential development outlined in the 2014 General Plan was considered in the cumulative analysis in this Addendum, along with the specific projects identified above. Because the 2014 General Plan and the GP EIR developed growth forecasts through 2040 to account for growth within the General Plan Planning Area, including the project site, use of the development projections from these two documents is inherently cumulative, in that the projection considers impacts of development generated by future planned uses. Since 2014, updated growth forecasts have projected slightly less growth within the City than was estimated in 2014, therefore use of the 2014 General Plan's assumptions is conservative, potentially overstating growth potential and intensity of environmental effects. Moreover, projects approved within the General Plan Planning Area have not exceeded the growth forecasts or developed in a way that would change the likely environmental impacts associated with future growth. Therefore, the cumulative effects of long-term development are fully reflected in the 2014 General Plan's growth forecasts and analyzed within this Addendum accordingly.

AMENDMENTS AND PERMITS

As part of the proposed project evaluated in this Addendum, the following approvals and permits would be required:

- Zone Change from RH (High Density Residential) and CO (Commercial Office) to CG (General Commercial) to allow for hotel development
- Site Plan Review
- Improvement Plans review
- Grading Permit
- Building Permit

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LSA

LEGEND

Parcel Group

FIGURE 1

N

0 1000 2000

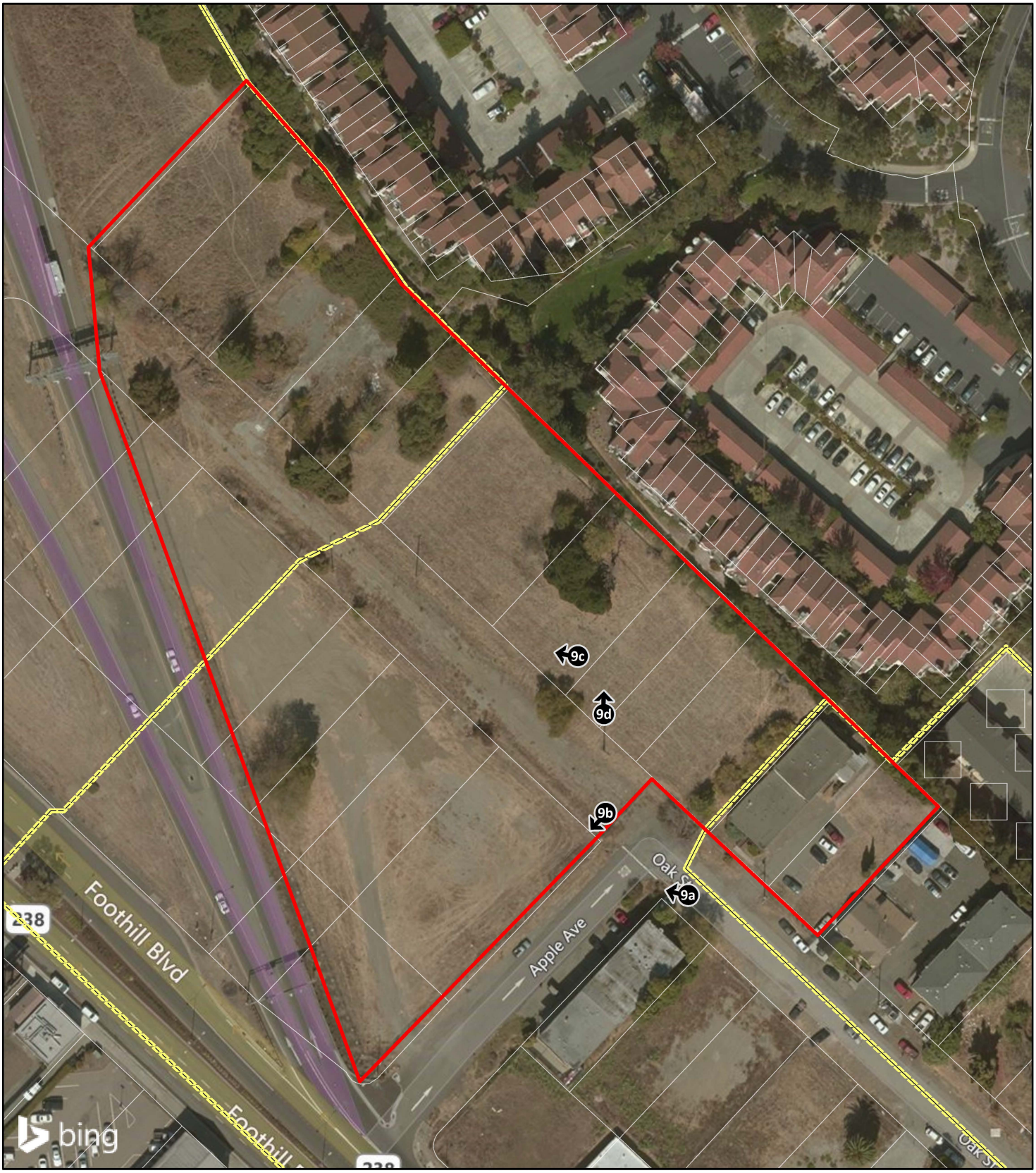
FEET

Hayward Route 238 Properties - Parcel Group 9
Hayward, Alameda County, California

Regional Location and Overview Map

SOURCE: Google Streets Map (2018); StreetMap NA (2012).

I:\DEW1701\GIS\Maps\Project\Figure 1_Regional Location.mxd (2/2/2018)



LSA

LEGEND

Parcel Group

Parcel

City Limits

5a Photo Point

0 50 100
FEET

SOURCE: Microsoft Bing Basemap.

FIGURE 2

Hayward Route 238 Properties - Parcel Group 9
Hayward, Alameda County, California

Parcel Group 9 – Aerial and Photo Points

I:\DEW1701\GIS\Maps\Environmental Constraints\Figure 6a_Parcel Group 9 - Apple Ave Oak St Aerial and Photo Points.mxd (2/8/2018)



9a. View from intersection of Oak Street and Apple Street, looking northwest towards site



9b. View from site looking southwest towards SR-238 interchange

LSA

FIGURE 3a

Hayward Route 238 Properties - Parcel Group 9
Hayward, Alameda County, California

Parcel Group 9 – Site Photos



9c. View from site looking northwest towards on-ramp to I-580 East



9d. View from site looking northeast towards adjacent residential uses

LSA

FIGURE 3b

Hayward Route 238 Properties - Parcel Group 9
Hayward, Alameda County, California

Parcel Group 9 – Site Photos



LSA

FIGURE 4

0 30 60
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Hayward Route 238 Properties - Parcel Group 9
Hayward, Alameda County, California
Conceptual Site Plan

SOURCE: xxx

P:\HAY1901 Parcel Group 9\PRODUCTS\Graphics\Figures\Figure_4.ai (2/3/2020)

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ATTACHMENT B
ENVIRONMENTAL CHECKLIST
PURSUANT TO CEQA GUIDELINES SECTION 15168

CEQA Guidelines 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR. This checklist confirms that the Route 238 Property Development Project – Apple Avenue/Oak Street (Parcel Group 9) (proposed project) described in Attachment A is within the scope of the City of Hayward 2040 General Plan EIR[1] (GP EIR), certified by the City of Hayward in July 2014. The proposed project would not result in new or substantially more severe significant effects, and no new mitigation measures are required for the proposed project.

In accordance with CEQA Section 21093(b) and CEQA Guidelines Section 15152(a), this Addendum tiers off the GP EIR, which is hereby incorporated by reference.

This environmental checklist is used to: (1) compare the environmental impacts of the proposed project with impacts expected to result from the development approved in the City of Hayward 2040 General Plan and evaluated in the GP EIR; (2) identify whether the proposed project would result in new or more severe significant environmental impacts; (3) identify if new or revised mitigation measures would be required by the project sponsor; and (4) identity if substantial changes with respect to the circumstances under which the project would be undertaken since the GP EIR was certified would result in new or more severe significant environmental effects.

In summary, no new or more severe significant impacts were identified for the proposed project that were not identified and mitigated in the GP EIR, and no new mitigation measures would be required for the proposed project. In some cases, Standard Conditions of Approval have been identified to ensure compliance with development policies and standards from various plans, policies, and ordinances, which have been found to substantially mitigate environmental effects. For all environmental topics addressed in the following checklist, there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the GP EIR. Therefore, no subsequent EIR or CEQA evaluation is required for the Route 238 Development Project – Apple Avenue/Oak Street (Parcel Group 9).

[1] Hayward, City of, 2014a. *Final Environmental Impact Report City of Hayward General Plan*. May.

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1. AESTHETICS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion

Scenic Vistas

The project area is within the heavily developed central portion of the City. However, approximately half of the land within the City of Hayward consists of water, baylands, and open space. Marshland along the shoreline creates the western boundary of the City, and rolling hills form the eastern boundary of the City. The higher elevation hillside areas and portions of the shoreline provide scenic vistas of San Francisco Bay. The developed areas of the City can block scenic views, including views of the East Bay Hills. The hillside areas of the City are generally characterized as having a rural character with larger lots and fewer tract-home developments.

Parcel Group 9 is located along the abandoned highway alignment, along Foothill Boulevard. Foothill Boulevard carries high volumes of commuter traffic and is dominated by commercial and residential uses. Parcel Group 9 is located at the City of Hayward/Castro Valley line, adjacent to the I-580/SR-238 interchange, and is surrounded by a mix of residential and commercial uses. The site does not have any scenic vistas of the San Francisco Bay. The site is visible from Foothill Boulevard and the on-ramp to I-580 and SR-238.

The project site is not located in an area considered to be within view of a scenic vista. In addition, development of the proposed project would not obscure any views of scenic vistas from surrounding public vantage points. Therefore, the proposed project would not result in a substantial adverse effect on a scenic vista, and impacts associated with the proposed project would not result in new impacts to scenic vistas or substantially increase the severity of impacts identified in the GP EIR.

Scenic Resources

County designated-scenic highways within the City include I-580, I-880, and SR-92.[2] In addition, I-580, located just north of Hayward, is a designated State Scenic Highway.[3] As described above, the project site is located adjacent to the I-580/SR-238 interchange, just south of I-580. However, the proposed project does not include the removal of any trees, rock outcroppings, or historic buildings. Therefore, impacts associated with the proposed project would not result in new impacts to scenic resources or substantially increase the severity of impacts identified in the GP EIR.

Visual Character

The project site is located within an urbanized area. As noted in Attachment A, Project Description, as part of the proposed project, the project site would be rezoned to the CG (General Commercial) zoning district, in which hotel uses are permitted. Consistent with the City's Zoning Ordinance, the proposed project would be required to comply with the Minimum Design and Performance Standards for the CG District as outlined in Section 10-1.1045 of the City of Hayward Municipal Code.

As noted in Section 2.0, Project Description, Site Plan Review would be required for the proposed project, which would provide for the review of the physical improvements to the project site, including the overall building scale, massing, and design to ensure compatibility and compliance with City requirements governing scenic quality.

Because site-specific review of the proposed building would be required as part of the project entitlement process and would be subject to the design and performance standards identified in the City's Municipal Code, the proposed project would not conflict with applicable zoning or other regulations governing scenic quality, and this impact would be less than significant. Therefore, the proposed project would not result in new impacts to visual character beyond those less-than-significant impacts identified in the GP EIR.

Light and Glare

The site is vacant with the exception of the apartment building at the corner of Apple Avenue and Oak Street, which will be demolished prior to commencement of the proposed project. The apartment building is currently the only existing source of illumination at the project site. Foothill Boulevard and the I-580 on-ramp carry high volumes of vehicle traffic. Taillights and headlights from vehicles traveling along these roadways contribute to existing sources of light and glare in the area.

Development of the proposed project would incrementally increase the amount of nighttime lighting in the surrounding area due to new interior and exterior lighting at the hotel, safety lighting in the parking lot, and lighting associated with additional vehicular traffic to and from the project site. At night these new sources of light would be visible from a distance; however, the addition of

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2 Hayward, City of, 2014. *Hayward 2040 General Plan Background Report.*

3 California Department of Transportation, 2020. Scenic Highways. Website: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways (accessed January 23, 2020).

new light sources associated with the proposed project would generally blend in with surrounding development and would represent a continuation of existing commercial development within this area of the City. Design Review of the proposed project would ensure that lighting within the project site is sufficient to protect public safety but does not excessively illuminate the surrounding area. Therefore, the proposed project would not create impacts related to light and glare that would be more severe than those identified in the GP EIR.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan, impacts on aesthetics and visual resources were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred related to visual resources. In addition, no revisions to the project or new information that could not have been known at the time the GP EIR was certified would lead to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy LU-1.7 Design Guidelines. The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.*

- *Policy LU-3.6 Residential Design Strategies. The City shall encourage residential developments to incorporate design features that encourage walking within neighborhoods by:*

    - *Creating a highly connected block and street network.*

    - *Designing new streets with wide sidewalks, planting strips, street trees, and pedestrian-scaled lighting.*

    - *Orienting homes, townhomes, and apartment and condominium buildings toward streets or public spaces.*

    - *Locating garages for homes and townhomes along rear alleys (if available) or behind or to the side of the front façade of the home.*

    - *Locating parking facilities below or behind apartment and condominium buildings.*

    - *Enhancing the front façade of homes, townhomes, and apartment and condominium buildings with porches, stoops, balconies, and/or front patios.*

    - *Ensuring that windows are provided on facades that front streets or public spaces.*

- *Policy LU-7.2 Ridgelines. The City shall discourage the placement of homes and structures near ridgelines to maintain natural open space and preserve views. If ridgeline development cannot*

be avoided, the City shall require grading, building, and landscaping designs that mitigate visual impacts and blend development with the natural features of the hillside.

- *Policy LU-7.3 Hillside Street Layouts. The City shall require curvilinear street patterns in hillside areas to respect natural topography and minimize site grading.*

- *Policy LU-7.4 Hillside Street Design. The City shall encourage narrow streets in hillside areas. Streets should be designed with soft shoulders and drainage swales (rather than sidewalks with curb and gutters) to maintain the rural character of hillside areas and minimize grading impacts. The City shall prohibit parking along narrow street shoulders to provide space for residents to walk and ride horses.*

- *Policy LU-7.5 Clustered Developments. The City shall encourage the clustering of residential units on hillsides to preserve sensitive habitats and scenic resources as natural open space. Sensitive areas and scenic resources include woodlands, streams and riparian corridors, mature trees, ridgelines, and rock outcroppings.*

- *Policy NR-1.7 Native Tree Protection. The City shall encourage protection of mature, native tree species to the maximum extent practicable, to support the local ecosystem, provide shade, create windbreaks, and enhance the aesthetics of new and existing development.*

- *Policy NR-8.1 Hillside Residential Design Standards. The City shall regulate the design of streets, sidewalks, cluster home development, architecture, site design, grading, landscaping, utilities, and signage in hillside areas to protect aesthetics, natural topography, and views of surrounding open space through the continued Hillside Design and Urban/Wildland Interface Guidelines.*

- *Policy NR-8.2 Hillside Site Preparation Techniques. The City shall require low-impact site grading, soils, repair, foundation design, and other construction methods to be used on new residential structures and roadways above 250 feet in elevation to protect aesthetics, natural topography, and views of hillsides and surrounding open space.*

- *Policy M-3.6 Context Sensitive. The City shall consider the land use and urban design context of adjacent properties in both residential and business districts as well as urban, suburban, and rural areas when designing complete streets.*

- *Policy M-3.11 Adequate Street Canopy. The City shall ensure that all new roadway projects and major reconstruction projects provide for the development of an adequate street tree canopy.*

- *Policy M-5.5 Streetscape Design. The City shall require the pedestrian-oriented streets be designed and maintained to provide a pleasant environment for walking including shade trees; plantings; well-designed benches, trach receptacles, and other furniture; pedestrian-scaled lighting fixtures; wayfinding signage; integrated transit shelters; public art; and other amenities.*

- *Policy HQL-8.3 Trees of Significance. The City shall require the retention of trees of significance (such as heritage trees) by promoting stewardship and ensuring that project design provides for*

the retention of these trees wherever possible. Where tree removal cannot be avoided, the City shall require tree replacement or suitable mitigation.

- *Policy ED-5.5 Quality Development. The City shall require new development to include quality site, architectural, and landscape design features to improve and protect the appearance and reputation of Hayward.*

- *Policy CS-1.10 Lighting. The City shall encourage property owners to use appropriate levels of exterior lighting to discourage criminal activity, enhance natural surveillance opportunities and reduce fear.*

Conclusion

The GP EIR adequately evaluated the aesthetic impacts of the proposed project. Therefore, potential impacts of the proposed project would be less than significant and additional mitigation is not required.

2. 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 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 the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
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 non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

The City of Hayward and surrounding areas primarily consist of developed, urban land, with pockets of vacant properties; undeveloped bayshore and open space exists on the western and eastern margins of the City. No farmland designated by the California Department of Conservation Farmland Mapping and Monitoring Program (FMPP) is located within the City limits. Grazing land is located east of the City limits.[4] No forest lands or timberlands are located on or adjacent to the site.

[4] California Department of Conservation, Division of Land Resource Protection, 2014. *Alameda County Important Farmland 2014.* Available online at: www.conservation.ca.gov/dlrp/fmmp/Pages/Alameda.aspx (accessed June 19, 2019).

The project site is not used for agricultural production or forestry use nor is it located on a parcel under a Williamson Act contract. Additionally, the project site is not zoned for agricultural use. Therefore, the proposed project would have no impacts on agriculture or forestry resources.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The GP EIR adequately evaluated the agriculture and forestry impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

3. 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.

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d. Result in other emissions (such as those leading to odors) affecting a substantial number of people?	☐	☐	☐	☒

Discussion

Parcel Group 9 is located with the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that monitors and regulates air pollution within the air basin. The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_x), particulate matter (PM_{10}), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and fine particulate matter ($PM_{2.5}$).

Based on the BAAQMD attainment status and ambient air quality monitoring data, ambient air quality in the vicinity of the project site has basically remained unchanged since approval of the GP EIR. However, the BAAQMD has made two key regulatory changes since the GP EIR was certified in 2014. The updated Clean Air Plan was adopted in April 2017 and revised BAAQMD CEQA Guidelines were adopted in May 2017. These changes in the project circumstances, as well as changes to the proposed project itself, are discussed and evaluated in the following section.

Clean Air Plan Consistency

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of an air quality plan is to bring an area into compliance with the requirements of federal and State air quality standards.

The GP EIR referenced the BAAQMD Bay Area 2010 Clean Air Plan to determine if the General Plan would conflict with or obstruct implementation of an applicable air quality plan. The GP EIR found that the General Plan would be substantially consistent with all applicable control measures in the Bay Area 2010 Clean Air Plan. However, the GP EIR determined that the General Plan would still have significant and unavoidable impacts associated with short-term construction and long-term operational emissions, as well as health risk exposure associated with toxic air contaminants and $PM_{2.5}$, and therefore, would not be considered to be fully consistent with the Clean Air Plan goals. As such, potential conflicts with the applicable air quality plan were considered to be significant.

The current BAAQMD clean air plan is the 2017 Clean Air Plan, adopted on April 19, 2017.[5] The 2017 Clean Air Plan provides a regional strategy to protect public health and protect the climate. To protect public health, the plan describes how the BAAQMD will continue progress toward attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve greenhouse gas (GHG) reduction targets.

The 2017 Clean Air Plan includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants. It also includes control measures to reduce emissions of methane and other "super-GHGs" that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Consistency with the Clean Air Plan can be determined if a project does the following: (1) supports the goals of the Clean Air Plan; (2) includes applicable control measures from the Clean Air Plan; and (3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan. Because the 2017 Clean Air Plan is the most current clean air plan applicable to the region, the proposed project is evaluated for compliance with this plan below.

As discussed in the Project Description, the proposed project is consistent with the intent of the Commercial/High Density Residential (CHDR) designation, which supports lodging uses. No changes in General Plan land use designations would be required for the proposed project. The project site would need to be re-zoned from High Density Residential (RH) and Commercial Office (CO) to General Commercial (GC) to allow for hotel development. However, the proposed project would include a new hotel on an infill site that would locate guests and employees near existing residential and commercial uses, reducing the demand for travel by single occupancy vehicles. Therefore, implementation of the proposed project would not substantially increase population, vehicle trips, or vehicle miles traveled (VMT). As such, the proposed project would not hinder the goals of the Clean Air Plan.

[5] Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan*. April 19.

In addition, the proposed project would comply with all applicable control measures from the BAAQMD Clean Air Plan, as follows:

Stationary Source Control Measures. The stationary source measures, designed to reduce emissions from stationary sources such as metal melting facilities, cement kilns, refineries, and glass furnaces, are incorporated into rules adopted by the BAAQMD and then enforced by BAAQMD Permit and Inspection programs. Since implementation of the proposed project would not include any stationary sources, the Stationary Source Measures of the Clean Air Plan are not applicable.

Transportation Control Measures. The BAAQMD identifies control measures as part of the Clean Air Plan to reduce ozone precursor emissions from stationary, area, mobile, and transportation sources. The Transportation Control Measures are designed to reduce emissions from motor vehicles by reducing vehicle trips and VMT in addition to vehicle idling and traffic congestion. The proposed project is consistent with the intent of the CHDR designation and would include a new hotel on an infill site that would locate guests and employees near existing residential and commercial uses, reducing the demand for travel by single occupancy vehicles. Therefore, the proposed project would support the ability to use alternative modes of transportation and would promote initiatives to reduce vehicle trips and vehicle miles traveled. Therefore, the proposed project would not conflict with the identified Transportation and Mobile Source Control Measures of the Clean Air Plan.

Energy Control Measures. The Clean Air Plan also includes Energy and Climate Control Measures, designed to reduce ambient concentrations of criteria pollutants and to reduce emissions of CO_2. Implementation of these measures is intended to promote energy conservation and efficiency in buildings throughout the community, promote renewable forms of energy production, reduce the "urban heat island" effect by increasing reflectivity of roofs and parking lots, and promote the planting of (low-volatile organic compound [VOC]-emitting) trees to reduce biogenic emissions, lower air temperatures, provide shade, and absorb air pollutants. The measures include voluntary approaches to reduce the heat island effect by increasing shading in urban and suburban areas through the planting of trees. Implementation of the proposed project would include paved areas that could result in a heating effect. However, the proposed project would include landscaping around the project site. In addition, the proposed project would be required to comply with the latest CALGreen standard building measures and Title 24 standards. Therefore, the proposed project would not conflict with the Energy and Climate Control Measures.

Building Control Measures. The BAAQMD has authority to regulate emissions from certain sources in buildings such as boilers and water heaters, but has limited authority to regulate buildings themselves. Therefore, the strategies in the control measures for this sector focus on working with local governments that do have authority over local building codes, to facilitate adoption of best GHG control practices and policies. As identified above, the proposed project would be required to comply with the latest CALGreen standard building measures and Title 24 standards. Therefore, the proposed project would not conflict with these measures.

Agriculture Control Measures. The Agriculture Control Measures are designed to primarily reduce emissions of methane. Since the proposed project does not include any agricultural activities, the Agriculture Control Measures of the Clean Air Plan are not applicable.

Natural and Working Lands Control Measures. The Natural and Working Lands Control Measures focus on increasing carbon sequestration on rangelands and wetlands, as well as encouraging local governments to adopt ordinances that promote urban-tree plantings. Since implementation of the proposed project would not include the disturbance of any rangelands or wetlands, the Natural and Working Lands Control Measures of the Clean Air Plan would not be applicable.

Waste Management Control Measures. The Waste Management Measures focus on reducing or capturing methane emissions from landfills and composting facilities, diverting organic materials away from landfills, and increasing waste diversion rates through efforts to reduce, reuse, and recycle. The proposed project would comply with local requirements for waste management (e.g., recycling and composting services). Therefore, the proposed project would be consistent with the Waste Management Control Measures of the Clean Air Plan.

Water Control Measures. The Water Control Measures focus on reducing emissions of criteria pollutants, TACs, and GHGs by encouraging water conservation, limiting GHG emissions from publicly owned treatment works (POTWs), and promoting the use of biogas recovery systems. Since these measures apply to POTWs and local government agencies, the Water Control Measures are not applicable to the proposed project.

Super GHG Control Measures. The Super-GHG Control Measures are designed to facilitate the adoption of best GHG control practices and policies through the BAAQMD and local government agencies. As identified above, the proposed project would be required to comply with the latest CALGreen standard building measures and Title 24 standards reducing GHG emissions. In addition, as discussed in Section 8 of this Environmental Checklist, Greenhouse Gas Emissions, the proposed project would be consistent with the City's Climate Action Plan. Therefore, the proposed project would not conflict with the Super-GHG Control Measures.

As discussed above, implementation of the proposed project would not disrupt or hinder implementation of the applicable measures outlined in the Clean Air Plan, including Transportation and Mobile Source Control Measures, Land Use and Local Impact Measures, and Energy Measures. Therefore, the proposed project supports the goals of the Clean Air Plan and would not conflict with any of the control measures identified in the plan or designed to bring the region into attainment. The proposed project's potential conflicts with the applicable air quality plan would be less than significant. Therefore, the proposed project would not create impacts related to clean air plan consistency that would be more severe than impacts identified in the GP EIR.

Construction-Related Impacts

The GP EIR did not quantify construction emissions; however the GP EIR determined that implementation of the General Plan would involve construction of development projects that would result in the temporary generation of ROG, NO_x, PM_{10} and $PM_{2.5}$ emissions from site preparation (e.g., excavation, grading, and clearing), off-road equipment, material import/export, worker commute exhaust emissions, paving, and other miscellaneous activities. The GP EIR found that emissions from individual construction projects could exceed BAAQMD project-level significance thresholds, and therefore, would result in a significant impact. The GP EIR determined that no additional measures are available that would reduce impacts from short-term construction emissions. All feasible

construction emission reduction measures have been incorporated into the General Plan. Therefore, the GP EIR determined that this impact would remain significant and unavoidable.

During construction of the proposed project, short-term degradation of air quality may occur due to the release of particulate matter emissions (e.g., fugitive dust) generated by grading, hauling, and other activities. Emissions from construction equipment are also anticipated and would include CO, NO_x, ROG, directly-emitted particulate matter ($PM_{2.5}$ and PM_{10}), and toxic air contaminants (TACs) such as diesel exhaust particulate matter.

Site preparation and project construction would involve grading, paving, and other activities. Construction-related effects on air quality from the proposed project would be greatest during the site preparation phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of operating equipment. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. The BAAQMD has established standard measures for reducing fugitive dust emissions (PM_{10}). With the implementation of these Basic Construction Mitigation Measures, fugitive dust emissions from construction activities would not result in adverse air quality impacts.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, ROGs and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the proposed project using the current California Emissions Estimator Model version 2016.3.2 (CalEEMod), consistent with BAAQMD recommendations. Project construction would begin in spring 2021 and would continue for approximately 12 to 24 months; therefore, to be conservative, this analysis assumes construction would occur for 12 months. As discussed in the Project Description, it is assumed that project construction would not require pile driving, but would utilize a typical mix of construction equipment for projects of a similar type and size, including graders, bulldozers, jackhammers, and cement mixers. Other specific construction details are not yet known; therefore, default assumptions (e.g., construction fleet activities) from CalEEMod were used. Construction-related emissions are presented in Table 1. CalEEMod output sheets are included in Appendix 1.

Table 1: Project Construction Emissions in Pounds Per Day

Project Construction	ROG	NO_x	Exhaust PM_{10}	Fugitive Dust PM_{10}	Exhaust $PM_{2.5}$	Fugitive Dust $PM_{2.5}$
Average Daily Emissions	4.4	12.5	0.5	0.5	0.5	0.1
BAAQMD Thresholds	54.0	54.0	54.0	BMP	82.0	BMP
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: LSA (January 2020).
Notes: BMP = Best Management Practices

As shown in Table 1, construction emissions associated with the project would be less than significant for ROG, NO_x, $PM_{2.5}$, and PM_{10} exhaust emissions. The BAAQMD requires the implementation of BAAQMD Basic Construction Mitigation Measures (Best Management Practices), which would be required as a Standard Condition of Approval, to minimize construction fugitive dust impacts. These measures are required for all construction projects:

- In order to meet the BAAQMD fugitive dust threshold, the following BAAQMD Basic Construction Mitigation Measures shall be implemented:
    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
    - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
    - All visible mud or dirt tracked-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.
    - All vehicle speeds on unpaved roads shall be limited to 15 mph.
    - 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.
    - 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.
    - 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.

- A publicly visible sign shall be posted with the telephone number and person to contact at the City of Hayward regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations.

The proposed project would not create impacts related to construction-related air quality more severe than impacts identified in the GP EIR.

Regional Air Pollutant Emissions

The proposed project would develop the site with a new four-story, approximately 100,000-square-foot building would include 150 guest rooms. In addition to the guest rooms, the proposed building could include a meeting room, lounge area with a bar and seating space, office space, and fitness center. An outdoor pool could also be provided. The proposed project would result in mobile air quality emissions from increased vehicle trips and area source air quality impacts such as emissions generated from the use of landscaping equipment and water heating. The GP EIR determined that project-related operational emissions of the ozone precursors ROG and NO_X would be reduced on an annual basis over the General Plan implementation period, as compared with existing conditions. However, the GP EIR also determined that operational PM_{10} and $PM_{2.5}$ emissions would increase compared to baseline conditions. According to the GP EIR, while the General Plan would be consistent with all applicable control measures in the 2010 Bay Area Clean Air Plan, the rate of increase in VMT and vehicle trips under the General Plan would be higher than the rate of population increase by 2035. Therefore, the GP EIR found that impacts associated with long-term operational emissions under the General Plan would be a significant impact.

The GP EIR determined that no additional measures would substantially reduce impacts from long-term operational emissions. All feasible long-term operational emission reduction measures have been incorporated into the goals, policies, and programs in the General Plan. Therefore, the GP EIR determined that this impact would be significant and unavoidable.

Emission estimates for operation of the proposed project were calculated using CalEEMod. Trip generation rates used in CalEEMod for the project were based on the Transportation Impact Analysis (TIA)[6], which estimates the proposed project would typically generate approximately 1,254 average daily trips. The daily and annual emissions associated with project operational trip generation, energy, and area sources are identified in Table 2 below for ROG, NO_x, CO, PM_{10}, and $PM_{2.5}$. CalEEMod output sheets are included in Appendix 1.

The results shown in Table 2 indicate that the proposed project would not exceed the significance criteria for daily or annual ROG, NO_2, PM_{10} or $PM_{2.5}$ emissions; therefore, the proposed project would not have a significant effect on regional air quality and mitigation would not be required. Therefore, the proposed project would not result in new or more significant operation-related air quality impacts, and these impacts would be less than significant.

[6] Kittelson & Associates, Inc. 2019. *Transportation Impact Analysis – Draft Report. Route 238 Property Development Project (Parcel Group 9).* November.

Table 2: Project Operational Emissions

	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Emissions in Pounds Per Day					
Area Source Emissions	2.5	<0.1	<0.1	<0.1	<0.1
Energy Source Emissions	0.1	0.7	0.6	0.1	0.1
Mobile Source Emissions	1.7	2.6	15.5	4.5	1.2
Total Emissions	**4.3**	**3.3**	**16.2**	**4.6**	**1.3**
BAAQMD Threshold	54.0	54.0	N/A	82.0	54.0
Exceed?	**No**	**No**	**N/A**	**No**	**No**
Emissions in Tons Per Year					
Area Source Emissions	0.4	<0.1	<0.1	<0.1	<0.1
Energy Source Emissions	<0.1	0.1	0.1	<0.1	<0.1
Mobile Source Emissions	0.3	0.4	2.7	0.8	0.2
Total Emissions	**0.7**	**0.6**	**2.8**	**0.8**	**0.2**
BAAQMD Threshold	10.0	10.0	N/A	15.0	10.0
Exceed?	**No**	**No**	**N/A**	**No**	**No**

Source: LSA (January 2020).

Local CO Impacts

The BAAQMD 2017 CEQA Guidelines establishes a screening methodology that provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to the BAAQMD CEQA Guidelines, a proposed project would result in a less-than-significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans;
- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and
- The project 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, or below-grade roadway).

Implementation of the proposed project would not conflict with the Alameda County Transportation Commission (ACTC) for designated roads or highways, a regional transportation plan, or other agency plans. Additionally, the proposed project is expected to generate approximately 70 AM peak hour trips and approximately 86 PM peak hour trips. Therefore, the proposed project would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour. The project site is not located in an area where mixing of air is limited. Therefore, because the project does not exceed the screening criteria, the project would not result in localized CO concentrations that would exceed State or federal standards and this potential impact would be less than significant. Therefore, the

proposed project would not create impacts related to local CO more severe than impacts identified in the GP EIR.

Local Community Risk and Hazard Impacts to Sensitive Receptors

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

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient $PM_{2.5}$ increase greater than 0.3 micrograms per cubic meter ($\mu g/m^3$). A significant cumulative impact would occur if the project, in combination with other projects located within a 1,000-foot radius of the project site, would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient $PM_{2.5}$ increase greater than 0.8 $\mu g/m^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

As discussed in the GP EIR, implementation of development projects consistent with the General Plan could involve siting of sensitive receptors near major roadways or near major stationary sources of TAC and $PM_{2.5}$ emissions, as well as the siting of potential new sources of these emissions. Such actions could increase community health risk exposure associated with these emissions. The GP EIR found that impacts associated with health risk exposure to TACs and $PM_{2.5}$ would be a significant impact.

The GP EIR included a Community Risk Reduction Strategy (CRRS) to address health risk exposure from existing and future sources of TAC and $PM_{2.5}$ within the Hayward Planning Area. As part of the development of the CRRS, an inventory of emissions sources was collected and dispersion modeling conducted to determine which areas of the Hayward Planning Area are exposed to higher concentrations of cancer risk associated with the inhalation of TACs and/or higher concentrations of $PM_{2.5}$. The modeling produced four maps for understanding how levels of cancer risk and $PM_{2.5}$ concentrations vary throughout the City, which is shown in Exhibits 1 through 4 in the Hayward Community Risk Reduction Plan Technical Support Documentation in the GP EIR Air Quality appendix. Based on Exhibits 1 through 4 of the Community Risk Reduction Plan Technical Support Documentation, Parcel Group 9 is located within a high health risk exposure area. However, the proposed project would include a new hotel, which is not considered a sensitive receptor.

Parcel Group 9 is surrounded by multifamily housing, a church, and commercial uses, including hotels, auto sale dealerships, a discount mattress store, and a used appliance store. Construction of the proposed project may expose surrounding sensitive receptors, including the multifamily housing, to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement BAAQMD Basic Construction Mitigation Measures. With implementation of

the Basic Construction Mitigation Measures, project construction emissions would be below BAAQMD significance thresholds. Once the project is constructed, the project would not be a source of substantial emissions. Therefore, implementation of the proposed project would not result in new sources of TACs. Therefore, the project would not expose sensitive receptors to substantial levels of TACs and would remain a less-than-significant impact. The proposed project would not result in new or more significant air quality-related impacts to sensitive receptors.

Objectionable Odors

As discussed in the GP EIR, implementation of the General Plan could result in the exposure of sensitive receptors to odors, as well as the siting of new sources of odor. As discussed in the GP EIR, existing potential sources of odor in Hayward include the Hayward Wastewater Treatment Plant and Oro Loma Wastewater Treatment Plant. No other major odor sources are identified. Other minor sources of odor associated with typical land uses located in commercial and industrial areas in urban communities are currently present in Hayward, such as restaurants, auto repair facilities, gasoline stations, manufacturing plants, and other similar uses. However, no major new sources of odor are proposed or designated in the General Plan. Therefore, the GP EIR found that since the General Plan would contain specific policies that avoid or minimize odor-related air quality impacts associated with new development, odor-related impacts would be less than significant.

During construction of the proposed project, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed project would not include any activities or operations that would generate objectionable odors and once operational, the project would not be a source of odors. Therefore, the proposed project would not create objectionable odors affecting a substantial number of people. Therefore, similar to the General Plan, the proposed project would not create objectionable odors affecting a substantial number of people, and no mitigation is required.

Applicable Mitigation

As described in the GP EIR, impacts related to air quality would be significant and unavoidable, after application of feasible mitigation; however, the proposed project would result in less-than-significant operation-related air quality impacts. With implementation of BAAQMD Basic Construction Mitigation Measures, which would be required as a Standard Condition of Approval, the proposed project would not create impacts related to construction-related air quality more severe than impacts identified in the GP EIR and no mitigation is required.

Applicable Policies

General Plan Policies

- *Policy NR-2.1: Ambient Air Quality Standards. The City shall work with the California Air Resources Board and the Bay Area Air Quality Management District to meet State and Federal ambient air quality standards in order to protect all residents, from the health effects of air pollution.*

- *Policy NR-2.2: New Development. The City shall review proposed development applications to ensure projects incorporate feasible measures that reduce construction and operational emissions for reactive organic gases (ROG), nitrogen oxides (NO_x), and particulate matter (PM_{10} and $PM_{2.5}$) through project location and design.*

- *Policy NR-2.7: Coordination with Bay Area Air Quality Management District. The City shall coordinate with the Bay Area Air Quality Management District to ensure projects incorporate feasible mitigation measures to reduce greenhouse gas emissions and air pollution if not already provided for through project design.*

- *Policy NR-2.9: Fleet Operations. The City shall continue to purchase low-emission or zero-emission vehicles for the City's fleet and to use available clean fuel sources such as bio-diesel for trucks and heavy equipment.*

- *Policy NR-2.10: Zero-Emission and Low-Emission Vehicle Use. The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities throughout the City.*

- *Policy NR-2.12: Preference for Reduced-Emission Equipment. The City shall give preference to contractors using reduced-emission equipment for City construction projects and contracts for services (e.g., garbage collection), as well as businesses that practice sustainable operations.*

- *Policy NR-2.15: Community Risk Reduction Strategy. The City shall maintain and implement the General Plan as Hayward's community risk reduction strategy to reduce health risks associated with toxic air contaminants (TACs) and fine particulate matter ($PM_{2.5}$) in both existing and new development.*

- *Policy NR-2.16: Sensitive Uses. The City shall minimize exposure of sensitive receptors to toxic air contaminants (TAC), fine particulate matter ($PM_{2.5}$), and odors to the extent possible, and consider distance, orientation, and wind direction when siting sensitive land uses in proximity to TAC- and $PM_{2.5}$-emitting sources and odor sources in order to minimize health risk.*

- *Policy NR-2.17: Source Reduction Measures. The City shall coordinate with and support the efforts of the Bay Area Air Quality Management District, the California Air Resources Board, the U.S. Environmental Protection Agency, and other agencies as appropriate to implement source reduction measures and best management practices that address both existing and new sources of toxic air contaminants (TAC) and fine particulate matter ($PM_{2.5}$), and odors.*

- *Policy NR-2.18: Exposure Reduction BMPs for New Receptors. The City shall require development projects to implement all applicable best management practices that will reduce exposure of new sensitive receptors (e.g., hospitals, schools, daycare facilities, elderly housing and convalescent facilities) to odors, toxic air contaminants (TAC), and fine particulate matter ($PM_{2.5}$).*

- *Policy NR-2.19: Exposure Reduction Measures for both Existing and New Receptors. The City shall work with area businesses, residents and partnering organizations to provide information about best management practices that can be implemented on a voluntary basis to reduce exposure of sensitive receptors to toxic air contaminants (TAC) and fine particulate matter ($PM_{2.5}$).*

- *Policy LU-1.1: Jobs-Housing Balance. The City shall support efforts to improve the jobs-housing balance of Hayward and other communities throughout the region to reduce automobile use, regional and local traffic congestion, and pollution.*

- *Policy LU-1.5: Transit-Oriented Development. The City shall support high-density transit-oriented development within the City's Priority Development Areas to improve transit ridership and to reduce automobile use, traffic congestion, and greenhouse gas emissions.*

- *Policy LU-1.6: Mixed-Use Neighborhoods. The City shall encourage the integration of a variety of compatible land uses into new and established neighborhoods to provide residents with convenient access to goods, services, parks and recreation, and other community amenities.*

- *Policy LU-1.9: Development Standards and Greenhouse Gas Emissions. The City shall explore the use of zoning and development standards that help reduce greenhouse gas emissions when preparing or updating plans and ordinances.*

- *Policy LU-1.12: Regional Planning. The City shall coordinate with regional and local agencies to prepare updates to regional growth plans and strategies, including the Bay Area's Regional Transportation Plan, Sustainable Communities Strategy, and Regional Housing Needs Allocation (RHNA).*

- *Policy LU-6.5: Incompatible Uses. The City shall protect the Industrial Technology and Innovation Corridor from the encroachment of uses that would impair industrial operations or create future land use conflicts.*

- *Policy PFS-2.5: Alternative Fuels. The City shall, wherever possible, require the use of alternative fuels in new services provided by City franchisees.*

- *Policy PFS-2.6: City Facilities Near Transit. When making decisions about where to rent or build new City facilities, the City shall give preference to locations that are accessible to an existing public transit line or ensure that public transit links (e.g. bus lines) are extended to the new locations.*

- *Policy HQL-7.5: Proximity to Pollution Sources. The City shall avoid locating new sensitive uses such as schools, childcare centers, and senior housing, to the extent feasible, in proximity to sources of pollution, odors, or near existing businesses that handle toxic materials. Where such uses are located in proximity to sources of air pollution, odors, or toxic materials, the City shall encourage building design, construction safeguards, and technological techniques to mitigate the negative impacts of hazardous materials and/or air pollution on indoor air quality.*

Conclusion

As previously discussed, based on the BAAQMD attainment status and ambient air quality monitoring data, ambient air quality in the vicinity of the project site has remained unchanged since approval of the GP EIR; therefore, baseline conditions related to air quality remain essentially unchanged. In addition, no new or more severe significant impacts would result from development of the proposed project as compared to the GP EIR. The GP EIR adequately evaluated the air quality impacts of the proposed project and with implementation of BAAQMD Basic Construction Mitigation Measures, air quality impacts associated with the proposed project would be less than significant. Therefore, no new or more severe impacts related to air quality would be associated with the proposed project.

4. BIOLOGICAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
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?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Special-Status Species

Approximately 40 percent of the lands within the City are developed, recently disturbed, or ruderal. These developed, disturbed, and/or ruderal lands generally do not provide suitable habitat for special-status species. The Hayward Hills on the eastern side of the City and the baylands/salt marsh adjacent to the bay shoreline on the west provide suitable habitat for special-status species, as well as the riparian and woodland areas that cross through the City.[7]

Parcel Group 9 consists of both undeveloped vacant land and existing structures. Three vegetation communities or land cover types were identified to occur on the parcel groups and include: non-native annual grassland, disturbed/ruderal, and development (urban/landscaping).

[7] Hayward, City of, 2014, op. cit.

The California Natural Diversity Database (CNDDB) review conducted by LSA identified 47 special-status plant species that could potentially occur within 5 miles of the project sites. However, the project sites lack suitable habitat for 36 of these special-status plant species. The remaining 11 special-status plant species that could potentially occur within the project sites include: bent-flowered fiddleneck (*Amsinckia lunaris*), Big-scale balsamroot (*Balsamorhiza macrolepis*), round-leaved filaree (*California macrophylla*), Mount Diablo fairy-lantern (*Calochortus pulchellus*), Congdon's tarplant (*Centromadia parryi* subsp. *congdonii*), western leatherwood (*Dirca occidentalis*), Diablo helianthella (*Helianthella castanea*), Santa Cruz tarplant (*Holocarpha macradenia*), Northern California black walnut (*Juglans hindsii*), robust monardella (*Monardella villosa* subsp. *globosa*), and oval-leaved viburnum (*Viburnum ellipticum*).

The CNDDB review also identified special-status wildlife species that could potentially occur on the project sites. Due to the previously disturbed nature of the project sites, only two special-status wildlife species have the potential to occur on the project sites: pallid bat (*Antrozous pallidus*) and western mastiff bat (*Eumops perotis*).

If bats are roosting in buildings or trees within the project area, potential disturbance or loss of roosting habitat could occur as a result of construction activity. Implementation of the following Standard Condition of Approval, in compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, would ensure that potential impacts to roosting bats during construction would be less than significant:

- Before the spring breeding season and prior to construction, a qualified biologist shall conduct a survey for roosting bat habitat. The survey shall include work areas adjacent to appropriate roosting habitat that are accessible from public or project areas within 200 feet of a work area. For trees considered to have a high or moderate probability for bat roosting, acoustic monitoring shall be conducted before any construction activities begin during the breeding season to determine if there are any roosting sites present. Surveys shall be conducted at the appropriate times to maximize detectability. If an active roost or maternity roost is found within 100 feet of a work area, the limits of the work area will be clearly marked and a qualified biological monitor shall remain onsite during construction activities within the vicinity of the roost or maternity roost.

  The biologist shall ensure that construction activities to do not encroach upon the 100-foot buffer around an active roost or maternity colony site. Buffers shall remain in place until the qualified biologist has determined that bats have vacated the occupied roost sites. If buffer reductions are requested and approved, a monthly report shall be submitted to CDFW with all of the information in the buffer reduction requests, monitoring results, and effects on bats. Reports shall be submitted for the duration of construction activities within buffer areas.

  Trees containing maternity roosts shall not be removed during the breeding season (March 1 through August 31) to avoid disturbing females with young that cannot fly. No trees containing maternity roosts may be removed until the qualified biologist determines that breeding is complete and young are able to fly.

If fall/winter hibernacula cannot be avoided, humane techniques may be implemented to passively vacate bats from roosts. Methods to passively evict bats from tree roosts may include incrementally trimming limbs to alter the air flow and temperature around the roost feature where slight changes to the surrounding environment of roost features encourage bats to vacate roost features on their own. If acoustic monitoring detects that bats are using trees that need to be cut down, these trees shall be removed only after it has been confirmed that roosting bats have departed.

Landscaping trees and shrubs on the project site may provide nesting habitat for raptors, passerines, and other birds protected under the Migratory Bird Treaty Act and the California Fish and Game Code. Activities that may result in nest abandonment or mortality of eggs or young could result in significant impacts to protected bird species. Implementation of the following Standard Condition of Approval, in compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, would ensure that potential impacts to nesting birds and raptors during construction would be less than significant:

- Prior to any vegetation removal activities, the Project Applicant shall provide written evidence to the City that, if feasible, all vegetation removal shall be undertaken during the non-breeding season (i.e., September 1 to January 31) to avoid direct impacts to nesting birds. If such work is scheduled during the breeding season, and per the direction of the City, the Project Applicant shall retain a qualified biologist or ornithologist to conduct a pre-construction survey of all trees, shrubs, and other suitable nesting habitat in and within 200 feet of the limits of work to search for active nests of native birds. The pre-construction survey shall be conducted within 15 days prior to the start of work from March through May (since there is a higher potential for birds to initiate nesting during this period), and within 30 days prior to start of work from June through July. If active nests are found during the survey, the biologist or ornithologist shall determine an appropriately-sized buffer around the nest. No work shall be allowed within this buffer until the young have successfully fledged and are foraging independently. The size of the nest buffer shall be determined by a qualified biologist based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 250 feet for raptors and 50 feet for other birds have been used to prevent disturbance. These buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated or observed near the nest. Buffers shall be identified with environmentally sensitive area fencing placed at the edge of the buffer whenever possible. Given the urban nature of the site and high degree of disturbance already present, buffers may be adjusted to avoid blocking traffic, as needed.

Sensitive Natural Communities

The California Department of Fish and Wildlife (CDFW) tracks the occurrences of plant communities that are either known or believed to be of high priority for inventory in the CNDDB. As described above, the project site is located within a developed area and does not support any riparian or other

sensitive natural communities.[8] Therefore, no impact related to riparian habitat or other sensitive natural communities would occur with the proposed project.

Wetlands

The project site is within a developed area and is not located in an area that supports wetlands, drainages, or water bodies as defined by Section 404 of the Clean Water Act.[9] The proposed project would not result in the direct removal, filling, or hydrological interruption of such wetlands. Therefore, no impact to federally protected wetlands would occur with the proposed project.

Wildlife Movement

The project site is an undeveloped site that likely supports wildlife species typically associated with urban areas. Because the project site is within a developed area, no major wildlife movement corridors pass through or are adjacent to the site.

Existing trees are located throughout and around the project site. Trees and other landscape vegetation generally have the potential to support nests of common native bird species. All native birds, regardless of their regulatory status, are protected under the federal Migratory Bird Treaty Act and California Fish and Wildlife Code. If conducted during the breeding season (February through August), vegetation removal and construction activities could directly impact nesting birds by removing trees or vegetation that support active nests. Implementation of the Standard Condition of Approval described above would ensure that potential impacts to nesting birds and raptors during construction would be less than significant.

Local Polices or Ordinances

The City of Hayward Municipal Code, Chapter 10, Article 15 (Tree Preservation Ordinance) requires a permit for any person to remove any protected tree within the City of Hayward. As defined by the City's Municipal Code, Protected Trees include:

- Trees having a minimum trunk diameter of eight inches measured 54 inches above the ground. When measuring a multi-trunk tree, the diameters of the largest three trunks shall be added together.

- Street trees or other required trees such as those required as a condition of approval, Use Permit, or other Zoning requirement, regardless of size.

- All memorial trees dedicated by an entity recognized by the City, and all specimen trees that define a neighborhood or community.

- Trees of the following species that have reached a minimum of four inches diameter trunk size: Big Leaf Maple (*Acer macrophyllum*), California Buckeye (*Aesculus californica)*, Madrone

[8] U.S. Fish and Wildlife Service, 2019. National Wetlands Inventory (Map). Website: www.fws.gov/wetlands/data/mapper.html (accessed January 23, 2020).

[9] Ibid.

(*Arbutus menziesii)*, Western Dogwood (*Cornus nuttallii)*, California Sycamore (*Platanus racemosa)*, Coast Live Oak (*Quercus agrifolia)*, Canyon Live Oak (*Quercus chrysolepis)*, Blue Oak (*Quercus douglassii)*, Oregon White Oak (*Quercus garryana)*, California Black Oak (*Quercus kelloggi)*, Valley Oak (*Quercus lobata)*, Interior Live Oak (*Quercus wislizeni)*, California Bay (*Umbellularia californica).*

- A tree or trees of any size planted as a replacement for a Protected Tree.

Any proposed tree removal on private property in conjunction with new development would be required to comply with Chapter 10, Article 15 of the Hayward Municipal Code (Tree Preservation Ordinance) which requires submittal of an Arborist Report and the issuance of a Tree Removal Permit. If approved, the project will be required to submit a landscaping plan that identifies replacement trees of equal value and other replacement measures. Compliance with the City's Tree Preservation Ordinance would ensure that the proposed project does not conflict with any local policies or ordinances protecting biological resources. This impact would be less than significant.

Habitat Conservation Plan or Natural Community Conservation Plan

The project site is not within any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the proposed project would have no impact.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts on biological resources were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy LU-1.2 Urban Limit Lines. The City shall maintain its established Urban Limit Lines to protect the Hayward shoreline and hillsides as natural open space and recreational resources.*

- *Policy LU-1.7 Design Guidelines. The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.*

- *Policy LU-7.5 Clustered Developments. The City shall encourage the clustering of residential units on hillsides to preserve sensitive habitats and scenic resources as natural open space. Sensitive areas and scenic resources include woodlands, streams and riparian corridors, mature trees, ridgelines, and rock outcroppings.*

- *Policy NR-1.1 Native Wildlife Habitat Protection. The City shall limit or avoid new development that encroaches into important wildlife habitat; limits the range of listed or protected species; or creates barriers that cut off access to food, water, or shelter of listed or protected species.*

- *Policy NR-1.2 Sensitive Habitat Protection. The City shall protect sensitive biological resources, including State and Federally designated sensitive rate, threatened, and endangered plant, fish and wildlife species and their habitats from urban development and incompatible land uses.*

- *Policy NR-1.3 Sensitive Species Identification, Mapping, and Avoidance. The City shall require qualified biologists to identify, map, and make recommendations for avoiding all sensitive biological resources on the project site, including State and Federally sensitive, rare, threatened and endangered plant, fish and wildlife species and their habitats using methods and protocols in accordance with the U.S. Fish and Wildlife Services, California Department of Fish and Wildlife, and California Native Plant Society for all development applications proposed within sensitive biological resource areas.*

- *Policy NR-1.9 Native Plant Species Protection and Promotion. The City shall protect and promote native plant species in natural areas we well as in public landscaping.*

- *Policy NR-1.12 Riparian Corridor Habitat Protection. The City shall protect creek riparian habitats by:*

    - *Requiring sufficient setbacks for new development adjacent to creek slopes,*

    - *Requiring sensitive flood control designs to minimize habitat disturbance,*

    - *Maintaining natural and continuous creek corridor vegetation,*

    - *Protecting/replanting native trees, and*

    - *Protecting riparian plant communities from the adverse effects of increased stormwater runoff, sedimentation, erosion, pollution that may occur from improper development in adjacent areas.*

- *Policy PFS-5.8 Enhance Recreation and Habitat. The City shall require new stormwater drainage facilities to be designed to enhance recreation and habitat and shall work with HARD to integrate such facilities into existing parks and open space features.*

- *Policy HQL-8.3 Trees of Significance. The City shall require the retention of trees of significance (such as heritage trees) by promoting stewardship and ensuring that project design provides for the retention of these trees wherever possible. Where tree removal cannot be avoided, the City shall require tree replacement or suitable mitigation.*

Conclusion

The GP EIR adequately evaluated the biological resources impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

5. CULTURAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. 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?	☐	☐	☐	☒

Discussion

As part of the Environmental Constraints Analysis prepared for the proposed project (LSA 2018), LSA conducted background research to identify cultural resources within, and cultural resources studies of, the five parcel groups. The background research consisted of a cultural resources records search at the Northwest Information Center (NWIC), a records search of the Native American Heritage Commission's (NAHC) Sacred Lands File, and a literature review. Subsequent to this background research a cultural resources field survey was conducted. LSA's findings are documented in a cultural resources report[10] and are summarized below.

Significant cultural resources in the City include structures that may be eligible for the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), or otherwise listed on the City of Hayward List of Officially-Designated Architecturally and Historically Significant Buildings. Currently, 20 structures have been officially designated by the City as Historically or Architecturally Significant. Additionally, one structure is listed on the national register of historic landmarks.[11]

The City of Hayward is located within the historic territory of the Ohlone tribe. Native Americans occupied the general area between 5,000 and 7,000 years or possibly longer. The modern city of Hayward was settled in the 1850s due to the Gold Rush. The City contains one officially designated historic district and several other areas that could potentially be designated as historic districts.[12]

Based on a records search at NWIC, no cultural resources were recorded on Parcel Group 9. No previous cultural resources studies on file at the NWIC included the site. NAHC was contacted in regards to the project. Frank Lienert, NAHC Associate Government Program Analyst, stated in a

10 LSA, 2019. *Environmental Constraints Analysis, Route 238 Properties, Hayward, California*. November.
11 Hayward, City of, 2014, op. cit.
12 Ibid.

letter sent to LSA via email on March 1, 2018, that a search of the Sacred Lands File "had negative results" for the parcel groups.

LSA reviewed archaeological and environmental data for the project area to assess the potential for buried pre-contact archaeological deposits in the parcel groups. An inverse relationship exists between landform age and the potential for buried cultural deposits. Some landforms predate human occupation of the region and, as such, archaeological deposits on these landforms, if present, would occur at or near the surface. Parcel Group 9 is on landforms that were formed before human occupation (Pre-Quaternary deposits and bedrock [br]), and have a low potential for buried archaeological deposits.

Historic Resources

For a cultural resource to be considered a historical resource (i.e., eligible for listing in the California Register of Historical Resources [CRHR]), it generally must be 50 years or older. Under CEQA, historical resources can include pre-contact (i.e., Native American) archaeological deposits, historic-period archaeological deposits, historic buildings, and historic districts.

No known historic resources are associated with the project site or the adjacent parcels (City of Hayward Background Conditions Report, Figures 1-3 and 1-4, and Table 1-2). However, the multistory apartment building, situated at the southeastern corner of the site, was constructed circa 1968. This structures has not been formally evaluated for listing in either the NRHP and/or CRHR.

The City of Hayward Municipal Code, Chapter 10, Article 11 (Historic Preservation Ordinance) requires that development projects, involving structures or buildings at least 50 years in age or which are located within an historic district, conduct additional analysis to determine if an historical alteration permit and/or historical resource demolition or relocation permit is required. Such analysis includes an evaluation prepared by a qualified historic consultant consistent with the California Register Criteria for Evaluation and the adopted Hayward Historic Context Statement to determine historical significance. Consistent with the City's Historic Preservation Ordinance, it is unlawful for any person to tear down, demolish, remove or relocate an historical resource, a potentially significant historical resource, a designated historical resource, a resource that has been listed on the City's adopted survey list, or a resource that lies within an historic district, without first obtaining an historical resource demolition or relocation permit.

In the unlikely event that historic or archaeological resources are discovered during excavation, Standard Conditions of Approval for all development projects require the contractor to stop all work adjacent to the find and contact the City of Hayward Development Services Department to preserve and record the uncovered materials so it can be safely removed. Compliance with the City's Historic Preservation Ordinance would ensure that the proposed project would not result in an adverse change in the significance of a historical resource.

Prehistoric and Historical Archaeological Resources

No archaeological resources have been identified on the project site and the project site is not considered to be sensitive for archaeological resources. As described above, In the unlikely event

that historic or archaeological resources are discovered during excavation, Standard Conditions of Approval for all development projects require the contractor to stop all work adjacent to the find and contact the City of Hayward Development Services Department to preserve and record the uncovered materials so it can be safely removed. Therefore, the proposed project would not lead to new or more severe impacts to archaeological resources beyond those identified in the GP EIR.

Disturbance of Human Remains

The potential to uncover human remains exists at locations throughout the Bay Area. Due to the existing urban nature of the area, it is not expected that the project would unearth artifacts or resources during project construction. However, as required by the City's Historic Preservation Ordinance (Chapter 10, Article 11 of the City of Hayward Municipal Code), the discovery of human remains shall be treated with respect and dignity and must fully comply with the California Native American Graves Protection and Repatriation Act and other appropriate laws. In the unlikely event that artifacts are uncovered during the construction of the proposed project the City would implement standard conditions of approval that are required of all ground-disturbing development projects within the City. Specifically, if human remains are encountered during construction activities, work would cease and the County Coroner would be notified immediately. A qualified archaeologist would also be contacted to assess the situation in consultation with the appropriate agencies. If the human remains are of Native American origin, the Coroner would notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission would provide recommendations for the proper treatment of the remains and associated grave goods. The City of Hayward would follow the recommendations from the Native American Heritage Commission or the archaeologist, as required. Therefore, no impacts to human remains interred outside of formal cemeteries would occur.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts on historic and cultural resources were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy LU-8.3 Historic Preservation Ordinance. The City shall maintain and implement its Historic Preservation ordinance to safeguard the heritage of the City and to preserve historic resources.*

- *Policy LU-8.4 Survey and Historic Reports. The City shall maintain and expand its records of reconnaissance surveys, evaluations, and historic reports completed for properties located within the City.*

- *Policy LU-8.6 Historic Preservation Standards and Guidelines. The City shall consider The Secretary of the Interior's Standards of the Treatment of Historic Properties with Guidelines for*

Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings when evaluating development applications and City projects involving historic resources or development applications that may affect scenic views of the historic context of nearby historic resources.

- *Policy LU-8.14 Demolition of Historic Resources. The City shall prohibit the demolition of historic resources unless one of the following findings can be made:*
    - *The rehabilitation and reuse of the resource is not structurally or economically feasible.*
    - *The demolition is necessary to protect the health, safety, and welfare of the public.*
    - *The public benefits of demolition outweigh the loss of the historic resource.*
- *Policy NR-7.1 Paleontological Resource Protection. The City shall prohibit any new public or private development that damages or destroys a historically- or prehistorically-significant fossil, ruin, or monument or any object of antiquity.*
- *Policy NR-7.2 Paleontological Resource Mitigation. The City shall develop or ensure compliance with protocols that protect or mitigate impacts to paleontological resources, including requiring grading and construction projects to cease activity when a paleontological resource is discovered so it can be safely removed.*

Conclusion

The GP EIR adequately evaluated the potential cultural resources impacts of the proposed project. Therefore, potential impacts would be less-than-significant and additional mitigation is not required.

6. ENERGY

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Discussion

Energy usage was evaluated in the GP EIR in Chapter 21.6, Energy, and the environmental and regulatory setting of the Hayward Planning Area with respect to energy conservation was described in detail in Section 7.6 Natural Resources: Energy Resources and Efficiency of the General Plan Background Report (City of Hayward, 2013). Pursuant to Section 15150 of the State CEQA Guidelines, the Background Report was incorporated into the GP EIR by reference.

Similar to build out of the General Plan, the proposed project would increase the demand for electricity, natural gas, and gasoline. The discussion and analysis provided below is based on data included in the CalEEMod output, which is included in Appendix 1.

Construction-Period Energy Use

The anticipated construction schedule assumes that the proposed project would be built over 12 to 24 months. The proposed project would require grading, site preparation, and building activities during construction.

Construction of the proposed project would require energy for the manufacture and transportation of building materials, preparation of the site for grading activities, and building construction. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. In order to increase energy efficiency on the site during project construction, the project would restrict equipment idling times to 5 minutes or less and would require construction workers to shut off idle equipment, as required by BAAQMD Basic Construction Mitigation Measures. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, the proposed project would not result in new or more severe impacts related to energy than were identified in the GP EIR.

Operational Energy Use

Energy use consumed by the proposed project would be associated with natural gas use, electricity consumption, and fuel used for vehicle trips associated with the project. LSA estimated energy and natural gas consumption using default energy intensities by land use type in CalEEMod. In addition, the proposed buildings would comply with the latest CALGreen standard building measures and Title 24 standards, which were included in CalEEMod. In addition, the proposed project would also

require energy demand associated with the proposed outdoor pool. Although CalEEMod does not provide default values for electricity or natural gas demand associated with pools, the proposed outdoor pool is expected to require minimal energy demand. Electricity and natural gas usage estimates associated with the proposed project are shown in Table 3.

In addition, the proposed project would result in energy usage associated with gasoline to fuel project-related trips. Based on CalEEMod, the proposed project would result in approximately 2,101,377 vehicle miles traveled (VMT) per year. The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 14.9 miles per gallon (mpg) in 1980 to 22.0 mpg in 2015.[13] Therefore, using the United States Environmental Protection Agency (USEPA) fuel economy estimates for 2015, the proposed project would result in the consumption of approximately 95,517 gallons of gasoline per year. Table 3, below, shows the estimated potential increased electricity and natural gas demand associated with the proposed project.

Table 3: Estimated Annual Energy Use of Proposed Project

Electricity Use (kWh per year)	Natural Gas Use (therms per year)	Gasoline (gallons per year)
772,300	**27,703**	**95,517**

Source: LSA (January 2020).

As shown in Table 3, the estimated potential increased electricity demand associated with the proposed project would be 772,300 kilowatt-hours (kWh) per year. In 2018, California consumed approximately 281,120 gigawatt-hours (GWh) (281,120,193,430 kWh).[14] Of this total, Alameda County consumed 10,417 GWh or 10,417,109,747 kWh.[15] Therefore, electricity demand associated with the proposed project would be approximately 0.01 percent of Alameda County's total electricity demand.

In addition, as shown in Table 3, the estimated potential increased natural gas demand associated with the proposed project would be 27,703 therms per year. In 2018, California consumed approximately 12,638 million therms or 12,368,157,740 therms, while Alameda County consumed approximately 377 million therms or approximately 377,001,740 therms.[16] Therefore, natural gas

13 U.S. Department of Transportation. Bureau of Transportation Statistics. "Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles." Website: www.bts.gov/archive/publications/national_transportation_statistics/table_04_23 (accessed January 2020).

14 California Energy Commission, 2018a. Energy Consumption Data Management Service. Electricity Consumption by County. Website: www.ecdms.energy.ca.gov/elecbycounty.aspx (accessed January 2020).

15 Ibid.

16 California Energy Commission, 2018b. Energy Consumption Data Management Service. Gas Consumption by County. Website: www.ecdms.energy.ca.gov/gasbycounty.aspx (accessed January 2020).

demand associated with the proposed project would be approximately 0.01 percent of Alameda County's total natural gas demand.

The proposed project would also result in energy usage associated with gasoline to fuel project-related trips. As shown above in Table 3, vehicle trips associated with the proposed project would consume approximately 95,517 gallons of gasoline per year. In 2015, vehicles in California consumed approximately 15.1 billion gallons of gasoline.[17] Therefore, gasoline demand generated by vehicle trips associated with the proposed project would be a minimal fraction of gasoline and diesel fuel consumption in California.

The proposed project would develop the site with a new four-story, approximately 100,000-square-foot building would include 150 guest rooms. In addition to the guest rooms, the proposed building could include a meeting room, lounge area with a bar and seating space, office space, and fitness center. An outdoor pool could also be provided. The expected energy consumption during operation of the proposed project would be consistent with typical usage rates for hotel uses; however, energy consumption is largely a function of the physical structure and layout of buildings. The proposed project is consistent with the intent of the CHDR designation and would include a new hotel on an infill site that would locate guests and employees near existing residential and commercial uses, reducing the demand for travel by single occupancy vehicles. Therefore, the proposed project would support the ability to use alternative modes of transportation and would promote initiatives to reduce vehicle trips and vehicle miles traveled, which would allow for a decreased dependence on nonrenewable energy resources.

In addition, as indicated above, the proposed project would be constructed to the latest CALGreen standard building measures and Title 24 standards, which would help to reduce energy and natural gas consumption. Therefore, the proposed project would implement the General Plan's energy-related policies that promote jobs-housing balance, growth and infill development, green building and landscaping, complete neighborhoods, energy efficiency, and bicycling, walking, and transit amenities, and parks access. As such, the proposed project would not result in the wasteful, inefficient or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation. Therefore, the proposed project would not result in new or more severe impacts related to energy than were identified in the GP EIR.

Conflict or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency

In 2002, the Legislature passed Senate Bill 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission vehicles and their

[17] California Energy Commission, 2017. California Gasoline Data, Facts, and Statistics. Available online at: www.energy.ca.gov/almanac/transportation_data/gasoline (accessed January 2020).

infrastructure needs, and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

The CEC is in the process of adopting the 2019 Integrated Energy Policy Report.[18] The 2019 Integrated Energy Policy Report provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The 2019 Integrated Energy Policy Report covers a broad range of topics, including implementation of Senate Bill 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, transportation electrification, barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to Senate Bill 1383), updates on Southern California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

As indicated above, energy usage in the project area during construction and operation would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC's 2019 Integrated Energy Policy Report. Thus, as shown above, the project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Impacts would be less than significant.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts on energy were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy LU-1.1: Jobs-Housing Balance. The City shall support efforts to improve the jobs-housing balance of Hayward and other communities throughout the region to reduce automobile use, regional and local traffic congestion, and pollution.*

[18] California Energy Commission, 2019. *2019 Integrated Energy Policy Report.* California Energy Commission. Docket # 19-IEPR-01.

- *Policy LU-1.3: Growth and Infill Development. The City shall direct local population and employment growth toward infill development sites within the City, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*

- *Policy LU-1.6: Mixed-Use Neighborhoods. The City shall encourage the integration of a variety of compatible land uses into new and established neighborhoods to provide residents with convenient access to goods, services, parks and recreation, and other community amenities.*

- *Policy LU-1.8: Green Building and Landscaping Requirements. The City shall maintain and implement green building and landscaping requirements for private- and public-sector development to:*

    - *Reduce the use of energy, water, and natural resources.*

    - *Minimize the long-term maintenance and utility expenses of infrastructure, buildings, and properties.*

    - *Create healthy indoor environments to promote the health and productivity of residents, workers, and visitors.*

    - *Encourage the use of durable, sustainably-sourced, and/or recycled building materials.*

    - *Reduce landfill waste by promoting practices that reduce, reuse, and recycle solid waste.*

- *Policy LU-3.1: Complete Neighborhoods. The City shall promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities that meet the daily needs of residents. Such uses and amenities may include parks, community centers, religious institutions, daycare centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.*

- *Policy NR-2.6: Greenhouse Gas Reduction in New Development. The City shall reduce potential greenhouse gas emissions by discouraging new development that is primarily dependent on the private automobile; promoting infill development and/or new development that is compact, mixed use, pedestrian friendly, and transit oriented; promoting energy-efficient building design and site planning; and improving the regional jobs/housing balance ratio.*

- *Policy NR-4.1: Energy Efficiency Measures. The City shall promote the efficient use of energy in the design, construction, maintenance, and operation of public and private facilities, infrastructure, and equipment.*

- *Policy NR-4.3: Efficient Construction and Development Practices. The City shall encourage construction and building development practices that maximize the use of renewable resources and minimize the use of non-renewable resources throughout the life-cycle of a structure.*

- *Policy NR-4.11: Green Building Standards. The City shall require newly constructed or renovated public and private buildings and structures to meet energy efficiency design and operations standards with the intent of meeting or exceeding the State's zero net energy goals by 2020.*

- *Policy NR-4.12: Urban Forestry. The City shall encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.*

- *Policy NR-4.13: Energy Use Data. The City shall consider requiring disclosure of energy use and/or an energy rating for single family homes, multifamily properties, and commercial buildings at certain points or thresholds. The City shall encourage residents to voluntarily share their energy use data and/or ratings with the City as part of collaborative efficiency efforts.*

- *Policy NR-4.15: Energy Efficiency Programs. The City shall promote the use of the Energy Star Portfolio Manager program and energy benchmarking training programs for nonresidential building owners.*

- *Policy PFS-2.7: Energy Efficient Buildings and Infrastructure. The City shall continue to improve energy efficiency of City buildings and infrastructure through implementation of the Municipal Green Building Ordinance, efficiency improvements, equipment upgrades, and installation of clean, renewable energy systems.*

- *Policy M-1.6: Bicycling, Walking, and Transit Amenities. The City shall encourage the development of facilities and services, (e.g., secure term bicycle parking, street lights, street furniture and trees, transit stop benches and shelters, and street sweeping of bike lanes) that enable bicycling, walking, and transit use to become more widely used modes of transportation and recreation.*

- *Policy M-3.8: Connections with New Development. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways, pedestrian ways, and transit facilities.*

- *Policy M-3.9: Private Complete Streets. The City shall encourage large private developments (e.g., office parks, apartment complexes, retail centers) to provide internal complete streets that connect to the existing public roadway system and provide a seamless transition to existing and planned transportation facilities.*

- *Policy M-6.2: Encourage Bicycle Use. The City shall encourage bicycle use in all neighborhoods, especially where short trips are most common.*

- *Policy M-6.5: Connections between New Development and Bikeways. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways and do not interfere with existing and proposed bicycle facilities.*

- *Policy HQL-2.1: Physical Activity and the Built Environment. The City shall support new developments or infrastructure improvements in existing neighborhoods that enable people to drive less and walk, bike, or take public transit more.*

- *Policy HQL-10.7: Parks Access. The City shall work with HARD to ensure that new parks are accessible to pedestrians and bicyclists, and are connected with transit, to the extent feasible.*

Conclusion

The GP EIR adequately evaluated the energy impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

7. GEOLOGY AND SOILS

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

Discussion

Information for this section was obtained from maps and publications published from the United States Geological Survey (USGS), the California Geological Survey (CGS), the Association of Bay Area Governments (ABAG), the City of Hayward General Plan, the GP EIR, and the Preliminary Geotechnical Investigation prepared for the project site.[19]

A portion of the City is underlain with soft alluvial soils and artificial fill along the bay and on slopes in the Hayward Hills. During large earthquakes, saturated fill is susceptible to ground shaking and liquefaction-associated hazards and the slopes are susceptible to earthquake-induced landslides.

[19] ENGEO, 2016a. *Route 238 Bypass – Group 9, Hayward, California, Preliminary Geotechnical Exploration*. March 23.

Potential seismic hazards in the City also include surface rupture, ground shaking, liquefaction, lateral spreading, and fault creep.[20, 21]

A Preliminary Geotechnical Exploration[22] prepared for the site included soil borings, excavation of test pits, and excavation of exploratory trenches to evaluate subsurface conditions and geologic hazards. Preliminary geotechnical recommendations were provided for selection of engineered fill materials, site preparation, removal of existing fill and landslide materials, slope gradients and setbacks, and preliminary foundation recommendations.

Seismicity and Seismic Hazards

Fault Rupture. The City is located within a seismically active region of the San Francisco Bay area. Several major earthquake faults in the region, including the San Andreas, Hayward, and Calaveras Faults, could generate strong earthquakes in the vicinity of the parcel groups. The Hayward Fault traverses the City in a northwest to southeast direction and is considered a seismically active fault under the Alquist-Priolo Earthquake Fault Zoning Act. The Alquist-Priolo program requires the California Geologic Survey (CGS) to establish regulatory zones around fault traces that are considered active and sufficiently defined (i.e., located). These active faults are considered to have the potential for surface fault rupture hazards and pose a hazard to structures. The Chabot and Carlos Bee Faults run parallel to the Hayward Fault and are located approximately 0.6 and 0.2 mile east of the Hayward Fault, respectively. These two faults are considered inactive. [23]

The site is located approximately 500 feet northeast of the Alquist-Priolo Earthquake Fault Zone for the Hayward Fault. Therefore, the proposed project would not directly or indirectly cause substantial adverse effects related to fault rupture, and this impact would be less than significant.

Strong Seismic Ground Shaking. The project site is located in the San Francisco Bay Area, a region of intense seismic activity. Ground shaking is likely to occur within the life of the project as a result of future earthquakes. As noted above, the project site is approximately 500 feet northeast of the Hayward Fault. Other active faults within the area that are likely to produce large earthquakes include the Calaveras, located 8.3 miles east, Concord-Green Valley, located 15.8 miles northeast, and San Andreas, located 17 miles west. Due to the location of the project site in a seismically active area, strong seismic ground shaking at the site is highly probable during the life of the project.

The intensity of ground shaking would depend on the characteristics of the fault, distance from the fault, the earthquake magnitude and duration, and site-specific geologic conditions. The Working Group on California Earthquake Probabilities and the USGS have predicted a 14.3 percent probability of a 6.7 magnitude (Mw, or Moment Magnitude) or greater earthquake on the Hayward Fault, a 7.4 percent chance on the Calaveras Fault, and a total probability of 72 percent that an

20 Hayward, City of, 2014, op. cit.

21 Fault creep is slow, constant slippage that can occur on some active faults without there being an earthquake.

22 ENGEO, 2016a, op. cit.

23 Hayward, City of, 2014, op. cit.

earthquake of that magnitude will occur on one of the regional San Francisco Bay Area faults during that time.

The City requires projects to comply with the 2016 California Building Code (Title 24, California Code of Regulations),[24] which provides for stringent construction requirements on projects in areas of high seismic risk based on numerous inter-related factors. Seismic hazards cannot be completely eliminated, even with implementation of advanced building practices. However, the seismic design standards of the 2016 California Building Code (CBC) are intended to prevent catastrophic building failure in the most severe earthquakes currently anticipated.

A site-specific geotechnical investigation would be performed for the proposed project as required by State regulations, and the City of Hayward General Plan policies. Compliance with geotechnical recommendations and the CBC during design and construction would ensure that the potential impacts associated with ground shaking would be less than significant.

Seismic-Related Ground Failure and Liquefaction. Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface. These soils lose strength during ground shaking. Due to the loss of strength, the soil may move both horizontally and vertically. In areas where sloping ground or open slope faces are present, this mobility can result in lateral spreading. Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that are relatively close to the ground surface. However, loose sands that contain a significant amount of fines (silt and clay) may also liquefy. The State of California Seismic Hazard Zones Map shows a small area susceptible to liquefaction within the southwest corner of the project site. However, the proposed project would implement recommendations included in the Preliminary Geotechnical Investigation, which would include supporting the proposed building with either a ridged mat foundation, conventional footings in combination with non-expansive import, or pier-and-grade-beam foundation with raised floor. With this foundation, impacts related to liquefaction would be reduced to a less-than-significant level.

Landslides. Slope failure can occur as either rapid movement of large masses of soil or imperceptibly slow movement of soils on slopes. The northeastern portion of the property is located on a hillside with a southwest-facing slope. The State of California Seismic Hazard Zones Map shows a portion of the southwest-facing slope as having the potential for earthquake-induced landslides and evidence of sloughing and slope failures of unknown depth were observed on the existing slope during the site reconnaissance performed for the Preliminary Geotechnical Investigation.

The Preliminary Geotechnical Investigation includes recommendations to reduce the potential impacts associated with landslides, including removal of landslide materials and replacement as engineered fill. The design and construction of the project in accordance with geotechnical recommendations would reduce potential impacts related to landslides to a less-than-significant level.

[24] Hayward, City of. Municipal Code, Chapter 9, Article 1.

Erosion/Loss of Top Soil

The development of the project site would involve construction activities such as grading and excavation, which could result in temporary soil erosion when the disturbed soils are exposed to wind or rainfall. Because the proposed project would involve over one acre of land disturbance, it would be required to comply with the State Water Resources Control Board's Construction General Permit, which requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would include erosion control best management practices that would minimize erosion during construction. Policy NR-6.5 of the General Plan also requires that the City control site preparation procedures and construction phasing to reduce erosion and exposure of soils to the maximum extent possible. Upon completion of construction, the project site would be covered with structures, pavement, and landscaping and would not include areas of exposed soil. Therefore, the proposed project would result in less-than-significant impacts related to soil erosion or loss of top soil.

Unstable and Expansive Soils

Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. The changes in soil volume can result in substantial cosmetic and structural damage to buildings and hardscape developed over expansive soils. Expansive soils are typically fine grained with high clay content.

According to the Preliminary Geotechnical Investigation, conventional grading operations, incorporating fill placement specifications tailored to the expansive characteristics of the soil, and use of a mat foundation (either post-tensioned or conventionally reinforced) would address the expansive potential of the foundation soils. In addition, the proposed project would be required to comply with the 2016 California Building Code and the geotechnical recommendations identified in the site-specific geotechnical investigation. Compliance with geotechnical recommendations and the CBC during design and construction would ensure that the potential impacts associated with expansive soils would be less than significant.

Septic Tanks/Wastewater Disposal

Development of the proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, the proposed project would have no impact related to septic tanks or alternative wastewater disposal systems.

Paleontological Resources

The project site rests upon sediments and bedrock comprised of Holocene to Late Pleistocene Surficial Sediments, the Late Jurassic to early Cretaceous Knoxville Formation, the Late Jurassic to Cretaceous Franciscan Assemblage, and the Late Jurassic Coast Range Ophiolite Complex. The geology of the site consists entirely of Surficial Sediments, which have low sensitivity from the surface to a depth of 10 feet and high sensitivity below a depth of 10 feet. In locations with the Surficial Sediments, ground disturbance deeper than 10 feet would also have the potential for impacts to paleontological resources. In the event that paleontological resources are discovered during construction, Standard Conditions of Approval for all development projects require the

contractor to stop all work adjacent to the find and contact the City of Hayward Development Services Department to preserve and record the uncovered materials so it can be safely removed. Compliance with the City's standard conditions of approval would ensure that the proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts related to geology, soils, minerals and paleontological resources were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy LU-7.1 Slopes. The City shall prohibit the construction of buildings on unstable and steep slopes (slopes greater than 25 percent).*

- *Policy LU-7.2 Ridgelines. The City shall discourage the placement of homes and structures near ridgelines to maintain natural open space and preserve views. If ridgeline development cannot be avoided, the City shall require grading, building, and landscaping designs that mitigate visual impacts and blend development with the natural features of the hillside.*

- *Policy LU-7.3 Hillside Street Layouts. The City shall require curvilinear street patterns in hillside areas to respect natural topography and minimize site grading.*

- *Policy LU-7.4 Hillside Street Design. The City shall encourage narrow streets in hillside areas. Streets should be designed with soft shoulders and drainage swales (rather than sidewalks with curb and gutters) to maintain the rural character of hillside areas and minimize grading impacts. The City shall prohibit parking along narrow street shoulders to provide space for residents to walk and ride horses.*

- *Policy NR-6.4 Minimizing Grading. The City shall minimize grading and, where appropriate, consider requiring onsite retention and settling basins.*

- *Policy NR-6.5 Erosion Control. The City shall concentrate new urban development in areas that are the least susceptible to soil erosion into water bodies in order to reduce water pollution.*

- *Policy NR-8.2 Hillside Site Preparation Techniques. The City shall require low-impact site-grading, soils repair, foundation design, and other construction methods to be used on new residential structures and roadways above 250 feet in elevation to protect aesthetics, natural topography, and views of hillsides and surrounding open space.*

- *Policy HAZ-2.1 Seismic Safety Codes and Provisions. The City shall enforce the seismic safety provisions of the Building Code and Alquist-Priolo Special Studies Zone Act to minimize earthquake-related hazards in new construction, particularly as they relate to high occupancy structures or buildings taller than 50 feet in height.*

- *Policy HAZ-2.2 Geologic Investigations. The City shall require a geologic investigation for new construction on sites within (or partially within) the following zones:*

    - *Fault Zone (see Figure 9.2-1 in the Hazards Background Report)*
    - *Liquefaction Zone (see Figure 9.2-2 in the Hazards Background Report)*
    - *Landslide Zone (see Figure 9.2-3 in the Hazards Background Report)*

    A licensed geotechnical engineer shall conduct the investigation and prepare a written report of findings and recommended mitigation measures to minimize potential risks related to seismic and geologic hazards.

- *Policy HAZ-2.3 Fault Zone Assumption. The City shall assume that all sites within (or partially within) any fault zone are underlain by an active fault trace until a geotechnical investigation by a licensed geotechnical engineer provides otherwise.*

- *Policy HAZ-2.4 New Buildings in a Fault Zone. The City shall prohibit the placement of any building designed for human occupancy over active faults. All buildings shall be set back from active faults by at least 50 feet. The City may require a greater setback based on the recommendations of the licensed geotechnical engineer evaluating the site and the project.*

- *Policy HAZ-2.6 Infrastructure and Utilities. The City shall require infrastructure and utility lines that cross faults to include design features to mitigate potential fault displacement impacts and restore service in the event of major fault displacement. Mitigation measures may include plans for damage isolation or temporary bypass by using standard isolation valves, flexible hose or conduit, and other techniques and equipment.*

Conclusion

The GP EIR adequately evaluated the geology and soils impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

8. GREENHOUSE GAS EMISSIONS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Discussion

Greenhouse gas emissions (GHGs) associated with the General Plan are evaluated in Chapter 10, Global Climate Change and Greenhouse Gas Emissions, of the GP EIR. The following includes a discussion of the potential impacts related to GHG emissions associated with the General Plan as compared to the proposed project.

GHGs are present in the atmosphere naturally, and are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. However, over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global climate change. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur Hexafluoride (SF_6)

While GHGs produced by human activities include naturally-occurring GHGs such as CO_2, CH_4, and N_2O, some gases, like HFCs, PFCs, and SF_6 are completely new to the atmosphere. Certain other gases, such as water vapor, are short-lived in the atmosphere compared to those GHGs that remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is generally excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this analysis, the term “GHGs” will refer collectively to the six gases identified in the bulleted list provided above.

Construction Greenhouse Gas Emissions

As discussed in the GP EIR, construction activities would generate GHG emissions through the use of on- and off-road construction equipment in new development projects. While no project-specific details were known at the time the GP EIR was prepared, short-term construction emissions were estimated for worst-case, average annual levels of development assumed to occur under the General Plan through the year 2040. Average annual development assumptions were estimated by dividing the net increase in residential units and commercial building square feet associated with build out of the General Plan by 25 years. Construction emissions were estimated for this annualized average level development within the first full calendar year after anticipated General Plan adoption in order to obtain a "worst case" estimate of average annual construction-related GHG emissions. The GP EIR determined that total construction-related GHG emissions in 2015 would be approximately 1,186 metric tons (MT) of CO_2e per year.

The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are encouraged to quantify and disclose GHG emissions that would occur during construction. Using CalEEMod, it is estimated that the proposed project would generate approximately 383.9 MT CO_2e during construction of the project. In addition, when considered over the 30-year life of the project, the amortized construction emissions would be approximately 12.8 MT of CO_2e per year. Annual construction-related GHG emissions associated with the proposed project would be lower than the estimated average annual construction-related GHG emissions identified in the GP EIR. In addition, implementation of BAAQMD's Basic Construction Mitigation Measures would reduce construction-related GHG emissions by reducing the amount of construction vehicle idling and by requiring the use of properly maintained equipment. As noted above, the BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions; therefore, project construction impacts associated with GHG emissions would be considered less than significant. Construction of the proposed project would not result in new or more severe impacts related to construction-period GHG emissions than identified in the GP EIR.

Operational Greenhouse Gas Emissions

The GP EIR estimated operational emissions from existing development in Hayward in the years 2005 and 2010, as well as projected "Business As Usual" GHG emissions associated with forecasted growth in the City's population and employment in 2020, 2040 and 2050. The 2020, 2040 and 2050 projections reflect both existing and proposed land uses and population and employment growth assumed in the proposed General Plan, but do not take into account any specific GHG reduction measures associated with State or federal legislative actions or the City's 2009 CAP. The GP EIR found that any impacts resulting from GHG associated with implementation of the General Plan would be less than significant.

Development of the proposed project would contribute to the GHG emissions identified in the GP EIR. Long-term operation of the proposed project would generate GHG emissions from mobile, area, waste, and water sources as well as indirect emissions from sources associated with energy consumption. Mobile-source GHG emissions would include project-generated vehicle trips. Area-source emissions would be associated with activities such as landscaping and maintenance on the

project site. Energy source emissions are typically generated at off-site utility providers as a result of increased electricity demand generated by a project. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project generated waste. In addition, water source emissions associated with the proposed project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

The proposed project would develop the site with a new four-story, approximately 100,000-square-foot building would include 150 guest rooms. In addition to the guest rooms, the proposed building could include a meeting room, lounge area with a bar and seating space, office space, fitness center, and outdoor pool. The proposed project is consistent with the intent of the CHDR designation and would include a new hotel on an infill site that would locate guests and employees near existing residential and commercial uses, reducing the demand for travel by single occupancy vehicles. Therefore, the proposed project would support the ability to use alternative modes of transportation and would promote initiatives to reduce vehicle trips and vehicle miles traveled, which would help reduce GHG emissions.

Following guidance from the BAAQMD, GHG emissions were estimated for the proposed project using CalEEMod. Table 4 shows the calculated GHG emissions for the proposed project. Motor vehicle emissions are the largest source of GHG emissions for the project at approximately 70 percent of the total. Energy use is the next largest category at 26 percent of CO_2e emissions. Solid waste and water use are about 3 percent and 1 percent of the total emissions, respectively. CalEEMod output sheets are included in Appendix 1.

Table 4: Operational Greenhouse Gas Emissions

Emissions Source Category	Operational Emissions (Metric Tons per Year)				
	CO_2	CH_4	N_2O	CO_2e	Percent of Total Project Emissions
Area	<0.1	<0.1	0.0	<0.1	0
Energy	263.0	<0.1	<0.1	264.7	26
Mobile	696.2	<0.1	0.0	696.8	70
Waste	13.3	0.8	0.0	32.9	3
Water	4.6	0.1	<0.1	8.6	1
Total Operational				**1,003.0**	**100**
BAAQMD Threshold				**1,100**	**-**
Exceed?				**No**	**-**

Source: LSA (January 2020).

According to the BAAQMD, a project would result in a less-than-significant GHG impact if it would:

- Result in operational-related greenhouse gas emissions of less than 1,100 metric tons of CO_2e a year; or

- Result in operational-related greenhouse gas emissions of less than 4.6 metric tons of CO_2e per service population (residents plus employees).

Based on the analysis results, the proposed project would generate approximately 1,003.0 MT CO_2e which would be below the BAAQMD's numeric threshold of 1,100 MT CO_2e. Therefore, operation of the proposed project would not generate significant GHG emissions that would have a significant effect on the environment and would have a less than significant impact related to operational GHG emissions. Operation of the proposed project would not result in new or more severe impacts related to GHG emissions than identified in the GP EIR.

Consistency with Greenhouse Gas Reduction Plans

The City of Hayward adopted the 2009 Climate Action Plan (CAP) to reduce GHG emissions communitywide. The 2009 CAP was designed to reduce communitywide emissions 12.5 percent below 2005 levels by the year 2020, and to set the City on a course to achieve a long-term emission reduction goal of 82.5 percent below 2005 levels by the year 2050.

As discussed in the GP EIR, the General Plan integrates and updates the comprehensive, community-wide GHG emission reduction strategy contained in the City's 2009 CAP to achieve a GHG emission reduction target of 20 percent below 2005 levels by the year 2020. The proposed General Plan also recommends longer-term goals for GHG reductions of 61.7 percent below 2005 levels by the year 2040 and 82.5 percent below 2005 levels by the year 2050. The GP EIR summarizes the total GHG emission reductions from both State and Federal regulatory actions, as well as locally based GHG emission reductions required to achieve the targets for 2020, 2040 and 2050 in Table 10.2 of the GP EIR. Legislative-adjusted projected emissions take into account GHG emission reductions as a result of State and Federal regulatory actions. Additional net GHG emission reductions would be required to meet the proposed targets for 2020, 2040 and 2050; however, the GP EIR determined that the scale of reductions required to achieve the much more aggressive longer-term emission reduction goals will require significant improvements in the availability and/or cost of technology, as well as potential increased reductions from ongoing State and Federal legislative actions.

As discussed in the GP EIR, the General Plan contains a comprehensive strategy that achieves a communitywide GHG emission reduction target of 20 percent below 2005 levels by the year 2020, and sets the City on course toward achieving ongoing GHG emission reductions in the future through the year 2050. Thus, the GP EIR determined that the General Plan would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. In addition, the GP EIR determined that estimated GHG emissions per service population in 2020, 2040 and 2050 would be below the BAAQMD-recommended threshold of 6.6 MT CO_2e per service population per year. Thus, the GP EIR determined that the General Plan would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and impacts would be less than significant.

As indicated above, the proposed project would develop the site with a new four-story, approximately 100,000-square-foot building would include 150 guest rooms. In addition to the guest rooms, the proposed building could include a meeting room, lounge area with a bar and seating space, office space, fitness center, and outdoor pool. The proposed project is consistent with the

intent of the CHDR designation and would include a new hotel on an infill site that would locate guests and employees near existing residential and commercial uses, reducing the demand for travel by single occupancy vehicles. Therefore, the proposed project would support the ability to use alternative modes of transportation and would promote initiatives to reduce vehicle trips and vehicle miles traveled, which would help reduce GHG emissions.

In addition, as indicated above, the proposed project would be constructed to the latest CALGreen standard building measures and Title 24 standards, which would help to reduce energy and natural gas consumption. Therefore, the proposed project would implement the General Plan's energy-related policies that promote jobs-housing balance, growth and infill development, green building and landscaping, complete neighborhoods, energy efficiency, and bicycling, walking, and transit amenities, and parks access. As such, the proposed project would be consistent with goals to reduce GHG emissions.

Therefore, the proposed project would implement appropriate GHG reduction strategies and would not conflict with applicable plan, policy, or regulations pertaining to GHGs. Therefore, the proposed project would not result in new significant impacts beyond those identified in the GP EIR. No new mitigation measures are required.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts on greenhouse gas emissions were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Objectives

- *Policy NR-2.6: Greenhouse Gas Reduction in New Development. The City shall reduce potential greenhouse gas emissions by discouraging new development that is primarily dependent on the private automobile; promoting infill development and/or new development that is compact, mixed use, pedestrian friendly, and transit oriented; promoting energy-efficient building design and site planning; and improving the regional jobs/housing balance ratio.*

- *Policy NR-2.7: Coordination with Bay Area Air Quality Management District. The City shall coordinate with the Bay Area Air Quality Management District to ensure projects incorporate feasible mitigation measures to reduce greenhouse gas emissions and air pollution if not already provided for through project design.*

- *Policy NR-2.10: Zero-Emission and Low-Emission Vehicle Use. The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities throughout the City.*

- *Policy NR-4.1: Energy Efficiency Measures. The City shall promote the efficient use of energy in the design, construction, maintenance, and operation of public and private facilities, infrastructure, and equipment.*

- *Policy NR-4.3: Efficient Construction and Development Practices. The City shall encourage construction and building development practices that maximize the use of renewable resources and minimize the use of nonrenewable resources throughout the life-cycle of a structure.*

- *Policy NR-4.11: Green Building Standards. The City shall require newly constructed or renovated public and private buildings and structures to meet energy efficiency design and operations standards with the intent of meeting or exceeding the State's zero net energy goals by 2020.*

- *Policy NR-4.12: Urban Forestry. The City shall encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.*

- *Policy NR-4.1:3 Energy Use Data. The City shall consider requiring disclosure of energy use and/or an energy rating for single family homes, multifamily properties, and commercial buildings at certain points or thresholds. The City shall encourage residents to voluntarily share their energy use data and/or ratings with the City as part of collaborative efficiency efforts.*

- *Policy LU-1.1: Jobs-Housing Balance. The City shall support efforts to improve the jobs-housing balance of Hayward and other communities throughout the region to reduce automobile use, regional and local traffic congestion, and pollution.*

- *Policy LU-1.6: Mixed-Use Neighborhoods. The City shall encourage the integration of a variety of compatible land uses into new and established neighborhoods to provide residents with convenient access to goods, services, parks and recreation, and other community amenities.*

- *Policy LU-1.8: Green Building and Landscaping Requirements. The City shall maintain and implement green building and landscaping requirements for private- and public-sector development to:*

    - *Reduce the use of energy, water, and natural resources.*

    - *Minimize the long-term maintenance and utility expenses of infrastructure, buildings, and properties.*

    - *Create healthy indoor environments to promote the health and productivity of residents, workers, and visitors.*

    - *Encourage the use of durable, sustainably-sourced, and/or recycled building materials.*

    - *Reduce landfill waste by promoting practices that reduce, reuse, and recycle solid waste.*

- *Policy M-1.4: Multimodal System Extensions. The City shall require all new development that proposes or is required to construct or extend streets to develop a transportation network that complements and contributes to the City's multimodal system, maximizes connections, and minimizes barriers to connectivity.*

- *Policy M-1.6: Bicycling, Walking, and Transit Amenities. The City shall encourage the development of facilities and services, (e.g., secure term bicycle parking, street lights, street furniture and trees, transit stop benches and shelters, and street sweeping of bike lanes) that enable bicycling, walking, and transit use to become more widely used modes of transportation and recreation.*

- *Policy M-5.1: Pedestrian Needs. The City shall consider pedestrian needs, including appropriate improvements to crosswalks, signal timing, signage, and curb ramps, in long-range planning and street design.*

- *Policy M-5.2: Pedestrian System. The City shall strive to create and maintain a continuous system of connected sidewalks, pedestrian paths, creekside walks, and utility greenways throughout the City that facilitates convenient and safe pedestrian travel, connects neighborhoods and centers, and is free of major impediments and obstacles.*

- *Policy M-5.4: Sidewalk Design. The City shall require that sidewalks, wherever possible, be developed at sufficient width to accommodate pedestrians including the disabled; a buffer separating pedestrians from the street and curbside parking; amenities; and allow for outdoor uses such as cafes.*

- *Policy M-5.5: Streetscape Design. The City shall require that pedestrian-oriented streets be designed and maintained to provide a pleasant environment for walking including shade trees; plantings; well-designed benches, trash receptacles, and other furniture; pedestrian-scaled lighting fixtures; wayfinding signage; integrated transit shelters; public art; and other amenities.*

- *Policy M-6.5: Connections between New Development and Bikeways. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways and do not interfere with existing and proposed bicycle facilities.*

- *Policy PFS-7.12: Construction and Demolition Waste Recycling. The City shall require demolition, remodeling and major new development projects to salvage or recycle asphalt and concrete and all other non-hazardous construction and demolition materials to the maximum extent practicable.*

Conclusion

The GP EIR adequately evaluated the greenhouse gas emissions impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

9. HAZARDS AND HAZARDOUS MATERIALS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
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 or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

Discussion

The following discussion is based on the findings from the Phase I Environmental Site Assessment[25] (Phase I ESA) prepared for the proposed project.

Transport, Use, Storage, and Disposal of Hazardous Materials

Although small quantities of commercially available hazardous materials could be used during project construction activities (e.g., oil, gasoline, paint) and for landscape maintenance within the project site, these materials would not be used in sufficient quantities to pose a threat to human or environmental health. Therefore, development of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

[25] ENGEO, Inc., 2016b. *Phase I Environmental Site Assessment, Route 238 Bypass, Group 9, Hayward, California.* March 25.

Release of Hazardous Materials and Risk of Upset

The proposed hotel development would not involve storage or use of hazardous materials (except for small quantities for routine maintenance as described above) or generation of significant hazardous wastes. As such, potential significant impacts related to a foreseeable upset would not be expected.

During construction, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported and used at the project site. Management of these materials at the project site would be subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Compliance with the Construction General Permit would require preparation and implementation of an SWPPP designed to reduce the risk of spills or leaks from the reaching the environment. The SWPPP would also include a Spill Response Plan to address minor spills of hazardous materials. Compliance with SWPPP requirements would ensure that potential significant hazards associated with routine transport, use, or disposal of hazardous materials during and after construction would be less than significant.

A Phase I Environmental Site Assessment[26] (ESA) was prepared for the project site. The Phase I ESA evaluated the potential for past land uses to have impacted the environmental condition of the site through the review of historical information sources (e.g., historic aerial photos and maps) and government databases that list hazardous materials release sites and facilities that handle hazardous materials.

The Phase I ESA prepared for the proposed project identified no Recognized Environmental Conditions (RECs), Controlled RECs (CRECs), or Historical RECs (HRECs); however, the following potential Recognized Environmental associated with the current and past use of the property was identified:

- Review of historical photographs found that the central portion of the property had formerly consisted of a public right-of-way, an extension of Oak Street. Additionally, in the 1980s, on-ramps leading to Interstates 238 and 580 were constructed along the western property boundary. Given the proximity to existing and former public right-of-ways, there is a potential for environmental impacts to the near-surface soil from aerially deposited lead (ADL).

Construction of the proposed project could expose workers and/or the public to potentially contaminated soil associated with historical car emissions prior to the elimination of lead in gasoline. If soils are not properly managed during construction, exposure to these hazardous materials could pose a health hazard to construction workers. Exposure to contaminants in soil could occur through inhalation of fugitive dust, incidental ingestion, or dermal contact with contaminated material.

[26] ENGEO, 2016b. op. cit.

The Phase I ESA recommended that a Phase II ESA, including soil sampling along the alignment of both Oak Street (former) and the on-ramp to I-238/580, be conducted to address potential environmental impacts to near-surface soil from aerially deposited lead (ADL).

If the Phase II ESA identifies soil contamination at levels exceeding regulatory screening levels for the proposed land use (e.g., the Regional Water Board's Environmental Screening Levels [ESLs]), the Project Applicant would be required to submit it to the appropriate regulatory oversight agency (e.g., Alameda County Environmental Health Department [ACDEH], Regional Water Board, or DTSC) for review. The Phase II ESA would recommend corrective actions to address the identified contamination, including developing and implementing a Soil Management Plan (SMP) and/or a Remedial Action Plan (RAP) for the remediation of contaminated soil, if required by a regulatory oversight agency. Any corrective actions would be performed under the oversight of the applicable regulatory oversight agencies, and clearance for the proposed land use would need to be obtained from the applicable regulatory oversight agencies.

Policy HAZ-6.2 of the City's General Plan requires that environmental investigations be prepared before discretionary project approvals are issued by the City in order to ensure that the presence of hazardous materials and/or waste contamination would not have the potential to affect the environment or the health and safety of future property owners or users.

Compliance with all applicable local, State, and federal regulations and standards pertaining to the release of hazardous materials and risk of upset would ensure that impacts associated with the release of hazardous materials would be less than significant.

Emission of Hazardous Materials within 0.25 miles of a School

Strobridge Elementary School, located at 2140 Bedford Drive, is located approximately 1,400 feet northeast of the project site. No other schools were identified within a quarter-mile of the project site.[27] As discussed above, the potential for a hazardous materials release during construction and operation activities would be less than significant following required compliance with existing regulations. Therefore, the proposed project would result in a less-than-significant impact to existing or proposed school facilities from the emission of hazardous materials.

Hazardous Materials Site Pursuant to Government Code Section 65962.5

Government Code Section 65962.5 requires the Cal/EPA to develop, at least annually, an updated list of hazardous materials release sites known as the Cortese List. The project site was not identified on the Cortese List or other hazardous material release databases during review of regulatory records for the Phase I ESA. Therefore, no impacts associated with locating a project on a site included on a list of hazardous materials is expected to occur.

[27] Hayward, City of, 2014. op. cit.

Aviation Hazards

The project site is not located in the vicinity of a private airstrip or within the Airport Influence Area of the Hayward Executive Airport, and therefore the project would not result in impacts related to aviation hazards.

Emergency Response or Evacuation Plan

The proposed project involves a hotel development on contiguous parcels and would not impair implementation of or interfere with the City of Hayward Local Hazard Mitigation Plan or the Alameda County Local Hazard Mitigation Plan. The proposed project would not impair implementation of, or interfere with, emergency response or evacuation plans because the proposed project would not alter the existing streets surrounding the project site, which could be used for emergency access or evacuation. The proposed project would involve limited short-term use of City streets for delivery of construction equipment and supplies, and commuting workers. During construction activities, all construction equipment would be stored on the project site. Therefore, potential impacts to emergency evacuation routes or emergency response plans from the proposed project are considered less than significant.

Wild Fire

The project site is in an urban area and is not within or adjacent to a wildland fire hazard area.[28] Therefore, the proposed project would not expose people or structures to a significant loss, injury or death involving wildland fires.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts related to hazards and hazardous materials were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy NR-6.15 Native Vegetation Planting. The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.*

- *Policy HAZ-5.1 Wildland/Urban Interface Guidelines. The City shall maintain and implement Wildland/Urban Interface Guidelines for new development within fire hazard areas.*

[28] California Department of Forestry and Fire Protection, 2008. Alameda County, Very High Fire Hazard Severity Zones in Local Responsibility Areas (map). Available at: https://osfm.fire.ca.gov/media/6638/fhszl_map1.pdf (accessed January 27, 2020). September 3.

- *Policy HAZ-5.2 Fire Prevention Codes. The City shall enforce fire prevention codes that require property owners to reduce wildfire hazards on their property.*

- *Policy HAZ-5.3 Defensible Space and Fuel Reduction. The City shall promote defensible space concepts to encourage property owners to remove overgrown vegetation and to reduce fuel loads on hillside properties, especially near structures and homes.*

- *Policy HAZ-6.1 Hazardous Materials Program. The City shall maintain its status as a Certified Unified Program agency and implement the City's Unified Hazardous Materials and Hazardous Waste Management Program, which includes:*

    - *Hazardous Materials Release Response Plans and Inventories (Hazardous Materials Business Plans – HBMP);*

    - *California Accidental Release Prevention (CalARP) Program;*

    - *Underground Storage Tank (UST) Program;*

    - *Above-ground Petroleum Storage Act (APSA) Program, including Spill Prevention, Control, and Countermeasure (SPCC) Plans;*

    - *Hazardous Waste Generator Program;*

    - *On-site Hazardous Waste Treatment (Tiered Permit) Program; and*

    - *California Fire Code Hazardous Material Management Plans (HMMP) and Hazardous Materials Inventory Statements (HMIS).*

- *Policy HAZ-6.2 Site Investigations. The City shall require site investigations to determine the presence of hazardous materials and/or waste contamination before discretionary project approvals are issued by the City. The City shall require appropriate measures to be taken to protect the health and safety of site users and the greater Hayward community.*

- *Policy HAZ-6.3 Permit Requirements. The City shall direct the Fire Chief (or their designee) and the Planning Director (or their designee) to evaluate all project applications that involve hazardous materials, electronic waste, medical waste, and other hazardous waste to determine appropriate permit requirements and procedures.*

- *Policy HAZ-6.7 Agency Coordination. The City shall coordinate with State, Federal, and local agencies to develop and promote best practices related to the use, storage, transportation and disposal of hazardous materials.*

- *Policy HAZ-6.8 Truck Routes. The City shall maintain designated truck routes for the transportation of hazardous materials through the City of Hayward. The City shall discourage truck routes passing through residential neighborhoods to the maximum extent feasible.*

- *Policy HQL-7.3 Home Use of Hazardous Materials. The City shall encourage and educate residents, non-profits, and businesses to implement integrated pest management principles, and reduce or discontinue the use of pesticides, herbicides, and toxic cleaning substances.*

- *Policy HQL-7.5 Proximity to Pollution Sources. The City shall avoid locating new sensitive uses such as schools, childcare centers, and senior housing, to the extent feasible, in proximity to sources of pollution, odors, or near existing businesses that handle toxic materials, Where such uses are located in proximity to sources of air pollution, odors, or toxic materials, the City shall encourage building design, construction safeguards, and technological techniques to mitigate the negative impacts of hazardous materials and/or air pollution on indoor air quality.*

- *Policy HQL-9.5 Hazards Resiliency. The City shall continue to assess and monitor risks from local environmental (e.g., flooding, earthquake) and man-made hazards and work with community groups and State and regional agencies to prepare residents, businesses, and visitors in the event of an incident.*

- *Policy HQL-9.8 Climate Adaptation in Plans. The City shall address climate adaptation in all disaster preparedness and emergency response plans.*

- *Policy M-4.5 Emergency Access. The City shall develop a roadway system that is redundant (i.e., include multiple alternative routes) to the extent feasible to ensure mobility in the event of emergencies.*

Conclusion

The GP EIR adequately evaluated the impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

10. HYDROLOGY AND WATER QUALITY

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

Discussion

Water Quality Standards

Construction. Construction and demolition activities for the proposed project would involve disturbing, grading, and excavating soil, which could result in temporary erosion and movement of sediments into the storm drain system, particularly during precipitation events. The potential for chemical releases is present at most construction sites due to the use of paints, solvents, fuels, lubricants, and other hazardous materials associated with heavy construction equipment. Once released, these hazardous materials could be transported to nearby surface waterways in stormwater runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters. The release of sediments and other pollutants during construction and demolition could adversely affect water quality in receiving waters.

The proposed project would disturb greater than 1 acre of land, and therefore would be required to obtain coverage under the Construction General Permit (State Water Board Order 2009-0009-DW).[29] On-site construction activities subject to the Construction General Permit include clearing, grading, excavation, and soil stockpiling. As stated above, State Water Resources Control Board's Construction General Permit also requires the development of an SWPPP by a Qualified SWPPP Developer. An SWPPP identifies all potential pollutants and their sources, including erosion, sediments, and construction materials and must include a list of BMPs to reduce the discharge of construction-related stormwater pollutants. An SWPPP must include a detailed description of controls to reduce pollutants and outline maintenance and inspection procedures. Typical sediment and erosion BMPs include protecting storm drain inlets, establishing and maintaining construction exits and perimeter controls to avoid tracking sediment off-site onto adjacent roadways. An SWPPP also defines proper building material staging and storage areas, paint and concrete washout areas, describes proper equipment/vehicle fueling and maintenance practices, measures to control equipment/vehicle washing and allowable non-stormwater discharges, and includes a spill prevention and response plan.

Monitoring wells in the vicinity of the site appear to indicate that local groundwater may occur at depths between 2 and 13 feet. No groundwater seepage or other indication of near-surface groundwater was observed during a geotechnical site reconnaissance performed in 2016.[30] Based on the estimated depths to groundwater at the site, construction related dewatering may be required. Turbid and/or contaminated groundwater could cause degradation of the receiving water quality if discharged directly to storm drains or surface water without treatment. The discharge of dewatering effluent would be subject to permits from the City of Hayward or the Regional Water Board, depending if the discharge were to the sanitary sewer or storm drain system, respectively. The Construction General Permit allows the discharge of dewatering effluent if the water is properly filtered or treated, using appropriate technology. If the dewatering activity is deemed by the Regional Water Board not to be covered by the Construction General Permit, then the discharger could potentially prepare a Report of Waste Discharge, and if approved by the Regional Water Board, be issued site-specific Waste Discharge Requirements (WDRs) under NPDES regulations. If it is infeasible to meet the requirements of the Construction General Permit, acquire site-specific WDRs, or meet the City of Hayward's wastewater discharge requirements, the construction contractor would be required to transport the dewatering effluent off-site for treatment and disposal.

Required compliance with State and local regulations regarding stormwater and dewatering during construction would ensure that the proposed project would result in less-than-significant impacts to water quality during construction.

Operation. Because the project would replace over 10,000 square feet of existing impervious surface area, the project would be required to comply with Provision C.3 requirements of the San

[29] State Water Resources Control Board Division of Water Quality, 2009. Construction General Permit Fact Sheet. 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ.

[30] ENGEO. 2016a. op. cit.

Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP).[31] The project would result in alteration of over 50 percent of the existing impervious surface of the project site, and therefore all new and replaced impervious surfaces would require treatment under the MRP. Provision C.3 of the MRP requires implementation of low impact development (LID) source control, site design, and stormwater treatment for regulated projects. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. Additionally, Policy NR-6.6 of the City's General Plan requires the City to promote stormwater management techniques that minimize surface water runoff and impervious ground surface, including requiring LID techniques.

Provision C.3.g of the MRP pertains to hydromodification management.[32] The MRP requires that regulated projects which create and/or replace over 1 acre of impervious surface and increase the amount of impervious surface compared to the existing condition include measures to address hydromodification to ensure that stormwater discharges do not cause an increase in the erosion potential of the receiving stream. Increases in runoff flow and volume must be managed so that the post-project runoff does not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts on beneficial uses due to increased erosive force. The proposed project would be subject to hydromodification management requirements because the proposed project would increase the amount of impervious surface compared to the existing condition, and stormwater runoff from the project site is eventually discharged into natural creeks, which are susceptible to erosion. Hydromodification management controls may include the installation of retention/detention systems (e.g., swales, basins, ponds, or cisterns) which would reduce runoff rates and volumes.

Additionally, Policies NR-6.4, NR-6.5, and NR-6.6 of the City's General Plan requires the implementation of BMPs to minimize erosion, sedimentation, and water quality degradation resulting from the construction of new impervious surfaces. Policy PFS-5.3 of the City's General Plan requires new development projects to prepare drainage studies to assess storm runoff impacts on the local and regional storm drain and flood control system, and to develop recommended detention and drainage facilities to ensure that increased risks of flooding do not result from development and to prevent increased erosion and siltation of creek beds and banks.

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31 San Francisco Bay Regional Water Quality Control Board, 2015. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008, November 19.

32 Hydromodification or hydrograph modification causes streambank erosion, channelization, increased flood flows, and other physical modifications that can adversely impact aquatic ecosystems due to increased sedimentation and reduced water quality (e.g., higher water temperatures, lower dissolved oxygen concentrations).

Required compliance with applicable regulations and implementation of City policies, as described above, would reduce potential impacts to water quality from operation of the project to a less-than significant level.

Deplete Groundwater Supplies

Dewatering during construction activities may be required. If performed, construction-related dewatering would be temporary and limited to areas of excavation on the project site and would not substantially contribute to depletion of groundwater supplies.

Operation of the proposed project would not involve use of groundwater as potable water, because potable water is supplied to the project site by the City of Hayward. The project site is predominantly undeveloped, and partially covering undeveloped areas with impervious surfaces, as proposed by the project, could reduce infiltration of rainfall and runoff, which in turn could adversely affect aquifer recharge and groundwater supplies. In accordance with the requirements of Provision C.3 of the MRP, site design and treatment measures must be implemented at the project site to encourage infiltration of storm water runoff. Site design and treatment measures may include detention and retention basins, stormwater harvesting, vegetated swales and planters, and pervious pavements. A Storm Water Control Plan that specifies the types of infiltration-based site design and treatment measures to be incorporated into the project would be required by the City prior to construction. Implementation of infiltration-based site design and treatment measures, as required by the MRP and the City, would reduce potential impacts to groundwater supplies to a less-than-significant level.

Drainage Pattern and Surface Run-off

The proposed project would not alter the course of a stream or river. However, the project would alter drainage patterns by creating new landscaped areas and impermeable pavement surfaces. As discussed above, the proposed project would be required to comply with the hydromodification requirements of the MRP and Policies NR-6.6 and NR-6.8 of the City's General Plan. The Project Applicant would be required to prepare a drainage study to ensure that the changes in drainage patterns resulting from the project would not adversely impact storm drain and flood control systems or cause erosion and siltation of creek beds and banks.

Required compliance with applicable regulations and implementation of City policies, as described above, would reduce potential impacts of the project related to changes in drainage patterns to a less-than-significant level.

Flood Hazard, Tsunami, Seiche Zones

Based on the distance from the Bay, coastal hazards, such as sea level rise, seiche, tsunami, or extreme high tides, would not pose a threat of flooding for the proposed project. Parcel Group 9 is not located within 100-year flood hazard zones as mapped by the Federal Emergency Management

Agency (FEMA);[33] however, 100-year flood hazard zones mapped by FEMA are located along San Lorenzo Creek, downstream of the parcel group. The project site is also not located within a dam failure inundation area.[34] Therefore, the project would not result in impacts related to flooding, inundation by tsunami, or seiche.

Conflict with Water Quality Control Plan or Sustainable Groundwater Management Plan

As discussed above, due to the size of the proposed project, construction and operation of the project would be subject to State and regional requirements related to stormwater runoff and any contaminated groundwater. Required compliance with State and local regulations regarding stormwater and dewatering during construction would ensure that the proposed project would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. As a result, a less-than-significant impact would occur.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts related to hydrology and water quality were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies and Actions

- *Policy LU-1.8 Green Building and Landscaping Requirements. The City shall maintain and implement green building and landscaping requirements for private- and public-sector development to:*
    - *Reduce the use of energy, water, and natural resources.*
    - *Minimize the long-term maintenance and utility expenses of infrastructure, buildings, and properties.*
    - *Create healthy indoor environments to promote the health and productivity of residents, workers, and visitors.*
    - *Encourage the use of durable, sustainably-sources, and/or recycled building materials.*
    - *Reduce landfill waste by promoting practices that reduce, reuse, and recycle solid waste.*

[33] Federal Emergency Management Agency (FEMA). 2018. Flood Map Services Center. Available online at: https://msc.fema.gov/portal/search?AddressQuery=Hayward%20CA#searchresultsanchor (accessed January 27, 2020).

[34] Hayward, City of, 2014, op. cit.

- *Policy NR-1.12 Riparian Corridor Habitat Protection. The City shall protect creek riparian habitats by:*
    - *Requiring sufficient setbacks for new development adjacent to creek slopes,*
    - *Requiring sensitive flood control designs to minimize habitat disturbance,*
    - *Maintaining natural and continuous creek corridor vegetation,*
    - *Protecting/replanting native trees, and*
    - *Protecting riparian plant communities from the adverse effects of increased stormwater runoff, sedimentation, erosion, pollution that may occur from improper development in adjacent areas.*
- *Policy LU-1.10 Infrastructure Capacities. The City shall ensure that adequate infrastructure capacities are available to accommodate planned growth throughout the City.*
- *Policy NR-6.4 Minimize Grading. The City shall minimize grading and, where appropriate, consider requiring onsite retention and settling basins.*
- *Policy NR-6.5 Erosion Control. The City shall concentrate new urban development in areas that are least susceptible to soil erosion into water bodies in order to reduce water pollution.*
- *Policy NR-6.6 Stormwater Management. The City shall promote stormwater management techniques that minimize surface water runoff and impervious ground surfaces in public and private developments, including requiring the use of Low-Impact Development (LID) techniques to best manage stormwater through conservation, onsite filtration, and water recycling.*
- *Policy NR-6.8 NPDES Permit Compliance. The City shall continue to comply with the San Francisco Bay Region National Pollutant Discharge Elimination System (NPDES) Municipal Regional Stormwater Permit.*
- *Policy NR-6.15 Native Vegetation Planting. The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.*
- *Policy HAZ-2.7 Dam Failure. The City shall coordinate with agencies responsible for the maintenance of the South Reservoir Dam, the Del Valle Dam, and other small dams along Alameda Creek to ensure that dam infrastructure is maintained and enhanced to withstand potential failure during an earthquake.*
- *Policy HAZ-3.2 Development in Flood Plains. The City shall implement Federal, State, and local requirements related to new construction in flood plain areas to ensure that future flood risks to life and property are minimized.*

- *Policy HAZ-3.3 Flood Plain Management Ordinance. The City shall maintain and enforce a Flood Plain Management Ordinance to:*
    - *Promote public health, safety, and general welfare by minimizing public and private losses due to floods;*
    - *Implement the Cobey-Alquist Flood Plain Management Act, and*
    - *Comply with the eligibility requirements of the National Flood Insurance Program.*
- *Policy PFS-3.9 High Quality Service Provision. The City shall provide water service that meets or exceeds State and Federal drinking water standards.*
- *Policy PFS-4.1 Sewer Collection System Master Plan. The City shall maintain and implement the Sewer Collection System Master Plan.*
- *Policy PFS-4.2 Water Pollution Control Facility Master Plan. The City shall maintain and implement the Water Pollution Control Facility Master Plan.*
- *Policy PFS-5.1 Accommodate New and Existing Development. The City shall work with the Alameda County Flood Control and Water Conservation District to expand and maintain major stormwater drainage facilities to accommodate the needs of existing and planned development.*
- *Policy PFS-5.3 Watershed Drainage Plans. The City shall require developers of proposed large development projects to prepare watershed drainage plans. Drainage plans shall define needed drainage improvements per City standards, estimate construction costs for these improvements, and be implemented through the Stormwater Management and Urban Runoff Control Program and Alameda Countywide Clean Water Program.*
- *Policy PFS-5.4 Green Stormwater Infrastructure. The City shall encourage "green infrastructure" design and Low Impact Development (LID) techniques for stormwater facilities (i.e., using vegetation and soil to manage stormwater) to achieve multiple benefits (e.g., preserving and creating open space, improving runoff water quality).*
- *Policy PFS-5.6 Grading Projects. The City shall impose appropriate conditions on grading projects performed during the rainy season to ensure that silt is not conveyed to storm drainage.*
- *Policy PFS-5.7 Diversion. The City shall require new development to be designed to prevent the diversion of stormwater onto neighboring parcels.*
- *Policy PFS-5.8 Enhance Recreation and Habitat. The City shall require new stormwater drainage facilities to be designed to enhance recreation and habitat and shall work with HARD to integrate such facilities into existing parks and open space features.*

- *Policy HQL-7.3 Home Use of Hazardous Materials. The City shall encourage and educate residents, non-profits, and businesses to implement integrated pest management principles, and reduce or discontinue the use of pesticides, herbicides, and toxic cleaning substances.*

Conclusion

The GP EIR adequately evaluated the impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

11. LAND USE AND PLANNING

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Discussion

Divide an Established Community

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying area. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside the community.

The project site is located in an urban area in the City of Hayward/Alameda County and is surrounded by commercial, and residential uses, as well as I-238, and I-580. The proposed project would include the development of the project site with a new hotel. The proposed project would not require the construction of any new infrastructure that would divide an established community, and would not remove any means access. The proposed project would not result in a physical division of an established community or adversely affect the continuity of land uses in the vicinity. This impact would be less than significant. Therefore, this impact would not result in new or more significant impacts beyond those analyzed in the GP EIR.

Conformance with Land Use Plans

The City's General Plan Land Use Map designates the portion of Parcel Group 9 within the City as Commercial/High Density Residential (up to 34.8 dwelling units per net acre) and Public/Quasi-Public. The site is zoned for Commercial Office, Public Facilities, and High Density Residential (minimum lot size 1,250 square feet). The purpose of the Commercial Office District is to provide for and protect administrative, professional, business, and financial organizations that are compatible with residential use of adjacent properties.

The portion of the site within the unincorporated community of Castro Valley is designated as Public/Institutional on the Castro Valley General Plan Land Use Map and is zoned for Retail Business, Suburban Residential (8 dwelling units per acre), General Business, and Industrial Park. However, the proposed project would be located solely within the portion of the project site that lies within the City of Hayward.

The proposed project is consistent with the type and intensity of development allowed within the General Plan Land Use Designation. The proposed project would not require changes to General Plan land use designations; however, as described in Attachment A, Project Description, the project site would need to be re-zoned from High Density Residential (RH) and Commercial Office (CO) to General Commercial (GC) to allow for hotel development. The City of Hayward Planning Commission and City of Hayward City Council would consider approving the re-zone as part of their review of the proposed project. With the proposed change in zoning, the proposed project would be consistent with the City's Zoning Ordinance, including permitted development intensity, setbacks, parking, and other development regulations. Therefore, the proposed project would not result in new or more severe impacts related to conformity with land use plans beyond those already analyzed in the GP EIR.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts related to land use and planning were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

- *Policy LU-1.3 Growth and Infill Development. The City shall direct local population and employment growth toward infill development sites within the City, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*

- *Policy LU-1.7 Design Guidelines. The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.*

- *Policy LU-2.14 University-Oriented Uses. The City shall support the development of university-oriented uses, including student and faculty housing, satellite campuses and university-oriented retail and service uses, within the City's Priority Development Areas (excluding the Cannery Transit Neighborhood).*

- *Policy LU-3.1 Complete Neighborhoods. The City shall promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities that meet the daily needs of residents. Such uses and amenities may include parks, community centers, religious institutions, daycare centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.*

- *Policy LU-3.6 Residential Design Strategies. The City shall encourage residential developments to incorporate design features that encourage walking within neighborhoods by:*

    - *Creating a highly connected block and street network.*

- *Designing new streets with wide sidewalks, planting strips, street trees, and pedestrian-scaled lighting.*
- *Orienting homes, townhomes, and apartment and condominium buildings toward streets or public spaces.*
- *Locating garages for homes and townhomes along rear alleys (if available) or behind or to the side of the front façade of the home.*
- *Locating parking facilities below or behind apartment and condominium buildings.*
- *Enhancing the front façade of homes, townhomes, and apartment and condominium buildings with porches, stoops, balconies, and/or front patios.*
- *Ensuring that windows are provided on facades that front streets or public spaces.*

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  - *Orienting homes, townhomes, and apartment and condominium buildings toward streets or public spaces.*
  - *Locating garages for homes and townhomes along rear alleys (if available) or behind or to the side of the front façade of the home.*
  - *Locating parking facilities below or behind apartment and condominium buildings.*
  - *Enhancing the front façade of homes, townhomes, and apartment and condominium buildings with porches, stoops, balconies, and/or front patios.*
  - *Ensuring that windows are provided on facades that front streets or public spaces.*
- *Policy LU-7.2 Ridgelines. The City shall discourage the placement of homes and structures near ridgelines to maintain natural open space and preserve views. If ridgeline development cannot be avoided, the City shall require grading, building, and landscaping designs that mitigate visual impacts and blend development with the natural features of the hillside.*
- *Policy LU-7.3 Hillside Street Layouts. The City shall require curvilinear street patterns in hillside areas to respect natural topography and minimize site grading.*

- *Policy LU-7.4 Hillside Street Design. The City shall encourage narrow streets in hillside areas. Streets should be designed with soft shoulders and drainage swales (rather than sidewalks with curb and gutters) to maintain the rural character of hillside areas and minimize grading impacts. The City shall prohibit parking along narrow street shoulders to provide space for residents to walk and ride horses.*

- *Policy LU-7.5 Clustered Developments. The City shall encourage the clustering of residential units on hillsides to preserve sensitive habitats and scenic resources as natural open space. Sensitive areas and scenic resources include woodlands, streams and riparian corridors, mature trees, ridgelines, and rock outcroppings.*

- *Policy NR-6.8 NPDES Permit Compliance. The City shall continue to comply with the San Francisco Bay Region National Pollutant Discharge Elimination System (NPDES) Municipal Regional Stormwater Permit.*

- *Policy NR-8.1 Hillside Residential Design Standards. The City shall regulate the design of streets, sidewalks, cluster home development, architecture, site design, grading, landscaping, utilities, and signage in hillside areas to protect aesthetics, natural topography, and views of surrounding open space through the continued Hillside Design and Urban/Wildland Interface Guidelines.*

- *Policy NR-8.2 Hillside Site Preparation Techniques. The City shall require low-impact site grading, soils, repair, foundation design, and other construction methods to be used on new residential structures and roadways above 250 feet in elevation to protect aesthetics, natural topography, and views of hillsides and surrounding open space.*

- *Policy M-1.3 Multimodal Connections. The City shall implement a multimodal system that connects residents to activity centers throughout the City, such as commercial centers and corridors, employment centers, transit stops/stations, the airport, schools, parks, recreation area, and other attractions.*

- *Policy M-1.4 Multimodal System Extensions. The City shall require all new development that proposes or is required to construct or extend streets to develop a transportation network that complements and contributes to the City's multimodal system, maximizes connections, and minimizes barriers to connectivity.*

- *Policy M-1.6 Bicycling, Walking and Transit Amenities. The City shall encourage the development of facilities and services (e.g., secure term bicycle parking, street lights, street furniture and trees, transit stop benches and shelters, and street sweeping of bike lanes) that enable bicycling, walking, and transit use to become more widely used modes of transportation and recreation.*

- *Policy M-1.7 Eliminate Gaps. The City shall strive to create a more comprehensive multimodal transportation system by eliminating gaps in roadways, bikeways, and pedestrian networks, increasing transit access in underserved areas, and removing natural and man-made barriers to accessibility and connectivity.*

- *Policy M-3.6 Context Sensitive. The City shall consider the land use and urban design context of adjacent properties in both residential and business districts as well as urban, suburban, and rural areas when designing complete streets.*

- *Policy M-3.8 Connections with New Development. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways, pedestrian ways and transit facilities.*

- *Policy M-5.2 Pedestrian System. The City shall strive to create and maintain a continuous system of connected sidewalks, pedestrian paths, creekside walks, and utility greenways through the City that facilitates convenient and safe pedestrian travel, connects neighborhoods and centers, and is free of major impediments and obstacles.*

- *Policy M-6.1 Bikeway System. The City shall maintain and implement the Hayward Bicycle Master Plan.*

- *Policy M-6.5 Connections between New Development and Bikeways. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways, and do not interfere with existing and proposed bicycle facilities.*

- *Policy HAZ-2.7 Dam Failure. The City shall coordinate with agencies responsible for the maintenance of the South Reservoir Dam, the Del Valle Dam, and other small dams along Alameda Creek to ensure that dam infrastructure is maintained and enhanced to withstand potential failure during an earthquake.*

- *Policy HAZ-3.3 Flood Plain Management Ordinance. The City shall maintain and enforce a Flood Plain Management Ordinance to:*

    - *Promote public health, safety, and general welfare by minimizing public and private losses due to floods;*

    - *Implement the Cobey-Alquist Flood Plain Management Act, and*

    - *Comply with the eligibility requirements of the National Flood Insurance Program.*

- *PFS-1.3 Public Facility Master Plans. The City shall maintain and implement public facility master plans to ensure compliance with appropriate regional, State, and Federal laws; the use of modern and cost-effective technologies and best management practices; and compatibility with current land use policy.*

- *PFS-3.2 Urban Water Management Plan. The City shall maintain and implement the Urban Water Management Plan, including water conservation strategies and programs, as required by the Urban Water Management Planning Act.*

- *PFS-3.14 Water Conservation Standards. The City shall comply with provisions of the State's 20x2020 Water Conservation Plan (California Water Resources Control Board, 2010).*

- *Policy PFS-5.1 Accommodate New and Existing Development. The City shall work with the Alameda County Flood Control and Water Conservation District to expand and maintain major stormwater drainage facilities to accommodate the needs of existing and planned development.*

- *Policy PFS-5.3 Watershed Drainage Plans. The City shall require developers of proposed large development projects to prepare watershed drainage plans. Drainage plans shall define needed drainage improvements per City standards, estimate construction costs for these improvements, and be implemented through the Stormwater Management and Urban Runoff Control Program and Alameda Countywide Clean Water Program.*

- *Policy PFS-5.8 Enhance Recreation and Habitat. The City shall require new stormwater drainage facilities to be designed to enhance recreation and habitat and shall work with HARD to integrate such facilities into existing parks and open space features.*

- *Policy PFS-7.3 Landfill Capacity. The City shall continue to coordinate with the Alameda County Waste Management Authority to ensure adequate landfill capacity in the region of the duration of the contract with its landfill franchise.*

- *Policy PFS-7.4 Solid Waste Diversion. The City shall comply with State goals regarding diversion from landfill, and strive to comply with the provisions approved by the Alameda County Waste Management Authority.*

Conclusion

The GP EIR adequately evaluated the potential land use impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

12. MINERAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
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?	☐	☐	☐	☒

Discussion

Mineral resources that exist or existed within the City limits include stone, limestone, clay, fire clay, halite, and salt. The La Vista Quarry, located to the east of Mission Boulevard and Tennyson Road, is designated as a mineral resource site of regional significance; however, all operations at the La Vista Quarry site have been terminated due to depletion of aggregate resources. No other significant mineral resources are located within the City.[35] As such, implementation of the proposed project would have no impacts on mineral resources.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan, impacts related to mineral resources were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

- *Policy NR-5.1 Mineral Resource Protection. The City shall protect mineral resources in undeveloped areas that have been classified by the State Mining and Geology Board as having statewide or regional significance for possible future extraction by limiting new residential or urban uses that would be incompatible with mining and mineral extraction operations.*

Conclusion

The GP EIR adequately evaluated the mineral resource impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

[35] Hayward, City of, 2014, op. cit.

13. NOISE

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c. For a project located within the vicinity of a private airstrip an airport land use plan or, where such a plan has not been adopted, within 2 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?	☐	☐	☐	☒

Discussion

The predominant sources of noise include traffic noise from major roadways, freight and passenger trains, and aircraft. Noise generated by industrial facilities and other stationary sources contribute to the ambient noise levels in their general area.[36] Table 5 summarizes the modeled existing traffic noise levels on roadway segments that are in close proximity to Parcel Group 9. The information in Table 5 is summarized from Table 9-11 in the Hayward 2040 General Plan Background Report. The segment of Foothill Boulevard from Mattox Road to Grove Way is in close proximity to Parcel Group 9. Existing noise levels along this stretch of roadway are 73 dB from 50 feet from the roadway centerline.

Table 5: Summary of Modeled Existing Traffic Noise Levels of Roadways Adjacent to Parcel Group 9

Roadway Segment	Location	dB at 50 feet from Roadway Centerline	Feet from Roadway Centerline (Distance to Noise Contours)			
			70 dBA	65 dBA	60 dBA	55 dBA
Foothill Boulevard	Mattox Road to Grove Way	73	96	303	957	2,609

Source: *Hayward 2040 General Plan Background Report* (2014).

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. Land uses near Parcel Group 9 include multifamily housing, a church and commercial uses, including hotels, auto sale dealerships, a discount mattress store, and a used appliance store. The closest sensitive

[36] Hayward, City of, 2014, op. cit.

receptors include the multifamily housing located adjacent to the northern and eastern borders of the project site.

The Hayward Executive Airport, located in the northwestern portion of the City, also generates noise from flight operations. However, the parcel group is located outside of the Hayward Executive Airport influence area.[37]

Construction-Period Impacts

The Hayward Municipal Code limits construction activities to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Saturday and between the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays. In addition, the Hayward Municipal Code limits noise levels generated by an individual device or piece of equipment to no more than 83 dBA at a distance of 25 feet from the source and the noise level at any point outside of the property plane[38] shall not exceed 86 dBA.

The GP EIR determined that implementation of projects under the General Plan would involve construction that would result in temporary noise generated primarily from the use of heavy-duty construction equipment. The GP EIR identified that construction activities associated with future planned development could include site preparation (e.g., excavation, grading), laying of concrete foundations, paving, equipment installation, finishing, and cleanup. These activities typically involve the use of noise-generating equipment such as cranes, excavators, dozers, graders, dump trucks, generators, backhoes, compactors, and loaders.

As discussed in the GP EIR, with regard to construction noise, the site preparation phase typically results in the most noise generated from the use of heavy-duty equipment such as excavators, graders, dozers, loaders, and trucks. Based on typical equipment noise levels and accounting for typical usage factors of individual pieces of equipment associated with a typical site preparation phase of construction, the GP EIR determined that construction noise could result in noise levels of up to 93 dB L_{eq} and 97 dB L_{max} at 25 feet from a typical construction site, which would exceed the limits allowed by the adopted Municipal Code.

The GP EIR identified Mitigation 15-1, which would limit construction activities to the less sensitive times of the day, require site-specific noise studies to reduce potential impacts, and preparation and adoption of a Construction Noise Control Ordinance that would apply to all construction projects, including discretionary projects. With adoption of the General Plan Policies and implementation program, the GP EIR concluded that exposure of sensitive receptors located near construction activities to excessive noise levels would be avoided or reduced to a less-than significant level.

As identified above, land uses near Parcel Group 9 include multifamily housing, a church and commercial uses, including hotels, auto sale dealerships, a discount mattress store, and a used

[37] Alameda County Community Development Agency, 2012. *Hayward Executive Airport - Airport Land Use Compatibility Plan.*

[38] According to the City of Hayward Municipal Code, "property plane" means a vertical plane including the property line, which determines the property boundaries in space.

appliance store. The closest sensitive receptors include the multifamily housing located adjacent to the northern and eastern borders of the project site.

The Hayward Municipal Code also limits noise levels generated by an individual device or piece of equipment to no more than 83 dBA at a distance of 25 feet from the source and the noise level at any point outside of the property plane shall not exceed 86 dBA. The project's construction noise levels could result in an exceedance of the City's allowable construction noise levels from construction equipment and could result in a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Consistent with Mitigation 15-1 identified in the GP EIR, and General Plan Policies HAZ-8.17, *Community Noise Control Ordinance,* HAZ-8.20, *Construction Noise Study,* HAZ-8.21, *Construction and Maintenance Noise Limits,* and HAZ-8.24, *Construction Noise Control Ordinance,* the City will require a noise impact assessment for the proposed project, which will determine construction noise impacts, will limit the hours of construction to less sensitive hours of the day, and will enforce the Construction Noise Control Ordinance to minimize noise impacts associated with construction. In compliance with these policies and Mitigation 15-1, the following Standard Condition of Approval for project construction would be implemented to ensure potential construction period noise impacts for the indicated sensitive receptors would be less than significant.

- The project contractor shall implement the following best management practice measures during construction of the project:
    - Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
    - Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.
    - Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all project construction.
    - Construction haul trucks and materials delivery traffic shall avoid residential areas whenever feasible.
    - Prohibit extended idling time of internal combustion engines.
    - Ensure simultaneous operation of multiple pieces of construction equipment would not occur near noise-sensitive receptors. The construction contractor shall limit the use of construction equipment within 20 feet of noise-sensitive receptors to one piece of equipment at a time.
    - Ensure that all general construction related activities are restricted to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Saturday and between the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays.

- Temporary noise control blanket barriers shall be installed in a manner to shield adjacent land uses

- All noise-sensitive receptors located within 500 feet of the project site shall be sent a notice regarding the construction schedule. A sign legible at a distance of 50 feet shall also be posted at the project site. All notices and the signs shall indicate the dates and durations of construction activities, as well as provide a telephone number for a "noise disturbance coordinator."

- Designate a "disturbance coordinator" at the City of Hayward who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem, and ensure noise levels do not exceed noise ordinance standards.

Implementation of the above best management practices would limit construction activities to the less noise-sensitive periods of the day and would reduce construction impacts to the extent feasible. With implementation of this Standard Condition of Approval, the proposed project would not create impacts related to construction noise more severe than impacts identified in the GP EIR.

Vibration Impacts

The GP EIR determined that construction activities due to implementation of the General Plan could result in the temporary ground vibration from the use of heavy-duty construction equipment as well as long-term exposure to ground vibration from sources such as trains, busses, and the Bay Area Rapid Transit (BART). The GP EIR also indicated that the General Plan contains policies that require construction activities located in close proximity to existing sensitive land uses, as well as new development projects located in close proximity to vibration noise sources, to conduct vibration noise studies. Noise studies would determine vibration impacts, and the City would require all feasible mitigation to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur. Therefore, the GP EIR determined that new development would not be exposed to excessive levels of vibration and this impact would be less than significant.

Typical sources of groundborne vibration are construction activities (e.g., pavement breaking and operating heavy-duty earthmoving equipment), and occasional traffic on rough roads. In general, groundborne vibration from standard construction practices is only a potential issue when within 25 feet of sensitive uses. Groundborne vibration levels from constru ction activities very rarely reach levels that can damage structures; however, these levels are perceptible near the active construc-tion site. With the exception of old buildings built prior to the 1950s or buildings of historic significance, potential structural damage from heavy construction activities rarely occurs. When roadways are smooth, vibration from traffic (even heavy trucks) is rarely perceptible.

The proposed project is not located within close proximity to major vibration sources (e.g., railroads, freeways, BART lines). In addition, the streets surrounding the project area are paved, smooth, and unlikely to cause significant groundborne vibration. In addition, the rubber tires and suspension systems of buses and other on-road vehicles make it unusual for on-road vehicles to cause

groundborne noise or vibration problems. It is, therefore, assumed that no such vehicular vibration impacts would occur and, therefore, no vibration impact analysis of on-road vehicles is necessary. Therefore, once constructed, the proposed project would not contain uses that would generate groundborne vibration. This impact would be less than significant.

Construction Vibration. Construction of the project could result in the generation of groundborne vibration. This construction vibration impact analysis discusses the level of human annoyance using vibration levels in VdB and will assess the potential for building damages using vibration levels in PPV (in/sec) because vibration levels calculated in RMS are best for characterizing human response to building vibration, while vibration level in PPV is best used to characterize potential for damage. The Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment guidelines indicate that a vibration level up to 102 VdB (an equivalent to 0.5 in/sec in PPV) is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a non-engineered timber and masonry building, the construction vibration damage criterion is 94 VdB (0.2 in/sec in PPV).

Table 6 shows the PPV and VdB values at 25 feet from a construction vibration source. As shown in Table 6, bulldozers and other heavy-tracked construction equipment (except for pile drivers and vibratory rollers) generate approximately 87 VdB of groundborne vibration when measured at 25 feet, based on the Transit Noise and Vibration Impact Assessment. At this level, groundborne vibration has the potential to result in annoyance to residents and workers, but would not cause any damage to the buildings.

Table 6: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L_V at 25 feet	
	PPV (in/sec)	L_V (VdB)[a]
Pile Driver (Impact), Typical	0.644	104
Pile Driver (Sonic), Typical	0.170	93
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson Drilling	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Sources: *Transit Noise and Vibration Impact Assessment* (FTA 2018).
[a] RMS vibration velocity in decibels (VdB) is 1 µin/sec.
µin/sec = micro-inches per second
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

Construction vibration, similar to vibration from other sources, would not have any significant effects on outdoor activities (e.g., those outside of residential buildings in the project vicinity). Outdoor site preparation for the proposed project is expected to include the use of bulldozers and loaded trucks. The greatest levels of vibration are anticipated to occur during the site preparation

phase. All other phases are expected to result in lower vibration levels. The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings and the project boundary (assuming the construction equipment would be used at or near the project boundary) because vibration impacts occur normally within the buildings. The formula for vibration transmission is provided below.

$$L_vdB\ (D) = L_vdB\ (25\ feet) - 30\ Log\ (D/25)$$
$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

As identified above, land uses near Parcel Group 9 include multifamily housing, a church and commercial uses, including hotels, auto sale dealerships, a discount mattress store, and a used appliance store. The closest sensitive receptors include the multifamily housing located adjacent to the northern and eastern borders of the project site. Based on distance attenuation, groundborne vibration levels associated with heavy construction equipment would exceed the FTA threshold of 94 VdB (0.2 in/sec PPV) for building damage when heavy construction equipment is used within 15 feet of existing structures.

Consistent with General Plan Policy HAZ-8.22, *Vibration Impact Assessment,* the City requires a vibration impact assessment for the proposed project, which will determine vibration impacts. Under this policy, the City would require all measures to reduce impacts associated with vibration noise and vibration damage to buildings, if deemed necessary.

For typical construction activity, the equipment with the highest vibration generation potential is the large bulldozer, which would generate 87 VdB at 25 feet. The closest surrounding land uses to the project site include the multifamily housing located adjacent to the northern and eastern borders of the project site. Due to building setbacks, the multifamily buildings located adjacent to the northern border of the project site would be located approximately 20 feet from project construction and the multifamily buildings located adjacent to the eastern border of the project site would be located approximately 10 feet from project construction. The multifamily residences located to the adjacent to the northern border of the project site would experience vibration levels of up to 90 VdB (0.124 PPV [in/sec]) and the multifamily buildings located adjacent to the eastern border of the project site would experience vibration levels of up to 99 VdB (0.352 PPV [in/sec]).

Construction vibration levels at the multifamily buildings located adjacent to the eastern border of the project site from construction equipment or activity could exceed the FTA threshold of 94 VdB (0.2 in/sec PPV) for non-engineered timber and masonry building damage when bulldozers and loaded trucks operate at or near the project construction boundary. Therefore, in compliance with General Plan Policy HAZ-8.22, as a Standard Condition of Approval for the proposed project, the City will require that the use of heavy construction equipment within 15 feet of existing structures be prohibited. With implementation of this Standard Condition of Approval, potential construction-related vibration impacts would not occur and therefore would not result in a new or worsening impact than those identified in the GP EIR.

- The use of heavy construction equipment within 15 feet of existing structures shall be prohibited.

Implementation of the Standard Condition of Approval described above would ensure that construction vibration levels would be below the FTA threshold of 94 VdB (0.2 in/sec PPV) for building damage. Although construction vibration levels at the adjacent sensitive receptors would have the potential to result in annoyance, these vibration levels would no longer occur once construction of the project is completed. Therefore, impacts associated with construction vibration would be considered less than significant. With implementation of Standard Conditions of Approval, the proposed project would not create impacts related to construction vibration more severe than impacts identified in the GP EIR.

Traffic Noise Impacts

As identified in the GP EIR, future planned development with implementation of the General Plan could be exposed to existing community noise as well as increases in traffic noise due to anticipated traffic increases on transportation networks within the Planning Area. In addition, existing development within the Planning Area may also be exposed to increases in traffic noise as a result of the General Plan.

The GP EIR modeled existing and future traffic noise levels throughout the City to determine the anticipated traffic noise levels along major roadways. Based on the modeling, future projected traffic volumes on modeled roadways would result in some level of traffic noise increase in most cases (in some cases traffic-related noise decreases slightly). The GP EIR identified increases in traffic noise that ranges from 3 dB up to an approximate 15 dB increase. Based on human perception of noise increase, 3 decibels is perceived as barely noticeable. Thus, with regard to traffic noise specifically, a noticeable increase in noise (i.e., 3 dB or greater), for the purposes of this analysis, would be considered a substantial increase in noise.

The GP EIR identified Mitigation 15-2, which requires all new development to comply with the City's noise standards, noise mitigation procedures, and sensitive land use siting policies. Mitigation 15-2 would require new projects to evaluate noise exposure and provide mitigation measures to reduce noise exposure at sensitive land uses and meet noise standards for the specific project type. Therefore, Mitigation 15-2 requires project-level noise studies to comply with adopted noise standards to ensure that individuals are not exposed to excessive noise levels.

Implementation of the proposed project would result in new daily trips on local roadways in the project site vicinity. As indicated above, a characteristic of sound is that a doubling of a noise source is required in order to result in a perceptible (3 dBA or greater) increase in the resulting noise level. The proposed project would generate approximately 1,254 average daily trips. Based on the Hayward 2040 General Plan Background Report, the adjacent Foothill Boulevard carries approximately 43,910 average daily trips. Project trips would represent a small increase in noise level, up to approximately 0.1 dBA CNEL based on the following equation:

$$Change\ in\ . \qquad 10 * \log \frac{\qquad}{\qquad}$$

Project daily trips would not result in a perceptible noise increase along any roadway segment in the project vicinity and therefore, would be less than significant. Therefore, the proposed project would not create impacts related to traffic noise more severe than impacts identified in the GP EIR.

Stationary Noise Impacts

Stationary and area sources include parking lot activities, landscape and building maintenance activities, stationary mechanical equipment (e.g., pumps, generators, heating, ventilation, and air conditioning [HVAC] units), garbage collection activities, commercial and industrial activities, and other stationary and area sources such as people's voices, amplified music, and public address systems.

As discussed in the GP EIR, adoption of the General Plan would include policies that require project-level noise studies to be conducted for projects prone to high noise exposure. The noise studies would evaluate noise standard compliance of the project as well as provide mitigation measures to reduce noise exposure and meet City noise goals, policies, and standards. Based on the type of development that would occur with implementation of the proposed General Plan (e.g., mostly residential and commercial), it is anticipated that stationary sources would be generally minor (e.g., HVAC units, loading docks, yard maintenance equipment) and would be able to meet adopted noise standards and policies with implementation of feasible mitigation, as recommended by project-level studies. Therefore, the GP EIR determined that additional stationary sources that result from implementation of the General Plan would comply with all City noise standards, and future or existing sensitive receptors would not be exposed to excessive noise levels from these types of sources.

Implementation of the proposed project would generate minimal onsite stationary noise sources, primarily from HVAC mechanical equipment, occasional truck delivery loading/unloading activities, and typical motor vehicle/parking area activities. Of the on-site stationary noise sources during operation of the project, noise associated with motor vehicle/parking area activities would generate the highest maximum noise levels as the proposed parking areas are located adjacent to the surrounding sensitive receptors. Typical parking activities, such as people conversing or doors slamming, would generate noise levels of approximately 60 dBA to 70 dBA L_{max} at 50 feet.

As identified above, land uses near Parcel Group 9 include multifamily housing, a church and commercial uses, including hotels, auto sale dealerships, a discount mattress store, and a used appliance store. The closest sensitive receptors include the multifamily housing located adjacent to the northern and eastern borders of the project site. This analysis assumes that the closest existing sensitive receptors would be located approximately 20 feet from proposed parking spaces. Adjusted for distance to the nearest off-site sensitive receptors, the off-site residences would be exposed to a noise level of 68 dBA to 78 dBA L_{max} generated by parking lot activities. However, peak noise levels from parking activities would be intermittent and when averaged over 1 hour, these sources would not exceed the City's noise level standard for residential land uses. Additionally, when averaged over the 24-hour period, noise would not cause an increase in noise levels of more than 3 dBA. Therefore it is not expected that the proposed project would substantially increase noise levels over existing conditions and impacts would be less than significant.

The proposed project could also generate noise associated with landscaping and garbage collection activities; however, these noise levels would be required to comply with the Municipal Code. Therefore, the project would not expose persons to noise levels in excess of noise standards and noise impacts would be less than significant. Therefore, the proposed project would not create impacts related to stationary noise sources more severe than impacts identified in the GP EIR.

Land Use Compatibility

The City sets forth normally acceptable noise level standards for exterior noise and land use compatibility and interior noise exposure of new development. The normally acceptable exterior noise level for hotel land uses is up to 65 dBA L_{dn}. The normally acceptable interior noise level for hotel land uses is 45 dBA L_{dn}. The noise environment at Parcel Group 9 is dominated by vehicle traffic on Foothill Boulevard. The traffic noise modeling presented in Table 5 indicates that traffic noise levels would be approximately 73 dBA L_{dn} at 50 feet from Foothill Boulevard. The proposed hotel is located approximately 100 feet from Foothill Boulevard; therefore, based on distance attenuation, the proposed project would be subject to traffic noise levels of approximately 67 dBA L_{dn}. Based on the City's noise compatibility standards, this noise level is above the normally acceptable level for hotel land uses. Therefore, new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Therefore, the land use may be permitted only after detailed analysis of the noise reduction features proposed to be incorporated in the building design.

Based on the USEPA's Protective Noise Levels,[39] with a combination of walls, doors, and windows, standard construction for Northern California buildings (STC-24 to STC-28) would provide more than 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA or more with windows open. With windows open, the hotel would not meet the City's normally acceptable interior noise standard of 45 dBA L_{dn} (i.e., 67.0 dBA – 15 dBA = 52.0 dBA). Therefore, an alternate form of ventilation, such as an air-conditioning system, would be required to ensure that windows can remain closed for a prolonged period of time. A ventilation system would reduce noise levels for guests with windows closed and would meet the City's normally acceptable interior noise level criterion of 45 dBA (i.e., 67.0 dBA – 25 dBA = 42.0 dBA). Therefore, the City should verify that the hotel includes fresh air ventilation. Implementation of the HVAC system would allow windows to remain closed in order to reduce interior noise levels by 25 dBA, resulting in interior noise levels of 42.0 dBA L_{dn}, which would meet the City's interior noise standard of 45 dBA L_{dn}. The following Standard Condition of Approval would be implemented to ensure that the proposed project would comply with the City's noise and land use compatibility standards and reduce interior noise impacts to a less-than-significant level.

- In order for windows and doors to remain closed, mechanical ventilation such as air conditioning shall be provided.

[39] U.S. Environmental Protection Agency, 1978. *Protective Noise Levels, Condensed Version of EPA Levels Document*. November.

- All windows and glass doors shall be rated STC-24 or higher such that the noise reduction provided will satisfy the interior noise standard of 45 dBA L_{dn}.

As identified above, noise levels on the project site would be up to 67 dBA L_{dn}. Based on the City's noise and land use compatibility standards, this noise level is above the normally acceptable level for hotel land uses. According to the City's guidelines, new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. The existing on-site noise level would meet the City's exterior noise level standards if noise reduction requirements and noise insulation features are included in the design to meet the interior noise standard. As discussed above, interior noise levels would meet the City's standards with implementation of the Standard Condition of Approval outlined above. Therefore, the proposed project would not create impacts related to noise and land use compatibility more severe than impacts identified in the GP EIR.

Aircraft Noise Source Impacts

The Hayward Executive Airport, located in the northwestern portion of the City, also generates noise from flight operations. However, the parcel group is located outside of the Hayward Executive Airport influence area.[40] Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels due to the proximity of a public or public use airport. This impact would be less than significant. Therefore, the proposed project would not create impacts related to aircraft noise more severe than impacts identified in the GP EIR.

Applicable Mitigation

Mitigation 15-1. The proposed General Plan includes Goal HAZ-8; Policies HAZ-8.17, HAZ-8.20, HAZ-8.21, and HAZ-8.24; and Implementation Program HAZ 7, which establish the overall goal and intentions of the City with regards to construction-related noise. Policy HAZ-8.17 refers to a community noise control ordinance for the purposes of regulating community noise levels. The City has adopted Section 4-1.03.4 of the Municipal Code (Construction and Alteration of Structures; Landscaping Activities), which states that individual devices/pieces of construction equipment are not to exceed 83 dB at a distance of 25 feet from the source and 86 dB at any point of the property plane Monday through Saturday from 7:00 AM to 7:00 PM and Sundays from 10:00 AM to 6:00 PM, "unless otherwise provided pursuant to a duly-issued permit or a condition of approval." Thus, while the code establishes specific standards to reduce construction noise from typical construction activities, it may not apply to all development projects requiring discretionary approval. However, Policy HAZ-8.24 establishes the City's intent to develop specific construction noise standards, and Implementation Program HAZ-7 would result in the preparation and adoption of a Construction Noise Control Ordinance that would apply to all construction projects, including discretionary projects.

Policy HAZ-8.20 establishes that a site-specific noise study may be required by the City for discretionary projects requiring land use entitlements. In addition, Policy HAZ-8.21 establishes limits

[40] Alameda County Community Development Agency, 2012, op. cit.

on construction noise-generating activities to the less sensitive times of the day, when people are less likely to be disturbed.

Adoption of these proposed General Plan policies and implementation program would ensure that exposure of sensitive receptors located near construction activities to excessive noise levels would be avoided or reduced to a ***less-than significant level.***

Mitigation 15-2. The implementation of the proposed policies and standards included in Tables 15.5 and 15.6 above would require all new development to comply with the City's noise standards, noise mitigation procedures, and sensitive land use siting policies. The proposed policies would require new projects to evaluate noise exposure and provide mitigation measures, if applicable, to reduce noise exposure at sensitive land uses and meet noise standards for the specific project type. Therefore, conducting project-level noise studies to comply with adopted noise standards would ensure that individuals are not exposed to excessive noise levels.

Although adoption of the proposed policies would ensure that new development would comply with adopted noise standards and, therefore, would not expose new receptors to excessive noise levels, the proposed General Plan would still result in increases in traffic-related noise (i.e., increases of 3 or more dB and up to 15 dB in some areas of the City). As a result, project-generated increases in noise would result in a substantial permanent increase in community noise levels that could adversely affect existing receptors.

Much of the City is already built out, and anticipated growth under the proposed General Plan is expected to occur as infill, primarily in PDAs located near transit stations, in the City's downtown, and along major corridors. The ability of the City to reduce adverse effects of increased traffic noise on existing receptors by either constructing sound barriers or walls, or requiring new development to construct these sound walls, is constrained by a number of factors. First, many existing homes and other sensitive uses front on major traffic corridors from which the increased traffic noise is generated, and construction of new sound walls would be infeasible or incompatible with these developed uses. Second, the proposed General Plan contains Policy LU-4.10 (New Sound Walls and Fences), which discourages the construction of new sound walls and fences along corridors, and encourages new developments to front corridors whenever feasible. There are no additional, feasible measures or policies that would reduce this impact. Therefore, this impact would remain ***significant and unavoidable.***

Applicable Policies

General Plan Policies

- *Policy HAZ-8.1: Locating Noise Sensitive Uses. The City shall strive to locate noise sensitive uses, (e.g., residences, schools, hospitals, libraries, religious institutions, and convalescent homes) away from major sources of noise.*

- *Policy HAZ-8.2: Noise Study and Mitigation. The City shall require development projects in areas where they may be exposed to major noise sources (e.g., roadways, rail lines, and aircraft or*

other non-transportation noise sources) to conduct a project level environmental noise analysis. The noise analysis shall determine noise exposure and noise standard compatibility with respect to the noise standards identified in Table HAZ-1 and shall incorporate noise mitigation when located in noise environments that are not compatible with the proposed uses of the project. The City shall use Table HAZ-1 (Exterior Noise Standards for Various Land Uses) and Figure HAZ-1 (Future Noise Contour Maps) to determine potential noise exposure impacts, noise compatibility thresholds, and the need for mitigation. The City shall determine mitigation measures based on project-specific noise studies, and may include sound barriers, building setbacks, the use of closed windows and the installation of heating and air conditioning ventilation systems, and the installation of noise attenuating windows and wall/ceiling insulation.

- *Policy HAZ-8.5: Residential Noise Standards. The City shall require the design of new residential development to comply with the following noise standards:*
    - *The maximum acceptable interior noise level for all new residential units (single-family, duplex, mobile home, multi-family, and mixed use units) shall be an L_{dn} of 45 dB with windows closed.*
    - *For project locations that are primarily exposed to aircraft, train, and BART noise, the maximum instantaneous noise level in bedrooms shall not exceed 50dB(A) at night (10:00 p.m. to 7:00 a.m.), and the maximum instantaneous noise level in all interior rooms shall not exceed 55dB(A) during the day (7:00 a.m. to 10:00 p.m.) with windows closed.*
    - *The maximum acceptable exterior noise level for the primary open space area of a detached single-family home, duplex or mobile home, which is typically the backyard or a fenced side yard, shall be an L_{dn} of 60 dB. This standard shall be measured at the approximate center of the primary open space area. This standard does not apply to secondary open space areas, such as front yards, balconies, stoops, and porches.*
    - *The maximum acceptable exterior noise level for the primary open space area of townhomes and multi-family apartments or condominiums (private rear yards for townhomes; and common courtyards, roof gardens, or gathering spaces for multi-family projects) shall be an L_{dn} of 65 dB. This standard shall be measured at the approximate center of the primary open space area. This standard does not apply to secondary open space areas, such as front yards, balconies, stoops, and porches.*
    - *The maximum acceptable exterior noise level for the primary open space area of urban residential infill and mixed-use projects (private rear yards for townhomes; and common courtyards, roof gardens, or gathering spaces for multi-family or mixed-use projects) shall be an L_{dn} of 70 dB. Urban residential infill would include all types of residential development within existing or planned urban areas (such as Downtown, The Cannery Neighborhood, and the South Hayward BART Urban Neighborhood) and along major corridors (such as Mission Boulevard). This standard shall be measured at the approximate center of the primary open space area. This standard does not apply to secondary open space areas, such as front yards, balconies, stoops, and porches.*

- *Policy HAZ-8.8: Park Noise. The City shall coordinate with the Hayward Area Recreation and Park District (HARD) and the East Bay Regional Park District (EBRPD) to establish and enforce hours of operation for park and recreational facilities near residential homes.*

- *Policy HAZ-8.17: Community Noise Control Ordinance. The City shall maintain, implement, and enforce a community noise control ordinance to regulate noise levels from public and private properties, vehicles, construction sites, and landscaping activities.*

- *Policy HAZ-8.20: Construction Noise Study. The City may require development projects subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on those uses, to the extent feasible.*

- *Policy HAZ-8.21: Construction and Maintenance Noise Limits. The City shall limit the hours of construction and maintenance activities to the less sensitive hours of the day (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).*

- *Policy HAZ-8.22: Vibration Impact Assessment. The City shall require a vibration impact assessment for proposed projects in which heavy-duty construction equipment would be used (e.g., pile driving, bulldozing) within 200 feet of an existing structure or sensitive receptor. If applicable, the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur.*

- *Policy HAZ-8.24: Construction Noise Control Ordinance. The City shall develop noise control standards to regulate noise levels generated from temporary construction and landscaping activities.*

- *Implementation Program HAZ 7: Construction Noise Control Ordinance. The City shall prepare and adopt a Construction Noise Control Ordinance to regulate the noise levels generated from temporary construction and landscaping activities. The ordinance shall include decibel level thresholds that should not be exceeded for construction equipment as well as establish appropriate hours and reduction measures for construction and landscaping activities to minimize impacts on nearby sensitive receptors.*

Conclusion

The GP EIR adequately evaluated the potential noise impacts of the proposed project and, with implementation of Standard Conditions of Approval, the proposed project would not result in significant noise impacts and there would be no new or more severe impacts related to noise than those analyzed in the GP EIR.

14. POPULATION AND HOUSING

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

Population Growth

The proposed project includes the construction of a new hotel on the project site. The proposed project does not include housing and is located in a developed urban area. The proposed hotel would generate employees. While the project would generate the need for a small number of employees, this growth is consistent with and within the scope of the planned employment growth assumed in the City's General Plan. The project site is designated as Commercial/High Density Residential (up to 34.8 dwelling units per net acre), which is intended to provide for townhomes, live-work units, multi-story apartment and condominium buildings, commercial buildings, shopping centers, and mixed-use buildings that contain commercial uses on the ground floor and residential units or office space on upper floors. Because it is anticipated that uses within the Commercial/High Density Residential designation would provide employment, the proposed project would not induce substantial unplanned population growth in the area, and this impact would be less than significant. Therefore, the proposed project would not result in new or more significant population growth than was analyzed and described in the GP EIR.

Displacement of Existing People or Housing

As outlined in the project description, an apartment building is located at the corner of Oak Street and Apple Avenue. The apartment building is located adjacent to the project within unincorporated Castro Valley. The apartment building would be demolished as part of a separate project, prior to commencement of the proposed hotel development.

The proposed project is being constructed solely within the City of Hayward's jurisdiction on land that is currently vacant. Therefore, the proposed project would not displace substantial numbers of existing housing or people, such that replacement housing would need to be constructed elsewhere. The proposed project would not result in new or more significant housing impacts than were analyzed and described in the GP EIR.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts related to population and housing were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy LU-1.2 Urban Limit Lines. The City shall maintain its established Urban Limit Lines to protect the Hayward shoreline and hillsides as natural open space and recreational resources.*

- *Policy LU-1.3 Growth and Infill Development. The City shall direct local population and employment growth toward infill development sites within the City, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*

Conclusion

The GP EIR adequately evaluated the potential population and housing impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

15. PUBLIC SERVICES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☐	☒

Discussion

Fire Protection

The Hayward Fire Department provides fire protection, paramedic advanced life support/emergency medical, and emergency services to all areas within the City limits, and to the Fairview Fire Protection District on a contract basis. The Hayward Fire Department (Fire Department) operates nine stations, seven within the City and two within the Fairview area. Parcel Group 9 is partially located within the response area of Fire Station 1.

The Alameda County Fire Department (ACFD) provides fire and paramedic services to Castro Valley, except to the area that is within the Fairview Fire Protection District.[41] ACFD operates four stations in Castro Valley. ACFD Station 23, located at 19745 Meekland Avenue, responds to portions of unincorporated areas of Hayward, including Parcel Group 9.

Development of the new hotel would increase the daytime and nighttime population of the project site and incrementally increase the demand for emergency fire services and emergency medical services. However, the proposed project would be required to comply with all applicable codes for fire safety and emergency access. In addition, the Fire Department would also review the site plans to ensure that adequate emergency access is provided prior to issuance of a building permit.

The Fire Department would continue providing services to the project site and would not require additional firefighters to serve the proposed project. The construction of a new or expanded fire station would also not be required. The proposed project would not result in a significant impact on the physical environment due to the incremental increase in demand for fire protection and life

41 Alameda County. 2019. *Fire Stations/Facilities.* Available online at: https://www.acgov.org/fire/about/station23.htm (last accessed January 28, 2020).

safety services, and the potential increase in demand for service is not expected to adversely affect existing response times to the site or within the City.

General Plan policies ensure that the City reviews Police Department and Fire Department staffing levels to ensure the availability of adequate police and fire manpower and service facilities. Additionally, General Plan policies would prevent future growth that exceeds the community capability to provide service, including fire and police services. The implementation of these policies would ensure that adequate capital improvements are made to accommodate the increased demand for police and fire protection services. Therefore, because development associated with the proposed project is within the amount analyzed by the GP EIR, potential impacts associated with an increase in demand for police and fire protection services are considered less than significant and need no further mitigation.

Police Protection

The Hayward Police Department (Police Department) provides police protection services within the City. The Hayward Police Department headquarters are located at 300 West Winton Avenue, and the two district offices are located at 1190 B Street (Northern District Office) and at 28200 Runs Road (Southern District Office).[42] Parcel Group 9 is located closer to the Northern District Office. The City is divided into nine geographic areas called Beats; patrol officers are deployed to the beats during each shift. Parcel Group 9 is partially located within Beat B.[43]

The Alameda County Sheriff's Department provides patrol and investigative services to the unincorporated areas of Alameda County, including Castro Valley. The County Sheriff's Department employs 1,500 staff, including about 1,000 sworn officers.[44] The County Sheriff's Department is located at 24405 Amador Street in the City. The portion of Parcel Group 9 within Castro Valley would be within the response area of the County Sheriff's Department.

Development of the proposed project would increase the daytime and nighttime population on the project site and incrementally increase demand for emergency police services to the project site. However, the Police Department would continue to provide service to the project site and would not require additional officers to serve the project site. The construction of new or expanded police facilities would not be required.

As described above, General Plan policies ensure that the City reviews Police Department and Fire Department staffing levels to ensure the availability of adequate police and fire manpower and service facilities. Additionally, General Plan policies would prevent future growth that exceeds the community capability to provide service, including fire and police services. The implementation of these policies would ensure that adequate capital improvements are made to accommodate the increased demand for police and fire protection services. Therefore, because development associated with the proposed project is within the amount analyzed by the GP EIR, potential impacts

42 Hayward, City of. 2014. op. cit.

43 Hayward Police Department. 2019. *Beat Map.* Available online at: https://www.hayward-ca.gov/police-department/about/beat-map (last accessed January 28, 2020).

44 Hayward, City of. 2014. op. cit.

associated with an increase in demand for police and fire protection services are considered less than significant.

Schools

The Hayward Unified School District (HUSD) provides educational services to the City and operates 22 elementary, five middle, and four high schools within their service area. In addition, Chabot College and CSU East Bay are located within the City. The proposed project does not include any residential uses, and therefore would not directly affect student population. A fraction of the employees of the proposed hotel may move to Hayward solely for employment, but this growth would only result in an incremental increase in student population, and would be spread amongst the whole school district, depending upon place of residence. Therefore, the proposed project would not result in a substantial increase in the number of school-age children in the area.

Further, because it is anticipated that uses within the Commercial/High Density Residential designation would provide employment, the proposed project would not induce substantial unplanned population growth in the area. Therefore, because the level of development and projected population growth associated with the proposed project is consistent with that analyzed in the GP EIR, implementation of the proposed project would not result in demand for school services beyond existing or planned capacity of the Hayward Unified School District.

Parks

The proposed project would include the development of a new hotel on an existing undeveloped site. The proposed project does not include any residential uses and would not generate a direct need for additional park space. As noted above, a fraction of employees of the proposed hotel may move to Hayward. However, this growth would only result in an incremental increase in demand for parks, and would be spread throughout the City, depending on place of residence. Further, because it is anticipated that uses within the Commercial/High Density Residential designation would provide employment, the proposed project would not induce substantial unplanned population growth in the area. Therefore, because the proposed project would not result in an increase in population above what was already analyzed in the GP EIR, potential impacts associated with the provision of parks are considered less than significant.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts related to public services were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy LU-1.3 Growth and Infill Development. The City shall direct local population and employment growth toward infill development sites within the City, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*

- *Policy LU-3.1 Complete Neighborhoods. The City shall promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities that meet the daily needs of residents. Such uses and amenities may include parks, community centers, religious institutions, daycare centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.*

- *Policy LU-3.2 Centralized Amenities. The City shall encourage the development of neighborhood amenities and complementary uses in central locations of the neighborhood whenever feasible.*

- *Policy LU-7.6 Open Space Access. The City shall require new hillside development to provide public trail access (as appropriate) to adjacent greenways, open space corridors, and regional parks.*

- *Policy HAZ-5.1 Wildland/Urban Interface Guidelines. The City shall maintain and implement Wildland/Urban Interface Guidelines for new development within fire hazard areas.*

- *Policy HAZ-5.2 Fire Prevention Codes. The City shall enforce fire prevention codes that require property owners to reduce wildfire hazards on their property.*

- *Policy HAZ-5.3 Defensible Space and Fuel Reduction. The City shall promote defensible space concepts to encourage property owners to remove overgrown vegetation and to reduce fuel loads on hillside properties, especially near structures and homes.*

- *Policy CS-1.9 Crime Prevention Through Environmental Design. The City shall continue to include the Police Department in the review of development projects to promote the implementation of Crime Prevention Through Environmental Design (CPTED) principles.*

- *Policy CS-1.10 Lighting. The City shall encourage property owners to use appropriate levels of exterior light to discourage criminal activity, enhance natural surveillance opportunities, and reduce fear.*

- *Policy CS-1.11 Technology. The City shall encourage and support the use of technology (such as private surveillance cameras, deployed public camera systems, theft-prevention devices, emergency call boxes, alarms, and motion-sensor lighting) to discourage crime.*

- *Policy CS-2.2 Police Strategic Plan. The City shall maintain and implement a Police Department Strategic Plan to:*

- *Set near-term goals for the Department in response to a dynamic and changing environment.*
- *Align police services with the community's desires and expectations.*
- *Accurately assess the operational needs of the Police Department to best serve the Hayward community.*

- *Policy CS-2.3 Police Staffing. The City shall maintain optimum staffing levels for both sworn police officers and civilian support staff in order to provide quality police services to the community.*
- *Policy CS-2.4 Response Time for Priority 1 Calls. The City shall strive to arrive at the scene of Priority 1 Police Calls within 5 minutes of dispatch, 90 percent of the time.*
- *Policy CS-2.5 Police Equipment and Facilities. The City shall ensure that Police equipment and facilities are provided and maintained to meet modern standards of safety, dependability, and efficiency.*
- *Policy CS-2.6 Police Facilities Master Plan. The City shall maintain and implement a Police Department Facilities Master Plan that serves as the long-term plan for providing the Police Department with state-of-the-art equipment and facilities, including police headquarters, polices substations, training facilities, detention facilities, shooting ranges, and emergency operations centers.*
- *Policy CS-2.13 Community Facilities Districts. The City shall consider the establishment of community facilities districts to ensure the new development does not constrain the City's ability to provide adequate police services to the Hayward community.*
- *Policy CS-2.14 Development Fees. The City shall consider the establishment of development impact fees to help fund Police Department operations.*
- *Policy CS-3.2 Fire and Building Codes. The City shall adopt and enforce fire and building codes.*
- *Policy CS-3.3 Development Review. The City shall continue to include the Fire Department in in the review of development proposals to ensure projects adequately address fire access and building standards.*
- *Policy CS-3.4 Adequate Water Supply for Fire Suppression. The City shall require new development projects to have adequate water supplies to meet the fire-suppression needs of the project without compromising existing fire suppression services to existing uses.*
- *Policy CS-3.5 Water Supply Infrastructure. The City shall require development to construct and install fire suppression infrastructure and equipment needed to serve the project.*

- *Policy CS-3.7 Removal of Fire Hazards. The City shall maintain code enforcement programs that require private and public property owners to minimize fire risks by:*
    - *Maintaining buildings and properties to prevent blighted conditions,*
    - *Removing excessive or overgrown vegetation (e.g., trees, shrubs, weeds), and*
    - *Removing litter, rubbish, and illegally dumped items from properties*.
- *Policy CS-4.1 Fire Strategic Plan. The City shall maintain and implement a Fire Department Strategic Plan to:*
    - *Set near-term goals for the Department in response to a dynamic and changing environment.*
    - *Align fire and emergency medical services with the community's desires and expectations.*
    - *Accurately assess the operational needs of the Fire Department to best serve the Hayward community.*
- *Policy CS-4.2 Fire Department Staffing. The City shall maintain optimum staffing levels for sworn, civilian, and support staff, in order to provide quality fire protection and emergency medical services to the community.*
- *Policy CS-4.3 Fire Department Response Times. The City shall maintain the ability to respond to fire and emergency medical calls based on the following standards:*
    - *The first unit shall arrive on scene within five minutes of dispatch, 90 percent of the time.*
    - *All remaining units shall arrive on scene within 8 minutes of dispatch.*
- *Policy CS-4.4 Timing of Services. The City shall ensure that growth and development does not outpace the expansion of Hayward Fire Department staffing and the development of strategically located and fully equipped fire stations.*
- *Policy CS-4.7 Fire Facilities Master Plan. The City shall develop, maintain, and implement Fire Department Facilities Master Plan that serves as the long-term for providing the Fire Department with state-of-the-art equipment and facilities.*
- *Policy CS-4.11 Community Facilities Districts. The City shall consider the establishment of community facilities districts to ensure the new development does not constrain the City's ability to provide adequate fire services to the Hayward community.*
- *Policy CS-4.12 Development Fees. The City shall consider the establishment of development impact fees to help fund Fire Department operations.*

- *Policy HQL-5.3 Eyes on the Street. The City shall promote urban design principles that support active use of public spaces in neighborhoods, commercial areas, and employment centers at all times of day. Active use of public spaces provides "eyes-on-the-street" to enhance public safety in these areas.*

- *Policy HQL-5.4 Safety Measures. The City shall improve safety and the perception of safety by requiring adequate lighting, street visibility, and defensible spaces within new development projects.*

- *Policy HQL-10.1 Parks and Recreation Master Plan. The City shall with HARD to maintain and implement the Parks and Recreation Master Plan.*

- *Policy HQL-10.2 Parks Standard. The City shall seek to increase the number of parks throughout the City by working with HARD to achieve and maintain the following park standards per 1,000 Hayward residents:*

    - *Two acres of local parks,*

    - *Two acres of school parks,*

    - *Three acres of regional parks,*

    - *One mile of trails and linear parks, and*

    - *Five acres of parks district-wide.*

- *Policy HQL-10.3 Miniparks and Tot Lots. The City shall encourage the creation and maintenance of neighborhood "miniparks" and tot lots through partnerships with private, non-profit, and business interests in areas where it is not possible to meet HARD standards related to park size.*

- *Policy HQL-10.12 Maximum Park Dedications. The City shall maintain park dedication requirements and in lieu fees for new residential development at the maximum allowed under State law.*

- *Policy HQL-11.1 Recreational Corridors. The City shall establish and maintain an integrated recreational corridor system that connects regional trails (e.g., Bay Trail, the San Francisco Bay Area Water Trail, San Lorenzo Creek Trail, Ridge Trail, the Juan Bautista DeAnza National Historic Trail), Baylands (i.e., Hayward Regional Shoreline), local creeks and open space corridors, hillside areas, and EBRPD and HARD parks.*

- *Policy HQL-11.2 Greenway Corridors. The City shall coordinate with HARD and the EBRPD to consider additional greenway linkages along fault line corridors and in other areas (e.g., rail line, creek, and utility corridors) to encourage walking and cycling and to provide improved access to activity centers.*

- *Policy HQL-11.3 Creekside Paths and Trails. The City shall seek to accentuate, "daylight", and "green" creeks, culverts, and underground drainage infrastructure through infrastructure improvements and the development review process to establish or extend pathways and trails.*

- *Policy EDL-3.11 School Impact Fees. The City shall coordinate with school districts to ensure that the impacts of new development are identified and mitigated through the payment of school impact fees in accordance with State law.*

- *Policy EDL-6.1 Standard for Library Space. The City shall strive to expand library space within the community to meet t maintain a minimum standard of 0.75 square feet of space per 1,000 residents (excluding school and college libraries).*

- *Policy EDL-6.8 Library Impact Fee. The City shall consider the establishment of a library impact fee for new residential construction.*

Conclusion

The GP EIR adequately evaluated the potential public services impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

16. RECREATION

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
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?	☐	☐	☒	☐

Discussion

As discussed in Section 14 of this Environmental Checklist, Public Services, the proposed project would include the development of a new hotel, the primary use of which would be for temporary lodging rather than permanent residential uses. As such, the proposed project would not generate population growth that would result in an increase in the use existing neighborhood and regional parks or other recreational facilities. In addition, the proposed project would include indoor recreational facilities for use by hotel guests. Therefore, the proposed project would not result in greater impacts to existing neighborhood and regional park facilities than those identified in the GP EIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The GP EIR adequately evaluated the potential recreation impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

17. TRANSPORTATION

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b. Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒

Discussion

This section summarizes the findings of the Transportation Impact Analysis (TIA)[45] completed for the proposed project, as well as the analysis included in the GP EIR. The TIA report is available as part of the project file. As discussed in more detail below, no new or substantially more severe impacts related to traffic or circulation impacts were identified for the proposed project as compared to the 2040 General Plan.

Significance Criteria

The City of Hayward and Alameda County have not yet adopted VMT impact criteria per S.B. 743 legislation, which has set a July 1, 2020 date for adoption. Therefore, this analysis uses level of service according to each jurisdiction's criteria.

Policy M-4.3 in the City's 2040 General Plan requires intersections to maintain a peak-hour level of service (LOS) of E or better for signalized intersections during the peak commute periods, except when a LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts (e.g., right-of-way acquisition, degradation of the pedestrian environment). In addition, the proposed project would have a significant impact on traffic and circulation of an intersection already operating at LOS F under an Existing or No Project scenario if the addition of project traffic results in an increase of 5.0 seconds or more in the intersections average control delay.

Two study intersections are located in unincorporated Alameda County. LOS D is the maximum acceptable level of service for intersections in unincorporated Alameda County. The proposed project would have a significant impact if it would degrade the AM or PM peak hour from an acceptable LOS D or better under the no project scenario to an unacceptable LOS E or F under the

[45] Kittelson & Associates, Inc., 2019. *Transportation Impact Analysis, Route 238 Property Development Project (Parcel Group 5 and Parcel Group 6)*, Hayward, California. June 18.

Plus Project scenario. In addition, the proposed project would have a significant impact on an intersection operating at LOS E or F under an Existing or No Project scenario if the addition of project traffic results in an increase of 5.0 seconds or more in the intersections average control delay.

At unsignalized intersections, the proposed project's impact is based on LOS and delay, and whether any of the following are met: (1) traffic signal warrant; (2) pedestrian signal warrant; or (3) all-way stop warrant. Note that solely triggering a warrant does not constitute a significant impact, but the relevant jurisdiction at an intersection will, at its discretion, determine whether or not a signal will be installed.

GP EIR

The GP EIR analyzed transportation and circulation conditions in the Plan Area under four different scenarios, which represent two time periods (existing conditions and Year 2035) using the Alameda County Transportation Commission (CTC) Countywide Model with Association of Bay Area Governments (ABAG) Projections 2009 to forecast regional growth totals. In addition, the traffic model was adjusted to include network modifications as part of the 2035 baseline conditions that were not previously included in the Alameda CTC countywide model assumptions.

The impact analysis included AM and PM Peak hour traffic conditions at 42 key intersections, 13 freeway segments and 32 roadway segments. The following scenarios were analyzed for the intersection analysis: (1) Existing Conditions; (2) 2035 No Project Conditions (includes anticipated future cumulative growth under the previous City of Hayward GP, as well as future planned local and regional transportation improvements); and (3) 2035 Project Conditions (includes cumulative growth under the 2040 GP, as well as future planned local and regional transportation improvements).

As noted in the GP EIR, the development program represents buildout of the adopted GP through 2035. The land use data for the 2040 GP was categorized into total households, single-family dwelling units, multi-family dwelling units, total employment, and employment by sector (retail, service, manufacturing, wholesale, and other) by traffic analysis zone (TAZ) for input to the model. A memorandum detailing the assumed development levels at all the sites, comparisons to land use densities assumed as part of the GP EIR, and changes to TAZs used in the City's traffic model is provided in Appendix H of the TIA.

The GP EIR identified two significant transportation and circulation impacts associated with implementation of the General Plan:

- **Impact 18-1: Project Intersection Impacts.** Under the 2035 Project condition, implementation of the GP would result in traffic volumes that exceed the City standard for intersection performance. According to City guidelines, this change due to the proposed General Plan would potentially constitute a considerable project contribution to the significant cumulative impact.

- **Impact 18-2: Cumulative Intersection Impacts.** Future growth in Hayward and the region would result in substandard intersection LOS under 2035 conditions with or without the project. These changes constitute a significant cumulative impact.

Mitigation Measures 18-1 and 18-2 identified intersection improvements to reduce traffic impacts; however, even with implementation of mitigation, impacts at some intersections remained significant and unavoidable.

Parcel Group 9

As outlined in Attachment A, Project Description, the proposed project would consist of up to a 150-room hotel. Inbound access would be provided via Apple Avenue (off of Mission Boulevard); inbound and outbound access would be provided via Oak Street (off of Grove Way). Additional project elements would include street improvements such as curbs, gutters, sidewalks, utilities, and lighting.

Automobile trip generation for the proposed project was derived from average rates, regression equations, and adjustments contained in the Institute of Transportation Engineer's (ITE) Trip Generation Manual 10th Edition. As shown in Table 7, the proposed project would generate about 70 vehicle trips during the AM peak hour and 86 vehicle trips during the PM peak hour.

Table 7: Project Vehicle Trip Generation

Trip Generation Rates								
Land Use	**Rate**	**Daily**	**Weekday AM Peak Hour**			**Weekday PM Peak Hour**		
			In	***Out***	***Total***	***In***	***Out***	***Total***
Hotel (ITE Code 310)	per Room	8.36	59%	41%	T=0.50(X)-5.34	51%	49%	T=0.75(X)-26.02
Trip Generation Estimates								
Land Use	**Size**	**Daily**	**Weekday AM Peak Hour**			**Weekday PM Peak Hour**		
			In	***Out***	***Total***	***In***	***Out***	***Total***
Hotel (ITE Code 310)	150 Room	1,254	41	29	70	44	42	86

Source: Kittelson & Associates (2019).
DU = Dwelling Units

Automobile Level of Service. The results of the five intersections analyzed for the AM and PM peak hour are presented in Table 8. The table also compares the change in delay between the Existing and Existing Plus Project conditions.

As shown in Table 8, Intersection 3 (Mission Boulevard and Grove Way) operates unacceptably at LOS E during the PM peak hour under Existing Conditions and continues to operate at LOS E under Existing Plus Project Conditions. However, the increase in delay is expected to be less than five seconds. Therefore, the impact at this intersection would be less than significant.

All other study intersections continue to operate acceptably during both the AM and PM peak hours with the addition of project traffic. Therefore, the proposed project would not result in significant impacts at any of the study intersections under Existing Plus Project conditions.

Table 8: LOS Analysis - Existing and Existing Plus Project

#	Intersection	Jurisdiction	Control[1]	Peak Hour	Existing		Existing Plus Project		Delay Delta[2]
					Delay[2]	LOS	Delay[2]	LOS	
1	Gary Drive & Grove Way	County	AWSC	AM	14.2	B	14.2	B	0.0
				PM	9.5	A	9.6	A	0.1
2	Foothill Blvd. & Grove Way	Hayward	Signal	AM	31.9	C	33.4	C	1.5
				PM	38.6	D	40.9	D	2.3
3	Mission Blvd. & Grove Way	County	Signal	AM	30.2	C	30.4	C	0.2
				PM	**55.5**	**E**	**56.6**	**E**	1.1
4	Foothill Blvd. & City Center Dr. (N)/Hazel Ave.	Hayward	Signal	AM	30.7	C	30.8	C	0.1
				PM	34.4	C	34.5	C	0.1
5	Foothill Blvd. & City Center Dr. (S)/Maple Ct.	Hayward	Signal	AM	21.4	C	21.3	C	-0.1
				PM	30.2	C	30.2	C	0.0

Source: Kittelson & Associates, Inc. (2019).
Bold signifies unacceptable operations. Shading signifies a significant impact.
[1] AWSC = All-way stop control; TWSC = Two-way stop control
[2] Delay is measured in seconds per vehicle.

Cumulative Year 2035 Conditions. The potential impacts to the transportation system were evaluated for the Cumulative Year 2035 Condition using projected peak hour traffic volumes derived from the Hayward General Plan Update version of the Alameda CTC Countywide Model.[46] Given that some level of development at the project site was assumed for the General Plan buildout and the City model, the Cumulative 2035 Plus Project analysis assesses the difference in development under the proposed project as compared to General Plan land use densities. Therefore, the increase in traffic between Cumulative 2035 and Cumulative 2035 Plus Project scenarios has the potential to be less than the increases experienced under the Existing Plus Project scenario.

Table 9 presents the Cumulative 2035 and Cumulative 2035 Plus Project delays and LOS for the study intersections. The table also compares the change in delay between the two scenarios. The traffic generated by the proposed Projects is expected to result in significant impacts at several additional intersections under the Cumulative 2035 Plus Project condition than were identified in the 2014 GP EIR. Mitigation Measures 18-1 and 18-2 identified in the GP EIR will be updated to address these additional intersections, as described below.

As shown in Table 9:

- Intersection 1 (Gary Drive and Grove Way) would operate unacceptably at LOS E during the AM peak hour under Cumulative 2035 Conditions and continues to operate at LOS E under Cumulative Plus Project Conditions. However, the increase in delay is expected to be less than five seconds. Therefore, the impact at this intersection would be less than significant.

[46] Note that while the model version used for the TIA is the 2035 Citywide General Plan Model with ABAG Projections 2009, the Alameda CTC Countywide Model has been extended to 2040 and includes less conservative ABAG Plan Bay Area projections. However, to compare impacts to those identified in the GP EIR, it was determined, in coordination with City staff, that the GP Model should be used for this study.

- Intersection 3 (Mission Boulevard & Grove Way) would operate unacceptably at LOS F during both the AM and PM peak hours under Cumulative 2035 conditions and would continue to operate at LOS F under Cumulative Plus Project conditions. However, the increase in delay is expected to be less than five seconds. Therefore, the impact at this intersection would be less than significant.

- All other study intersections continue to operate acceptably during both the AM and PM peak hours under Cumulative 2035 Plus Project conditions.

Therefore, the proposed project would not result in significant impacts at any of the study intersections under Cumulative Plus Project conditions.

Table 9: LOS Analysis - Cumulative and Cumulative Plus Project

#	Intersection	Jurisdiction	Control[1]	Peak Hour	Cumulative		Cumulative Plus Project		Delay Delta[2]
					Delay[2]	LOS	Delay[2]	LOS	
1	Gary Drive & Grove Way	County	AWSC	AM	46.8	E	47.6	E	0.8
				PM	16.7	C	16.8	C	0.1
2	Foothill Blvd. & Grove Way	Hayward	Signal	AM	47.3	D	49.8	D	2.5
				PM	51.9	D	53.9	D	2.0
3	Mission Blvd. & Grove Way	County	Signal	AM	**175.8**	**F**	**176.3**	**F**	0.5
				PM	**290.6**	**F**	**291.7**	**F**	1.1
4	Foothill Blvd. & City Center Dr. (N)/Hazel Ave.	Hayward	Signal	AM	57.2	E	58.0	E	0.8
				PM	46.3	D	46.8	D	0.5
5	Foothill Blvd. & City Center Dr. (S)/Maple Ct.	Hayward	Signal	AM	29.6	C	29.6	C	0.0
				PM	32.3	C	32.4	C	0.1

Source: Kittelson & Associates, Inc. (2019).
Bold signifies unacceptable operations. Shading signifies a significant impact.
[1] AWSC = All-way stop control; TWSC = Two-way stop control
[2] Delay is measured in seconds per vehicle.

Transit, Bicycle and Pedestrian Facilities

The proposed project would include installation of street improvements, such as curbs, gutters, sidewalks, utilities, and lighting. At this time, the project site, including Apple Avenue along the southern edge of the project site), does not include any pedestrian amenities.

Inbound vehicular access would be provided via Apple Avenue (off Mission Boulevard), while both inbound and outbound access would be provided via Oak Street (off Grove Way). At both of these intersections, pedestrian crossing facilities are somewhat limited. Consistent with General Plan policies supporting alternative modes, the City would require implementation of treatments to improve pedestrian conditions in these locations, as part of the design review process and conditions of approval for the proposed project. Potential treatments could include: installation of a continental crosswalk and/or signage at the intersection of Oak Street & Grove Way, or installation of ADA curb ramps at the intersections of Oak Street & Grove Way and Foothill Boulevard & Apple Avenue.

The City of Hayward is currently preparing the Hayward Bicycle and Pedestrian Master Plan Update. The draft plan was released in September 2019 and is undergoing community input. At this time, planned bikeways are preliminary, however, current plans include proposed Class II (separated bikeways) bike lanes along Grove Way (which intersects Oak Street).

The proposed project would include direct vehicular access points and generate additional vehicle trips along this planed bikeway. Consistent with General Plan policies supporting alternative modes, the City would require implementation of treatments to improve bicyclist conditions at this location, as part of the design review process and conditions of approval for the proposed project. Potential treatments could include: (1) installation of driveway conflict paint at the intersection with Oak Street; and (2) installation signage at and approaching the intersection with Oak Street.

As noted in the GP EIR, buildout of the General Plan area is not anticipated to generate transit ridership that would exceed the available capacity of the transit system. In addition, the proposed project is not expected to result in any operational impacts at intersections used by local transit, such as AC Transit buses.

Therefore, implementation of the proposed project would not conflict with plans, programs and policies regarding bicycle, pedestrian, or transit facilities, or decrease the performance and safety of such facilities. Therefore, impacts to bicyclists, pedestrians, and transit service providers resulting from implementation of the proposed project would remain less than significant and the proposed project would not result in new or more severe impacts related to alternative forms of transportation beyond those identified in the GP EIR.

Air Traffic Patterns

The project site is not located in the vicinity of a private airstrip or within the Airport Influence Area of the Hayward Executive Airport, and therefore the project would not result in impacts related to air traffic patterns.

Design Features

As described in Attachment A, Project Description, inbound access would be provided via Apple Avenue (off of Mission Boulevard); inbound and outbound access would be provided via Oak Street (off of Grove Way). Pedestrian facilities are provided along Foothill Boulevard, including sidewalks, continental crosswalks, and ADA-compliant curb ramps. Sidewalk gaps exist on Grove Way east of Foothill Boulevard (north and south side) leading to the Oak Street access point. The Oak Street crosswalk at Grove Way is also fading. No sidewalks are provided along Oak Street or Apple Valley Avenue. As part of the proposed project, sidewalks would be provided along the project frontage, as well as Oak Street and Apple Avenue.

The proposed project would be required to comply with General Plan policies promoting a safe, multi-modal transportation system, and the City's Design Guidelines. Potential design issues would be addressed through the design review process of the proposed project. Therefore, the proposed project would have a less-than-significant impact related to design hazards.

Emergency Access

General Plan Policies M-1.1, M-1.2, M-1.3, M-1.7, M-3.8 and M-4.5 would require the management and development of the local roadway system to support the Land Use Element, which would mitigate impacts to the emergency access system. Specifically, General Plan Policy M-4.5 requires the City to develop a roadway system that is redundant (i.e., includes multiple alternative routes) to the extent feasible to ensure mobility in the event of emergencies. Additionally, the City has implemented, and will continue to implement, traffic signal system upgrades that help to facilitate more efficient emergency vehicle access and give priority to emergency vehicles.

The design, construction, and maintenance of project access locations and on-site roads would be in compliance with the City's Municipal Code and would meet all emergency access standards. The Hayward Fire Department would also review the proposed site plan and would provide input on final design in relation to emergency access prior to issuance of a building permit. Additionally, as noted in Section 4.17.a, the proposed project would not result in a significant increase in the amount of traffic volume on the local roadway network. Therefore, the proposed project would not result in new or more severe impacts beyond those already analyzed in the GP EIR.

Consistency with Adopted Policies

The Circulation Element of the City's General Plan provides the policy framework for the regulation and development of transportation systems, balancing demands for moving people and goods through the City while promoting multi-modal transportation. The General Plan contains goals and specific recommendations for facilitating traffic circulation, maintaining an acceptable level of service at signalized intersections, traffic demand management programs, parking management, and improving transit service and facilities for non-motorized transportation.

Policy M-4.3 established that the lowest acceptable LOS at a signalized intersection is LOS E (delay per vehicle greater than 55 seconds but less than 80 seconds) during the peak commute periods, except when a LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts. Additionally, Policy M-1.5 allows for flexible LOS standards as part of a multimodal system approach. Hayward does not have an LOS standard for unsignalized intersections. The proposed project would be required to abide by these and all other applicable goals and policies in the adopted General Plan.

Applicable Mitigation

As described in the GP EIR, impacts related to transportation at some intersections were determined to be significant and unavoidable, after application of feasible mitigation. Impacts at other intersections were determined to be less than significant with implementation of Mitigation Measures 18-1 and 18-2, identified in the GP EIR. As described above, the proposed project would not result in significant impacts at any of the study intersections with the addition of project traffic. Therefore, the mitigation measures identified in the GP EIR do not apply to the proposed project.

Applicable Policies

- *Policy M-1.1 Transportation System. The City shall provide a safe and efficient transportation system for the movement of people, goods, and services through and within Hayward.*

- *Policy M-1.2 Multimodal Choices. The City shall promote the development of an integrated, multi-modal transportation system that offers desirable choices among modes including pedestrian ways, public transportation, roadways, bikeways, rail and aviation.*

- *Policy M-1.3 Multimodal Connections. The City shall implement a multimodal system that connects residents to activity centers throughout the City, such as commercial centers and corridors, employment centers, transit stops/stations, the airport, schools, parks, recreation area, and other attractions.*

- *Policy M-1.4 Multimodal System Extensions. The City shall require all new development that proposes or is required to construct or extend streets to develop a transportation network that complements and contributes to the City's multimodal system, maximizes connections, and minimizes barriers to connectivity.*

- *Policy M-1.5 Flexible LOS Standard. The City shall consider flexible Level of Service (LOS) standards, as part of a multimodal system approach for projects that increase transit-ridership, biking, and walking in order to reduce air pollution, energy consumption, and greenhouse gas emissions.*

- *Policy M-1.6 Bicycling, Walking and Transit Amenities. The City shall encourage the development of facilities and services (e.g., secure term bicycle parking, street lights, street furniture and trees, transit stop benches and shelters, and street sweeping of bike lanes) that enable bicycling, walking, and transit use to become more widely used modes of transportation and recreation.*

- *Policy M-1.7 Eliminate Gaps. The City shall strive to create a more comprehensive multimodal transportation system by eliminating gaps in roadways, bikeways, and pedestrian networks, increasing transit access in underserved areas, and removing natural and man-made barriers to accessibility and connectivity.*

- *Policy M-3.1 Serving All Users. The City shall provide safe, comfortable, and convenient travel along and across streets to serve all users, including pedestrians, the disabled, bicyclists, and motorists, movers of commercial goods, and users, and operators of public transportation.*

- *Policy M-3.2 Non-Auto Needs. The City shall consider the needs of transit riders, pedestrians, people in wheelchairs, cyclists, and others in long-range planning and street design.*

- *Policy M-3.6 Context Sensitive. The City shall consider the land use and urban design context of adjacent properties in both residential and business districts as well as urban, suburban, and rural areas when designing complete streets.*

- *Policy M-3.8 Connections with New Development. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways, pedestrian ways and transit facilities.*

- *Policy M-3.10 Motorists, Bicyclists, and Pedestrian Conflicts. The City shall develop safe and convenient bikeways and pedestrian crossings that reduce conflicts between pedestrians, bicyclists, and motor vehicles on streets, multi-use trails and sidewalks.*

- *Policy M-312 Americans with Disabilities Act Compliance. The City shall continue to implement the Americans with Disabilities Act when designing, constructing, or improving transportation facilities.*

- *Policy M-4.3 Level of Service. The City shall maintain a minimum vehicle Level of Service E at signalized intersections during the peak commute periods except when a LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts, such as right-of-way acquisition or degradation of the pedestrian environment due to increased crossing distances or unacceptable crossing delays.*

- *Policy M-4.5 Emergency Access. The City shall develop a roadway system that is redundant (i.e., includes multiple alternative routes) to the extent feasible to ensure mobility in the event of emergencies.*

- *Policy M-5.1 Pedestrian Needs. The City shall consider pedestrian needs, including appropriate improvements to crosswalks, signal timing, signage, and curb ramps, in long-range planning and street design.*

- *Policy M-5.2 Pedestrian System. The City shall strive to create and maintain a continuous system of connected sidewalks, pedestrian paths, creekside walks, and utility greenways through the City that facilitates convenient and safe pedestrian travel, connects neighborhoods and centers, and is free of major impediments and obstacles.*

- *Policy M-5.7 Safe Sidewalks. The City shall develop safe and convenient pedestrian facilities that are universally accessible, adequately illuminated, and properly designed to reduce conflicts between motor vehicles and pedestrians.*

- *Policy M-6.1 Bikeway System. The City shall maintain and implement the Hayward Bicycle Master Plan.*

- *Policy M-6.5 Connections between New Development and Bikeways. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways, and do not interfere with existing and proposed bicycle facilities.*

- *Policy M-7.1 Transit System. The City shall support a connected transit system by improving connections between transit stops/stations and roadways, bikeways, and pedestrian facilities.*

- *Policy M-7.6 Safe System. The City shall work with AC Transit, BART, and Amtrak to maintain a safe, clean, comfortable, and rider-friendly waiting environment at all transit stops within the City.*

- *Policy M-7.9 Development Impacts on Transit. The City shall require developers of large projects to identify and address, as feasible, the potential impacts of their projects on AC Transit ridership and bus operations as part of the project review and approval process.*

- *Policy M-11.1 Good Movement. The City shall provide an efficient transportation system for the movement of goods and services through and within Hayward, while meeting the safety and mobility needs of all roadway users.*

Conclusion

The GP EIR adequately evaluated the transportation impacts of the proposed project. Therefore, there would be no new impacts related to traffic and circulation associated with the proposed project.

18. TRIBAL CULTURAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☐	☐	☒
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion

As previously discussed in Section 5 of this Environmental Checklist, Cultural Resources, the GP EIR determined that impacts to cultural and historic resources would be reduced to less-than-significant levels with implementation of General Plan policies. This finding applies to tribal cultural resources. Therefore, the proposed project would not result in new or more severe impacts to tribal cultural resources than were identified in the GP EIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy NR-7.1 Paleontological Resource Protection. The City shall prohibit any new public or private development that damages or destroys a historically- or prehistorically-significant fossil, ruin, or monument or any object of antiquity.*

- *Policy NR-7.2 Paleontological Resource Mitigation. The City shall develop or ensure compliance with protocols that protect or mitigate impacts to paleontological resources, including requiring grading and construction projects to cease activity when a paleontological resource is discovered so it can be safely removed.*

Conclusion

The GP EIR adequately evaluated the potential tribal cultural resources impacts for the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

19. UTILITIES AND SERVICE SYSTEMS

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

Discussion

Construction of New or Expanded Utility Facilities

Wastewater collection at the project site is provided by the Oro Loma Sanitary District (District), which serves the communities of unincorporated Alameda County, including San Lorenzo, Ashland, Cherryland, Fairview, portions of Castro Valley, and designated areas of the Cities of Hayward and San Leandro.

Wastewater is collected and transported via underground sewer lines to the District's treatment plant, which is jointly owned by Oro Loma Sanitary District (75%) and Castro Valley Sanitary District (25%). The treatment plant has a permitted capacity of 20 million gallons per day, and treats an average dry weather flow of 12.4 million gallons per day. The District's wastewater collection system includes about 273 miles of sewer mains, and 13 sewage lift stations.

The proposed project would generate domestic wastewater, treated by the District. As described in Attachment A, A 6-inch vitrified clay pipe (VCP) main is located in Apple Avenue and Oak Street. In addition, a 6-inch VCP is located in the undeveloped Oak Street right-of-way within the site. Site-specific plans would be reviewed and approved by the City, consistent with the City's Municipal Code and General Plan Policy PFS-4.9, to ensure the provision of adequate wastewater service prior to issuance of building permits. Implementation of the proposed project would not result in a significant environmental impact related to the extension of water or wastewater lines.

The project site is located within the East Bay Municipal Utility District (EBMUD) service area, which covers approximately 332 square miles from Crockett on the north, southward to San Lorenzo, eastward from San Francisco to Walnut Creek, and south through the San Ramon Valley. Approximately 90 percent of the raw water entering EBMUD's system originates from the Mokelumne River watershed, and 10 percent originates as runoff from the watershed lands in the East Bay Area.[47] EBMUD's potable water system consists of 4,200 miles of pipe, 125 pumping plants, and 165 water distribution reservoirs. EBMUD updated its Urban Water Management Plan (UWMP) in 2015, which was adopted in 2016. According to the UWMP, the annual water use in 2015 was approximately 190 million gallons per day (mgd).

As discussed below, the proposed project would not substantially increase demand for water and would therefore not exceed the capacity of existing water treatment facilities. The proposed project would not require the construction of new water treatment facilities, or the expansion of existing facilities. The proposed project would include the installation of new water lines connecting to the existing 8-inch steel water mains located in Apple Avenue and Oak Street. The proposed project would connect directly to existing mains, which have sufficient capacity to accommodate the proposed project. Therefore, the impact of the proposed project on water infrastructure would be less than significant.

Refer to Section 10, Hydrology and Water Quality, for a discussion of impacts to the storm drain system, which would be less than significant for the proposed project. On-site drainage would be designed consistent with the National Pollutant Discharge Elimination System (NPDES) C.3 requirements for Low Impact Development (LID). As such, the proposed project would not result in any new or more significant impacts than identified in the GP EIR.

Electric service is accessible to the site by overhead electric lines on joint utility poles in Oak Street, and by extending into the undeveloped Oak Street right-of-way on the site. Gas service is distributed to the site by underground mains. A 1.25-inch and a 2-inch gas main are located in Apple Avenue and Oak Street. The proposed project would connect to these existing facilities and would not require the construction of new facilities to accommodate the proposed project.

The proposed project is consistent with the type and intensity of development analyzed in the GP EIR. Therefore, because the proposed project would connect to existing utility services within or adjacent to the project site, the relocation or reconstruction of new or expanded water, wastewater treatment or stormwater drainage, electric power, or telecommunications facilities would not be required. The proposed project would not result in new or more severe impacts beyond those analyzed in the GP EIR.

Water Supply

EBMUD provides water to the project site. The primary source of water is the Mokelumne River, which is conveyed via the Mokelumne Aqueducts from Pardee Reservoir across the Sacramento-San

[47] East Bay Municipal Utility District, 2016. *2015 Urban Water Management Plan*. Available online at: https://www.ebmud.com/water/about-your-water/water-supply/urban-water-management-plan/ (accessed January 28, 2020). July.

Joaquin River Delta to various local storage and treatment facilities in the East Bay. EBMUD has water rights that allow for delivery of up to a maximum of 325 mgd from the Mokelumne River, subject to the availability of Mokelumne River runoff, senior water rights of other users, and downstream fishery flow requirements. EBMUD's secondary water supply source is local runoff from the East Bay area watersheds, which is stored in the terminal reservoirs within EBMUD's service area.

In addition, in 2006, EBMUD signed a Long Term Renewal Contract (LTRC) with United States Bureau of Reclamation (USBR) provides for delivery of up to 133,000 acre-feet (AF) in a single qualifying year, not to exceed a total of 165,000 AF in three consecutive qualifying years from the Central Valley Project (CVP). In 2015, EBMUD received 33,250 acre-feet of CVP water.

The EBMUD 2015 UWMP describes the existing and planned sources of water available in the water system service area over the next 20 years, in 5-year increments. It also includes a Water Shortage Contingency Plan (WSCP) to account for a variety of situations that could affect water supply, including short-term emergencies and longer-term droughts. The 2015 UWMP demand analysis includes information on potential future development as identified in the adopted general plans of the cities and counties in EBMUD's service area and on meetings with local planning agencies.[48] According to the EBMUD 2015 UWMP, with a combination of reductions in water use and acquisition of supplementation supplies, EBMUD can provide adequate water service through 2040 to meet customer demands.

As outlined in Attachment A, Project Description, approximately 2,400 linear feet of new 8-inch water main would be installed in Maitland Drive, connecting to the existing 6-inch water main in Central Boulevard at both ends of Maitland Drive. Approximately 2,500 linear feet of new 8-inch water main would be installed in Bunker Hill Drive, connecting to the existing 6-inch water main in Central Boulevard and to the existing 8-inch water main in Carlos Bee Boulevard at each end of Bunker Hill Drive and the proposed extension to Carlos Bee Boulevard.

General Plan Policies NR-4.3, NR-6.9, NR-6.15, and NR-6.16 require water conservation, use of renewable resources, and native landscaping to reduce water use. The City has also adopted indoor water use efficiency standards for new construction, which mandate installation of the most water-conserving fixtures that are available and which have been shown to work effectively. In addition, the City must approve all connections to the water and sewer system, and new water meters need to be installed before water service can be activated. Compliance with the approval and permitting requirements of the City, which would be incorporated into the conditions of approval for the proposed project, would ensure that no new impacts associated with water services would result from the proposed project.

The proposed project would generate additional water demand to serve the multi-family residential and commercial uses on the project site. The project site was designated for Commercial/High Density Residential use under the City's General Plan and this land use was factored into EBMUD's water demand projections in the 2015 UWMP. The GP EIR determined that buildout of the General

48 East Bay Municipal Utilities District, 2016. op. cit.

Plan would have a less-than-significant impact on water supplies. Therefore, because the proposed project would include development consistent with the type and intensity of development evaluated in the GP EIR and the EBMUD 2015 UWMP, the proposed project would not result in greater impacts than those already identified by the GP EIR.

Solid Waste

The California Integrated Waste Management Board estimates waste generation of approximately 2 pounds per room day for hotel/motel uses.[49] Using this rate, the proposed project would generate approximately 300 pounds of waste per day. This waste generation represents approximately 0.0013 percent of the permitted daily throughput (11,150 tons/day) at the Altamont Landfill facility[50] and approximately 0.007 percent of the permitted daily throughput (2,150 tons/day) at the Vasco Road Landfill.[51] Additionally, the proposed project's solid waste contribution would be minimized by the provision of recycling and green waste collection service. Therefore, because the proposed project would include development consistent with the type and intensity of development evaluated in the GP EIR, the proposed project would not result in greater impacts than those already identified by the GP EIR.

Applicable Mitigation

As described in the GP EIR, 2040 General Plan impacts related to utilities and service systems were determined to be less than significant and no mitigation measures were identified. No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

- *Policy NR-4.3 Efficient Construction and Development Practices. The City shall encourage construction and building development practices that maximize the use of renewable resources and minimize the use of non-renewable resources throughout the life-cycle of a structure.*

- *Policy NR-6.9 Water Conservation. The City shall require water customers to actively conserve water year-round, and especially during drought years.*

- *Policy NR-6.15 Native Vegetation Planting. The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.*

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49 CalRecycle. Estimated Solid Waste Generation Rates Website: www2.calrecycle.ca.gov/WasteCharacterization/General/Rates (accessed January 28, 2020).

50 CalRecycle, 2019a. SWIS Facility Detail: Altamont Landfill & Resource Recovery (01-AA-0009). Website: www2.calrecycle.ca.gov/swfacilities/Directory/01-AA-0009 (accessed June 19, 2019).

51 CalRecycle, 2019b. SWIS Facility Detail: Vasco Road Sanitary Landfill (01-AA-001). Website: www2.calrecycle.ca.gov/swfacilities/Directory/01-AA-0010 (accessed June 19, 2019).

- *Policy NR-6.16 Landscape Ordinance Compliance. The City shall continue to implement the Bay-Friendly Water Efficient Landscape Ordinance.*

- *Policy PFS-1.2 Priority for Infrastructure. The City shall give high priority in capital improvement programming to funding rehabilitation or replacement of critical infrastructure that has reached the end of its useful life or has capacity constraints.*

- *Policy PFS-1.3 Public Facility Master Plans. The City shall maintain and implement public facility master plans to ensure compliance with appropriate regional, State, and Federal laws; the use of modern and cost-effective technologies and best management practices; and compatibility with current land use policy.*

- *Policy PFS-1.4 Development Fair Share. The City shall, through a combination of improvement fees and other funding mechanisms, ensure that new development pays its fair share of providing new public facilities and services and/or the costs of expanding/upgrading existing facilities and services impacted by new development (e.g., water, wastewater, stormwater drainage).*

- *Policy PFS-3.1 Water Distribution System Master Plan. The City shall maintain and implement the Water Distribution System Master Plan.*

- *Policy PFS-3.2 Urban Water Management Plan. The City shall maintain and implement the Urban Water Management Plan, including water conservation strategies and programs, as required by the Urban Water Management Planning Act.*

- *Policy PFS-3.8 Water Treatment Capacity and Infrastructure. In the event that San Francisco Public Utilities Commission is unable to provide water that meets drinking water standards, the City shall plan, secure funding for, and procure sufficient water treatment capacity and infrastructure to meet projected water demands.*

- *Policy PFS-3.13 New Development. The City shall ensure that water supply capacity is in place prior to granting building permits for new development.*

- *Policy PFS-3.14 Water Conservation Standards. The City shall comply with provisions of the State's 20x2020 Water Conservation Plan (California Water Resources Control Board, 2010).*

- *Policy PFS-4.1 Sewer Collection System Master Plan. The City shall maintain and implement the Sewer Collection System Master Plan.*

- *Policy PFS-4.2 Water Pollution Control Facility Master Plan. The City shall maintain and implement the Water Pollution Control Facility Master Plan.*

- *Policy PFS-4.9 Service New and Existing Development. The City shall ensure the provision of adequate wastewater service to all new development, before new developments are approved,*

and support the extension of wastewater service to existing developed areas where this service is lacking.

- *Policy PFS-5.1 Accommodate New and Existing Development. The City shall work with the Alameda County Flood Control and Water Conservation District to expand and maintain major stormwater drainage facilities to accommodate the needs of existing and planned development.*

- *Policy PFS-5.3 Watershed Drainage Plans. The City shall require developers of proposed large development projects to prepare watershed drainage plans. Drainage plans shall define needed drainage improvements per City standards, estimate construction costs for these improvements, and be implemented through the Stormwater Management and Urban Runoff Control Program and Alameda Countywide Clean Water Program.*

- *Policy PFS-5.4 Green Stormwater Infrastructure. The City shall encourage "green infrastructure" design and Low Impact Development (LID) techniques for stormwater facilities (i.e., using vegetation and soil to manage stormwater) to achieve multiple benefits (e.g., preserving and creating open space, improving runoff water quality).*

- *Policy PFS-5.6 Grading Projects. The City shall impose appropriate conditions on grading projects performed during the rainy season to ensure that silt is not conveyed to storm drainage.*

- *Policy PFS-5.7 Diversion. The City shall require new development to be designed to prevent the diversion of stormwater onto neighboring parcels.*

- *Policy PFS-7.1 Mandatory Collection. The City shall continue to require weekly solid waste collection through the City.*

- *Policy PFS-7.2 Adequate Services. The City shall monitor its solid waste and recycling services franchisee to ensure that services provided are adequate to meet the needs of the community and to meet the provisions of the City's Franchise Agreement.*

- *Policy PFS-7.3 Landfill Capacity. The City shall 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.*

- *Policy PFS-7.4 Solid Waste Diversion. The City shall comply with State goals regarding diversion from landfill, and strive to comply with the provisions approved by the Alameda County Waste Management Authority.*

- *Policy PFS-7.12 Construction and Demolition Waste Recycling. The City shall require demolition, remodeling, and major new development projects to salvage or recycle asphalt and concrete and all other non-hazardous construction and demolition materials to the maximum extent practicable.*

- *Policy PFS-7.13 Residential Recycling. The City shall encourage increased participation in residential recycling programs, and strive to comply with the recycling provisions approved by the Alameda County Waste Management Authority Board. The City shall work with StopWaste.org to monitor participation in residential recycling programs and educate the community regarding actual composition of waste sent to landfills.*

- *Policy CS-3.4 Adequate Water Supply for Fire Suppression. The City shall require new development projects to have adequate water supplies to meet the fire-suppression needs of the projects without compromising existing fire suppression services to existing uses.*

Conclusion

The GP EIR adequately evaluated the potential utilities impacts for the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

20. WILDFIRE

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Discussion

As previously discussed in Section 9 of this Environmental Checklist, Hazards and Hazardous Materials, the project site is not located within any state responsibility areas (SRA) for fire service,[52] and is not within a very high fire hazard severity zone.[53] The proposed project would not impair the implementation of, or physically interfere with, and adopted emergency response plan. Additionally, as noted in Section 2.0, Project Description, the portion of the project site proposed for development is generally level, and is surrounded by existing development. Therefore, the proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, or exacerbate fire risk. Impacts related to wildfire would be less than significant.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the GP EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

[52] California Department of Forestry and Fire Protection, 2007. Alameda County, Fire Hazard Severity Zones in SRA (map). Available at: https://osfm.fire.ca.gov/media/7271/fhszs_map1.pdf (accessed January 27, 2020). November 7.

[53] California Department of Forestry and Fire Protection, 2008. Alameda County, Very High Fire Hazard Severity Zones in Local Responsibility Areas (map). Available at: https://osfm.fire.ca.gov/media/6638/fhszl_map1.pdf (accessed January 27, 2020). September 3.

Conclusion

The GP EIR adequately evaluated the potential wildfire impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

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APPENDIX 1

AIR QUALITY AND GREENHOUSE GAS EMISSIONS DATA

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Route 238 Property Development – Apple Avenue/Oak Street (Parcel Group 9)

Bay Area AQMD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	150.00	Space	0.67	60,000.00	0
Hotel	150.00	Room	2.00	100,000.00	0
Recreational Swimming Pool	0.90	1000sqft	0.02	900.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	5			**Operational Year**	2022
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	328.8	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 intensity based on 5-year average (PG&E 2015)

Land Use - The Parcel Group 9 Project would consist of an up to 150-room hotel and associated parking and outdoor pool.

Construction Phase - The Parcel Group 9 Project would consist of an up to 150-room hotel and associated parking

Vehicle Trips - Based on the Transportation Impact Analysis prepared for the proposed project

Construction Off-road Equipment Mitigation - assuming compliance with BAAQMD Basic Construction Mitigation Measures

Mobile Land Use Mitigation -

Energy Mitigation - Compliance with 2019 Title 24 improvements

Waste Mitigation - Assuming 25 percent reduction in waste disposed, consistent with the CalRecycle Waste Diversion and Recycling Mandate

Fleet Mix - Revised fleet mix percentages

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	6.00	10.00
tblConstructionPhase	NumDays	3.00	10.00
tblFleetMix	HHD	0.03	1.0000e-003
tblFleetMix	LDA	0.58	0.62
tblFleetMix	LHD2	5.3580e-003	5.0000e-003
tblFleetMix	MHD	0.02	1.0000e-003
tblGrading	AcresOfGrading	5.00	3.00
tblGrading	AcresOfGrading	15.00	4.50
tblLandUse	LandUseSquareFeet	217,800.00	100,000.00
tblLandUse	LotAcreage	1.35	0.67
tblLandUse	LotAcreage	5.00	2.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	328.8
tblVehicleTrips	ST_TR	8.19	8.36
tblVehicleTrips	ST_TR	9.10	0.00
tblVehicleTrips	SU_TR	5.95	8.36
tblVehicleTrips	SU_TR	13.60	0.00
tblVehicleTrips	WD_TR	8.17	8.36
tblVehicleTrips	WD_TR	33.82	0.00

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021	0.2216	1.8453	1.5716	3.4700e-003	0.0967	0.0804	0.1772	0.0340	0.0767	0.1107	0.0000	300.8552	300.8552	0.0460	0.0000	302.0041
2022	0.5888	0.4433	0.4394	9.4000e-004	0.0171	0.0189	0.0359	4.6300e-003	0.0180	0.0226	0.0000	81.5612	81.5612	0.0125	0.0000	81.8735
Maximum	**0.5888**	**1.8453**	**1.5716**	**3.4700e-003**	**0.0967**	**0.0804**	**0.1772**	**0.0340**	**0.0767**	**0.1107**	**0.0000**	**300.8552**	**300.8552**	**0.0460**	**0.0000**	**302.0041**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021	0.2216	1.8453	1.5716	3.4700e-003	0.0780	0.0804	0.1584	0.0247	0.0767	0.1014	0.0000	300.8549	300.8549	0.0460	0.0000	302.0039
2022	0.5888	0.4433	0.4394	9.4000e-004	0.0171	0.0189	0.0359	4.6300e-003	0.0180	0.0226	0.0000	81.5611	81.5611	0.0125	0.0000	81.8734
Maximum	**0.5888**	**1.8453**	**1.5716**	**3.4700e-003**	**0.0780**	**0.0804**	**0.1584**	**0.0247**	**0.0767**	**0.1014**	**0.0000**	**300.8549**	**300.8549**	**0.0460**	**0.0000**	**302.0039**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**16.48**	**0.00**	**8.80**	**24.18**	**0.00**	**7.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	4-5-2021	7-4-2021	0.6565	0.6565
2	7-5-2021	10-4-2021	0.6962	0.6962
3	10-5-2021	1-4-2022	0.6959	0.6959
4	1-5-2022	4-4-2022	0.9201	0.9201
		Highest	0.9201	0.9201

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.4481	3.0000e-005	2.7700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	5.3800e-003	5.3800e-003	1.0000e-005	0.0000	5.7300e-003
Energy	0.0197	0.1790	0.1503	1.0700e-003		0.0136	0.0136		0.0136	0.0136	0.0000	319.8116	319.8116	0.0148	5.8500e-003	321.9246
Mobile	0.2747	0.4929	2.9218	8.6500e-003	0.8790	8.2700e-003	0.8873	0.2350	7.7000e-003	0.2427	0.0000	784.8445	784.8445	0.0257	0.0000	785.4876
Waste						0.0000	0.0000		0.0000	0.0000	17.7130	0.0000	17.7130	1.0468	0.0000	43.8832
Water						0.0000	0.0000		0.0000	0.0000	1.2240	3.3513	4.5754	0.1260	3.0300e-003	8.6286
Total	**0.7425**	**0.6719**	**3.0749**	**9.7200e-003**	**0.8790**	**0.0219**	**0.9009**	**0.2350**	**0.0213**	**0.2564**	**18.9370**	**1,108.0128**	**1,126.9498**	**1.2133**	**8.8800e-003**	**1,159.9298**

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.4481	3.0000e-005	2.7700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	5.3800e-003	5.3800e-003	1.0000e-005	0.0000	5.7300e-003
Energy	0.0149	0.1358	0.1140	8.1000e-004		0.0103	0.0103		0.0103	0.0103	0.0000	262.9781	262.9781	0.0130	4.8100e-003	264.7367
Mobile	0.2651	0.4496	2.6781	7.6800e-003	0.7753	7.4300e-003	0.7827	0.2073	6.9200e-003	0.2142	0.0000	696.1747	696.1747	0.0233	0.0000	696.7563
Waste						0.0000	0.0000		0.0000	0.0000	13.2847	0.0000	13.2847	0.7851	0.0000	32.9124
Water						0.0000	0.0000		0.0000	0.0000	1.2240	3.3513	4.5754	0.1260	3.0300e-003	8.6286
Total	**0.7281**	**0.5854**	**2.7949**	**8.4900e-003**	**0.7753**	**0.0178**	**0.7930**	**0.2073**	**0.0173**	**0.2246**	**14.5088**	**962.5096**	**977.0183**	**0.9474**	**7.8400e-003**	**1,003.0398**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**1.93**	**12.88**	**9.11**	**12.65**	**11.80**	**18.83**	**11.97**	**11.80**	**19.05**	**12.40**	**23.38**	**13.13**	**13.30**	**21.92**	**11.71**	**13.53**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	4/5/2021	4/16/2021	5	10	
2	Grading	Grading	4/19/2021	4/30/2021	5	10	
3	Building Construction	Building Construction	5/3/2021	3/4/2022	5	220	
4	Paving	Paving	3/7/2022	3/18/2022	5	10	
5	Architectural Coating	Architectural Coating	3/21/2022	4/1/2022	5	10	

Acres of Grading (Site Preparation Phase): 4.5

Acres of Grading (Grading Phase): 3

Acres of Paving: 0.67

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 150,000; Non-Residential Outdoor: 50,000; Striped Parking Area: 3,600 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Graders	1	8.00	187	0.41
Site Preparation	Scrapers	1	8.00	367	0.48
Site Preparation	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	8.00	231	0.29
Building Construction	Forklifts	2	7.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	8.00	9	0.56
Paving	Pavers	1	8.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	8	68.00	26.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	14.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.3900e-003	0.0000	2.3900e-003	2.6000e-004	0.0000	2.6000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	7.7300e-003	0.0914	0.0538	1.2000e-004		3.5100e-003	3.5100e-003		3.2300e-003	3.2300e-003	0.0000	10.7632	10.7632	3.4800e-003	0.0000	10.8502
Total	**7.7300e-003**	**0.0914**	**0.0538**	**1.2000e-004**	**2.3900e-003**	**3.5100e-003**	**5.9000e-003**	**2.6000e-004**	**3.2300e-003**	**3.4900e-003**	**0.0000**	**10.7632**	**10.7632**	**3.4800e-003**	**0.0000**	**10.8502**

3.2 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-004	8.0000e-005	9.0000e-004	0.0000	3.2000e-004	0.0000	3.2000e-004	8.0000e-005	0.0000	9.0000e-005	0.0000	0.2672	0.2672	1.0000e-005	0.0000	0.2674
Total	**1.2000e-004**	**8.0000e-005**	**9.0000e-004**	**0.0000**	**3.2000e-004**	**0.0000**	**3.2000e-004**	**8.0000e-005**	**0.0000**	**9.0000e-005**	**0.0000**	**0.2672**	**0.2672**	**1.0000e-005**	**0.0000**	**0.2674**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.0700e-003	0.0000	1.0700e-003	1.2000e-004	0.0000	1.2000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	7.7300e-003	0.0914	0.0538	1.2000e-004		3.5100e-003	3.5100e-003		3.2300e-003	3.2300e-003	0.0000	10.7632	10.7632	3.4800e-003	0.0000	10.8502
Total	**7.7300e-003**	**0.0914**	**0.0538**	**1.2000e-004**	**1.0700e-003**	**3.5100e-003**	**4.5800e-003**	**1.2000e-004**	**3.2300e-003**	**3.3500e-003**	**0.0000**	**10.7632**	**10.7632**	**3.4800e-003**	**0.0000**	**10.8502**

3.2 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-004	8.0000e-005	9.0000e-004	0.0000	3.2000e-004	0.0000	3.2000e-004	8.0000e-005	0.0000	9.0000e-005	0.0000	0.2672	0.2672	1.0000e-005	0.0000	0.2674
Total	**1.2000e-004**	**8.0000e-005**	**9.0000e-004**	**0.0000**	**3.2000e-004**	**0.0000**	**3.2000e-004**	**8.0000e-005**	**0.0000**	**9.0000e-005**	**0.0000**	**0.2672**	**0.2672**	**1.0000e-005**	**0.0000**	**0.2674**

3.3 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0317	0.0000	0.0317	0.0167	0.0000	0.0167	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.1400e-003	0.1011	0.0488	1.0000e-004		4.5800e-003	4.5800e-003		4.2100e-003	4.2100e-003	0.0000	9.0519	9.0519	2.9300e-003	0.0000	9.1251
Total	**9.1400e-003**	**0.1011**	**0.0488**	**1.0000e-004**	**0.0317**	**4.5800e-003**	**0.0363**	**0.0167**	**4.2100e-003**	**0.0209**	**0.0000**	**9.0519**	**9.0519**	**2.9300e-003**	**0.0000**	**9.1251**

3.3 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.5000e-004	1.1000e-004	1.1200e-003	0.0000	4.0000e-004	0.0000	4.0000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3340	0.3340	1.0000e-005	0.0000	0.3342
Total	**1.5000e-004**	**1.1000e-004**	**1.1200e-003**	**0.0000**	**4.0000e-004**	**0.0000**	**4.0000e-004**	**1.1000e-004**	**0.0000**	**1.1000e-004**	**0.0000**	**0.3340**	**0.3340**	**1.0000e-005**	**0.0000**	**0.3342**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0143	0.0000	0.0143	7.5300e-003	0.0000	7.5300e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.1400e-003	0.1011	0.0488	1.0000e-004		4.5800e-003	4.5800e-003		4.2100e-003	4.2100e-003	0.0000	9.0519	9.0519	2.9300e-003	0.0000	9.1251
Total	**9.1400e-003**	**0.1011**	**0.0488**	**1.0000e-004**	**0.0143**	**4.5800e-003**	**0.0189**	**7.5300e-003**	**4.2100e-003**	**0.0117**	**0.0000**	**9.0519**	**9.0519**	**2.9300e-003**	**0.0000**	**9.1251**

3.3 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.5000e-004	1.1000e-004	1.1200e-003	0.0000	4.0000e-004	0.0000	4.0000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3340	0.3340	1.0000e-005	0.0000	0.3342
Total	**1.5000e-004**	**1.1000e-004**	**1.1200e-003**	**0.0000**	**4.0000e-004**	**0.0000**	**4.0000e-004**	**1.1000e-004**	**0.0000**	**1.1000e-004**	**0.0000**	**0.3340**	**0.3340**	**1.0000e-005**	**0.0000**	**0.3342**

3.4 Building Construction - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1789	1.4024	1.2743	2.1900e-003		0.0715	0.0715		0.0685	0.0685	0.0000	181.6927	181.6927	0.0358	0.0000	182.5863
Total	**0.1789**	**1.4024**	**1.2743**	**2.1900e-003**		**0.0715**	**0.0715**		**0.0685**	**0.0685**	**0.0000**	**181.6927**	**181.6927**	**0.0358**	**0.0000**	**182.5863**

3.4 Building Construction - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	7.2200e-003	0.2376	0.0593	6.1000e-004	0.0149	5.2000e-004	0.0154	4.3100e-003	4.9000e-004	4.8100e-003	0.0000	59.0008	59.0008	2.9000e-003	0.0000	59.0733
Worker	0.0183	0.0126	0.1335	4.4000e-004	0.0470	3.1000e-004	0.0473	0.0125	2.8000e-004	0.0128	0.0000	39.7454	39.7454	8.9000e-004	0.0000	39.7677
Total	**0.0255**	**0.2502**	**0.1928**	**1.0500e-003**	**0.0619**	**8.3000e-004**	**0.0628**	**0.0168**	**7.7000e-004**	**0.0176**	**0.0000**	**98.7462**	**98.7462**	**3.7900e-003**	**0.0000**	**98.8410**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1789	1.4024	1.2743	2.1900e-003		0.0715	0.0715		0.0685	0.0685	0.0000	181.6924	181.6924	0.0358	0.0000	182.5861
Total	**0.1789**	**1.4024**	**1.2743**	**2.1900e-003**		**0.0715**	**0.0715**		**0.0685**	**0.0685**	**0.0000**	**181.6924**	**181.6924**	**0.0358**	**0.0000**	**182.5861**

3.4 Building Construction - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	7.2200e-003	0.2376	0.0593	6.1000e-004	0.0149	5.2000e-004	0.0154	4.3100e-003	4.9000e-004	4.8100e-003	0.0000	59.0008	59.0008	2.9000e-003	0.0000	59.0733
Worker	0.0183	0.0126	0.1335	4.4000e-004	0.0470	3.1000e-004	0.0473	0.0125	2.8000e-004	0.0128	0.0000	39.7454	39.7454	8.9000e-004	0.0000	39.7677
Total	**0.0255**	**0.2502**	**0.1928**	**1.0500e-003**	**0.0619**	**8.3000e-004**	**0.0628**	**0.0168**	**7.7000e-004**	**0.0176**	**0.0000**	**98.7462**	**98.7462**	**3.7900e-003**	**0.0000**	**98.8410**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0418	0.3286	0.3230	5.6000e-004		0.0158	0.0158		0.0151	0.0151	0.0000	46.7280	46.7280	9.0200e-003	0.0000	46.9534
Total	**0.0418**	**0.3286**	**0.3230**	**5.6000e-004**		**0.0158**	**0.0158**		**0.0151**	**0.0151**	**0.0000**	**46.7280**	**46.7280**	**9.0200e-003**	**0.0000**	**46.9534**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.7300e-003	0.0579	0.0143	1.6000e-004	3.8400e-003	1.2000e-004	3.9500e-003	1.1100e-003	1.1000e-004	1.2200e-003	0.0000	15.0229	15.0229	7.1000e-004	0.0000	15.0407
Worker	4.3800e-003	2.9000e-003	0.0315	1.1000e-004	0.0121	8.0000e-005	0.0122	3.2200e-003	7.0000e-005	3.2900e-003	0.0000	9.8456	9.8456	2.1000e-004	0.0000	9.8507
Total	**6.1100e-003**	**0.0608**	**0.0459**	**2.7000e-004**	**0.0159**	**2.0000e-004**	**0.0161**	**4.3300e-003**	**1.8000e-004**	**4.5100e-003**	**0.0000**	**24.8684**	**24.8684**	**9.2000e-004**	**0.0000**	**24.8914**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0418	0.3286	0.3230	5.6000e-004		0.0158	0.0158		0.0151	0.0151	0.0000	46.7280	46.7280	9.0200e-003	0.0000	46.9534
Total	**0.0418**	**0.3286**	**0.3230**	**5.6000e-004**		**0.0158**	**0.0158**		**0.0151**	**0.0151**	**0.0000**	**46.7280**	**46.7280**	**9.0200e-003**	**0.0000**	**46.9534**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.7300e-003	0.0579	0.0143	1.6000e-004	3.8400e-003	1.2000e-004	3.9500e-003	1.1100e-003	1.1000e-004	1.2200e-003	0.0000	15.0229	15.0229	7.1000e-004	0.0000	15.0407
Worker	4.3800e-003	2.9000e-003	0.0315	1.1000e-004	0.0121	8.0000e-005	0.0122	3.2200e-003	7.0000e-005	3.2900e-003	0.0000	9.8456	9.8456	2.1000e-004	0.0000	9.8507
Total	**6.1100e-003**	**0.0608**	**0.0459**	**2.7000e-004**	**0.0159**	**2.0000e-004**	**0.0161**	**4.3300e-003**	**1.8000e-004**	**4.5100e-003**	**0.0000**	**24.8684**	**24.8684**	**9.2000e-004**	**0.0000**	**24.8914**

3.5 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	4.7100e-003	0.0467	0.0585	9.0000e-005		2.4400e-003	2.4400e-003		2.2500e-003	2.2500e-003	0.0000	7.7550	7.7550	2.4600e-003	0.0000	7.8165
Paving	8.8000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**5.5900e-003**	**0.0467**	**0.0585**	**9.0000e-005**		**2.4400e-003**	**2.4400e-003**		**2.2500e-003**	**2.2500e-003**	**0.0000**	**7.7550**	**7.7550**	**2.4600e-003**	**0.0000**	**7.8165**

3.5 Paving - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.1000e-004	1.4000e-004	1.5500e-003	1.0000e-005	5.9000e-004	0.0000	6.0000e-004	1.6000e-004	0.0000	1.6000e-004	0.0000	0.4826	0.4826	1.0000e-005	0.0000	0.4829
Total	**2.1000e-004**	**1.4000e-004**	**1.5500e-003**	**1.0000e-005**	**5.9000e-004**	**0.0000**	**6.0000e-004**	**1.6000e-004**	**0.0000**	**1.6000e-004**	**0.0000**	**0.4826**	**0.4826**	**1.0000e-005**	**0.0000**	**0.4829**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	4.7100e-003	0.0467	0.0585	9.0000e-005		2.4400e-003	2.4400e-003		2.2500e-003	2.2500e-003	0.0000	7.7550	7.7550	2.4600e-003	0.0000	7.8165
Paving	8.8000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**5.5900e-003**	**0.0467**	**0.0585**	**9.0000e-005**		**2.4400e-003**	**2.4400e-003**		**2.2500e-003**	**2.2500e-003**	**0.0000**	**7.7550**	**7.7550**	**2.4600e-003**	**0.0000**	**7.8165**

3.5 Paving - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.1000e-004	1.4000e-004	1.5500e-003	1.0000e-005	5.9000e-004	0.0000	6.0000e-004	1.6000e-004	0.0000	1.6000e-004	0.0000	0.4826	0.4826	1.0000e-005	0.0000	0.4829
Total	**2.1000e-004**	**1.4000e-004**	**1.5500e-003**	**1.0000e-005**	**5.9000e-004**	**0.0000**	**6.0000e-004**	**1.6000e-004**	**0.0000**	**1.6000e-004**	**0.0000**	**0.4826**	**0.4826**	**1.0000e-005**	**0.0000**	**0.4829**

3.6 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.5340					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.0200e-003	7.0400e-003	9.0700e-003	1.0000e-005		4.1000e-004	4.1000e-004		4.1000e-004	4.1000e-004	0.0000	1.2766	1.2766	8.0000e-005	0.0000	1.2787
Total	**0.5350**	**7.0400e-003**	**9.0700e-003**	**1.0000e-005**		**4.1000e-004**	**4.1000e-004**		**4.1000e-004**	**4.1000e-004**	**0.0000**	**1.2766**	**1.2766**	**8.0000e-005**	**0.0000**	**1.2787**

3.6 Architectural Coating - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-004	1.3000e-004	1.4400e-003	0.0000	5.5000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4505	0.4505	1.0000e-005	0.0000	0.4507
Total	**2.0000e-004**	**1.3000e-004**	**1.4400e-003**	**0.0000**	**5.5000e-004**	**0.0000**	**5.6000e-004**	**1.5000e-004**	**0.0000**	**1.5000e-004**	**0.0000**	**0.4505**	**0.4505**	**1.0000e-005**	**0.0000**	**0.4507**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.5340					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.0200e-003	7.0400e-003	9.0700e-003	1.0000e-005		4.1000e-004	4.1000e-004		4.1000e-004	4.1000e-004	0.0000	1.2766	1.2766	8.0000e-005	0.0000	1.2787
Total	**0.5350**	**7.0400e-003**	**9.0700e-003**	**1.0000e-005**		**4.1000e-004**	**4.1000e-004**		**4.1000e-004**	**4.1000e-004**	**0.0000**	**1.2766**	**1.2766**	**8.0000e-005**	**0.0000**	**1.2787**

3.6 Architectural Coating - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-004	1.3000e-004	1.4400e-003	0.0000	5.5000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4505	0.4505	1.0000e-005	0.0000	0.4507
Total	**2.0000e-004**	**1.3000e-004**	**1.4400e-003**	**0.0000**	**5.5000e-004**	**0.0000**	**5.6000e-004**	**1.5000e-004**	**0.0000**	**1.5000e-004**	**0.0000**	**0.4505**	**0.4505**	**1.0000e-005**	**0.0000**	**0.4507**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.2651	0.4496	2.6781	7.6800e-003	0.7753	7.4300e-003	0.7827	0.2073	6.9200e-003	0.2142	0.0000	696.1747	696.1747	0.0233	0.0000	696.7563
Unmitigated	0.2747	0.4929	2.9218	8.6500e-003	0.8790	8.2700e-003	0.8873	0.2350	7.7000e-003	0.2427	0.0000	784.8445	784.8445	0.0257	0.0000	785.4876

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Hotel	1,254.00	1,254.00	1254.00	2,382,513	2,101,377
Parking Lot	0.00	0.00	0.00		
Recreational Swimming Pool	0.00	0.00	0.00		
Total	1,254.00	1,254.00	1,254.00	2,382,513	2,101,377

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Hotel	9.50	7.30	7.30	19.40	61.60	19.00	58	38	4
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Recreational Swimming Pool	9.50	7.30	7.30	33.00	48.00	19.00	52	39	9

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Hotel	0.619098	0.039376	0.193723	0.112069	0.016317	0.005000	0.001000	0.001000	0.002614	0.002274	0.005874	0.000887	0.000768
Parking Lot	0.576985	0.039376	0.193723	0.112069	0.016317	0.005358	0.017943	0.025814	0.002614	0.002274	0.005874	0.000887	0.000768
Recreational Swimming Pool	0.576985	0.039376	0.193723	0.112069	0.016317	0.005358	0.017943	0.025814	0.002614	0.002274	0.005874	0.000887	0.000768

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	115.1817	115.1817	0.0102	2.1000e-003	116.0621
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	124.9803	124.9803	0.0110	2.2800e-003	125.9355
NaturalGas Mitigated	0.0149	0.1358	0.1140	8.1000e-004		0.0103	0.0103		0.0103	0.0103	0.0000	147.7964	147.7964	2.8300e-003	2.7100e-003	148.6747
NaturalGas Unmitigated	0.0197	0.1790	0.1503	1.0700e-003		0.0136	0.0136		0.0136	0.0136	0.0000	194.8313	194.8313	3.7300e-003	3.5700e-003	195.9891

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Hotel	3.651e+006	0.0197	0.1790	0.1503	1.0700e-003		0.0136	0.0136		0.0136	0.0136	0.0000	194.8313	194.8313	3.7300e-003	3.5700e-003	195.9891
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0197**	**0.1790**	**0.1503**	**1.0700e-003**		**0.0136**	**0.0136**		**0.0136**	**0.0136**	**0.0000**	**194.8313**	**194.8313**	**3.7300e-003**	**3.5700e-003**	**195.9891**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Hotel	2.7696e+006	0.0149	0.1358	0.1140	8.1000e-004		0.0103	0.0103		0.0103	0.0103	0.0000	147.7964	147.7964	2.8300e-003	2.7100e-003	148.6747
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0149**	**0.1358**	**0.1140**	**8.1000e-004**		**0.0103**	**0.0103**		**0.0103**	**0.0103**	**0.0000**	**147.7964**	**147.7964**	**2.8300e-003**	**2.7100e-003**	**148.6747**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Hotel	817000	121.8483	0.0108	2.2200e-003	122.7796
Parking Lot	21000	3.1320	2.8000e-004	6.0000e-005	3.1559
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000
Total		**124.9803**	**0.0110**	**2.2800e-003**	**125.9355**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Hotel	751300	112.0498	9.8800e-003	2.0400e-003	112.9062
Parking Lot	21000	3.1320	2.8000e-004	6.0000e-005	3.1559
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000
Total		**115.1817**	**0.0102**	**2.1000e-003**	**116.0621**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.4481	3.0000e-005	2.7700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	5.3800e-003	5.3800e-003	1.0000e-005	0.0000	5.7300e-003
Unmitigated	0.4481	3.0000e-005	2.7700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	5.3800e-003	5.3800e-003	1.0000e-005	0.0000	5.7300e-003

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0534					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3944					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	2.6000e-004	3.0000e-005	2.7700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	5.3800e-003	5.3800e-003	1.0000e-005	0.0000	5.7300e-003
Total	**0.4481**	**3.0000e-005**	**2.7700e-003**	**0.0000**		**1.0000e-005**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**	**0.0000**	**5.3800e-003**	**5.3800e-003**	**1.0000e-005**	**0.0000**	**5.7300e-003**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0534					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3944					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	2.6000e-004	3.0000e-005	2.7700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	5.3800e-003	5.3800e-003	1.0000e-005	0.0000	5.7300e-003
Total	**0.4481**	**3.0000e-005**	**2.7700e-003**	**0.0000**		**1.0000e-005**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**	**0.0000**	**5.3800e-003**	**5.3800e-003**	**1.0000e-005**	**0.0000**	**5.7300e-003**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	4.5754	0.1260	3.0300e-003	8.6286
Unmitigated	4.5754	0.1260	3.0300e-003	8.6286

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Hotel	3.80502 / 0.422779	4.4985	0.1243	2.9900e-003	8.4957
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0.0532288 / 0.0326241	0.0769	1.7400e-003	4.0000e-005	0.1329
Total		**4.5754**	**0.1260**	**3.0300e-003**	**8.6286**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Hotel	3.80502 / 0.422779	4.4985	0.1243	2.9900e-003	8.4957
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0.0532288 / 0.0326241	0.0769	1.7400e-003	4.0000e-005	0.1329
Total		**4.5754**	**0.1260**	**3.0300e-003**	**8.6286**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	13.2847	0.7851	0.0000	32.9124
Unmitigated	17.7130	1.0468	0.0000	43.8832

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Hotel	82.13	16.6717	0.9853	0.0000	41.3033
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	5.13	1.0413	0.0615	0.0000	2.5799
Total		**17.7130**	**1.0468**	**0.0000**	**43.8832**

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Hotel	61.5975	12.5037	0.7390	0.0000	30.9775
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	3.8475	0.7810	0.0462	0.0000	1.9349
Total		**13.2848**	**0.7851**	**0.0000**	**32.9124**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Route 238 Property Development – Apple Avenue/Oak Street (Parcel Group 9)

Bay Area AQMD Air District, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	150.00	Space	0.67	60,000.00	0
Hotel	150.00	Room	2.00	100,000.00	0
Recreational Swimming Pool	0.90	1000sqft	0.02	900.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	5			**Operational Year**	2022
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	328.8	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 intensity based on 5-year average (PG&E 2015)

Land Use - The Parcel Group 9 Project would consist of an up to 150-room hotel and associated parking and outdoor pool.

Construction Phase - The Parcel Group 9 Project would consist of an up to 150-room hotel and associated parking

Vehicle Trips - Based on the Transportation Impact Analysis prepared for the proposed project

Construction Off-road Equipment Mitigation - assuming compliance with BAAQMD Basic Construction Mitigation Measures

Mobile Land Use Mitigation -

Energy Mitigation - Compliance with 2019 Title 24 improvements

Waste Mitigation - Assuming 25 percent reduction in waste disposed, consistent with the CalRecycle Waste Diversion and Recycling Mandate

Fleet Mix - Revised fleet mix percentages

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	6.00	10.00
tblConstructionPhase	NumDays	3.00	10.00
tblFleetMix	HHD	0.03	1.0000e-003
tblFleetMix	LDA	0.58	0.62
tblFleetMix	LHD2	5.3580e-003	5.0000e-003
tblFleetMix	MHD	0.02	1.0000e-003
tblGrading	AcresOfGrading	5.00	3.00
tblGrading	AcresOfGrading	15.00	4.50
tblLandUse	LandUseSquareFeet	217,800.00	100,000.00
tblLandUse	LotAcreage	1.35	0.67
tblLandUse	LotAcreage	5.00	2.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	328.8
tblVehicleTrips	ST_TR	8.19	8.36
tblVehicleTrips	ST_TR	9.10	0.00
tblVehicleTrips	SU_TR	5.95	8.36
tblVehicleTrips	SU_TR	13.60	0.00
tblVehicleTrips	WD_TR	8.17	8.36
tblVehicleTrips	WD_TR	33.82	0.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	2.3443	20.2323	16.8668	0.0375	6.4224	0.9163	7.3387	3.3664	0.8430	4.2093	0.0000	3,578.7602	3,578.7602	0.7689	0.0000	3,591.2007
2022	107.0368	17.2651	16.4882	0.0372	0.7346	0.7107	1.4453	0.1988	0.6811	0.8799	0.0000	3,552.0258	3,552.0258	0.5442	0.0000	3,564.1807
Maximum	**107.0368**	**20.2323**	**16.8668**	**0.0375**	**6.4224**	**0.9163**	**7.3387**	**3.3664**	**0.8430**	**4.2093**	**0.0000**	**3,578.7602**	**3,578.7602**	**0.7689**	**0.0000**	**3,591.2007**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	2.3443	20.2323	16.8668	0.0375	2.9353	0.9163	3.8515	1.5269	0.8430	2.3698	0.0000	3,578.7602	3,578.7602	0.7689	0.0000	3,591.2007
2022	107.0368	17.2651	16.4882	0.0372	0.7346	0.7107	1.4453	0.1988	0.6811	0.8799	0.0000	3,552.0258	3,552.0258	0.5442	0.0000	3,564.1807
Maximum	**107.0368**	**20.2323**	**16.8668**	**0.0375**	**2.9353**	**0.9163**	**3.8515**	**1.5269**	**0.8430**	**2.3698**	**0.0000**	**3,578.7602**	**3,578.7602**	**0.7689**	**0.0000**	**3,591.2007**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**48.72**	**0.00**	**39.70**	**51.60**	**0.00**	**36.15**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Energy	0.1079	0.9807	0.8238	5.8800e-003		0.0745	0.0745		0.0745	0.0745		1,176.7929	1,176.7929	0.0226	0.0216	1,183.7860
Mobile	1.7684	2.5177	16.5996	0.0508	5.0192	0.0455	5.0647	1.3380	0.0424	1.3803		5,080.1908	5,080.1908	0.1585		5,084.1541
Total	**4.3330**	**3.4986**	**17.4541**	**0.0567**	**5.0192**	**0.1201**	**5.1393**	**1.3380**	**0.1170**	**1.4550**		**6,257.0495**	**6,257.0495**	**0.1813**	**0.0216**	**6,268.0103**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Energy	0.0818	0.7439	0.6249	4.4600e-003		0.0565	0.0565		0.0565	0.0565		892.6994	892.6994	0.0171	0.0164	898.0043
Mobile	1.7145	2.2977	15.0803	0.0451	4.4270	0.0409	4.4678	1.1801	0.0381	1.2182		4,504.7465	4,504.7465	0.1428		4,508.3161
Total	**4.2530**	**3.0419**	**15.7359**	**0.0495**	**4.4270**	**0.0975**	**4.5245**	**1.1801**	**0.0947**	**1.2748**		**5,397.5118**	**5,397.5118**	**0.1601**	**0.0164**	**5,406.3906**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**1.85**	**13.05**	**9.84**	**12.65**	**11.80**	**18.81**	**11.96**	**11.80**	**19.04**	**12.38**	**0.00**	**13.74**	**13.74**	**11.70**	**24.11**	**13.75**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	4/5/2021	4/16/2021	5	10	
2	Grading	Grading	4/19/2021	4/30/2021	5	10	
3	Building Construction	Building Construction	5/3/2021	3/4/2022	5	220	
4	Paving	Paving	3/7/2022	3/18/2022	5	10	
5	Architectural Coating	Architectural Coating	3/21/2022	4/1/2022	5	10	

Acres of Grading (Site Preparation Phase): 4.5

Acres of Grading (Grading Phase): 3

Acres of Paving: 0.67

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 150,000; Non-Residential Outdoor: 50,000; Striped Parking Area: 3,600 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Graders	1	8.00	187	0.41
Site Preparation	Scrapers	1	8.00	367	0.48
Site Preparation	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	8.00	231	0.29
Building Construction	Forklifts	2	7.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	8.00	9	0.56
Paving	Pavers	1	8.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	8	68.00	26.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	14.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.4772	0.0000	0.4772	0.0515	0.0000	0.0515			0.0000			0.0000
Off-Road	1.5463	18.2862	10.7496	0.0245		0.7019	0.7019		0.6457	0.6457		2,372.8832	2,372.8832	0.7674		2,392.0692
Total	**1.5463**	**18.2862**	**10.7496**	**0.0245**	**0.4772**	**0.7019**	**1.1791**	**0.0515**	**0.6457**	**0.6973**		**2,372.8832**	**2,372.8832**	**0.7674**		**2,392.0692**

3.2 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0257	0.0150	0.1965	6.4000e-004	0.0657	4.1000e-004	0.0661	0.0174	3.8000e-004	0.0178		63.3568	63.3568	1.4200e-003		63.3922
Total	**0.0257**	**0.0150**	**0.1965**	**6.4000e-004**	**0.0657**	**4.1000e-004**	**0.0661**	**0.0174**	**3.8000e-004**	**0.0178**		**63.3568**	**63.3568**	**1.4200e-003**		**63.3922**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.2148	0.0000	0.2148	0.0232	0.0000	0.0232			0.0000			0.0000
Off-Road	1.5463	18.2862	10.7496	0.0245		0.7019	0.7019		0.6457	0.6457	0.0000	2,372.8832	2,372.8832	0.7674		2,392.0692
Total	**1.5463**	**18.2862**	**10.7496**	**0.0245**	**0.2148**	**0.7019**	**0.9166**	**0.0232**	**0.6457**	**0.6689**	**0.0000**	**2,372.8832**	**2,372.8832**	**0.7674**		**2,392.0692**

3.2 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0257	0.0150	0.1965	6.4000e-004	0.0657	4.1000e-004	0.0661	0.0174	3.8000e-004	0.0178		63.3568	63.3568	1.4200e-003		63.3922
Total	**0.0257**	**0.0150**	**0.1965**	**6.4000e-004**	**0.0657**	**4.1000e-004**	**0.0661**	**0.0174**	**3.8000e-004**	**0.0178**		**63.3568**	**63.3568**	**1.4200e-003**		**63.3922**

3.3 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.3402	0.0000	6.3402	3.3446	0.0000	3.3446			0.0000			0.0000
Off-Road	1.8271	20.2135	9.7604	0.0206		0.9158	0.9158		0.8425	0.8425		1,995.6114	1,995.6114	0.6454		2,011.7470
Total	**1.8271**	**20.2135**	**9.7604**	**0.0206**	**6.3402**	**0.9158**	**7.2560**	**3.3446**	**0.8425**	**4.1871**		**1,995.6114**	**1,995.6114**	**0.6454**		**2,011.7470**

3.3 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0322	0.0188	0.2456	7.9000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		79.1960	79.1960	1.7700e-003		79.2402
Total	**0.0322**	**0.0188**	**0.2456**	**7.9000e-004**	**0.0822**	**5.2000e-004**	**0.0827**	**0.0218**	**4.8000e-004**	**0.0223**		**79.1960**	**79.1960**	**1.7700e-003**		**79.2402**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.8531	0.0000	2.8531	1.5051	0.0000	1.5051			0.0000			0.0000
Off-Road	1.8271	20.2135	9.7604	0.0206		0.9158	0.9158		0.8425	0.8425	0.0000	1,995.6114	1,995.6114	0.6454		2,011.7470
Total	**1.8271**	**20.2135**	**9.7604**	**0.0206**	**2.8531**	**0.9158**	**3.7689**	**1.5051**	**0.8425**	**2.3476**	**0.0000**	**1,995.6114**	**1,995.6114**	**0.6454**		**2,011.7470**

3.3 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0322	0.0188	0.2456	7.9000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		79.1960	79.1960	1.7700e-003		79.2402
Total	**0.0322**	**0.0188**	**0.2456**	**7.9000e-004**	**0.0822**	**5.2000e-004**	**0.0827**	**0.0218**	**4.8000e-004**	**0.0223**		**79.1960**	**79.1960**	**1.7700e-003**		**79.2402**

3.4 Building Construction - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0451	16.0275	14.5629	0.0250		0.8173	0.8173		0.7831	0.7831		2,288.9355	2,288.9355	0.4503		2,300.1935
Total	**2.0451**	**16.0275**	**14.5629**	**0.0250**		**0.8173**	**0.8173**		**0.7831**	**0.7831**		**2,288.9355**	**2,288.9355**	**0.4503**		**2,300.1935**

3.4 Building Construction - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0806	2.6869	0.6336	7.0900e-003	0.1760	5.8200e-003	0.1818	0.0507	5.5700e-003	0.0562		751.2922	751.2922	0.0353		752.1737
Worker	0.2187	0.1278	1.6703	5.4000e-003	0.5586	3.5100e-003	0.5621	0.1482	3.2400e-003	0.1514		538.5325	538.5325	0.0120		538.8334
Total	**0.2993**	**2.8147**	**2.3039**	**0.0125**	**0.7346**	**9.3300e-003**	**0.7439**	**0.1988**	**8.8100e-003**	**0.2076**		**1,289.8247**	**1,289.8247**	**0.0473**		**1,291.0072**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0451	16.0275	14.5629	0.0250		0.8173	0.8173		0.7831	0.7831	0.0000	2,288.9355	2,288.9355	0.4503		2,300.1935
Total	**2.0451**	**16.0275**	**14.5629**	**0.0250**		**0.8173**	**0.8173**		**0.7831**	**0.7831**	**0.0000**	**2,288.9355**	**2,288.9355**	**0.4503**		**2,300.1935**

3.4 Building Construction - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0806	2.6869	0.6336	7.0900e-003	0.1760	5.8200e-003	0.1818	0.0507	5.5700e-003	0.0562		751.2922	751.2922	0.0353		752.1737
Worker	0.2187	0.1278	1.6703	5.4000e-003	0.5586	3.5100e-003	0.5621	0.1482	3.2400e-003	0.1514		538.5325	538.5325	0.0120		538.8334
Total	**0.2993**	**2.8147**	**2.3039**	**0.0125**	**0.7346**	**9.3300e-003**	**0.7439**	**0.1988**	**8.8100e-003**	**0.2076**		**1,289.8247**	**1,289.8247**	**0.0473**		**1,291.0072**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8555	14.6040	14.3533	0.0250		0.7022	0.7022		0.6731	0.6731		2,289.2813	2,289.2813	0.4417		2,300.3230
Total	**1.8555**	**14.6040**	**14.3533**	**0.0250**		**0.7022**	**0.7022**		**0.6731**	**0.6731**		**2,289.2813**	**2,289.2813**	**0.4417**		**2,300.3230**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0752	2.5465	0.5959	7.0200e-003	0.1760	5.0500e-003	0.1811	0.0507	4.8300e-003	0.0555		743.9757	743.9757	0.0337		744.8186
Worker	0.2035	0.1146	1.5391	5.2000e-003	0.5586	3.4300e-003	0.5620	0.1482	3.1600e-003	0.1513		518.7689	518.7689	0.0108		519.0391
Total	**0.2787**	**2.6611**	**2.1350**	**0.0122**	**0.7346**	**8.4800e-003**	**0.7431**	**0.1988**	**7.9900e-003**	**0.2068**		**1,262.7446**	**1,262.7446**	**0.0445**		**1,263.8577**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8555	14.6040	14.3533	0.0250		0.7022	0.7022		0.6731	0.6731	0.0000	2,289.2813	2,289.2813	0.4417		2,300.3230
Total	**1.8555**	**14.6040**	**14.3533**	**0.0250**		**0.7022**	**0.7022**		**0.6731**	**0.6731**	**0.0000**	**2,289.2813**	**2,289.2813**	**0.4417**		**2,300.3230**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0752	2.5465	0.5959	7.0200e-003	0.1760	5.0500e-003	0.1811	0.0507	4.8300e-003	0.0555		743.9757	743.9757	0.0337		744.8186
Worker	0.2035	0.1146	1.5391	5.2000e-003	0.5586	3.4300e-003	0.5620	0.1482	3.1600e-003	0.1513		518.7689	518.7689	0.0108		519.0391
Total	**0.2787**	**2.6611**	**2.1350**	**0.0122**	**0.7346**	**8.4800e-003**	**0.7431**	**0.1988**	**7.9900e-003**	**0.2068**		**1,262.7446**	**1,262.7446**	**0.0445**		**1,263.8577**

3.5 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9412	9.3322	11.6970	0.0179		0.4879	0.4879		0.4500	0.4500		1,709.6892	1,709.6892	0.5419		1,723.2356
Paving	0.1755					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.1167**	**9.3322**	**11.6970**	**0.0179**		**0.4879**	**0.4879**		**0.4500**	**0.4500**		**1,709.6892**	**1,709.6892**	**0.5419**		**1,723.2356**

3.5 Paving - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0449	0.0253	0.3395	1.1500e-003	0.1232	7.6000e-004	0.1240	0.0327	7.0000e-004	0.0334		114.4343	114.4343	2.3800e-003		114.4939
Total	**0.0449**	**0.0253**	**0.3395**	**1.1500e-003**	**0.1232**	**7.6000e-004**	**0.1240**	**0.0327**	**7.0000e-004**	**0.0334**		**114.4343**	**114.4343**	**2.3800e-003**		**114.4939**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9412	9.3322	11.6970	0.0179		0.4879	0.4879		0.4500	0.4500	0.0000	1,709.6892	1,709.6892	0.5419		1,723.2356
Paving	0.1755					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.1167**	**9.3322**	**11.6970**	**0.0179**		**0.4879**	**0.4879**		**0.4500**	**0.4500**	**0.0000**	**1,709.6892**	**1,709.6892**	**0.5419**		**1,723.2356**

3.5 Paving - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0449	0.0253	0.3395	1.1500e-003	0.1232	7.6000e-004	0.1240	0.0327	7.0000e-004	0.0334		114.4343	114.4343	2.3800e-003		114.4939
Total	**0.0449**	**0.0253**	**0.3395**	**1.1500e-003**	**0.1232**	**7.6000e-004**	**0.1240**	**0.0327**	**7.0000e-004**	**0.0334**		**114.4343**	**114.4343**	**2.3800e-003**		**114.4939**

3.6 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	106.7904					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062
Total	**106.9949**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**		**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0419	0.0236	0.3169	1.0700e-003	0.1150	7.1000e-004	0.1157	0.0305	6.5000e-004	0.0312		106.8054	106.8054	2.2300e-003		106.8610
Total	**0.0419**	**0.0236**	**0.3169**	**1.0700e-003**	**0.1150**	**7.1000e-004**	**0.1157**	**0.0305**	**6.5000e-004**	**0.0312**		**106.8054**	**106.8054**	**2.2300e-003**		**106.8610**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	106.7904					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062
Total	**106.9949**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**	**0.0000**	**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0419	0.0236	0.3169	1.0700e-003	0.1150	7.1000e-004	0.1157	0.0305	6.5000e-004	0.0312		106.8054	106.8054	2.2300e-003		106.8610
Total	**0.0419**	**0.0236**	**0.3169**	**1.0700e-003**	**0.1150**	**7.1000e-004**	**0.1157**	**0.0305**	**6.5000e-004**	**0.0312**		**106.8054**	**106.8054**	**2.2300e-003**		**106.8610**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.7145	2.2977	15.0803	0.0451	4.4270	0.0409	4.4678	1.1801	0.0381	1.2182		4,504.7465	4,504.7465	0.1428		4,508.3161
Unmitigated	1.7684	2.5177	16.5996	0.0508	5.0192	0.0455	5.0647	1.3380	0.0424	1.3803		5,080.1908	5,080.1908	0.1585		5,084.1541

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Hotel	1,254.00	1,254.00	1254.00	2,382,513	2,101,377
Parking Lot	0.00	0.00	0.00		
Recreational Swimming Pool	0.00	0.00	0.00		
Total	1,254.00	1,254.00	1,254.00	2,382,513	2,101,377

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Hotel	9.50	7.30	7.30	19.40	61.60	19.00	58	38	4
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Recreational Swimming Pool	9.50	7.30	7.30	33.00	48.00	19.00	52	39	9

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Hotel	0.619098	0.039376	0.193723	0.112069	0.016317	0.005000	0.001000	0.001000	0.002614	0.002274	0.005874	0.000887	0.000768
Parking Lot	0.576985	0.039376	0.193723	0.112069	0.016317	0.005358	0.017943	0.025814	0.002614	0.002274	0.005874	0.000887	0.000768
Recreational Swimming Pool	0.576985	0.039376	0.193723	0.112069	0.016317	0.005358	0.017943	0.025814	0.002614	0.002274	0.005874	0.000887	0.000768

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0818	0.7439	0.6249	4.4600e-003		0.0565	0.0565		0.0565	0.0565		892.6994	892.6994	0.0171	0.0164	898.0043
NaturalGas Unmitigated	0.1079	0.9807	0.8238	5.8800e-003		0.0745	0.0745		0.0745	0.0745		1,176.7929	1,176.7929	0.0226	0.0216	1,183.7860

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Hotel	10002.7	0.1079	0.9807	0.8238	5.8800e-003		0.0745	0.0745		0.0745	0.0745		1,176.7929	1,176.7929	0.0226	0.0216	1,183.7860
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.1079**	**0.9807**	**0.8238**	**5.8800e-003**		**0.0745**	**0.0745**		**0.0745**	**0.0745**		**1,176.7929**	**1,176.7929**	**0.0226**	**0.0216**	**1,183.7860**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Hotel	7.58795	0.0818	0.7439	0.6249	4.4600e-003		0.0565	0.0565		0.0565	0.0565		892.6994	892.6994	0.0171	0.0164	898.0043
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0818**	**0.7439**	**0.6249**	**4.4600e-003**		**0.0565**	**0.0565**		**0.0565**	**0.0565**		**892.6994**	**892.6994**	**0.0171**	**0.0164**	**898.0043**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Unmitigated	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.2926					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.1613					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	2.8600e-003	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Total	**2.4567**	**2.8000e-004**	**0.0308**	**0.0000**		**1.1000e-004**	**1.1000e-004**		**1.1000e-004**	**1.1000e-004**		**0.0659**	**0.0659**	**1.7000e-004**		**0.0702**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.2926					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.1613					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	2.8600e-003	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Total	**2.4567**	**2.8000e-004**	**0.0308**	**0.0000**		**1.1000e-004**	**1.1000e-004**		**1.1000e-004**	**1.1000e-004**		**0.0659**	**0.0659**	**1.7000e-004**		**0.0702**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Route 238 Property Development – Apple Avenue/Oak Street (Parcel Group 9)

Bay Area AQMD Air District, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	150.00	Space	0.67	60,000.00	0
Hotel	150.00	Room	2.00	100,000.00	0
Recreational Swimming Pool	0.90	1000sqft	0.02	900.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	5			**Operational Year**	2022
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	328.8	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 intensity based on 5-year average (PG&E 2015)

Land Use - The Parcel Group 9 Project would consist of an up to 150-room hotel and associated parking and outdoor pool.

Construction Phase - The Parcel Group 9 Project would consist of an up to 150-room hotel and associated parking

Vehicle Trips - Based on the Transportation Impact Analysis prepared for the proposed project

Construction Off-road Equipment Mitigation - assuming compliance with BAAQMD Basic Construction Mitigation Measures

Mobile Land Use Mitigation -

Energy Mitigation - Compliance with 2019 Title 24 improvements

Waste Mitigation - Assuming 25 percent reduction in waste disposed, consistent with the CalRecycle Waste Diversion and Recycling Mandate

Fleet Mix - Revised fleet mix percentages

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	6.00	10.00
tblConstructionPhase	NumDays	3.00	10.00
tblFleetMix	HHD	0.03	1.0000e-003
tblFleetMix	LDA	0.58	0.62
tblFleetMix	LHD2	5.3580e-003	5.0000e-003
tblFleetMix	MHD	0.02	1.0000e-003
tblGrading	AcresOfGrading	5.00	3.00
tblGrading	AcresOfGrading	15.00	4.50
tblLandUse	LandUseSquareFeet	217,800.00	100,000.00
tblLandUse	LotAcreage	1.35	0.67
tblLandUse	LotAcreage	5.00	2.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	328.8
tblVehicleTrips	ST_TR	8.19	8.36
tblVehicleTrips	ST_TR	9.10	0.00
tblVehicleTrips	SU_TR	5.95	8.36
tblVehicleTrips	SU_TR	13.60	0.00
tblVehicleTrips	WD_TR	8.17	8.36
tblVehicleTrips	WD_TR	33.82	0.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	2.3621	20.2367	16.8539	0.0369	6.4224	0.9163	7.3387	3.3664	0.8430	4.2093	0.0000	3,517.2510	3,517.2510	0.7688	0.0000	3,529.7434
2022	107.0395	17.3112	16.4719	0.0367	0.7346	0.7109	1.4455	0.1988	0.6813	0.8801	0.0000	3,492.1610	3,492.1610	0.5441	0.0000	3,504.3650
Maximum	**107.0395**	**20.2367**	**16.8539**	**0.0369**	**6.4224**	**0.9163**	**7.3387**	**3.3664**	**0.8430**	**4.2093**	**0.0000**	**3,517.2510**	**3,517.2510**	**0.7688**	**0.0000**	**3,529.7434**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	2.3621	20.2367	16.8539	0.0369	2.9353	0.9163	3.8515	1.5269	0.8430	2.3698	0.0000	3,517.2510	3,517.2510	0.7688	0.0000	3,529.7434
2022	107.0395	17.3112	16.4719	0.0367	0.7346	0.7109	1.4455	0.1988	0.6813	0.8801	0.0000	3,492.1610	3,492.1610	0.5441	0.0000	3,504.3650
Maximum	**107.0395**	**20.2367**	**16.8539**	**0.0369**	**2.9353**	**0.9163**	**3.8515**	**1.5269**	**0.8430**	**2.3698**	**0.0000**	**3,517.2510**	**3,517.2510**	**0.7688**	**0.0000**	**3,529.7434**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**48.72**	**0.00**	**39.70**	**51.60**	**0.00**	**36.14**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Energy	0.1079	0.9807	0.8238	5.8800e-003		0.0745	0.0745		0.0745	0.0745		1,176.7929	1,176.7929	0.0226	0.0216	1,183.7860
Mobile	1.4887	2.8533	16.8836	0.0472	5.0192	0.0455	5.0647	1.3380	0.0424	1.3804		4,718.4482	4,718.4482	0.1591		4,722.4260
Total	**4.0533**	**3.8342**	**17.7381**	**0.0531**	**5.0192**	**0.1201**	**5.1394**	**1.3380**	**0.1170**	**1.4550**		**5,895.3070**	**5,895.3070**	**0.1818**	**0.0216**	**5,906.2822**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Energy	0.0818	0.7439	0.6249	4.4600e-003		0.0565	0.0565		0.0565	0.0565		892.6994	892.6994	0.0171	0.0164	898.0043
Mobile	1.4357	2.6013	15.5394	0.0419	4.4270	0.0409	4.4679	1.1801	0.0381	1.2182		4,185.4155	4,185.4155	0.1442		4,189.0212
Total	**3.9742**	**3.3455**	**16.1950**	**0.0463**	**4.4270**	**0.0976**	**4.5245**	**1.1801**	**0.0948**	**1.2748**		**5,078.1808**	**5,078.1808**	**0.1615**	**0.0164**	**5,087.0957**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**1.95**	**12.75**	**8.70**	**12.70**	**11.80**	**18.80**	**11.96**	**11.80**	**19.04**	**12.38**	**0.00**	**13.86**	**13.86**	**11.19**	**24.11**	**13.87**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	4/5/2021	4/16/2021	5	10	
2	Grading	Grading	4/19/2021	4/30/2021	5	10	
3	Building Construction	Building Construction	5/3/2021	3/4/2022	5	220	
4	Paving	Paving	3/7/2022	3/18/2022	5	10	
5	Architectural Coating	Architectural Coating	3/21/2022	4/1/2022	5	10	

Acres of Grading (Site Preparation Phase): 4.5

Acres of Grading (Grading Phase): 3

Acres of Paving: 0.67

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 150,000; Non-Residential Outdoor: 50,000; Striped Parking Area: 3,600 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Graders	1	8.00	187	0.41
Site Preparation	Scrapers	1	8.00	367	0.48
Site Preparation	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	8.00	231	0.29
Building Construction	Forklifts	2	7.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	8.00	9	0.56
Paving	Pavers	1	8.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	8	68.00	26.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	14.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.4772	0.0000	0.4772	0.0515	0.0000	0.0515			0.0000			0.0000
Off-Road	1.5463	18.2862	10.7496	0.0245		0.7019	0.7019		0.6457	0.6457		2,372.8832	2,372.8832	0.7674		2,392.0692
Total	**1.5463**	**18.2862**	**10.7496**	**0.0245**	**0.4772**	**0.7019**	**1.1791**	**0.0515**	**0.6457**	**0.6973**		**2,372.8832**	**2,372.8832**	**0.7674**		**2,392.0692**

3.2 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0273	0.0186	0.1839	5.9000e-004	0.0657	4.1000e-004	0.0661	0.0174	3.8000e-004	0.0178		58.3629	58.3629	1.3200e-003		58.3960
Total	**0.0273**	**0.0186**	**0.1839**	**5.9000e-004**	**0.0657**	**4.1000e-004**	**0.0661**	**0.0174**	**3.8000e-004**	**0.0178**		**58.3629**	**58.3629**	**1.3200e-003**		**58.3960**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.2148	0.0000	0.2148	0.0232	0.0000	0.0232			0.0000			0.0000
Off-Road	1.5463	18.2862	10.7496	0.0245		0.7019	0.7019		0.6457	0.6457	0.0000	2,372.8832	2,372.8832	0.7674		2,392.0692
Total	**1.5463**	**18.2862**	**10.7496**	**0.0245**	**0.2148**	**0.7019**	**0.9166**	**0.0232**	**0.6457**	**0.6689**	**0.0000**	**2,372.8832**	**2,372.8832**	**0.7674**		**2,392.0692**

3.2 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0273	0.0186	0.1839	5.9000e-004	0.0657	4.1000e-004	0.0661	0.0174	3.8000e-004	0.0178		58.3629	58.3629	1.3200e-003		58.3960
Total	**0.0273**	**0.0186**	**0.1839**	**5.9000e-004**	**0.0657**	**4.1000e-004**	**0.0661**	**0.0174**	**3.8000e-004**	**0.0178**		**58.3629**	**58.3629**	**1.3200e-003**		**58.3960**

3.3 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.3402	0.0000	6.3402	3.3446	0.0000	3.3446			0.0000			0.0000
Off-Road	1.8271	20.2135	9.7604	0.0206		0.9158	0.9158		0.8425	0.8425		1,995.6114	1,995.6114	0.6454		2,011.7470
Total	**1.8271**	**20.2135**	**9.7604**	**0.0206**	**6.3402**	**0.9158**	**7.2560**	**3.3446**	**0.8425**	**4.1871**		**1,995.6114**	**1,995.6114**	**0.6454**		**2,011.7470**

3.3 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0341	0.0232	0.2298	7.3000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		72.9537	72.9537	1.6500e-003		72.9949
Total	**0.0341**	**0.0232**	**0.2298**	**7.3000e-004**	**0.0822**	**5.2000e-004**	**0.0827**	**0.0218**	**4.8000e-004**	**0.0223**		**72.9537**	**72.9537**	**1.6500e-003**		**72.9949**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.8531	0.0000	2.8531	1.5051	0.0000	1.5051			0.0000			0.0000
Off-Road	1.8271	20.2135	9.7604	0.0206		0.9158	0.9158		0.8425	0.8425	0.0000	1,995.6114	1,995.6114	0.6454		2,011.7470
Total	**1.8271**	**20.2135**	**9.7604**	**0.0206**	**2.8531**	**0.9158**	**3.7689**	**1.5051**	**0.8425**	**2.3476**	**0.0000**	**1,995.6114**	**1,995.6114**	**0.6454**		**2,011.7470**

3.3 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0341	0.0232	0.2298	7.3000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		72.9537	72.9537	1.6500e-003		72.9949
Total	**0.0341**	**0.0232**	**0.2298**	**7.3000e-004**	**0.0822**	**5.2000e-004**	**0.0827**	**0.0218**	**4.8000e-004**	**0.0223**		**72.9537**	**72.9537**	**1.6500e-003**		**72.9949**

3.4 Building Construction - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0451	16.0275	14.5629	0.0250		0.8173	0.8173		0.7831	0.7831		2,288.9355	2,288.9355	0.4503		2,300.1935
Total	**2.0451**	**16.0275**	**14.5629**	**0.0250**		**0.8173**	**0.8173**		**0.7831**	**0.7831**		**2,288.9355**	**2,288.9355**	**0.4503**		**2,300.1935**

3.4 Building Construction - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0854	2.7100	0.7282	6.9100e-003	0.1760	6.0200e-003	0.1820	0.0507	5.7600e-003	0.0564		732.2306	732.2306	0.0382		733.1843
Worker	0.2316	0.1578	1.5627	4.9800e-003	0.5586	3.5100e-003	0.5621	0.1482	3.2400e-003	0.1514		496.0849	496.0849	0.0112		496.3655
Total	**0.3170**	**2.8678**	**2.2910**	**0.0119**	**0.7346**	**9.5300e-003**	**0.7441**	**0.1988**	**9.0000e-003**	**0.2078**		**1,228.3155**	**1,228.3155**	**0.0494**		**1,229.5498**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0451	16.0275	14.5629	0.0250		0.8173	0.8173		0.7831	0.7831	0.0000	2,288.9355	2,288.9355	0.4503		2,300.1935
Total	**2.0451**	**16.0275**	**14.5629**	**0.0250**		**0.8173**	**0.8173**		**0.7831**	**0.7831**	**0.0000**	**2,288.9355**	**2,288.9355**	**0.4503**		**2,300.1935**

3.4 Building Construction - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0854	2.7100	0.7282	6.9100e-003	0.1760	6.0200e-003	0.1820	0.0507	5.7600e-003	0.0564		732.2306	732.2306	0.0382		733.1843
Worker	0.2316	0.1578	1.5627	4.9800e-003	0.5586	3.5100e-003	0.5621	0.1482	3.2400e-003	0.1514		496.0849	496.0849	0.0112		496.3655
Total	**0.3170**	**2.8678**	**2.2910**	**0.0119**	**0.7346**	**9.5300e-003**	**0.7441**	**0.1988**	**9.0000e-003**	**0.2078**		**1,228.3155**	**1,228.3155**	**0.0494**		**1,229.5498**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8555	14.6040	14.3533	0.0250		0.7022	0.7022		0.6731	0.6731		2,289.2813	2,289.2813	0.4417		2,300.3230
Total	**1.8555**	**14.6040**	**14.3533**	**0.0250**		**0.7022**	**0.7022**		**0.6731**	**0.6731**		**2,289.2813**	**2,289.2813**	**0.4417**		**2,300.3230**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0797	2.5657	0.6846	6.8400e-003	0.1760	5.2300e-003	0.1812	0.0507	5.0000e-003	0.0557		724.9812	724.9812	0.0364		725.8922
Worker	0.2162	0.1415	1.4340	4.7900e-003	0.5586	3.4300e-003	0.5620	0.1482	3.1600e-003	0.1513		477.8986	477.8986	0.0101		478.1498
Total	**0.2958**	**2.7072**	**2.1186**	**0.0116**	**0.7346**	**8.6600e-003**	**0.7433**	**0.1988**	**8.1600e-003**	**0.2070**		**1,202.8797**	**1,202.8797**	**0.0465**		**1,204.0420**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8555	14.6040	14.3533	0.0250		0.7022	0.7022		0.6731	0.6731	0.0000	2,289.2813	2,289.2813	0.4417		2,300.3230
Total	**1.8555**	**14.6040**	**14.3533**	**0.0250**		**0.7022**	**0.7022**		**0.6731**	**0.6731**	**0.0000**	**2,289.2813**	**2,289.2813**	**0.4417**		**2,300.3230**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0797	2.5657	0.6846	6.8400e-003	0.1760	5.2300e-003	0.1812	0.0507	5.0000e-003	0.0557		724.9812	724.9812	0.0364		725.8922
Worker	0.2162	0.1415	1.4340	4.7900e-003	0.5586	3.4300e-003	0.5620	0.1482	3.1600e-003	0.1513		477.8986	477.8986	0.0101		478.1498
Total	**0.2958**	**2.7072**	**2.1186**	**0.0116**	**0.7346**	**8.6600e-003**	**0.7433**	**0.1988**	**8.1600e-003**	**0.2070**		**1,202.8797**	**1,202.8797**	**0.0465**		**1,204.0420**

3.5 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9412	9.3322	11.6970	0.0179		0.4879	0.4879		0.4500	0.4500		1,709.6892	1,709.6892	0.5419		1,723.2356
Paving	0.1755					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.1167**	**9.3322**	**11.6970**	**0.0179**		**0.4879**	**0.4879**		**0.4500**	**0.4500**		**1,709.6892**	**1,709.6892**	**0.5419**		**1,723.2356**

3.5 Paving - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0477	0.0312	0.3163	1.0600e-003	0.1232	7.6000e-004	0.1240	0.0327	7.0000e-004	0.0334		105.4188	105.4188	2.2200e-003		105.4742
Total	**0.0477**	**0.0312**	**0.3163**	**1.0600e-003**	**0.1232**	**7.6000e-004**	**0.1240**	**0.0327**	**7.0000e-004**	**0.0334**		**105.4188**	**105.4188**	**2.2200e-003**		**105.4742**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9412	9.3322	11.6970	0.0179		0.4879	0.4879		0.4500	0.4500	0.0000	1,709.6892	1,709.6892	0.5419		1,723.2356
Paving	0.1755					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.1167**	**9.3322**	**11.6970**	**0.0179**		**0.4879**	**0.4879**		**0.4500**	**0.4500**	**0.0000**	**1,709.6892**	**1,709.6892**	**0.5419**		**1,723.2356**

3.5 Paving - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0477	0.0312	0.3163	1.0600e-003	0.1232	7.6000e-004	0.1240	0.0327	7.0000e-004	0.0334		105.4188	105.4188	2.2200e-003		105.4742
Total	**0.0477**	**0.0312**	**0.3163**	**1.0600e-003**	**0.1232**	**7.6000e-004**	**0.1240**	**0.0327**	**7.0000e-004**	**0.0334**		**105.4188**	**105.4188**	**2.2200e-003**		**105.4742**

3.6 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	106.7904					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062
Total	**106.9949**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**		**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0445	0.0291	0.2952	9.9000e-004	0.1150	7.1000e-004	0.1157	0.0305	6.5000e-004	0.0312		98.3909	98.3909	2.0700e-003		98.4426
Total	**0.0445**	**0.0291**	**0.2952**	**9.9000e-004**	**0.1150**	**7.1000e-004**	**0.1157**	**0.0305**	**6.5000e-004**	**0.0312**		**98.3909**	**98.3909**	**2.0700e-003**		**98.4426**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	106.7904					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062
Total	**106.9949**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**	**0.0000**	**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0445	0.0291	0.2952	9.9000e-004	0.1150	7.1000e-004	0.1157	0.0305	6.5000e-004	0.0312		98.3909	98.3909	2.0700e-003		98.4426
Total	**0.0445**	**0.0291**	**0.2952**	**9.9000e-004**	**0.1150**	**7.1000e-004**	**0.1157**	**0.0305**	**6.5000e-004**	**0.0312**		**98.3909**	**98.3909**	**2.0700e-003**		**98.4426**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.4357	2.6013	15.5394	0.0419	4.4270	0.0409	4.4679	1.1801	0.0381	1.2182		4,185.4155	4,185.4155	0.1442		4,189.0212
Unmitigated	1.4887	2.8533	16.8836	0.0472	5.0192	0.0455	5.0647	1.3380	0.0424	1.3804		4,718.4482	4,718.4482	0.1591		4,722.4260

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Hotel	1,254.00	1,254.00	1254.00	2,382,513	2,101,377
Parking Lot	0.00	0.00	0.00		
Recreational Swimming Pool	0.00	0.00	0.00		
Total	1,254.00	1,254.00	1,254.00	2,382,513	2,101,377

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Hotel	9.50	7.30	7.30	19.40	61.60	19.00	58	38	4
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Recreational Swimming Pool	9.50	7.30	7.30	33.00	48.00	19.00	52	39	9

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Hotel	0.619098	0.039376	0.193723	0.112069	0.016317	0.005000	0.001000	0.001000	0.002614	0.002274	0.005874	0.000887	0.000768
Parking Lot	0.576985	0.039376	0.193723	0.112069	0.016317	0.005358	0.017943	0.025814	0.002614	0.002274	0.005874	0.000887	0.000768
Recreational Swimming Pool	0.576985	0.039376	0.193723	0.112069	0.016317	0.005358	0.017943	0.025814	0.002614	0.002274	0.005874	0.000887	0.000768

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0818	0.7439	0.6249	4.4600e-003		0.0565	0.0565		0.0565	0.0565		892.6994	892.6994	0.0171	0.0164	898.0043
NaturalGas Unmitigated	0.1079	0.9807	0.8238	5.8800e-003		0.0745	0.0745		0.0745	0.0745		1,176.7929	1,176.7929	0.0226	0.0216	1,183.7860

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Hotel	10002.7	0.1079	0.9807	0.8238	5.8800e-003		0.0745	0.0745		0.0745	0.0745		1,176.7929	1,176.7929	0.0226	0.0216	1,183.7860
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.1079**	**0.9807**	**0.8238**	**5.8800e-003**		**0.0745**	**0.0745**		**0.0745**	**0.0745**		**1,176.7929**	**1,176.7929**	**0.0226**	**0.0216**	**1,183.7860**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Hotel	7.58795	0.0818	0.7439	0.6249	4.4600e-003		0.0565	0.0565		0.0565	0.0565		892.6994	892.6994	0.0171	0.0164	898.0043
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Recreational Swimming Pool	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0818**	**0.7439**	**0.6249**	**4.4600e-003**		**0.0565**	**0.0565**		**0.0565**	**0.0565**		**892.6994**	**892.6994**	**0.0171**	**0.0164**	**898.0043**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Unmitigated	2.4567	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.2926					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.1613					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	2.8600e-003	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Total	**2.4567**	**2.8000e-004**	**0.0308**	**0.0000**		**1.1000e-004**	**1.1000e-004**		**1.1000e-004**	**1.1000e-004**		**0.0659**	**0.0659**	**1.7000e-004**		**0.0702**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.2926					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.1613					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	2.8600e-003	2.8000e-004	0.0308	0.0000		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004		0.0659	0.0659	1.7000e-004		0.0702
Total	**2.4567**	**2.8000e-004**	**0.0308**	**0.0000**		**1.1000e-004**	**1.1000e-004**		**1.1000e-004**	**1.1000e-004**		**0.0659**	**0.0659**	**1.7000e-004**		**0.0702**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Parcel Group 9



Alameda County & City of Hayward Land



Existing Zone



Proposed Rezone



Grove Way Neighborhood Association Comments on rezoning at 1400 Apple and 21266 Oak St

February 27, 2020

To: Edgar Maravilla, Associate Planner
City of Hayward Planning Division
777 B Street, 1st Floor
Hayward, CA 94541

From: Ann E. Maris
Resident, 1490 Grove Way
Organizer, Grove Way Neighborhood Association

Dear Planner Maravilla,

My comments here are in regard to the rezoning application of a former 238 parcel in my neighborhood to commercial zoning (reference: 2020000605 Zone Change). Any residential zoning should be retained because this site is in a residential neighborhood; we are a neighborhood that is trying to rebuild and stabilize after the fifty-year devastation imposed by the cancelled Caltrans 238 bypass project (officially rescinded in 2010). Adding commercial zoning for a hotel does not benefit our local population or contribute toward stabilizing the neighborhood. We have no hotel shortage—we have a housing shortage!

• **No need for hotels.** There are plenty of nearby hotels (see attached figure). In addition, the nearby hotels have extremely low yelp ratings and none of the nearby Hayward hotels are even rated by AAA.

•**Site is in a residential area.** The proposed rezoned site is at a freeway on-ramp, but is otherwise completely surrounded by residential housing. Housing is located all along the 580 freeway throughout most of urban Castro Valley. The 509-unit Mesa Verde condominium complex sits above the site to the east. To the southwest of the Apple & Oak Street site, there is an attractive, fully occupied, apartment complex that is rehabbed former 238-freeway land. Behind these existing apartments, on other former 238 lands, south along Oak Street, 40 market rate townhomes are planned. Sadly, the apartments on the east side of Oak Street sit boarded up and vandalized. Other apartments are occupied by tenants. Oak Street is usually full of trash, abandoned vehicles, and semi-trucks. The tenant's children have no nearby parks and play in the pot-holed street with broken toys. A hotel is not what we need here. As well as

being close to transportation, the site is one block from Foothill Blvd. businesses. This site should be developed into some type of housing that will benefit the local population and not be rezoned to commercial.

• **We need housing rehabbed and built, not destroyed.** Instead of re-renting, as required by the 2009 Tenant Class action settlement, both Caltrans and Hayward have allowed, and currently allow, housing to go unoccupied in the site area. Just in the few blocks surrounding Oak Street and Grove Way, functional housing units that were occupied by families were torn down. Units are boarded. We have lost community. This redevelopment process not only takes homes away from people who could be living there, but also creates abandoned houses and vacant lots leading to neighborhood blight and increased transients. A stable, safe neighborhood has stable residents.

• **Rezoning is inconsistent with plans.** This rezoning does not follow the 2009 land use study adopted by Hayward City Council nor the North Hayward Plan.

• **What community members are involved?** Who is the North Hayward Task Force? The North Hayward Plan itself is very old and Hayward planning was unable to tell me any information about this current task force. The re-zoning site has Castro Valley on two sides and Cherryland on another side. The site is in a narrow finger of Hayward. Community groups should be involved in major decisions such as rezoning, as well as the local advisory councils (Eden Municipal Advisory Council and Castro Valley Advisory Council).

• **High visibility gateway area requires special planning efforts**. Per the North Hayward Plan and general observation, what happens here is important because the area is a physical gateway to several different communities. Broad public input will help develop the best use for the former 238 land here. Rezoning determines land use and so should not happen prior.

Grove Way Neighborhood Association Comments on rezoning at 1400 Apple and 21266 Oak St
February 27, 2020

• **We need housing quickly.** In a development survey conducted among Grove Way Neighborhood members, neighbors were split about exactly what should be built near Oak Street. A common sentiment is that we want something developed quickly. But that it should be good for neighborhood safety, and a hotel near a freeway and a cannabis dispensary does not bring healthy neighborhood contributions.

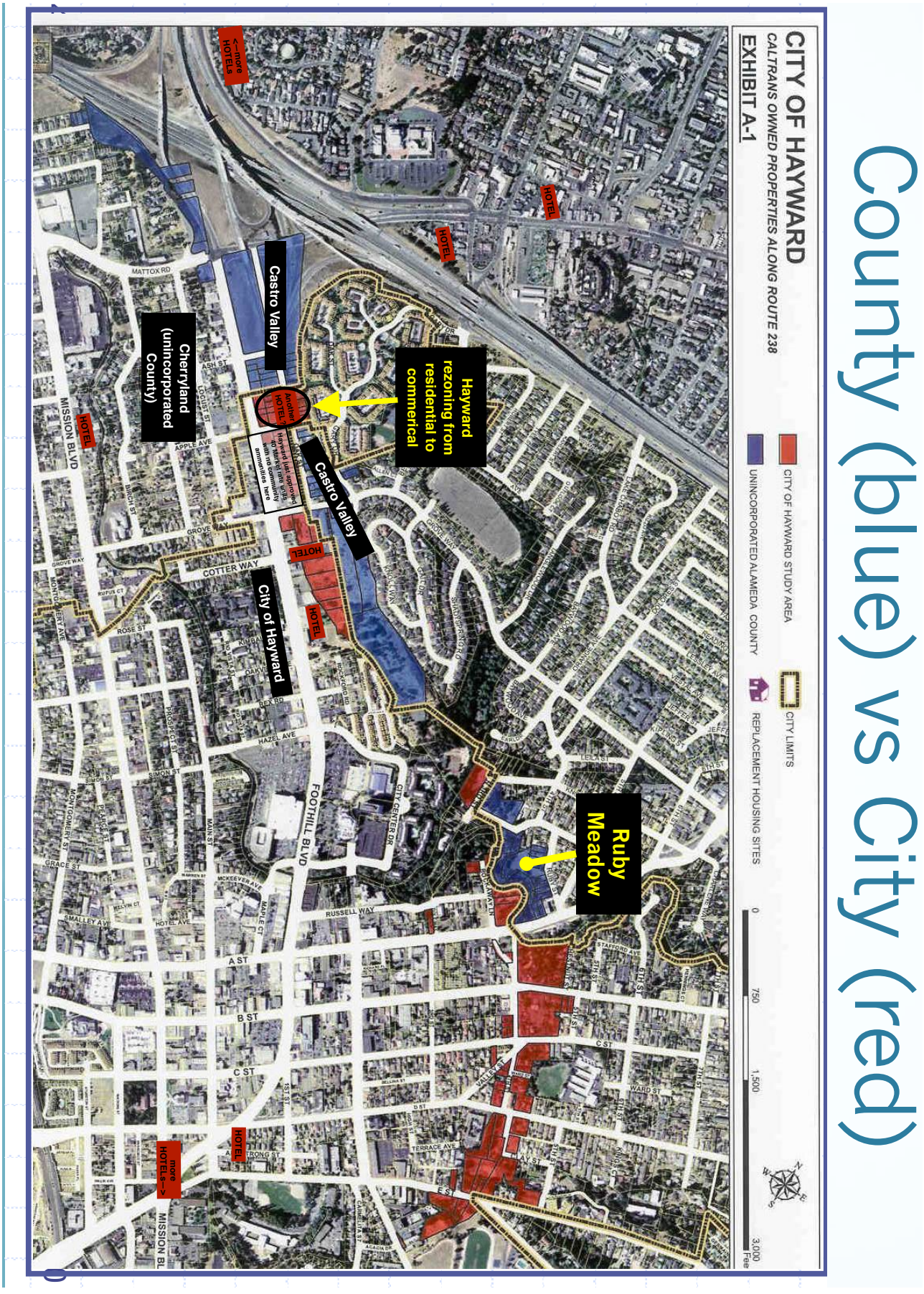
Thank you for this early opportunity to comment. We look forward to a public forum regarding redevelopment plans in the Grove/Foothill area, and to any updates.

Sincerely,

Ann E. Maris, PhD
510-303-4968
Organizer, Grove Way Neighborhood Association
Chair, My Eden Voice! Parks and Open Space Committee
Director, Friends of San Lorenzo Creek
Organizing Director, Eden Community Land Trust
Member, Cherryland Community Association

Grove Way Neighborhood Association Comments on rezoning at 1400 Apple and 21266 Oak St

February 27, 2020



County (blue) vs City (red)

Dear Mayor Halliday and Hayward City Council,

Please reconsider the rezoning of Parcel #9 to build a hotel and do not sell the land to a developer before receiving input from the community. A hotel will neither benefit the Grove Way neighborhood nor contribute to a long term strategy of improving living conditions and enhancing community sustainability. We object to property negotiations proceeding with a hotel developer since the development plan has not undergone public scrutiny or the usual process.

Public process is very important regarding this issue since this neighborhood is in a major development planning flux. The site is located at the intersection of Hayward and three unincorporated areas - Cherryland, Castro Valley, and Ashland. Has the CVMAC and Eden MAC provided input?

Hayward already approved a 40-unit market rate townhouse development on Oak Street with 8-ft concrete walls facing businesses on Foothill Boulevard and no community connection or benefits. Per Hayward's in lieu fee strategy, hotels and businesses do not pay park in lieu fees and will therefore not contribute toward increasing open space in this severely park-deficient neighborhood.

Please reconsider the rezoning of Parcel #9 to build a hotel there, and do not sell the land to a developer before receiving input from the community.

Sincerely,
Winifred and Gerald Thompson

As a resident for many years and now property owner in Hayward, I fully support Ann Maris's letter shown below. Downtown Hayward and in particular "The Strip" along Foothill has gone downhill for many years. Once upon a time, it was a fabulous shopping area. Not anymore. Adding *another* hotel will not improve that situation. Please re-read Ann's comments, particularly about involving the community in future plans, instead of attempting to sidestep community input.

Thank you,
Candice Moura

Hi Edgar, thanks for allowing us the opportunity to comment on the rezoning for Parcel Group 9 located at Apple Ave and Oak St. The County has been aware of this change for some time, we met with Jennifer Ott on a related matter recently and she also informed us that this was coming soon. Since we share a common boundary at this location it does make good sense to coordinate land uses and to ensure one set of regulations does not hinder the other. That said, we are concerned mostly that access still be provided through this site to another landlocked site that is in County jurisdiction. Our General Plan designation on that site is Medium/High Density residential which does not appear to conflict with a general commercial use, as I understand the final goal is to construct a visitor serving use such as a hotel. We don't have an application for development on that site, nor is it known if one is forthcoming soon, but in any event I'm sure the City would agree that access must be maintained. A cluster of development at that location of multi-story buildings, combined hotel and multi-family seems to be a good use of the location.

South of your project site is also residential, at a lower density, and lies within a different General Plan area (Castro Valley). It is anticipated that a community process for this area including Parcel Groups 8, and possibly 9, will be undertaken over the next few months as the City is eager to begin developing properties it has recently purchased. We anticipate a series of possible changes to better reflect community desire will occur as a result of that process, and it's likely the focus will be on housing and open space for those parcels within County jurisdiction. The CVMAC is likely to be the venue for such a community process, as I've already mentioned to Jennifer Ott, as well as to the larger community.

Thanks again for the chance to comment, please keep us informed as the project moves forward.

Regards,

Albert V. Lopez | Planning Director

ALAMEDA COUNTY | Community Development Agency

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File #: PH 20-026

DATE: May 14, 2020

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Proposed Cannabis Microbusiness with Delivery, Distribution, and Manufacturing Activities Located at 23287 Foley Street, Unit B (Assessor Parcel No. 439-0036-104-00) Requiring Approval of Conditional Use Permit Application No. 201901361. Farhad Doctor (Applicant); Liang Xianghua (Property Owner).

RECOMMENDATION

That the Planning Commission approve the Conditional Use Permit for the proposed cannabis microbusiness to allow delivery, distribution and manufacturing uses based on the analysis set forth in this report and the required Findings (Attachment II), and subject to the Conditions of Approval (Attachment III).

SUMMARY

The applicant, Sticky Thumb, is seeking approval of a Conditional Use Permit (CUP) to occupy an approximately 3,300 square-foot tenant space within an existing industrial building, located at 23287 Foley Street, Unit B, for the operation of a cannabis microbusiness facility that includes delivery, distribution, and manufacturing activities. The proposed project includes upgrades and modifications to the existing tenant space to enhance security and allow for the safe operation of cannabis activities.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Findings
Attachment III	Conditions of Approval
Attachment IV	Plans
Attachment V	Business Plan
Attachment VI	Public Correspondence
Attachment VII	Applicant Response to Public Correspondence

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BACKGROUND

On October 30, 2017[1] and November 28, 2017[2], respectively, the City Council enacted regulatory and land use ordinances authorizing cannabis businesses within the City of Hayward, subject to compliance with local and State regulations. At their October meeting, the Council also established a request for proposal (RFP) process by which the City would select commercial cannabis businesses. The process involved four stages to help differentiate applicants who meet the City's desired set of qualifications. These stages include:

1. Criminal Background Investigation
2. Competitive Scoring and Ranking
3. Proposal Interviews
4. City Council Approval

[1] October 30, 2017 City Council Minutes
https://hayward.legistar.com/MeetingDetail.aspx?ID=570110&GUID=1F62F795-56FA-4667-9BD1-E5FDA22CB8C5&Options=info&Search=

[2] November 28, 2017 City Council Minutes
https://hayward.legistar.com/MeetingDetail.aspx?ID=573134&GUID=C82D348A-0412-4741-854C-23697F2AE444&Options=info&Search=

The RFP process commenced on December 8, 2017. At that time, the City received 77 total applications for commercial cannabis companies. Four of these applications did not meet the background check requirements of the City's cannabis program; however, 73 applications were then sent to a neutral, third party reviewer hired by the City to evaluate and score the proposals. Following an independent review by the outside consultants and interviews by City staff, the City Manager recommended to the City Council the award of commercial cannabis licenses to eleven commercial operators for land use activities that include cultivation, manufacturing, distribution, testing labs, delivery, and retail. Once selected, applicants had six months to file their land use applications. The applicant, Sticky Thumb, was one of the eleven companies selected for a commercial cannabis permit, specifically for a cannabis microbusiness.

Public Outreach. On March 18, 2019, an initial Notice of Application Receipt for the project application was sent to 78 addresses including property owners, tenants, and businesses within a 300-foot radius of the project site.

As of the date this staff report was written, Planning Division staff has been contacted by five nearby businesses [Attachment VI]. They expressed concerns about odor, traffic, crime, a need for additional security measures and increased police presence, and a potential reduction in property values if the proposed business is allowed to operate. In addition, a couple of the businesses questioned whether the area is zoned for cannabis uses. Shortly after receiving these neighborhood concerns, the applicant reached out to these neighbors with a letter addressing some of these issues and inviting them to a meeting to further discuss their issues [Attachment VII]. None of the neighbors attended this meeting.

On May 1, 2020, a Notice of this Public Hearing for the Planning Commission meeting was sent to property owners, residents, and businesses within 300-feet of the project site as well as published in The Daily Review newspaper.

PROJECT DESCRIPTION

Existing Conditions. The project is located on a 0.53-acre parcel located at 23287 Foley Street. The site is zoned General Industrial (IG) and has a land use designation of Industrial Technology and Innovation Corridor (IC) in the *Hayward 2040 General Plan*.

The site currently contains an approximately 12,480 square foot industrial building with two tenant spaces, which was originally constructed in 1985, and a parking area. Surrounding land uses include a range of industrial uses, including warehousing, manufacturing, and contractors.

Proposed Project. As proposed, the existing building would be occupied by a cannabis microbusiness with delivery, distribution, and manufacturing activities. The project plans and Business Plan [Attachments IV and V] provide details on the proposed operation, logistics and floor plans. The proposed microbusiness would occupy Unit B, which is approximately 3,300 square feet. As shown in the floorplan, the facility would be partitioned into six different rooms – a warehouse area for loading, unloading, and storage; a light manufacturing area; a delivery office; a distribution office; an employee break area; and a restroom. No changes are proposed to the exterior of the building, other than the installation of some security cameras, which is discussed further below.

As detailed in the Business Plan, the proposed microbusiness will provide safe and secure delivery of cannabis products from their facility directly to customers through an online ordering system and via phone orders. No members of the public will be permitted entry to the facility. Some of the delivered product will be produced in the manufacturing component of the facility, where Sticky Thumb intends to use a rosin extraction process. This involves a press and small amounts of heat to extract a sticky concentrate from cannabis buds. The manufacturing process is solventless and does not involve any chemicals or hazardous materials. The remainder of delivered product will be sourced from other licensed cultivators and manufacturers via Sticky Thumb's distribution component. The delivery component will operate from 9:30 a.m. to 9:30 p.m. seven days a week, with the last order taken at 8:59 p.m. The manufacturing and distribution components will operate Monday through Friday from 9:30 a.m. to 4:00 p.m.

Safety and Security Plan. As part of their Business Plan, the applicant included a detailed Safety and Security Plan to ensure public and product safety. According to the Plan, and as conditioned, a minimum of one security guard will be on site at all times during hours of operation. Other proposed security measures include the installation of an alarm system and high definition 24-hour cameras located in the interior and exterior of the building. The company's fleet of vehicles will be outfitted with interior cameras and a money drop box as well as a built-in lock box for product to be stored.

Surveillance videos and inventory reports will be made available to the City upon request. The applicant has also specified that an employee-training program will be implemented so that each employee understands their role in keeping the facility, themselves, and the products safe and secure. The Safety and Security Plan provides further detail about the numerous additional security measures that will be taken with each component of the microbusiness. All proposed security measures have been reviewed and deemed appropriate by the Hayward Police Department.

Environmental Plan. The Environmental Plan included in Attachment V contains the required Odor Mitigation Plan and Sustainability Plan. To control odor, Sticky Thumb will install an air-scrubbing system with charcoal filters to prevent the emission of any cannabis odors. HEPA filters will also be installed in all vents. As conditioned, the final version of the Odor Mitigation Plan shall be certified by a professional engineer or industrial hygienist and shall include operational processes and maintenance plans, staff training procedures, and details about proposed engineering controls and systems.

The Environmental Plan also includes a number of sustainability measures for the proposed facility. This includes the use of Toyota Priuses in its vehicle fleet, LED lighting, and a purchasing and reuse plan that favors recycled and organic office products. In addition, the applicant's chosen rosin extraction method uses low levels of electricity that is less energy and resource intensive than other common methods of cannabis extraction. The Environmental Services Division has reviewed the Environmental Plan and deems it appropriate.

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan. The project site is in an area designated as Industrial Technology and Innovation Corridor (IC) in the *Hayward 2040 General Plan*[3]. The Corridor is expected to grow as an economic and employment center and evolve to achieve a healthy balance of traditional manufacturing and warehousing and newer information- and technology-based uses. Allowable uses include professional offices, corporate campuses, research and development, warehousing and logistics, manufacturing, and biotechnology.

The proposed cannabis microbusiness would support the following *Hayward 2040 General Plan* goals and policies:

- *Land Use Policy LU-2.16, Uses to Attract the Creative Class.* The City shall encourage the development of uses and amenities to attract creative-class professionals and businesses to Hayward.
- *Economic Development Policy ED-1.4.* The City shall establish business attraction efforts that focus on small and medium-sized businesses within emerging and growing business sectors.
- *Economic Development Goal ED-2.* Cultivate a culture of entrepreneurship to encourage and support local business start-ups.

Further discussion of the consistency between the proposed use and policies are included in the Staff Analysis section below and in Attachment II, Findings.

Zoning Ordinance. The project site is located within the General Industrial (IG) zoning district.[4] The IG district conditionally permits the establishment of a cannabis facility with manufacturing activities with approval of a Conditional Use Permit.[5] As the project makes use of a tenant space within an existing building, no exterior changes are proposed as part of this application.

The Planning Commission may conditionally approve a Conditional Use Permit with a cannabis use that includes manufacturing when all of the required Findings pursuant to Sections 10-1.3225 and 10-1.3609 of the Hayward Municipal Code are met. The required Findings are listed below:

Conditional Use Permit Required Findings

- The proposed use is desirable for the public convenience or welfare;
- The proposed use will not impair the character and integrity of the zoning district and surrounding area;
- The proposed use will not be detrimental to the public health, safety, or general welfare; and
- The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.

[3] Hayward 2040 General Plan: https://www.hayward2040generalplan.com/
[4] Section 10-1.1600 (Industrial Districts) of Hayward Municipal Code: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1600INDI
[5] Section 10-1.3200 (Conditional Use Permit) of Hayward Municipal Code: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=CD_ORD_CH10PLZOSU_ART1ZOOR_S10-1.3200COUSPE

Cannabis Required Findings

- The proposed cannabis use will not be detrimental to the public health, safety, or general welfare in that the cannabis operation is situated in an appropriate location where sensitive land uses will not be adversely impacted;
- Appropriate measures have been taken to address nuisances related to odor, noise, exhaust, and waste related to the cannabis operation;
- The cannabis operation is designed to be safe, secure, and aesthetically compatible with the surrounding area; and
- The cannabis operation will not place a burden on the provision of public services disproportionate to other industrial or commercial uses.

Further analysis related to the cannabis findings is included in the Staff Analysis section below and contained in Attachment II, Findings.

Commercial Cannabis Permits. An applicant is required to obtain approval of a Commercial Cannabis Permit by the City to ensure that all regulatory requirements are met.[6] The applicant has satisfied this requirement.

The applicant must also obtain the necessary land use entitlements, which must be consistent with the Zoning Ordinance standards, which are the subject of this application. Following entitlement, the applicant will be required to obtain a cannabis license from the State. Failure to obtain the State license would be grounds for revoking the City's permit.

Commercial Cannabis Permits issued by the City Council are valid for one year and must be renewed annually following the completion of a mandatory safety inspection and demonstration of compliance with all local and State regulations, including any Conditions of Approval of this Conditional Use Permit.

STAFF ANALYSIS

Staff has reviewed the project application and believes that the Planning Commission can make the required Findings to conditionally approve the establishment of the proposed cannabis microbusiness with delivery, distribution, and manufacturing activities at the subject property. As mentioned previously, the proposed use is located within the City's industrial area, surrounded by a mix of industrial uses including warehousing, manufacturing, and contractors. With approval of a Conditional Use Permit, the proposed project is consistent with the General Industrial Zoning District, as well as the goals and policies of the City's General Plan, which calls for a diverse mix of industrial uses, including those associated with new technologies and emerging industries.

As part of the initial RFP process to obtain their Commercial Cannabis Permit from the City Council, the applicant's business plan was reviewed and scored by an independent, outside consultant who determined this operator would meet several of the City's objectives related to best practices for the cannabis industry. Planning Division staff has further determined that

[6] Chapter 6, Article 14 (Commercial Cannabis Businesses) of the Hayward Municipal Code: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1600INDI

potential nuisances associated with the facility will be mitigated with the implementation of the proposed Business and Operations Plan, Safety and Security Plan, and Environmental Plan, as well as the attached Conditions of Approval.

The Hayward Police Department, Code Enforcement Division, and Fire Department have reviewed the project proposal with Planning Division staff to ensure the proposed microbusiness can be operated in a safe manner. As conditioned, the proposed use would provide a safe and secure environment for employees and mitigate potential impacts to adjacent properties. The conditions require the applicant to adhere to the approved plans, including the comprehensive list of security, odor, noise, and sustainability measures. Additionally, Commercial Cannabis Permits are renewed annually, providing the City an opportunity to revoke a permit if determined that the applicant does not adhere to the City's requirements and Conditions of Approval.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class I for existing facilities in that the project involves the use of a tenant space within an existing structure. Therefore, no environmental review is necessary.

NEXT STEPS

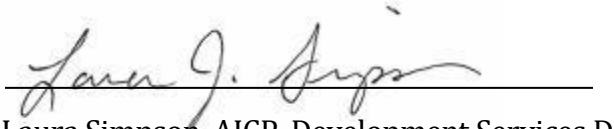
If the Planning Commission approves the Conditional Use Permit, then a 10-day appeal period will commence from the date of decision. If no appeal is filed, then the decision will be deemed final. If an appeal is filed within the 10-day time frame, then the application will be heard by the City Council for final disposition.

Prepared by: Elizabeth Blanton, AICP, Associate Planner

Approved by:



Sara Buizer, AICP, Planning Manager



Laura Simpson, AICP, Development Services Director

CITY OF HAYWARD PLANNING DIVISION
PROPOSED CANNABIS MICROBUSINESS WITH DELIVERY, DISTRIBUTION, AND MANUFACTURING ACTIVITIES
STICKY THUMB, 23287 FOLEY STREET
CONDITIONAL USE PERMIT APPLICATION NO. 201901361

DRAFT FINDINGS FOR APPROVAL

Conditional Use Permit
Pursuant to Hayward Municipal Code Section 10-1.3225, The Planning Commission or other approving authority may approve or conditionally approve an application when all the following findings are made:

1. *The proposed use is desirable for the public convenience or welfare;*

   The proposed cannabis microbusiness with delivery, distribution and manufacturing uses would be desirable for the public convenience and welfare in that it would result in establishment of a cannabis facility with delivery, distribution, and manufacturing activities in an industrial tenant space within the Industrial General (IG) Zoning District. The proposed cannabis microbusiness would positively contribute to the City by paying local taxes and contributing to the diversification of uses within the industrial area. Additionally, the tenant space would be renovated, and the applicant would provide security guard service and video surveillance, benefitting the neighborhood.

2. *The proposed use will not impair the character and integrity of the zoning district and surrounding area;*

   The proposed facility would occupy a tenant space within an existing building. In the IG District, a cannabis microbusiness with manufacturing activities is allowed with approval of a Conditional Use Permit. If approved, the cannabis microbusiness would operate in similar fashion as other surrounding industrial uses.

   To ensure that the proposed use would not impair the character and integrity of the applicable zoning district, the facility would adhere to all the requirements set forth by the City's Cannabis Ordinance, in addition to the requirements set forth by the Hayward Police Department, Hayward Fire Department, Hayward Building Division, and all other pertinent regulations established by State, County and local laws. No changes to the building exterior are proposed, which will maintain a consistent appearance with the surrounding area.

3. *The proposed use will not be detrimental to the public health, safety, or general welfare; and*

   The proposed cannabis microbusiness would not be detrimental to the public health, safety, or general welfare in that the facility, as conditioned, would operate within the permit requirements and regulations established by State and local laws. The applicant has provided an Odor Mitigation Plan to ensure that cannabis odors

cannot be detected outside of the building, and a detailed Safety and Security Plan that includes installation of security cameras inside and outside of the building and a security guard to be present at all times during operating hours. Additionally, the facility would have an alarm system; maintain compliance with a State-mandated track and trace program to prevent diversion of cannabis; maintain a records retention program; and provide identification of a local contact to handle all safety and security issues. The applicant and all employees associated with the business are subject to extensive background screening by the Hayward Police Department and will be subject to employee training.

4. *The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.*

Per Table 10-1.1603 of the Hayward Municipal Code, a cannabis microbusiness with manufacturing activities is an allowed use in the IG District with the approval of a Conditional Use Permit. The proposed use would contribute positively to the City's tax base and support the following General Plan goals and policies:

- *Land Use Policy LU-2.16, Uses to Attract the Creative Class.* The City shall encourage the development of uses and amenities to attract creative-class professionals and businesses to Hayward.
- *Economic Development Policy ED-1.4*. The City shall establish business attraction efforts that focus on small and medium-sized businesses within emerging and growing business sectors.
- *Economic Development Goal ED-2*. Cultivate a culture of entrepreneurship to encourage and support local business start-ups.

Cannabis Ordinance

In addition to the required findings contained in HMC Section 10-1.3225 (Conditional Use Permit), every land use application requiring discretionary review for cannabis and cannabis products shall be required to make the following findings per HMC Section 10-1.3609 prior to issuance:

1. *The proposed cannabis use will not be detrimental to the public health, safety, or general welfare in that the cannabis operation is situated in an appropriate location where sensitive land uses will not be adversely impacted;*

The proposed cannabis microbusiness would not be detrimental to the public health, safety, or general welfare in that the facility, as conditioned, would operate within the permit requirements established by the State and by the City. Per the City's land use requirements, cannabis facilities with manufacturing activities are allowed in the IG District with the approval of a Conditional Use Permit.

The proposed project includes a Safety and Security Plan, including but not limited to an on-site security guard, cameras, employee background checks, loading and unloading of vehicles within the enclosed tenant space, and Conditions of Approval related to odor, loitering, and other potential nuisances. In addition, the facility would

not be open to the public. Together, these measures and conditions protect public health and safety within the vicinity of the subject site.

2. *Appropriate measures have been taken to address nuisances related to odor, noise, exhaust, and waste related to the cannabis operation;*

   Physical and operational safeguards are in place to ensure this cannabis microbusiness operates at the proposed location without impacts to other properties. The proposed project includes an Odor Mitigation Plan and a Safety and Security Plan that contain measures including, but not limited to installing an air scrubbing system reviewed by a professional engineer or industrial hygienist, installing security cameras inside and outside of the building, providing an on-site security guard, submitting to employee background checks, and securing and properly disposing of cannabis waste.

   As part of the initial RFP process, the applicant's business plan was reviewed and scored by an independent, outside consultant who determined this operator would meet the City's objectives related to cannabis industry best practices. Furthermore, per the proposed Conditions of Approval and as required by the Municipal Code, the applicant's Commercial Cannabis Permit shall be renewed annually. This provides the City a yearly opportunity to reevaluate the proposed business, and ensure compliance with the approved business plan, the Conditions of Approval, and all pertinent City regulations.

3. *The cannabis operation is designed to be safe, secure, and aesthetically compatible with the surrounding area; and*

   The proposed cannabis microbusiness would occupy a tenant space within an existing building. No changes are proposed to the exterior of the building. To ensure aesthetic compatibility with the surrounding area as well as promote security, the loading and unloading of cannabis product would only be allowed inside the enclosed building.

4. *The cannabis operation will not place a burden on the provision of public services disproportionate to other industrial or commercial uses.*

   The proposed use would operate in an existing industrial tenant space. The energy and water needs of the proposed facility do not exceed those of other similar industrial uses. In addition, the applicant would be subject to annual review, which would require inspection of the cannabis microbusiness by the City's Code Enforcement Division, Police Department and Fire Department. Further, as conditioned, any excessive calls for service, including nuisance and code violations, may result in the revocation of the approval.

<u>Environmental Review</u>

1. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1), Existing Facilities, in that the prosed use would occupy a tenant space within an existing industrial building to accommodate a cannabis microbusiness. As proposed and conditioned, the proposed use will not result in any significant impacts related to traffic, noise, air quality and water quality.

CITY OF HAYWARD PLANNING DIVISION
PROPOSED CANNABIS MICROBUSINESS WITH DELIVERY, DISTRIBUTION, AND MANUFACTURING ACTIVITIES
STICKY THUMB, 23287 FOLEY STREET
CONDITIONAL USE PERMIT APPLICATION NO. 201901361

DRAFT CONDITIONS OF APPROVAL

GENERAL

1. The applicant shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

2. The applicant, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.

3. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City and agreed to by the applicant, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City' s requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project. The applicant acknowledges that the conditions set forth in this approval are not intended to supersede any obligations imposed pursuant to Chapter 6, Article 14 of the Hayward Municipal Code related to commercial cannabis permits, as it may be amended from time to time.

4. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.

5. The applicant shall take all reasonable steps to discourage and correct conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys and areas surrounding a permitted facility. Such conditions include but are not limited to: smoking; creating a noise disturbance; loitering; littering; and graffiti. Graffiti must be removed from property and parking lots within 72 hours of discovery.

6. All loading and unloading of delivery vehicles shall be done inside the building, as shown on the approved set of plans date stamped February 24, 2020.

7. Delivery vehicles shall not be stationed on public right of way.

8. The cannabis microbusiness facility with delivery, distribution, and manufacturing activities shall operate according to these conditions of approval and the business plan submitted on February 26, 2020, including the hours of operation, intensity of use and mode/character of the proposed microbusiness operation. Any future change or modification of the operational plan and/or any expansion of the approved use may require the submittal of a new use permit application and commercial cannabis permit and shall be subject to additional review and approval by the City prior to any change, modification or expansion.

9. The cannabis manufacturing and distribution components may operate between the hours of 9:30 a.m. and 4:00 p.m. Pacific Time, Monday through Friday. The delivery component may operate between 9:30 a.m. and 9:30 p.m. seven days a week, with the last delivery order taken at 8:59 p.m. daily. Upon license renewal, the City may impose more restrictive hours of operation due to site specific conditions or as the result of excessive and/or extraordinary calls for service, as determined by the City's Police Department.

10. The applicant shall provide a detailed Community Benefits program and coordinate the implementation of the proposed Community Benefits program with City staff within six months from use permit approval. The applicant will be subject to annual review and verification on the implementation of the approved Community Benefits program prior to permit renewal.

11. Permittees shall employ only persons at least 21 years of age at any permitted facility within the City of Hayward. Employee records shall be kept and maintained, and proof of age shall be provided to the City upon request.

12. Permittees shall have an on-site manager at each permitted facility within the City of Hayward who is responsible for overall operation during times that employees are conducting operations and shall provide the City with contact information for all such persons, including telephone number and email address. Permittees shall also provide the City with the name and contact information including phone number of at least one manager that can be reached 24-hours a day.

13. The proposed cannabis use shall operate in a manner to prevent possible diversion of cannabis and shall promptly comply with any track and trace program established by the State.

14. The applicant shall notify the City if it intends to transfer any portion of ownership or operational control of a Commercial Cannabis Business and shall complete the New Owner/Investor Application Attestation Form as provided by the City. All new owners/investors are subject to the LiveScan fingerprint background check and the transferee shall be responsible for complying with all applicable local and state licensing requirements. Any conditions imposed upon the transferor by the original use permit shall be binding upon any subsequent transferees. Any transfer of

ownership or operational control of a Commercial Cannabis Business which results in a lapse of normal operations for a period of six months or more shall be required to obtain a new use permit and/or commercial cannabis permit, consistent with Sections 10-1.3170 or 10-1.3270 of the Hayward Municipal Code, as applicable.

15. The applicant shall utilize only extraction processes that are (a) solvent-free or that employ only non-flammable, nontoxic solvents that are recognized as safe pursuant to the federal Food, Drug, and Cosmetic Act, and/or (b) use solvents exclusively within a closed loop system that meets the requirements of the federal Food, Drug, and Cosmetic Act including use of authorized solvents only, the prevention of off-gassing, and certification by a California licensed engineer. The use of volatile solvents, defined as Commercial Medical and Non-Medical Cannabis Manufacturing - Level 2, is prohibited.

16. No closed loop systems shall be utilized without prior inspection and approval of the City's Building Official and Fire Code Official.

17. Any manufacturing, processing and analytical testing devices used by the applicant must be UL (Underwriters Laboratories) listed or otherwise certified by an approved third-party testing agency or engineer and approved for the intended use by the City's Building Official and Fire Code Official.

18. All owners, employees, volunteers or other individuals that participate in the production of edible cannabis products must be state certified food handlers. The valid certificate number of each such owner, employee, volunteer or other individual must be on record at approved facility where that individual participates in the production of edible cannabis products. No consumption of any cannabis product is allowed on-site, including in outdoor areas and parking lots.

19. If applicable, the applicant shall obtain a permit from the Alameda County Public Health Department and provide a copy of the valid permit to the City prior to the operation of any cannabis manufacturing activities on-site. All permit holders shall comply with State and County health permit requirements. These requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.

20. No person who is younger than the minimum age established by state law for the purchase, possession or consumption of cannabis and cannabis-related products shall be allowed on the premises of a permitted Commercial Cannabis Business.

21. Only employees of the licensee and other authorized individuals shall be allowed access to enter the licensed premises. Authorized individuals may include employees, outside vendors, scheduled deliveries and/or contractors, but shall not include the general public.

22. The premises shall be prohibited from conducting on-site sales of cannabis products and cannabis/tobacco paraphernalia/accessories.

23. The applicant shall provide the Police Department with information regarding any motor vehicle used for the delivery of cannabis goods, including the vehicle's make, model, color, vehicle identification number (VIN), license plate number and Department of Motor Vehicles registration information. Vehicles shall be registered with the Hayward Police Department.

24. Any motor vehicle used to deliver or transport cannabis goods is subject to inspection by the Hayward Police Department. Vehicles may be stopped and inspected by the Hayward Police Department at any licensed premises or during delivery or transport.

25. A licensed retailer's delivery employee shall not carry cannabis goods in the delivery vehicle with a value in excess of $3,000 (three-thousand) at any given time.

26. Cannabis or cannabis products, whether for medicinal or adult recreational use, shall only be sold to individuals authorized by state law to purchase such cannabis or cannabis products.

27. Retail sales of cannabis that violate state or local law are expressly prohibited.

28. The facility must be conducted in accordance with the Sustainability Plan approved.

Security

29. The proposed cannabis use shall provide adequate security on the premises, including any on-site security, lighting, and alarms, to ensure the public safety and the safety of persons within the facility and to protect the premises from theft. The applicant shall provide at least one, State-licensed, security guard on the premises during hours of operation. Additionally, all Commercial Cannabis Businesses and Cannabis Operators shall maintain and implement a security and safety plan that includes the following minimum requirements:

    a. *Security Cameras.* Security surveillance IP video cameras shall be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of all internal and exterior areas where Cannabis is weighed, manufactured, packaged, stored, and transferred. The cameras shall allow for remote access to be provided to the Hayward Police Department. The security surveillance cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. IP cameras shall remain active at all times and shall be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for ninety (90) days.

    b. *Alarm System*. A professionally monitored security alarm system shall be installed and maintained in good working condition. The alarm system shall

include sensors to detect entry and exit from all secure areas and all windows. The applicant shall keep the name and contact information of the alarm system installation and monitoring company as part of the Commercial Cannabis Business's onsite books and records.

c. *Local Contact*. Cannabis Operators shall also identify a local contact who will be responsible for addressing security and safety issues and shall provide and keep current that contact information to the Hayward Police Department as part of the permitting process.

d. *Secure Storage and Waste*. Commercial Cannabis products and associated product manufacturing, distribution, and delivery waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.

e. *Transportation.* The proposed use shall implement procedures for safe and secure transportation and delivery of Commercial Medical and Non-Medical Cannabis, including all Cannabis products and currency, in accordance with local and state law. None of the vehicles associated with commercial use shall have markings or advertising that indicates the presence of cannabis on-site.

f. *Building Security*. All points of ingress and egress to the proposed use shall be secured with Building Code compliant commercial-grade, non-residential door locks and/or window locks. All heating, ventilating, air-conditioning and service openings shall be secured with steel bars and/or metal grating.

g. *Emergency Access*. Security measures shall be designed to ensure emergency access is provided to the Hayward Police Department and Hayward Fire Department for all areas on the premises in the case of an emergency.

h. *Background Checks*. All employees working in conjunction with the cannabis microbusiness shall be subject to background/LiveScan checks. Additionally, all employees shall furnish the Hayward Police Department a state or federal registered Identification Card, upon request. The applicant shall provide to the Hayward Police Department all persons employed at the cannabis business, regardless of the nature of the employment. All employees shall be registered with the Hayward Police Department.

i. *Inspections*. During regular business hours, the building premises shall be accessible, upon request, to an identified Hayward Police Department, Building Division, or Code Enforcement employee for random and/or unannounced inspections.

j. *Security Guards.* The applicant shall provide at least one uniformed security guard licensed by the State of California.

i. The security guard(s) shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of the properties of nearby businesses.

ii. Said personnel shall carry his/her Guard Card on their person at all times and present it to any Peace Officer upon demand. Said personnel shall be clothed in such a manner as to be readily identifiable.

iii. The security guard shall be contracted out through a licensed security employer. If the business owner chooses to hire security guards under his/her business, he/she must hold a PSE license (Proprietary private Security Employer). See further information from the Bureau of Security and Investigative services: https://www.bsis.ca.gov/consumers/faqs/ppse.shtml.

k. *Records Retention*. All financial records, personnel records, training records, contracts, permits, security records, destruction records, data entered into track-and-trace, and an accurate record of all business activities must be made available to the Hayward Police Department upon request.

Odor Control

30. No cannabis odors shall be detectable outside of the facility. The applicant shall incorporate and maintain adequate on-site odor control measures such that the odors resulting from cannabis manufactured and stored on-site cannot be readily detected from outside of the structure in which the Business operates or from other non-cannabis businesses adjoining the Commercial Cannabis Business.

31. The building permit application shall include duct work, filters and other recommendations included in the Odor Mitigation Plan and shall be certified by a professional engineer or industrial hygienist. The Odor Mitigation Plan shall include the following:

a. Operational processes and maintenance plan, including activities undertaken to ensure the odor mitigation system remains functional;

b. Staff training procedures; and

c. Engineering controls, which may include carbon filtration or other methods of air cleansing, and evidence that such controls are sufficient to effectively mitigate odors from all odor sources. All odor mitigation systems and plans submitted pursuant to this subsection shall be consistent with accepted and best available industry-specific technologies designed to effectively mitigate cannabis odors.

Commercial Cannabis Permit

32. The applicant shall obtain and maintain a valid Commercial Cannabis Permit from the City, including any other applicable State and local permits and inspections. Commercial Cannabis Permit renewals are subject to the requirements of Section 6-14.15 of the Hayward Municipal Code. Commercial Cannabis Permits are valid for a period of one year from the date that the permittee received land use approval and shall be renewed annually. The permit is invalid if the term has expired and the annual fee, as established in the City of Hayward Master Fee schedule, has not been timely paid in full. Non-payment will result in a violation penalty fee in accordance with the Master Fee Schedule for Cannabis uses. Additionally, the City may invalidate or suspend a Cannabis Permit for excessive calls for service or nuisance citations.

33. The proposed commercial cannabis use shall not commence operations until the Business can demonstrate compliance with all necessary state and local licenses (dual licensing) and agency permits. Failure to demonstrate dual licensing in accordance with the Hayward Municipal Code shall be grounds for revocation of a City approved permit. Revocation of a local permit and/or a state license shall terminate the ability of the Commercial Cannabis Business to operate until a new permit and/or state license is obtained.

34. The applicant shall maintain books, records, accounts, public safety calls for service, and all data and information relevant to its operations of the commercial cannabis use, including the implementation of the proposed community benefits component, and allow the City access to such records for purposes of conducting an audit or examination to determine compliance with the Hayward Municipal Code, and other local regulations, including compliance with local tax obligations. Prior to the applicant's commercial cannabis permit renewal each year, the applicant shall provide these records to the City for review to verify compliance.

35. The applicant shall allow inspections by the City of any facility permitted pursuant to this Article to verify compliance with the requirements of this Article, the Hayward Municipal Code and the requirements of state law.

Building Design & Signage

36. All exterior and rooftop mechanical equipment shall be screened. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and other equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit.

37. Any above-ground structures that may be required to provide utilities for the project shall be compatible as to location, form, design, exterior materials, and noise generation. The applicant shall obtain staff approval prior to issuance of permits.

38. There shall be no display of cannabis goods and/or cannabis related products visible to the general public at the licensed premises. The establishment shall not display any cannabis related paraphernalia that may be used to administer commercial cannabis and/or commercial cannabis products.

39. No signs are approved with this project. Any signs shall be reviewed and approved by the Planning Division and a separate Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.

Expiration & Revocation

40. This Use Permit approval is void 36 months after the effective date of approval unless:

    a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or a time extension of the approval has been granted by the Planning Director.

    b. If a building permit is issued for construction of improvements authorized by the use permit approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on the conditional use permit approval. A request for an extension must be submitted in writing to the Planning Division at least 30 days prior to the above date.

    c. Business operations have commenced in accordance with all applicable conditions of approval.

41. If this conditionally permitted use ceases operation for a period of more than six consecutive months, it shall be deemed to be discontinued, and the use permit establishing said use shall become null and void. Reestablishment of said use shall only be permitted upon obtaining a new use permit.

42. The Planning Commission may require modification, discontinuance or revocation of this Conditional Use Permit if its determined that the use is operated or maintained in a manner that it:

    a. Adversely affects the health, peace or safety of persons living or working in the surrounding area;

    b. Contributes to a public nuisance; or

    c. Has resulted in excessive nuisance activities including disturbances of the peace, illegal drug activity, diversion of cannabis or cannabis products, public

intoxication, smoking in public, harassment of passerby, littering, or obstruction of any street, sidewalk or public way; or

d. Violates any provision of the Hayward Municipal Code or condition imposed by a City issued permit, or violates any provision of any other local, state, regulation, or order, including those of state law or violates any condition imposed by permits or licenses issued in compliance with those laws.

CODE ENFORCEMENT

43. All tenant improvements and modifications and/or demolition require approval of a building permit prior to the start of the work. Verified violations of the California Building Code Section 105.1 are subject to a penalty fee of 205% of the required permit fees in addition to the regular Building Division fees in accordance with the City of Hayward Master Fee Schedule.

44. No outdoor storage or uses permitted. All cannabis related activities are to be conducted indoors.

45. The Commercial Cannabis establishment shall maintain and visibly post valid copies of all required State, Local, and Municipal permits, including but not limited to the State of California Cannabis Bureau license, the Hayward Cannabis license, City of Hayward business license, and other pertinent permits and licenses according to the specific cannabis use.

46. Every owner of real property within the City is required to manage the property in a manner so as not to violate the provisions of the Cannabis Ordinance and/or any State and Municipal regulations. The property owner remains ultimately liable for all penalties and fees as a result of violation of any of the requirements for the Commercial Cannabis operation thereof regardless of any contract or tenant agreement or other third parties.

BUILDING

47. The proposed project will require a building permit application and building code plan review process. During the building permit review, detailed comments will be provided.

48. For the building permit application drawings, please include a plumbing fixture calculation based on Ch. 4 of the California Plumbing Code.

49. For the building permit application drawings, please show disabled access upgrades to the path of travel elements as described in 2016 CBC Ch. 11B section 202.4.

50. In the building permit set, please show an egress plan with occupant loads.

51. For the building permit set, please indicate the use of the mezzanine space. Please note that without an elevator, the use of the mezzanine will need to have a corresponding version on the first floor.

UTILITIES

52. The tenant space at 23287 Foley Street, Suite B will be required to be served by a separate water meter.

53. All sanitary sewer connection and capacity fees shall be paid at the time of building permit issuance.

SOLID WASTE

54. The owner or property manager shall be responsible for litter-free maintenance of the property and shall remove any litter on or within 50 feet of the property daily to ensure that the property and its street frontage remain clear of any abandoned debris or trash per Municipal Code Sec.11-5.22.

FIRE PREVENTION/HAZARDOUS MATERIALS

55. Install portable fire extinguishers having a minimum size of 5 lbs. and a minimum rating of 2A:10BC in centrally located and accessible locations (as approved by the Fire Department) with maximum travel distance of 75 feet within the tenant space.

56. No more than 5 gallons of Type IIIB combustible liquids is allowed. Up to 16 cubic inches (less than 10 ounces) of rosin is allowed for the press process.

57. No high-piled storage is allowed.

58. Parking vehicles in warehouse overnight is not allowed.

59. Hazardous Materials – The storage and use of hazardous materials shall meet the requirements of Chapter 50 of the 2016 California Fire Code as adopted by the City of Hayward.

60. Hazardous Materials Permit – Based on quantities of hazardous materials/waste an annually Hazardous Materials Permit - Range 1A shall be required to be obtained and maintained by the facility. Any change to chemical quantities and type shall require notification and approval of the Hayward Fire Department's Hazardous Materials Office.

61. Hazardous Materials Business Plan (HMBP) / California Environmental Reporting System (CERS) – Facility shall submit an initial one-time hazardous material electronically reported through the California Environmental Reporting System (CERS) for the chemical to be stored/used on-site.

62. Hazardous Materials over the Maximum Allowable Quantities (MAQs) – Quantities of hazardous materials/waste shall not be stored and used in amounts greater than the maximum allowable quantities (MAQs) in the 2016 California Fire Code as adopted by the City of Hayward.

63. Flammable and Combustible Liquid Storage and Use – The storage and use of flammable and combustible liquids shall meet the requirements of Chapter 57 of the 2016 California Fire Code as adopted by the City of Hayward.

64. Flammable Liquid Storage Cabinet – Quantities in excess of ten (10) gallons of flammable liquid shall require an approved flammable liquids cabinet with self-closing doors.

65. Incompatible Materials – Incompatible materials in storage or use shall be separated according to Chapter 50, Section 5003.9.8 (Separation of incompatible materials) of the 2016 California Fire Code (CFC) when the stored materials are in containers having a capacity of more than 5 lbs. or 0.5 gallons.

66. Disposal of Cannabis Waste – Shall be managed per the appropriate regulatory agencies and approved cannabis disposal contractors. If disposal of waste includes chemical treatment to render the product non-useable then the Hazardous Materials Office of the Hayward Fire Department shall be notified for approval and conditions.

67. Hazardous Waste – Hazardous waste shall be managed and disposed of per Title 22 of the California Code of Regulations. All containers holding hazardous waste shall be properly label and identified with a hazardous waste label. Labeling shall include Generator information, EPA ID number, accumulation start date, contents, physical state and hazard of the waste. Provisions shall also be made for the management and disposal of universal/electronic wastes which are a category of hazardous waste.

68. Signage and Labeling Requirements – All containers and storage areas shall be properly labeled for hazardous materials per the Hayward Fire Department Labeling Guidelines. All hazardous material containers shall be properly labeled stating their contents. Containers containing hazardous waste shall be properly label with Generator Information, Contents, Hazard, Physical State, Accumulation Start Date. Depending on storage an NFPA Placard may be required.

69. Delivery Vehicle Parking and Storage – No motor vehicles of any type shall be parked/stored inside the facility overnight. All overnight motor vehicle parking/storage shall be outside the building.

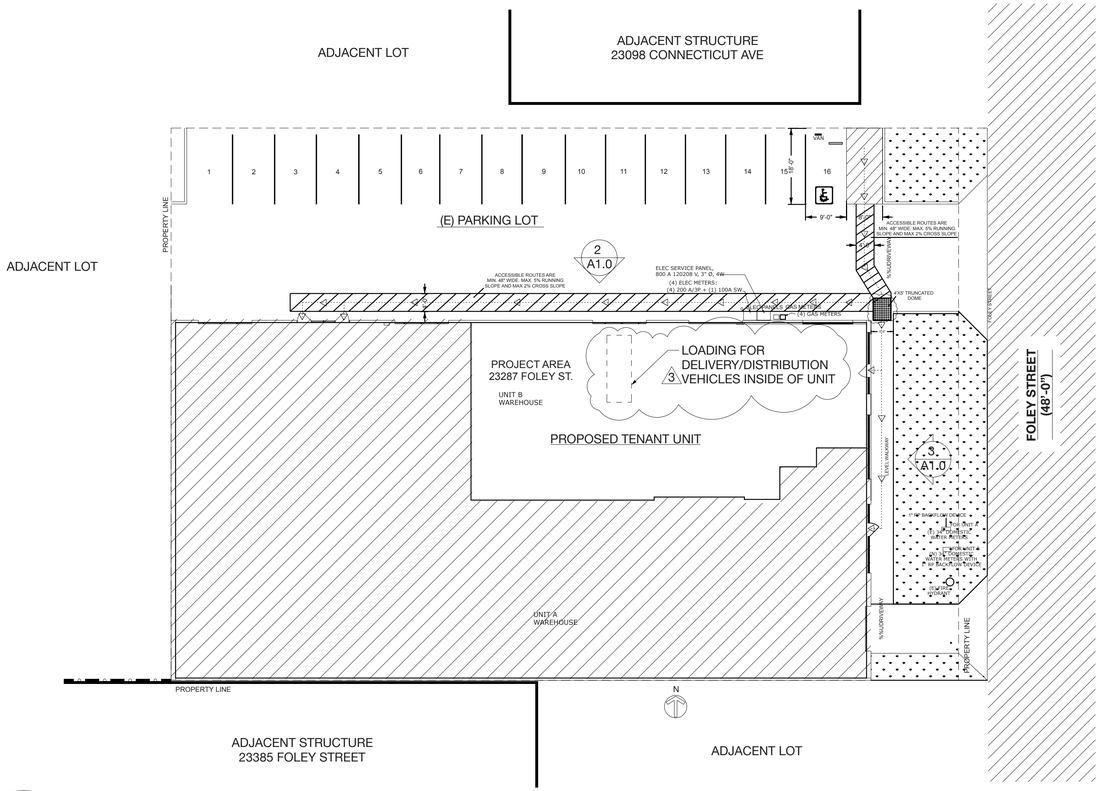
70. Seismic Protection – Machinery, aboveground tanks, and equipment utilizing hazardous materials shall be braced and anchored in accordance with seismic design requirements of the California Building Code.

71. Oxygen Deficient Environments – This facility is not proposing having oxygen deficient atmospheres or utilizing carbon dioxide to enhance plant grow operations. If there is a change, the operator shall contact the Hazardous Materials Office of the Hayward Fire Department as well as the Hayward Planning Division for approval and conditions.

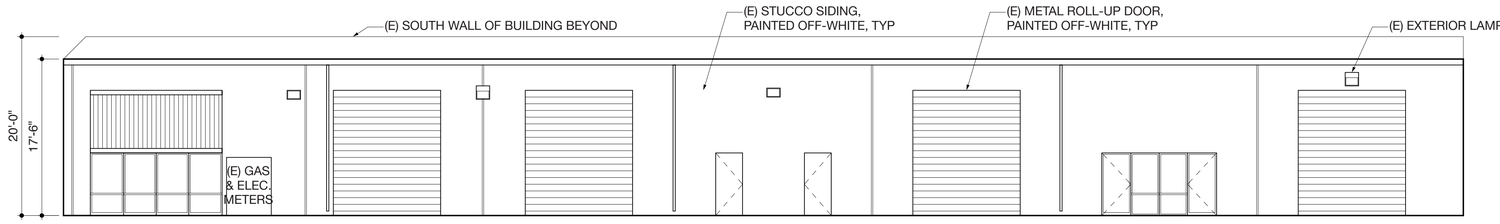
72. Manufacturing/Extraction Processes – The facility is doing a heat and pressure method of rosin extraction. This facility is not proposing a chemical extraction processes i.e. CO2 or solvent based. If there is a change, the operator shall contact the Hazardous Materials Office of the Hayward Fire Department as well as the Hayward Planning Division for approval and conditions.

73. Future Changes to Operations - If this facility does change its operation, including the use of hazardous materials or the generation of hazardous waste, then the Hayward Fire Department and Planning Division shall be notified by the operator prior to the changes so as to allow review and/or determine if additional conditions of approval will be required by the City.

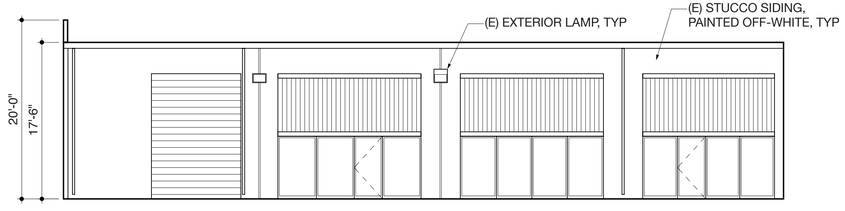
74. Final Inspection – A final inspection of this facility shall be completed by the Hazardous Materials Office once the facility is ready for operations and before commencement of operations. Please contact the Hazardous Materials Office at (510) 583-4910 to schedule the inspection at least 48 hours in advance.



1 A1.0 EXISTING SITE PLAN - NO CHANGE
Scale: 1/16” = 1’=0”



2 A1.0 EXISTING NORTH ELEVATION - NO CHANGE
Scale: 1/8” = 1’=0”



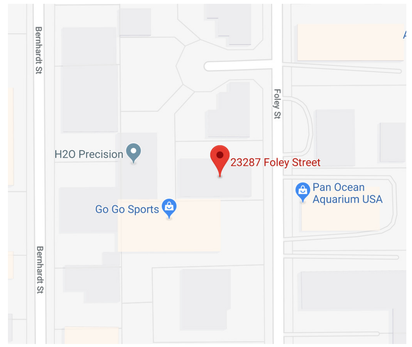
3 A1.0 EXISTING EAST ELEVATION - NO CHANGE
Scale: 1/8” = 1’=0”

SHEET NOTE:

SOUTH & WEST ELEVATIONS ARE BLIND WALLS WITH NO CHANGES AND THEREFORE NOT DRAWN.

PLEASE REFER TO SITE PLAN FOR MORE INFO.

VICINITY MAP



PROJECT DATA:

LOCATION:
23287 Foley Street, Unit A
Hayward, CA 94545

ZONING: I - INDUSTRIAL

OCCUPANCY GROUP: F-1

CONSTRUCTION TYPE: WOOD, TYPE 5

APN: 439-0036-104-00

YEAR BUILT: 1985

BUILDING OWNER: CHEN JUDY S & LIANG XIANGHUA TRS

LOT SIZE: 0.512 ACRES

BUILDING SQUARE FOOTAGE: 12480

FIRE SPRINKLERS: NO

PROJECT DESCRIPTION:

PROPOSED USE OF EXISTING UNIT IN TWO STORY INDUSTRIAL BUILDING. ADDITION OF (N) STORE ROOM TO BE USED AS LIGHT M'FG AREA.
BUILDING OWNER RECENTLY COMPLETED INTERIOR REMODEL OF UNIT;
EXISTING PLANS REFLECT WORK THE OWNER COMPLETED UNDER SEPARATE PERMITS.

PROJECT TEAM:

CLIENT/TENANT:
Farhad Doctor
S.T. Consulting and Services inc DBA Sticky Thumb
23287 Foley Street, Unit A
Hayward, CA 94545
(650) 520-9451

ARCHITECT:
Sarah Hirschman Architect
4029 Webster St.
Oakland, CA 94609
(917) 916-1865

DESIGNERS:
Extra Special LLC
Samantha Senn & Nisha Rasik Patel
3145 Geary Blvd, #264
San Francisco, CA 94118
(415) 562-4044

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A1.2
PROPOSED FLOOR PLAN

PROJECT INFO, EXISTING SITE PLAN & ELEVATIONS

STICKY THUMB
23287 Foley Street
Unit B
Hayward, CA 94545
APN: 439-0036-104-00

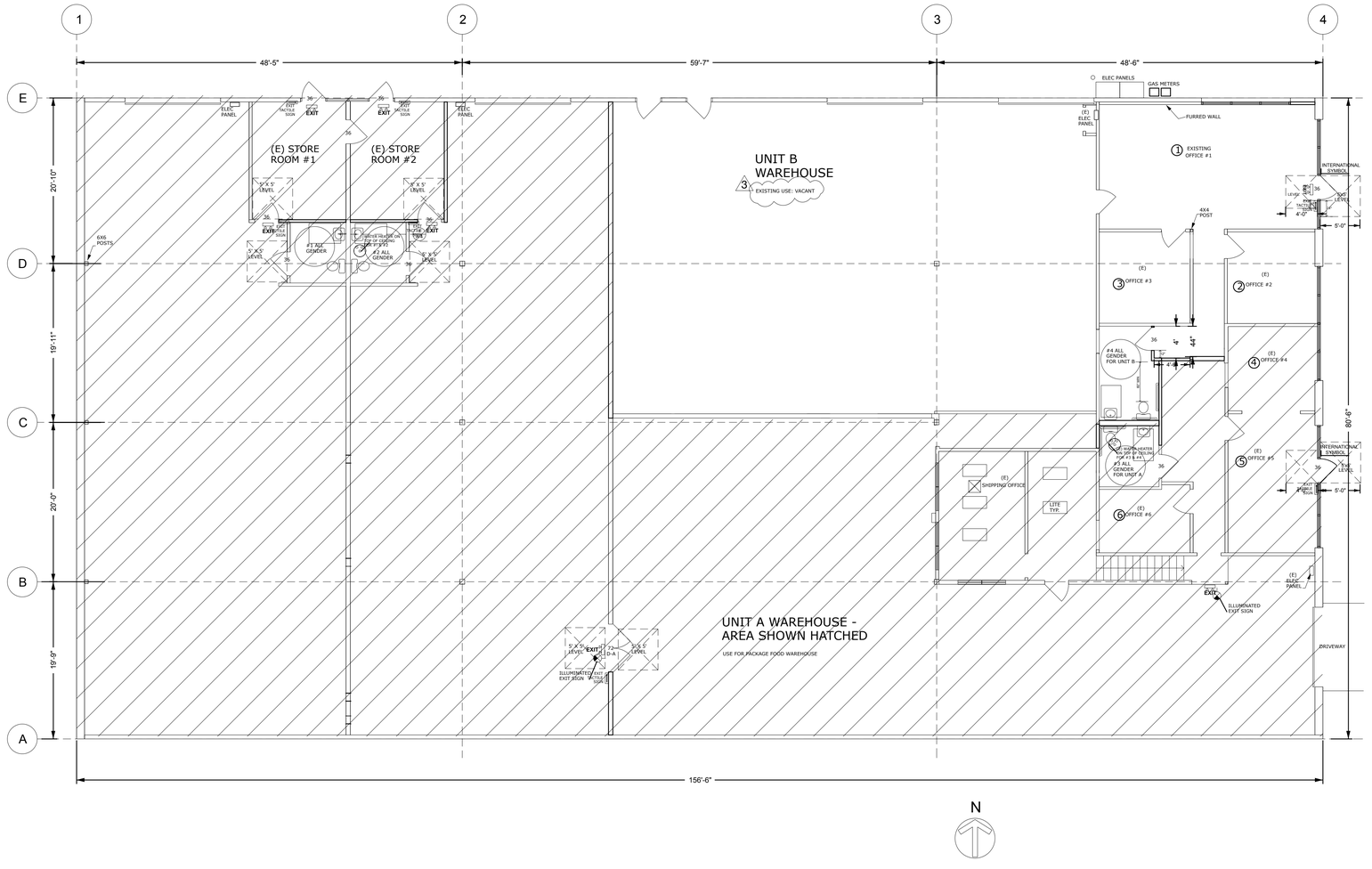
REVISIONS:

NO.	DATE	DESCRIPTION
		PLANNING SUBMISSION: 02/04/2019
1		PLANNING REVISION 01: 06/03/2019
2		PLANNING REVISION 02: 11/12/2019
3		PLANNING REVISION 03: 02/28/2020

PRINT DATE: 02/24/20

SCALE: VARIES, SEE DWG

A1.0



1 / A1.1 EXISTING FLOOR PLAN
Scale: 1/8" = 1'=0"

EXISTING FLOOR PLAN

STICKY THUMB
23287 Foley Street
Unit B
Hayward, CA 94545
APN: 439-0036-104-00

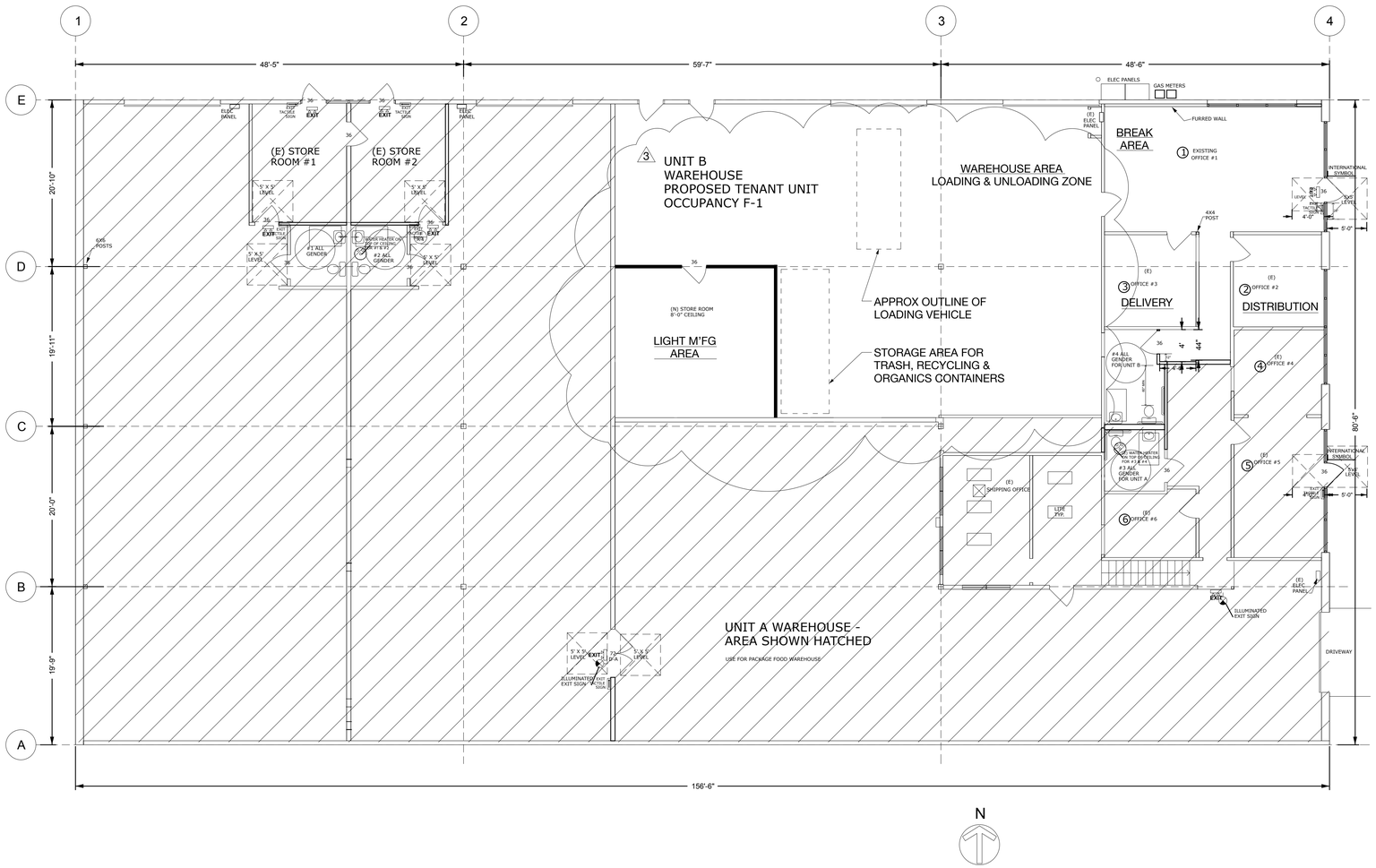
REVISIONS:

NO.	DATE	DESCRIPTION
		PLANNING SUBMISSION: 02/04/2019
1		PLANNING REVISION 01: 06/03/2019
2		PLANNING REVISION 02: 11/12/2019
3		PLANNING REVISION 03: 02/28/2020

PRINT DATE: 02/24/20

SCALE: VARIES, SEE DWG

A1.1



1 / A1.2 PROPOSED FLOOR PLAN
Scale: 1/8" = 1'=0"

PROPOSED FLOOR PLAN

STICKY THUMB
23287 Foley Street
Unit B
Hayward, CA 94545
APN: 439-0036-104-00

REVISIONS:

NO.	DATE	DESCRIPTION
		PLANNING SUBMISSION: 02/04/2019
1		PLANNING REVISION 01: 06/03/2019
2		PLANNING REVISION 02: 11/12/2019
3		PLANNING REVISION 03: 02/28/2020

PRINT DATE: 02/24/20

SCALE: VARIES, SEE DWG

A1.2

HAYWARD

Conditional Use Permit Application (resubmittal)

Submission

December 2019

Company: S.T. Consulting and Services
DBA: Sticky Thumb Delivery
Contact: Farhad Doctor
650.520.9451
farhad_doctor@yahoo.com

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Department ofT ..... **Error! Bookmark not defined.**

Site Plan ..... Error! Bookmark not defined.

PROPOSED BUSINESS TYPES

In this section, identify all of the commercial cannabis business permit types you intend to apply for during this application round, and then specify which permit type is being sought through this application.

• Identify all of the Commercial Cannabis Permit types that you intend to apply for in the City of Hayward. (Select all that apply). **Note that separate applications are required for each cannabis permit type).**

o Commercial Cannabis Cultivation
o Commercial Cannabis Distribution
o Commercial Cannabis Manufacturing
o Commercial Cannabis Retail Dispensary
o Commercial Cannabis Retail Delivery
o Commercial Cannabis Microbusiness (Type 12)
o Cannabis Testing Laboratory *(Note: Cannot be held concurrently with any other commercial cannabis permits)*

• Identify the Commercial Cannabis Permit type being sought in **this application (Select only one):**

o Commercial Cannabis Cultivation
o Commercial Cannabis Distribution
o Commercial Cannabis Manufacturing
o Commercial Cannabis Retail Dispensary
o Commercial Cannabis Delivery
o Commercial Cannabis Microbusiness (Type 12)
o Cannabis Testing Laboratory: Applicants for Commercial Cannabis Testing Laboratory permits should complete the streamlined application form at www.hayward-ca.gov/ccp. **NOTE:** Testing laboratory permits cannot be held concurrently with any other commercial cannabis permits.

• State Cannabis Licenses: Specify the state cannabis license(s) the Applicant holds or intends to apply for: Micro business Type 12

Business Plan and Operations

Operations

Description: ST Consulting, also referred to as 'Sticky Thumb' or 'the Company', is an innovative new cannabis delivery service offering the finest quality medicinal products to customers in Northern California, allowing orders to be placed online. Sticky Thumb will be applying for a Microbusiness permit with a focus on delivery and will also undertake distribution Type 6 and Manufacturing Type 1.

Sticky Thumb – with the approval of the City of Hayward – intends to provide:

- Delivery: Safe and secure delivery from their facility to the customer's physical address.
- Manufacturing: We intend to use the level 6, Type 1 for Rosin pressing to extract sap from the cannabis buds. As well as the Type P license for businesses that will only package and/or label another manufacturer's products
- Distribution: Transporting cannabis goods, arranging for testing of cannabis goods, and conducting quality assurance review of cannabis goods to ensure they comply with all packaging and labeling requirements.

Definition

Microbusiness: Allows a licensee to engage in cultivation (on an area less than 10,000 square feet), manufacturing (Level 1 manufacturing, Type 6), distribution, and retail sale, or any combination of the four activities. Licensees will be required to comply with all rules and regulations, which will include, where applicable, regulations adopted by the California Department of Food and Agriculture
and the California Department of Public Health, governing the activities they are engaged in.

The Company employs reliable and experienced professionals to make these deliveries. Sticky Thumb takes great pride in low average delivery times and very high customer satisfaction ratings. As a B2C enterprise, Sticky Thumb will drive growth by selling directly to customers on a retail basis. The Company delivers product directly to the homes or offices of customers and has enjoyed significant growth in the past twelve months. By adopting a strategy of measured expansion, the Company ensures that it can offer quick delivery times and excellent customer service in each territory before expanding service to additional regions. By operating in this manner, Sticky Thumb can maintain its sterling reputation and rely on positive word of mouth to boost organic customer growth.

Proposed Medical Cannabis Manufacturing Regulations

License Types: In addition to Type 6 (non-volatile solvent and/or mechanical extractions) and Type 7 (volatile solvent extractions), CDPH is proposing two additional types of manufacturing licenses: a Type P license for businesses that will only package and/or label another manufacturer's products; and a Type N license for businesses that only conduct infusions (e.g. create edibles, topicals, or other products using extracts from another manufacturer) and/or packaging and labeling their own products. A facility will receive a single license based on the activities it is conducting.

.

Business Model: Ninety percent of the products received by Sticky Thumb are sourced from Type A State Licensed Distribution Companies, who test and package products to state regulations. These licensed distribution companies include:

- Kiva Distribution
- River Collective (RVR)
- Choices Distribution

These companies are responsible for making sure all necessary testing has been completed and the product passed. Once the product is deemed safe to consume, then the distribution companies also make sure the product is packaged to meet state guidelines. It is the job of Sticky Thumb, once it receives these products, to double-check lab test results and packaging to confirm State regulations and standards are being met before the customer receives products from the Sticky Thumb delivery service.

The remaining 10% of product will be tested through Steep Hill Labs, a Licensed Laboratory located in the East Bay. Sticky Thumb will then package products in state-approved containers and label products using state guidelines for labeling.

Sticky Thumb delivery service will take orders through the Sticky Thumb website, and third-party sites such as Green Rush. Once they receive the order, they will verify the client and order meet all standards set by the State of California. Once verified, the delivery will then be initiated. A Sticky Thumb driver will receive the order instructions through Onfleet GPS tracking software and the driver will take the packaged products to the customer's physical location and once driver arrives the customer will again need to provide photo ID to verify age of 21 and over.

Projected Customer Base: Household income is a primary determinant of consumers' ability to acquire cannabis products. The legalization of medical marijuana, as well as recreational marijuana in some states, has created a market for high-quality cannabis, which can be expensive. Furthermore, because medical marijuana is typically not covered under health insurance plans, demand is largely dependent on patients' income levels. Population demographics, particularly age, also dictate demand trends for medical marijuana. Although adults aged 50 and older are more likely to develop health conditions such as cancer, Alzheimer's, chronic pain, glaucoma and other diseases that can be treated with medical marijuana, obtaining a medical marijuana card is not difficult in many states. As a result, the average age of a medical marijuana patient is 41.5 years of age. Changing societal norms have made marijuana use much more acceptable today. According to a poll conducted by Gallup, 36.0% of Americans between the ages of 18 to 29 had tried marijuana in 2013, compared with just 8.0% in 1969.

Sticky Thumb's customer base will be comprised of medicinal cannabis users.

- Medicinal Users: Individuals that suffer from a wide range of ailments can and do benefit from the use of medicinal cannabis.
    - IBISWorld estimates[1] that in 2016, 64.6% of customers used medical marijuana because of severe pain. Over the past five years, this market has remained relatively stable, as many health problems can cause severe pain.
    - It is estimated that in 2016, 8.9% of industry customers used medical marijuana because of muscle spasms caused by multiple sclerosis, Lou Gehrig's disease, cerebral palsy, quadriplegia, cranial and spinal nerve injuries and Tourette's Syndrome, among others.
    - In 2016, 6.9% of industry customers used medical marijuana because of severe nausea.

Proposed Marketing Plan

Below are the campaigns the Company intends to initiate:

Key highlights of this marketing strategy are as follows:

- **Website, App & Brand Identity:** Sticky Thumb's website and mobile app will allow customers to place delivery orders online. Potential clients will be contacted by an experienced professional working for Sticky Thumb to advise them on the ideal delivery timelines and procedure.
- **Digital Marketing:** Sticky Thumb will utilize a series of digital marketing initiatives to drive website engagement and promotions through e-mail marketing, online advertising on Leafly, Weedmaps, greenRush, StickyGuide, and online content. Sticky Thumb has its own mobile app and website with a loyalty point system built into its point of sale. This is a powerful way to engage new and return clients.
- **Search Engine Optimization**: It is crucial for Sticky Thumb to appear among the top results in the Bay Area when a user searches for keywords related to "cannabis delivery," "medical marijuana," and other phrases related to the Company's services. As such,

[1] Ibis World, Medical and Recreational Cannabis Industry Report, 2016

Sticky Thumb will implement an aggressive search engine optimization strategy, whereby the company will optimize content using keywords related to its industry.

- **Pay Per Click:** Sticky Thumb will also pursue a pay-per-click (PPC) advertising campaign, in which the company can pay additional funds for visible ads on search engines like Google and Bing. These campaigns target high-search-volume terms relevant to the business, in order to drive traffic to the website. Sticky Thumb will analyze and opt for keywords that are the most cost-effective in terms of driving traffic to the website and enhancing the company's visibility on the market. Initially, Sticky Thumb will budget a significant amount per month on AdWords advertising,
- **Online Retargeting:** Online retargeting, also known as online remarketing, is a form of online advertising that "follows" bounced traffic after they leave a website. Retargeting is a cookie-based technology that uses a simple JavaScript code to anonymously follow a visitor to Sticky Thumb's website. The retargeting technology ensures that Sticky Thumb ads are served only to people who have previously visited the company's site, which reduces the cost and enhances the specificity of marketing by limiting it to interested customers. For most websites, only 2% of web traffic converts on the first visit; retargeting is designed to help companies reach the other 98% of users who do not convert right away.
- **Public Relations & Strategic Partnerships:** Sticky Thumb will consider hiring a PR firm who will be responsible for ongoing media outreach with top tier media sources in the industry as well as prominent online sites and bloggers. Public relations efforts will also include quarterly creative programming ideas and pitches that will keep Sticky Thumb in the media spotlight and provide the media with an ever-changing story angle, increasing the company's opportunity for consistent media coverage. Sticky Thumb will use their ability to deliver directly to customers as an opportunity to educate their customer base on not driving while under the effect of cannabis.
- **Clothing & Merchandise:** Sticky Thumb will also sell its own branded merchandise. High margin items such as T-shirts, hats, and hoodies, can be sold as the brand gains prominence. Customers choose to purchase branded products to show off their taste and fashion to those around them.
- **Print:** Sticky Thumb has a referral card program and other print marketing such as flyers, and leaflets.



Proposed Hours of Operation : 9:30 a.m. and 9:30p.m. Pacific Time.

Type of Specialized Equipment to be Used: The Company will leverage safe and efficient equipment and technology in order to enhance operations.

- Prius: Sticky Thumb will purchase two Prius Hybrid vehicles from a local Hayward dealer. The vehicle model is known for its reliability and low emissions, which aligns well with the Company's vision and goals.
    - Cameras & Built-In Safe: The vehicles will be outfitted with cameras (rearview, dashboard, and interior views) and built-in safes to ensure the highest levels of security are being met.
- Seed-to-Sale Tracking System: A state-approved Seed-to-Sale tracking system will be built into their Treez point-of-sales system. This will allow Sticky Thumb to obtain products from other licensed companies and enter the products into its Treez system to carefully track inventory and sales.
- Onfleet Tracking: Onfleet GPS tracking software for drivers will allow Sticky Thumb to track its drivers' locations, send out ETAs to customers, and alert customers their delivery is arriving.



Use of Hazardous Materials: Sticky Thumb will not use any hazardous materials, including volatile solvents or gases within its operations.

List of State Licensed Transportation & Distribution Companies: Sticky Thumb will only partner with state-licensed transportation or distribution companies. These partners are listed below:

- Kiva Distribution
- River Collective (RVR)
- Choices Distribution

Each of these companies takes pride in testing and quality, ensuring that all products are packaged and distributed according to state regulations.

Frequency of Deliveries from <u>vendors/distributors</u>: A trained manager will receive all deliveries from our distributors between the hours of 9:30am and 4pm, Monday to Friday.

Regulatory Compliance

The Company will adhere to all state requirements that go along with holding a Type 12 License. These include:

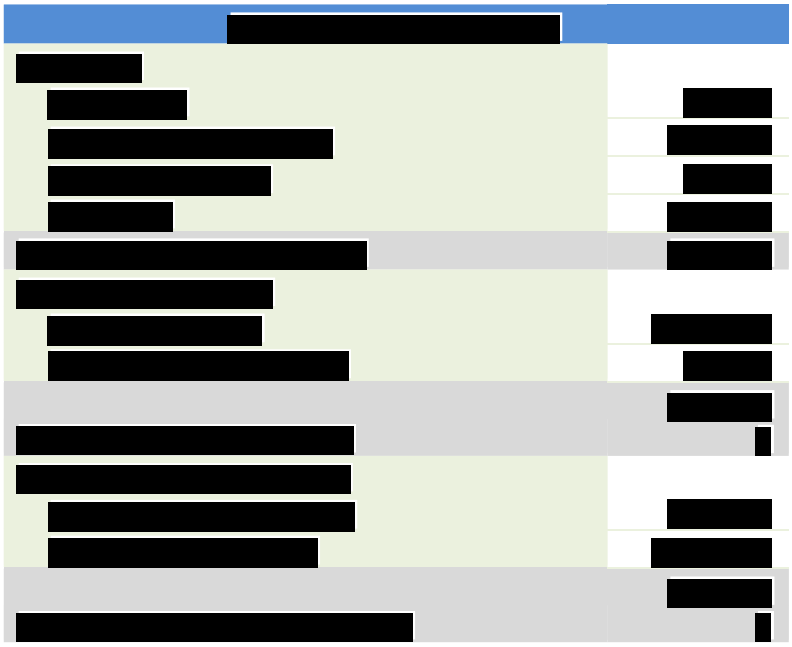
- A licensee with an A-license and an M-license may have the same premises for both types.

- Sales and deliveries may only occur between 9:30 a.m. and 10:00 p.m. Pacific Time.
- All cannabis goods must be placed in an opaque exit package prior to leaving the premises.
- Only employees of the retailer may make deliveries.
- Deliveries must be to a physical address.
- Delivery vehicle may not contain more than $3,000 of cannabis goods at any time.
- The retailer must be able to immediately locate all delivery vehicles. Sticky Thumb will use reliable, on-fleet GPS tracking software which will allow the Company to track delivery vehicles in real time.

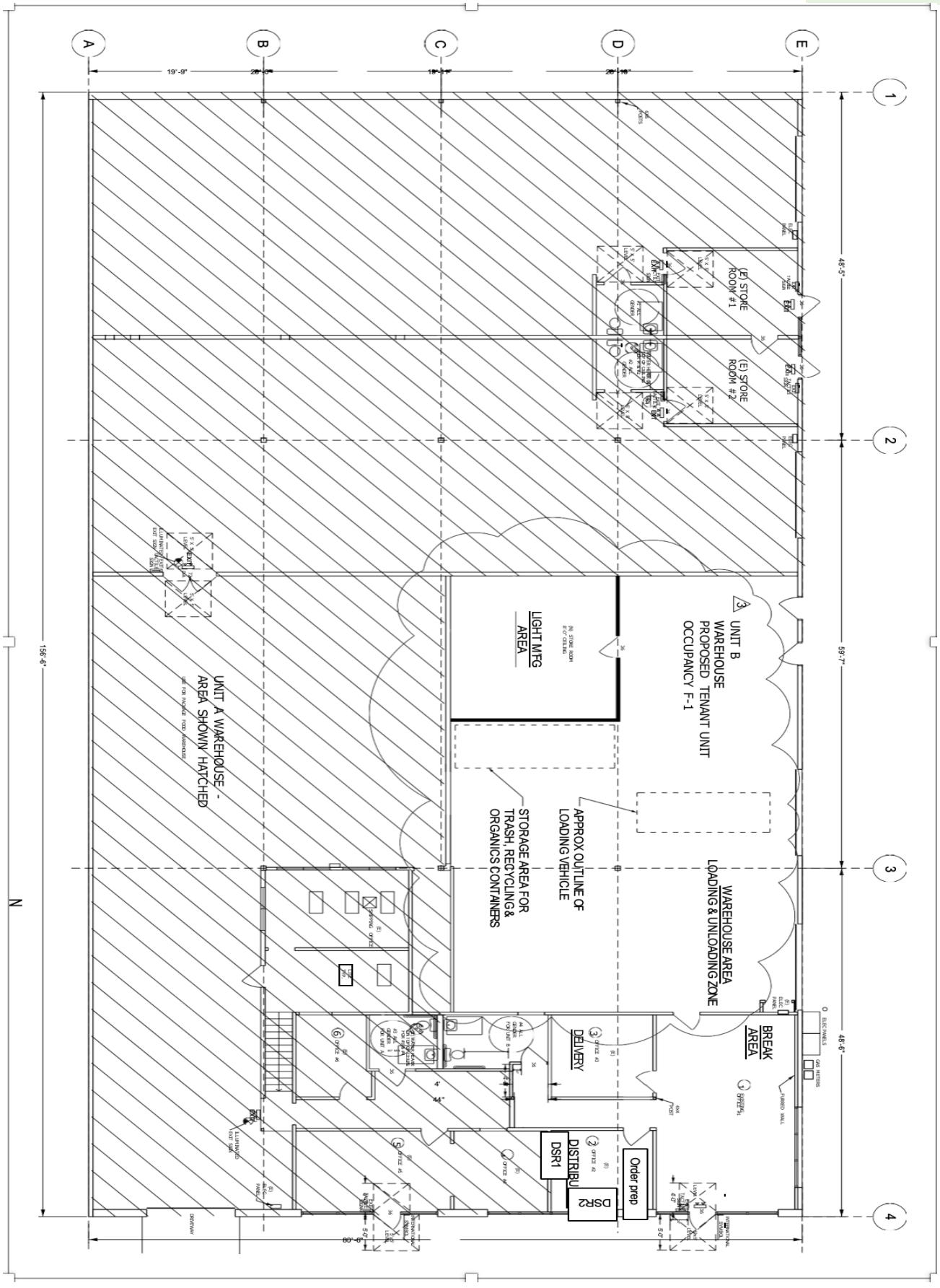
Regarding the needs of the City of Hayward, Sticky Thumb will follow all necessary city requirements. These include:

- Location must be in zoned area assigned by the city of Hayward.
- Will only deliver to qualified patients and operate during city-approved hours.
- Must have security plans in place with security system installed inside/outside building.
- May not transport more product than approved by city/state.
- Must properly dispose of product that is damaged or expires per city and state guidelines.
- Must document all activities regarding product from intake to delivery.
- Must pay all fees to city.
- Stay compliant with all state laws/ regulations.

[redacted]



Site Plan


A
B
C
D
E
1
2
3
4
19'-9"
20'-8"
19'-11"
20'-10"
48'-5"
59'-7"
48'-6"
156'-6"
80'-6"
(E) STORE ROOM #1
(E) STORE ROOM #2
UNIT B
WAREHOUSE
PROPOSED TENANT UNIT
OCCUPANCY F-1
LIGHT MFG AREA
APPROX OUTLINE OF LOADING VEHICLE
STORAGE AREA FOR TRASH, RECYCLING & ORGANICS CONTAINERS
WAREHOUSE AREA LOADING & UNLOADING ZONE
BREAK AREA
DELIVERY
DISTRIBU
DSR1
DSR2
Order prep
UNIT A WAREHOUSE - AREA SHOWN HATCHED
N

SAFETY AND SECURITY PLAN

Sticky Thumb places the utmost importance on the safety and security of its employees, its clients, its neighbors, and members of the community. Key elements of the Company's Safety and Security Plan include:

- **Security Measures:** Necessary security measures will be implemented to ensure the product maintains its quality and standards from its arrival to Sticky Thumb facilities to its delivery to the end user. These measures include cameras and safes throughout the facilities and in driver vehicles.
- **Enhanced Screening:** The location of all proposed sites will pose no risk to the public's health, safety, and security.
- **Quality Assurance:** Sticky Thumb will only work with distributors whose products meet the highest quality assurance standards. Additionally, internal staff will be trained to maintain quality assurance standards, identify signs of quality issues, and re-test products if necessary.
- **Security Clearance:** All key personnel will be required to pass security clearance applications in order to work at and deliver for Sticky Thumb.

Layout of Security Items in the Facility

Below is a conceptual layout of Sticky Thumb's facilities, indicating where security items (safe and cameras) are located:

This document has been submitted directly to Police department.

24/7 Security Technology

The following technologies will be implemented throughout the facility to ensure 24/7 monitoring and security measures are in place.



A total of 12 security cameras will be installed within the facilities.



Facility Safe TL 30 rated

Vehicle Security

The Company's fleet of Hybrid Priuses will be outfitted with interior cameras and a money drop-box as well as a built-in lock box for product to be proceed in case of theft.



Prius Fleet



Interior Vehicle Cameras



Money Drop-box

Sticky Thumbs Micro business will consist of delivery, distribution, and manufacturing. I will go through each ones operation. Please not each of these operations has it's own office and separate TL 15 or higher rated safe.

Delivery

Accepting New Orders

1. Sticky Thumb will only accept orders for delivery. No retail customers, patients or caregivers will be permitted entry to the facility.
2. All orders will come in either via our website or by phone, and are both processed using the Treez point of sale system, integrated with METRC state tracking.

Preparing For Deliveries

3. A Sticky Thumb Level 1 employee will pull all pre orders from the Cannabis Safe, and place them in opaque, child-resistant exit packaging.
4. Each cannabis good will be individually barcode scanned as it is placed in exit packaging.
5. The Delivery Store Manager will assign each customer order to a Sticky Thumb Delivery Driver.

Pre-Departure Preparation

6. Once all customer orders for a trip have been assigned to the Delivery Driver, the Delivery Store Manager will print a Delivery Manifest and review it with the Driver. Both the Manager and Driver will sign the Manifest.
7. The Driver moves their assigned delivery vehicle to the Loading Area, then loads all of his orders for that trip into the secure cannabis storage area in the vehicle.

Delivery Site Procedures

8. Prior to arriving at the customer's delivery location, the Sticky Thumb Delivery Driver will attempt to call the customer to notify them of their ETA. (The customer should also receive an automated notification to their phone via Onfleet.)
9. When the Delivery Driver arrives at the delivery site, they will verify the address of delivery before collecting the cannabis products to be delivered and the necessary documentation for delivery.
10. The Delivery Driver may not leave cannabis products at any location without verifying the identity and/or registration status of the individual.
11. After verification, the Delivery Driver will deliver the cannabis products, and both the customer and the Driver will confirm the delivery items match the order as stated on the Delivery Manifest
12. Pursuant to 16 CCR § 5418(h) if Sticky Thumb's Delivery Driver does not have any delivery requests to be performed for a 30- minute period, the Delivery Driver will not make any additional deliveries and will return to the licensed premises. Required meal breaks will not count toward the 30-minute period.
13. After completing all scheduled deliveries, the Delivery Driver will return directly to the Sticky Thumb facility, and check in with the Delivery Store Manager. The Delivery Driver will turn

over any physical copies of receipts and manifests. The Delivery Store Manager will review the electronic records and scan and file any necessary additional notations into the appropriate customer and product inventory records.

14. Pursuant to 16 CCR § 5418(i) upon returning to the licensed premises, all undelivered cannabis goods will be returned to inventory and all necessary inventory and track-and-trace records will be updated as appropriate that same day.
15. In accordance with 16 CCR § 5418(e), Sticky Thumb's Delivery Driver will maintain a log that includes all stops from the time Sticky Thumb's Delivery Driver leaves the licensed premises to the time that Sticky Thumb's Delivery Driver returns to the licensed premises, and the reason for each stop. The log will be turned in to Sticky Thumb when Sticky Thumb's Delivery Driver returns to the licensed premises. Sticky Thumb must maintain the log as a commercial cannabis activity record as required by state regulations.
16. If there were any incidents that occurred that impacted the security of the Delivery Driver, their vehicle or any cannabis product, the Delivery Store Manager will immediately record and respond to these incidents per Company policies and in compliance with local and state regulations.

Cash Handling:

For cash transactions drivers will count cash, drivers will always keep $100 in cash pouch for change any excess cash will be stored in lock box. Each time the driver returns to the shop cash will be counted by driver and manager. Both will sign they acknowledge the amount then the cash will be put in the safe in an envelope with the drivers name. At the end of the day the drivers totals will be added up and reconciled with deliveries. Once reconciliation is done the manger will then sign off on the driver and place the total money into safe.

Cannabis Vehicles, Storage and Inventory

- **Digital alley Cameras:** All delivery vehicles will include video and audio monitoring equipment by Digital alley. The vehicles will be outfitted with cameras (rearview, dashboard, and interior views). The video equipment has date and time stamped recordings, and video overlays that indicate which vehicle the recording is from. Each vehicle will have its recordings saved on a hard drive designated to that specific vehicle for 30 days. We chose digital alley because they work with police, fire and ems within our nation. Our vehicles will automatically upload all data to the cloud upon arrival to our facility as well as have a SSD card located in the rear view mirror.
- **Built-In Lock Box:** a built-in lock box will be fixed to the vehicle to ensure the highest levels of secure cannabis storage are being met.
- **Maximum Inventory:** No Delivery Driver will ever travel with more than 5 thousand dollars' worth of inventory (The state of CA says a driver may travel with up to 2 thousand in pre orders and an additional 3 thousand in inventory, These amounts of Cannabis take up a very small amount of space in the vehicle and will be in lock box.)
- **Vehicles Storage:** Our gated parking lot has 4 assigned parking spaces for our business. F
- **Onfleet Tracking:** Onfleet GPS tracking software for drivers will allow Sticky Thumb to track its drivers' locations, send out ETAs to customers, and alert customers their delivery is arriving.
- Orders that are out for delivery will stay in pending status in Treez, until the Delivery Driver has

a signed Delivery Manifest from the customer and notifies the Dispatch Office. The Delivery Store Manager will then update the order's status in Treez to Completed.

- In addition each vehicle will also have GPS located inside the vehicle via one step gps. The vehicles locations will be up on a screen during business hours at our location.
- Also drivers will be equipped with cellular technology-based panic buttons or other emergency alert devices. We chose VLERT this is a great tool incase anything does happen they have a button that will send an emergency alert to our office, we will then confirm this was not by mistake by contacting the driver. If we are not able to get a hold of the driver PD will be notified immediately with the drivers vehicle location.

Distribution

When Receiving Batch Shipments From A Licensed Cultivator or Manufacturer

17. For cannabis batches provided by Sticky Thumb's Manufacturing component, for distribution to Sticky Thumb's Delivery component (all part of the same unit), the Transportation vehicle will not be necessary, but secure movement of these cannabis shipments will follow all tracking and secure storage requirements outlined below.
18. For cannabis batches shipped from other licensed cultivators and manufacturers, the Transportation vehicle will be used, and secure movement of these cannabis shipments will follow all tracking and secure storage requirements outlined below.
19. All distribution pickups by Sticky Thumb will pre-scheduled by the supplier, with the specific Invoice Number and Shipping Manifest information already transmitted to Sticky Thumb no later than COB the day before transport.
20. The Sticky Thumb Transport Driver(s) will notify the Supplier 30 minutes prior to scheduled arrival, to confirm their ETA.
21. When accepting cannabis goods for pickup, the Sticky Thumb Transport Driver(s) will verify the goods are packaged securely and conform with the Shipping Manifest. The Driver will scan the barcode of each package, place it in the secured storage area of the Transport vehicle, then have the Supplier Manager sign the Shipping Manifest.
22. When the Transport Driver(s) arrive back at the Sticky Thumb facility, they will drive the vehicle to the Loading Area and notify the Distribution Manager.
23. While the Transport Driver parks, the Distribution Manager (or another Sticky Thumb Level 1 employee) will meet them in the Loading Area. The Distribution Manager will unpack the shipment at the Shipping Table in the Loading Area, and along with the Transport Driver, check each item against the Shipping Manifest and the Invoice.
    a. First, account for each item on the Shipping Manifest.
    b. Second, carefully examine each cannabis goods packaging to ensure it is intact.
    c. If any cannabis goods are improperly labeled or the packaging damaged, the Sticky Thumb Level 1 employee will quarantine the goods, notify the Supplier and record this in BioTrackTHC.
    d. For all cannabis goods that are identified on the Shipping Manifest and pass inspection, the Distribution Manager will individually barcode scan each batch, then immediately move the newly received products to Sticky Thumb's storage area for cannabis goods awaiting testing results (DSR 1).
24. At the end of each business day, the Distribution Manager will confirm that BioTrackTHC has successfully updated inventory data to the state METRC system.

a. Describe where the cannabis goods are received.

As noted above, all cannabis goods are received in Sticky Thumb's secure Loading Area.

b. Identify who will receive the cannabis goods, such as a manager or an employee.

As noted above, only Sticky Thumb Level 1 employees (All Owners and/or Managers) may receive cannabis goods.

c. Describe how the cannabis goods are moved to the cannabis storage area.

Once cannabis goods have been inspected and scanned into inventory, the Distribution Manager will then place all of the newly received goods in a Loading Area Cart and move them immediately into the distribution safe TL 15 rated or higher, in the Distribution Storage Room.

a. Describe what records are produced.

Sticky Thumb will use OnFleet, to move cannabis batch shipments from origin to destination efficiently, reliably, and cost effectively. OnFleet includes the following features:

25. Ability to create shipping manifests which will contain the following
    a. A unique Purchase Order number to track system receipts
    b. Name, license number, and premises address for:
        i. Licensed Cannabis Business who is shipping the cannabis goods
        ii. Licensed Distributor (Sticky Thumb) transporting the cannabis goods
        iii. Licensed Cannabis Business who is receiving the cannabis goods
    c. Name and license number of any licensee involved in the activity or transaction who is not shipping, transporting, or receiving the cannabis goods
    d. Date and time of activity
    e. Date and time of departure from first premises, and estimated time of departure for subsequent premises if cannabis goods are being shipped from multiple premises in one transport vehicle
    f. Estimated date and time of arrival at each receiving premises
    g. Driver license number for any person driving the transport vehicles
    h. Make, model, and license plate number of transport vehicles
    i. Name and type of cannabis goods to be transported
26. Ability to produce and store package and product tracking numbers
    a. All cannabis product sold or transferred between cannabis facilities must have the tracking identification number that is assigned by the statewide monitoring system affixed, tagged, or labeled and recorded, and any other information required by the department, the act, and these rules.
27. Ability to digitally track and store information
    a. Digital signature for pick-up and delivery
    b. Images of products picked-up and delivered
    c. Quantity and product type
    d. Ability to pull reports

i. Real-time inventory reports

ii. Real-time location monitoring via GPS

e. Digital route management

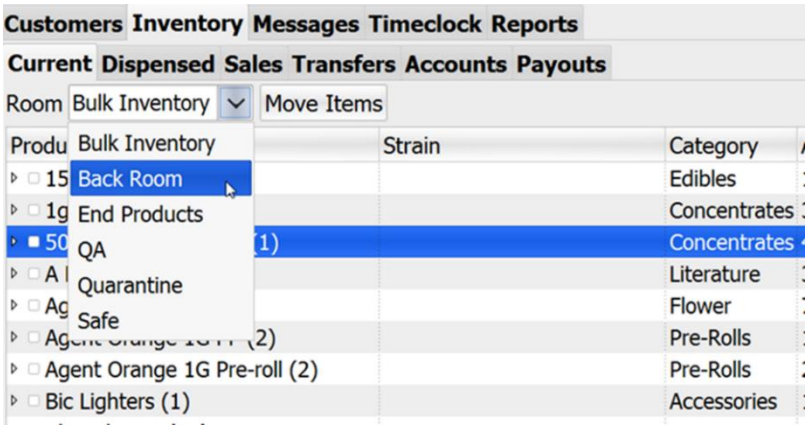
28. Creation of driver routes and sequence product pick-up and delivery
29. Real-time driver notifications of any changes in a transportation route
30. Store route history
31. Store route notes
32. Log suspicious route activity

Shipment Preparation For distribution – Cannabis Retailer

Sticky Thumb will receive orders from Cannabis Retailers for commercial cannabis products that are stored on-site at the facility. Products for distribution will be kept in 2 locations within the same office. The Cannabis Retailer can only place orders against inventory stored in DSR Location 2, the designated storage location of products that are ready for sale.

33. Cannabis Retailer places an order for items stored in distribution office.
34. The order is validated and sent to be prepared for shipment.
35. All items in the order are retrieved and stored in the Order Preparations area.
36. The Distribution Manager validates the correct quantities.
37. All items are packaged in an opaque container for delivery to the Cannabis Retailer.
38. The packaged shipment is staged the Loading Area shows it is ready for shipment.
39. The state mandated Shipping Manifest is affixed to the outside of the opaque container.

Quarantined Product



Product in need of quarantine will be separated from bulk and placed in the designated area of DSR 1. Inventory destruction can be initiated through the Treez system requiring documentation of destruction purpose and/or approved method as well as the employee performing the action. Although the inventory can be adjusted or voided, at no time is any data ever fully deleted as Treez maintains a log of every action, including adjustments and voids, so that the entire history of the system may be reconstructed. The availability and report ability of the system data enables the said entity to produce any information necessary for the Department during an inspection or at the Department's request.

b. Describe what happens to the cannabis goods after they are removed from inventory, including any records that are produced.

Completing Distribution Delivery

40. The Distribution Manager reviews all orders ready for shipment, a transportation route is generated, and a Transport Driver is assigned.
41. All packages are loaded onto the vehicle for delivery.
42. The Transport Driver delivers all packages to the Cannabis Retailers. A physical copy of the Shipping Manifest will be carried in the transport vehicle at all times while transporting cannabis goods. The Shipping Manifest will be provided to law enforcement and Department of Consumer Affairs agents upon request.
43. Upon delivery, the Transport Driver will provide the shipping manifest to the retailer and digitally capture the signature of the receiving party.
44. The Shipping Manifest will be completed by Sticky Thumb Distribution and transmitted in the track and trace system to the Bureau and receiving licensee.

Vehicles

Our distribution vehicle is a Ford transit connect equipped with all the same features described in delivery. The only difference is the transit has a partition from the cab which he have installed an additional camera. (Onstep gps, VLERT, Onfleet, lock box, digital alley camera shows road and driver, and second camera for back of van)

Manufacturing

Rosin Extraction Process

Rosin refers to a solventless extraction process that utilizes a combination of small amounts of heat and pressure to nearly instantaneously squeeze resinous sap from your initial starting material. The term “rosin” originated as a method of making a product used to lubricate violin bows. The result is a translucent, sappy, and sometimes shatter-like product. If executed correctly, rosin can rival the flavor, potency, and yield of other solvent-based extraction products without the dangers of creating them using gases and loops.

Why solventless? These days for a number of reasons – primarily because solventless products are perceived as a healthier option due to the lack of chemicals used during extraction. Plus, many people believe that without any chemicals involved, the end products are in their most natural state with their chemistry unaltered from any solvents.



Similar to the organic cannabis movement currently happening within the flower market, there appears to be a solventless hash revolution occurring, with more consumers and connoisseurs seeking out top-shelf solventless products to experience the true essence of the plant and concentrate.

Rosin is sought out by consumers for its increased purity and natural cannabis.

Generally speaking, the solventless process is more challenging to produce in mass quantities than solvent-based extractions, and takes longer to create.

Equipment

- 2.375" x 4.75" Dual Heating Platens are the dimensions are the plates in inches that heat up to press the rosin. There are two one on top and bottom of the machine. The dried flower is packed

into a screening material that doesn't let the plant matter pass through the screen only yielding the rosin concentrate on the other side witch then sticks to the parchment paper for collecting
- 110V power operation so no needed changes to existing electrical
- Safety switches on both sides force the user to put both hands on buttons away from the pressing platform to insure safety while operating the machine.
- The Rosin press is manually operated.

2. Where will the cameras be installed and what will be the video quality of these cameras?

Here's a diagram of our security cameras 5 outside 7 inside

- Cameras (Hikvision 4MP HD Dome IR 2.8, 4, 6 mm Camera Fixed Lens), all which can be accessed via Wi-Fi. 4 megapixel high resolution (2688 × 1520) | Full HD1080p video | 2.8mm
- Dual video streams | 120dB Wide Dynamic Range l 3D Digital Noise Reduction

- We will install cameras around the exterior of the building. The interior of the building including warehouse will have cameras located in all areas.
- All video footage will be retained for a minimum of 90 days

3. Will any security guards be hired to monitor the premises?
Initially we plan to hire an employee as security he or she will have a guard card. Once we ramp up and are bringing enough revenue in to support a security guard, we will higher a 3rd party security company to have onsite security. Before we hire a 3rd party security guard we will contact PD and provide the security companies name and the guard assigned to us information.

Requirements for guard
The security guard must be hired by a licensed security employer if we choose to hire the guard directly, we must hold a PSE license.

4. Provide further detail regarding the standard operating procedures provided on pages 14 and 15.

Employee Training

All new employees will undergo a rigorous orientation where they will be trained on the following topics.

City and State Standards

- City and State laws and regulations regarding cannabis – all new employees are required to read the CA state regulations and Hayward city ordinance before start of employment. Each employee will then have to sign a acknowledgement and understanding of the information.
- Interacting with police officers in a safe and respectful manner – Officer interaction training consists of

1. Understanding what document an officer may request to see. Such as City permit, state license, and manifest.

2. Always be polite and keep you hands in plain view.
3. Answer any questions the officer may have about the vehicles security ie. Cameras, lock box and GPS. If you're not sure about something ask the officer if you can call in to your manager to get clarification
4. Comply with all the officers requests.

Delivery Standards

Customer Interactions

1. Contacting the customer- via onfleet or phone
2. How to check ID on the spot- what to look for DOB, match name to order, correct address on file
3. What to do if customer provides an ID that does not match order- cancel order and contact dispatch
4. Arriving at a location that looks unsafe- keep going, pull over some where safe and contact dispatch. Explain to them why you felt unsafe and have dispatch contact customer to cancel order. Safety first always
5. What to look for – people gathered outside residence, alcohol use, drug use, anyone hiding their appearance via hood or mask, hostility, If it doesn't feel right keep going.
6. How long to wait for the customer- strict rule 5 min max after that the driver will leave
7. How to collect payment and operate POS terminal – we use mobile payments and cash. Mobile payment has to be made at time the customer palaces order. Cash – All order must specify if they need change and how much at time of order.
8. Returning to Office Procedures
9. Money intake
10. Returned product intake
11. Damaged products (example: leaking cartridges)

Safety While Driving

- Hands-free calling
- Seat belts
- State and local rules of the road

Vehicle Operation

- Where product will be stored within the vehicle
- Where cash will be stored within the vehicle
- Onfleet training (use of GPS system)

Product Knowledge

- Importance of providing customers accurate product information
- What to do if the delivery person does not know the answer to a customer's question or concern

Administrative Duties

- Time sheets: how to correctly record hours and pay
- Using tech: Onfleet training for administrative, dispatch and driver uses,
- Using Treez platform
- Menus: Updating menus
- Scheduling deliveries

Anti-Harassment Training

- All employees will undergo anti-harassment training that will teach them what constitutes harassment, how to identify harassment, and how to report and prevent harassment.
- LawRoom.com training video pertaining to harassment will be shown to all employees.

Safety and Security Protocols

- Entering and exiting the office premises and vehicle procedures
- Using cannabis during work hours is strictly prohibited. If any employee is found to be under the influence while working, they will be immediately sent home and disciplinary actions will be taken.
- Overview of offenses which may result in employment termination
- Flagging customers

Continuing Education & Training

- Because this industry is so new and is constantly evolving, Sticky Thumbs feels it is important to hold bi-weekly staff meetings to keep all personnel up-to-date on laws, important news, and any regulatory changes within the city or state.
- Training sessions will also be held when needed. For instance, if a new type of GPS system is to be installed in the vehicles, all pertinent personnel will go through training on the new system. Additionally, periodic refresher training sessions will be held to ensure staff are maintaining standards and protocols.

Employees, Vehicles, Hours (each facet of our micro business has different operating hours)

- Retail Delivery Hours - Hours of operation 9:30am -9:30pm 7 days a week (we take our last order at 8:59pm)
- Delivery drivers – to start we will have 2 employees working a day. (Our total full time delivery employees will be 4)
- Vehicles – 2 in use 1 back up

Distribution

- Distribution hours – 9:30am-4pm Monday - Friday
- Distribution employees – 1 full time employee to start
- Distribution Vehicles- 1 vehicle

Manufacturing

- Manufacturing 9:30am-4pm Monday - Friday
- Manufacturing- 1 part time employees

General Staff

- Delivery / Distribution Dispatch 1 employee on at a time (2 full time total)
- General Manager – 1 full time employee who supervises all departments and oversees compliance

Total employees – 8 fulltime employees 1 part time

Preventing Workplace Injuries

Below are ways in which the Company will prevent workplace injuries:

- Hire only capable and competent employees who are capable of carefully following guidelines and instructions.
- Hire only delivery personnel who have impeccable driving records.
- Provide proper safety training to staff.
- Create a safe work environment through regular maintenance of vehicles.
- All new drivers will shadow an experienced driver for 3 sessions before driving on their own.
- Educate employees on State laws and City regulations on an ongoing basis. Given that this is a new industry and regulations and standards will likely evolve, all employees will be kept up to date with new and existing regulations.
- Ensure the facility meets all fire codes. Fire exit plans and fire extinguishers will be located throughout the facility.
- Supply each vehicle with a fire extinguisher.
- Undertake quarterly fire and natural disaster drills.
- Perform monthly testing of security systems.
- All new employees must undergo and pass a background check and provide a copy of their driver record.

Employee Training

All new employees will undergo a rigorous orientation where they will be trained on:
City Standards:

- City laws and regulations
- Interacting with police officers in a safe and respectful manner
- The necessary paperwork to carry, their purposes and meanings, and which to present to a police officer if pulled over.
- City Ordinance and rules regarding cannabis

Delivery Standards:

- Customer interactions:
    - Contacting the customer
    - How to check ID on the spot
    - What to do if customer provides an ID that does not match order
    - Arriving at a location that looks unsafe
    - What to look for
    - How long to wait for the customer
    - How to collect payment and operate POS terminal

Returning to Office Procedures:

- Money intake
- Returned product intake
- Damaged products (example: leaking cartridges)

Safety While Driving:

- Hands-free calling
- Seat belts
- State and local rules of the road

Vehicle Operation:

- Where product will be stored within the vehicle
- Where cash will be stored within the vehicle
- Onfleet training (use of GPS system)

Product Knowledge:

- Importance of providing customers accurate product information
- What to do if the delivery person does not know the answer to a customer's question or concern

Administrative Duties:

- Time sheets: how to correctly record hours and pay
- Using tech: Onfleet training for administrative, dispatch and driver uses,
- Using Treez platform
- Menus: Updating menus
- Scheduling deliveries

Anti-Harassment Training

- All employees will undergo anti-harassment training that will teach them what constitutes harassment, how to identify harassment, and how to report and prevent harassment.
- LawRoom.com training video pertaining to harassment will be shown to all employees.

Safety and Security Protocols:

- Entering and exiting the office premises and vehicle procedures
- Using cannabis during work hours is strictly prohibited. If any employee is found to be under the influence while working, they will be immediately sent home and disciplinary actions will be taken.
- Overview of offenses may result in employment termination
- Flagging customers

Continuing Education & Training

Because this industry is so new and is constantly evolving, Sticky Thumbs feels it is important to hold bi-weekly staff meetings to keep all personnel up-to-date on laws, important news, and any regulatory changes within the city or state.

Training sessions will also be held when needed. For instance, if a new type of GPS system is to be installed in the vehicles, all pertinent personnel will go through training on the new system. Additionally, periodic refresher training sessions will be held to ensure staff are maintaining standards and protocols.

Probationary Period

All employees will hold a probationary status for their first 90 days with the Company.

General Security and Protocols

Transaction Security: At the time of transaction, the customer will provide their ID for the driver to verify identity. All vehicles are equipped with cameras, which will record inside and outside of the vehicle. Once the driver receives cash, he or she will place cash in car safe. Drivers will only have access to a change pouch that will not hold more than $199 dollars at a time.

Customer Security: All drivers will be trained in how to deal with a customer and their needs. Drivers/admin will sign a legal agreement not to use or divulge customer information.

Third Party Contractor Security: One employee will have a guard card on their person at all times. Sticky Thumb will hire private security escorts for all cash transfers.

Product and Delivery Security: The product will be stored in a case that is locked and secured within the vehicle during transportation to client. Each vehicle will have interior and exterior cameras to monitor every delivery and transaction.

Facility Security: Sticky Thumb will use Live Watch, a professional business surveillance & security company, to provide 24/7 monitoring and security. Sticky Thumb will have cameras recording key areas inside and outside the facility, as well as a secured door to which entrants must be "buzzed in" before being allowed entry. Doors will always be locked with commercial-grade locks and the company's safe will be UL-certified and tested burglary- as well as fire-safe for up to 60 minutes.



Product Tracking: Cannabis will be tracked using Treez's state-mandated seed-to-sale tracking software and point of sale system. During delivery, cannabis will be tracked using Onfleet GPS tracking software up until delivery to the patient.

Intended Handling of Product as a Microbusiness

As a Microbusiness undertaking distribution, manufacturing, and delivery, Sticky Thumb will take special precautions when receiving the product:

- Sticky Thumb will receive product by appointment only.
- When vendor arrives, they must show identification to camera before given access to enter the building. An employee with a guard card will be present to receive them.

Use of Hazardous Materials

Sticky Thumb will not be using any hazardous materials, including volatile solvents or gases.

Company Safety Policy

1. Statement of General Policy

This is the statement of general policy and arrangements for: S.T. Consulting and Services Inc
The company is committed to:

- Provide a safe place of work
- Provide safe systems of work
- Provide training, instruction and supervision
- Provide and maintain safe plant and equipment
- Assess the risks to anyone who might be affected by carrying out work activities
- Ensure materials and substances are safely stored, handled and transported
- Work to prevent accidents

2. Responsibilities

- Farhad Doctor has overall and final responsibility for health and safety.
- Farhad Doctor has day-to-day responsibility for ensuring this policy is put into practice.
- Supervisors and managers must provide adequate supervision to ensure safe systems of work are being followed.
- Employees have a responsibility to take care of the health and safety of themselves and those around them, to follow safe systems of work and report any concerns to supervisors and managers.

3. Arrangements

3.1 Training

- All staff and subcontractors will be given a safety induction and provided with appropriate training, including product handling, safe driving practices, customer interactions and risk awareness.
- Supervisors and managers are responsible for identifying training needs.
- Farhad Doctor is responsible for keeping a record of all training.

3.2 Carrying Out Risk Assessments

- The supervisor will carry out a written risk assessment each week, based on the previous week. Hazards will be identified, and control measures implemented to eliminate or reduce risk.

3.3 First Aid/Fire

- Adequate first aid provisions will be available at all sites. All first aid incidents will be recorded. All vehicles will be equipped with fire extinguishers and office/warehouse will store fire extinguishers and be laid out so as to meet fire code requirements.

3.4 Anti-Harassment Training

- All new hires will go through anti-harassment training.

3.5 Substance abuse training

- All employees will be trained on substance abuse, what it means, and why it is not allowed at the workplace. All employees will need to sign an agreement before being hired that states the employee will not consume mind-altering substances during work hours. It is also imperative that no employee or subcontractor comes to work under the influence of any substance that could cause the employee to be intoxicated.

3.6 Accident Reporting

- All employees will report accidents to their supervisor or manager. Yahaira Mondragon is responsible for investigating accidents to prevent recurrence and ensure safe work practices are being carried out.
- All accidents will be recorded in the accident book, which is kept by Farhad Doctor and is located within the corporate office.

3.7 Emergency procedures

- Farhad Doctor is responsible for carrying out risk assessments and implementing emergency procedures.
- Farhad Doctor will ensure that contact information is posted and 911 call training is provided
- Escape routes will be well signed and kept clear at all times. Evacuation plans will be tested periodically and updated as necessary.

3.8 Facility

- Facility training will be provided – entering and leaving as well as observing outside cameras
- Training will be provided on verifying identity before allowing entry to facility
- Training will be provided on the “Onfleet” driver tracking system.

3.9 Vehicle Maintenance

- Farhad Doctor or an appointed facility manager will be in charge of weekly vehicle inspections, checking tires, brakes, seat belts and oil.

Safe Processes & Tracking: Distribution Activities

A minimum of 90% of Sticky Thumb’s product be sourced from Type A State Licensed Distribution Companies, who test and package products to state regulations.

- If product is packaged and tested, Sticky Thumb will inspect product to make sure test results meet all requirements set by the state.
- Sticky Thumb will also inspect all packaging to make sure it meets state requirements.
- Upon product purchase by Sticky Thumb, purchase information will be added to its state-mandated seed-to-sale tracking software. The purchase order will be inputted along with each individual item, weight amount of item, cost and test results
- If the product is not tested or packaged, it will be taken on consignment, meaning it will be paid once product meets testing requirements set by the state.

- Product will be weighed, and a sample will be deducted from product weights; both will be documented in the tracking system.
- Product and sample will be stored in safe until lab carrier picks up sample by appointment only. This step is documented.
- Once lab sample results are received for THC CBD test results (see page 38 for a complete list of required testing) the product will move on to Labeling and Packaging or be given back to vendor, should it fail to meet standards. All returns will be logged in state-mandated seed-to-sale tracking software.

Testing will be done according to Title 16 of the California Code of Regulations, Section 5715, and the regulations listed by the Bureau of Cannabis Control of California (see page 38).

Testing Laboratories

Activities:

- Collects samples of each cannabis goods batch from the distributor's premises
- Tests cannabis goods in accordance with the Act and regulations for:
  - Cannabinoids
  - Foreign material
  - Heavy metals
  - Microbial impurities
  - Mycotoxins
  - Moisture content and water activity
  - Residual pesticides
  - Residual solvents and processing chemicals
  - Terpenoids
  - Homogeneity

Requirements:

- ISO/IEC 17025 accreditation
- Must develop and implement a chain of custody protocol to document the transportation, handling, storage, and destruction of samples
- Must generate a certificate of analysis for each primary sample the lab analyzes
- Any cannabis or cannabis product sold to, or purchased by, a customer, must meet testing requirements

Safe Processes & Tracking: Distribution and Manufacturing Activities

At this stage, the product, which has passed all lab testing, will be ready to package.

- Weigh flower before pressing
- We will use a rosin press to squish the bud and release the sap
- Weigh and document sap collected
- Place in individual sap jars
- All labeling and packaging will be designed by Yahaira and will be approved by Farhad Doctor.
- Products will be packaged in a clean room; air will be scrubbed with a charcoal filter system that will be installed by a professional company to avoid smell leaks.
- Packaging room will meet health and safety guidelines
- Employees will wear medical-grade gloves while handling product.
- Once product is packaged, all waste will be logged and taken to appropriate facility (See "Waste" section on page 41).

- At this stage, Sticky Thumb now has a packaged product, which will be labeled to state requirements
- Product will be inputted, tracked, and logged into Treez and state-mandated seed-to- sale tracking software (METRC). Data included: number of packages, waste amount, THC, and CBD test results. Please see page 38 for a complete list of required testing.
- The finished product will be stored in a safe until ready for delivery.

- tracking software.

Distribution manifest and transportation

All shipping manifests documents will be provided by state authorities, and we will maintain manifests for five years.

Check list before sending distribution vehicle out.

1. Complete a shipping manifest prescribed by the State. Manifest will include:

- Driver's license numbers and State
- Identification Numbers
- Transport vehicle VIN#
- Transport vehicle license number
- Transport vehicle description
- Transport Vehicle Asset Tracking GPS
- ID#
- Origin Manufacturing Facility
- registration number
- Destination Dispensary registration
- number
- Product quantity, names, and serial
- numbers

2. Securely transmit a copy of the manifest to the dispensary facility that will receive

the products and to the State before the close of business the day before

transport.

3. Shipping Manager will follow the same procedure with every shipment:

- Assemble the order
- Box the order
- Attach a copy of the manifest to each box
- Use Onlfeet tracking as well as GPS on vehicle to track vehicle from the time it leaves our facility.

SALES INVOICE/ SHIPPING MANIFEST

PLEASE USE PERMANENT INK FOR ALL ITEMS

INVOICE/MANIFEST NUMBER:				**ACTUAL DATE AND TIME OF DEPARTURE:**	/ /	**AM PM**
ATTACHED PAGE(S)?	**YES NO**	**# OF ATTACHED PAGES:**		**ESTIMATED DATE AND TIME OF ARRIVAL:**	/ /	**AM PM**

SHIPPER INFORMATION	
STATE LICENSE #	
TYPE OF LICENSE	
BUSINESS NAME	
BUSINESS ADDRESS	
CITY, STATE, ZIP CODE	
PHONE NUMBER	
CONTACT NAME	

RECEIVER INFORMATION	
STATE LICENSE #	
TYPE OF LICENSE	
BUSINESS NAME	
DELIVERY ADDRESS	
CITY, STATE, ZIP CODE	
PHONE NUMBER	
CONTACT NAME	

DISTRIBUTOR INFORMATION				
STATE LICENSE #		DRIVER'S NAME		
BUSINESS NAME		CA DRIVER'S LICENSE#		
STREET ADDRESS		VEHICLE MAKE		
CITY, STATE, ZIP		VEHICLE MODEL		
PHONE NUMBER		VEHICLE LIC. PLATE #		
CONTACT NAME		ACTUAL DATE AND TIME OF ARRIVAL	/ /	**AM PM**

PRODUCT SHIPPED DETAILS

SHIPPER COMPLETES ALL THE UNSHADED COLUMNS BELOW. RECEIVER COMPLETES <u>ONLY</u> THE SHADED COLUMNS BELOW
(Please attach additional pages, if needed)

UID TAG NUMBER (IF APPLICABLE)	**ITEM NAME <u>AND</u> PRODUCT DESCRIPTION (INCLUDE WEIGHT OR COUNT)**	**QTY ORDERED**	**QTY REC'D**	**UNIT COST**	**TOTAL COST**	**RETAIL ONLY**	
						UNIT RETAIL VALUE	**TOTAL RETAIL VALUE**

PRODUCT REJECTION

IF PRODUCTS ARE REJECTED, PLEASE CIRCLE THE ITEMS BEING REJECTED IN THE PRODUCT SHIPPED DETAILS SECTION ABOVE

REASON FOR REJECTION:	

PRODUCT RECEIPT CONFIRMATION

I CONFIRM THAT THE CONTENTS OF THIS SHIPMENT MATCH IN WEIGHT AND COUNT AS INDICATED ABOVE.
I AGREE TO TAKE CUSTODY OF ALL ITEMS AS INDICATED RECEIVED ABOVE – AND WHICH ARE NOT CIRCLED.
THE PRODUCTS CIRCLED ABOVE ARE REJECTED FOR DELIVERY AND REMAIN IN THE CUSTODY OF THE DISTRIBUTOR FOR RETURN TO THE SHIPPER AS INDICATED ON THIS FORM AND ALL ATTACHED PRODUCT DETAILS SHEET(S).

NAME OF PERSON RECEIVING AND/OR REJECTING PRODUCT:		PHONE NUMBER:	
SIGNATURE OF PERSON RECEIVING AND/OR REJECTING PRODUCT:		DATE SIGNED:	

Transportation Security Measures

Each vehicle will be equipped with a safe, video cameras installed and synced to the digital alley cloud, GPS, and drivers will have panic buttons

1. Each vehicle will have one driver and one transport agent during distribution delivery of cannabis products to and from dispensaries and laboratories.

2. All individual orders will be assigned a unique asset tracking GPS unit.

3. The delivery vehicle will have a fleet tracking GPS Unit Bttached to the vehicle.

4. The delivery vehicle will have a CCTV system that will record at all times the vehicle inside and outside the Distribution Facility. All loading and unloading will happen inside of warehouse when all doors are closed.

Preparing and conducting distribution

1. Distribution employee will lay out manifest, box and products
2. Distribution manager will check order for accuracy
3. Boxed and sealed orders will be moved through security door to loading bay of warehouse
4. Boxes will be loaded in vehicle will all security measures outlined above
5. Transport will travel directly from the Micro business Facility Secure Loading Bay to the dispensary facility or testing facility and then back to the Secure Loading Bay.

6. Transport agent will collect a signed manifest for all deliveries. Dispensary or laboratory agent will confirm that all cannabis products or cannabis samples were delivered and the seal was unbroken at the time of delivery.

7. Transport may stop at other dispensary facilities, laboratories, gas stations for refueling.

8. In the case of emergency transport agents will us the panic button provided and Distribution will have access to alert notifications to report the emergency immediately to law enforcement through the 911 emergency systems.

9. One delivery transport agent will remain with the vehicle at all times the vehicle contains cannabis products with the engine running.

10. All vehicles will have one company cell phone with a direct line of communication with distribution manager

11. Each transport agent will keep in their department issued identification card with them at all times when transporting or delivering cannabis.

12. All drivers and transport agents will understand what materials to provide to law enforcement and will make sure the document are available prior to leaving facility. This

includes ID badge, manifest, permit/license information, insurance and will allow officer to view inside of vehicle if requested to do so.

13. All vehicles at time of return will request roll up door be opened.

14. Once inside warehouse and roll up door is closed driver and transport agent will exit vehicle

15. Distribution manager will collect any distribution deliveries that were not made

16. Make sure seal is not broken and place in secure distribution room

17. Distribution manager will collect all payments form vehicle safe and enter secure room

18. Distribution manger will confirm all payments match amounts on manifest before placing in distribution only safe

19. Distribution manager will then open any return box's and check contents before re stocking

Safe Processes & Tracking: Delivery Activities

Careful processes and procedures are also key to all delivery activities. At this stage, the product is ready for delivery.

- Manger will assign product to driver, which will be logged.
- Once driver leaves facility with the product, the driver's movements will be tracked via Onfleet tracking software.
- Once product arrives at customer's destination and transaction is completed, the driver will close out delivery in Onfleet. The transaction data will be uploaded to the customer's profile.
- The transaction is then completed, tracked, and logged in Sticky Thumb's point of sales software, Treez, which is a state-mandated seed-to-sale tracking software.
- The product will then officially be deducted from inventory.
- The driver will store cash received in cash lock-box in vehicle.
- Once driver returns, any remaining inventory and all cash will be logged.
- Manager will then reconcile cash vs. product and release driver of product responsibility.

Legal Manufacture

License: Type 6, level 1

Defined: For manufacturing sites that produce medical cannabis products using nonvolatile solvents. A Type 6 license could perform Type N or P tasks. We will not use type N, below is a description of the types of uses we will be conducting under our license

Extraction Process Defined:

Rosin refers to a Solvent-less extraction process that utilizes a combination of small amounts of heat and pressure to nearly instantaneously squeeze resinous sap from your initial starting material. The term "rosin" originated as a method of making a product used to lubricate violin bows. The result is a translucent, sappy, and sometimes shatter-like product. If executed correctly, rosin can rival the flavor, potency, and yield of other solvent-based extraction products without the dangers of creating them using gases and loops.



Sasquash is the machine we intend to uses









Why solvent-less? These days for a number of reasons – primarily because solvent-less products are perceived as a healthier option due to the lack of chemicals used during extraction. Plus, many people believe that without any chemicals involved, the end products are in their most natural state with their chemistry unaltered from any solvents.
Similar to the organic cannabis movement currently happening within the flower market, there appears to be a solvent-less hash revolution occurring, with more consumers and connoisseurs seeking out top-shelf solvent-less products to experience the true essence of the plant and concentrate.

Rosin is sought out by consumers for its increased purity and natural cannabis experience.

Generally speaking, the solvent-less process is more challenging to produce in mass quantities than solvent-based extractions and takes longer to create.

Equipment Explained:

- 2.375" x 4.75" Dual Heating Platens are the dimensions are the plates in inches that heat up to press the rosin. There are two one on top and bottom of the machine. The dried flower is packed into a screening material that doesn't let the plant matter pass through the screen only yielding the rosin concentrate on the other side witch then sticks to the parchment paper for collecting
- 110V power operation so no needed changes to existing electrical
- Safety switches on both sides force the user to put both hands on buttons away from the pressing platform to insure safety while operating the machine.



Storage of pre-press/ manufactured product:

- The dried flower will be stored in compliant safes along with the proper labels of weights, dates and explanation of products.
- It would travel from the safe to the manufacturing station devised of stainless steel tables, the rosin press itself (Dimensions: 12"W x 10"D x 20"H), as well as the air compressor.
- It would then be packaged into one gram child safe complaint containers and sent off to the appropriate testing facility while the remainder back to the safe for proper storage

Process

- Step 1: Put on gloves and safety glasses
- Step 2: Place dried flowers into the screening material. 7 grams per screen material and then set aside
- Step 3: The press would be turned on via safety and power switch
- Step 4: Turn on the compressor
- Step 5: Once the Press is up to temperature (180 degrees Fahrenheit) you are ready for your first press
- Step 6: take one screen packed with dried cannabis and wrap in a parchment paper that has been folded for the collection of rosin
- Step 7 Align the screen on the plates of the rosin press
- Step 8 Put both hands on the safety buttons needed to start the machine
- Step 9 Engage power on press when both hands are free and clear (machine will not start unless buttons on both sides of the machine are engaged at the same time confirming body extremities are no where in range of the press.)
- Step 10 The press will stay engaged for 60 seconds
- Step 11 After 60 seconds the press will release
- Step 12 gather the parchment and set it aside to cool
- Step 13 wait at least 15 minutes
- Step 14 gather all parchments and start to collect the rosin off the paper with a stainless steel tool
- Step 15 Scrape the tool back and forth on the parchment until all resin has been collected and stuck to tool end
- Step 16 Create a ball with all the collection and section it off into grams for packaging
- Step 17 weigh and document weight of extract

WASTE CONTROL PLAN: Methods of Disposal of Waste Materials

We will generate normal office waste as well as waste from printing and packaging of the products used in manufacturing. There will also be waste from the creation of rosin. Rosin is a solvent-less extract created by pressure. The waste would me minimalized based off the only materials needed for the process are the cannabis flower itself, the silk screening material, as well as parchment paper and the machine for pressing. The largest amount of waste will be paper, and labels witch will be recyclables. Cannabis waste will be minimized, as no cultivation will happen on site. The byproduct of rosin is the pressed coins of flower that have been stripped of their active ingredients though out the squishing process. The dried flowers are packed into a screen and then pressed with heat and pressure leaving your concentrate on parchment paper after extraction. No volatile solvents are used in any production of rosin at this facility. After products are manufactured, they will be tested for all required guidelines and if they do not pass, they will be destroyed or reworked until proper amounts have been established. Applicant facility will generate minimal hazardous waste

Waste Sources Identified:

- 1. Processing
- 2. Packaging
- 3. Office use

The processing area will have minimal waste out side of the solid cannabis waste left behind from the process of procreating the rosin. The Dried flower coins will weigh approximately 75 percent of the initial starting weight of the dried flowers. Applicant will create less than 20 lbs. of office waste per year, mostly comprised of recyclable materials such a paper, cardboard, and labels. Less than 3 lbs. of solid cannabis waste (rosin chips) each year that would go through safe handling practices in accordance to State of California regulations and the Manufacturing Facility's Operations and Management Practices Plan.

Cannabis Waste Handling Procedures:

All waste will be secured, locked and managed in accordance with State of California regulations and the Manufacturing Facility's Operations and Management Practices Plan.

Solid Cannabis Waste Handling Procedure

1. The cannabis product waste will be weighed

2. Data will be recorded in Applicant's Inventory Counting System including date, weight, batch number, and section of the facility generating the waste.

3. The waste will be bagged, tagged and moved in the Inventory Counting System, as well as physically to the Waste Disposal Area. All aspects of the byproduct wastes, weights, ID numbers and associated data is stored in the system indefinitely. Destruction event plans and explanations are also documented and stored within the seed-to-sale software system. This data cannot be modified or deleted by the manufacturing facility employees or even by seed-to-sale software. Seed-to-sale software records manual inventory adjustments through a detailed notes section. The reason for disposal and, if applicable, disposal company are recorded and archived to the batch number associated with the disposed cannabis. As with all transactions in the seed to- sale software system, the employee responsible for the transaction

is required to enter a PIN number or recording the date, time, and reason for the transaction.

Solid Cannabis Waste Rendering and Disposal Procedure

Cannabis waste rendered unusable and rendered into non-compostable mixed waste will be disposed of by being picked up by an Cannabis Waste Disposal Company approved by the local health department.

Liquid Waste

There will be no liquid waste because no process involves cultivation, as well as there is no extraction or cooking process that uses water.

Licensing, "Type P": This license is for manufacturers that only package or repackage cannabis products or label or re-label the cannabis product container. Manufacturers that engage in packaging or labeling of cannabis products as part of the manufacturing operation do not need to hold a separate Type P license.

"Manufacture" means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product. The term "manufacture" includes the following processes:

a. Extraction processes;
b. Infusion processes;
c. Packaging or repackaging of cannabis products;
d. Labeling or relabeling the packages of cannabis products.

The term "manufacture" does not include the following:

a. The repacking of cannabis products from a bulk shipping container by a distributor or dispensary where the product's original packaging and labeling is not otherwise altered.
b. The placing of cannabis products into opaque packaging at retail premises for purpose of complying with section 26070.1 of the Act.
c. The collection of the glandular trichomes that are dislodged from the cannabis plant incident to cultivation activities.

Type P licensees can do only packaging and labeling for other licensed cannabis manufacturers.

Fire Notes (The following notes were pulled from FPE report)

Zari Consulting Group, Inc. has been retained by Farhad Doctor to perform a fire and life safety analysis at 23287 Foley Street in Hayward, CA. We have conducted our review for conformance with the 2016 edition of the California Building Code (CBC) and the 2016 edition of the California Fire Code (CFC). We also reviewed the applicable NFPA standards that are referenced in the CFC.

The building is defined as a F-2 occupancy, which includes a warehouse, distribution/delivery room, light manufacturing, and office areas. This building will not contain high piled storage. Oil extraction will not use flammable or combustible liquids. Indoor growing will not be conducted. This facility will be used for storage of cannabis, cannabis products and light manufacturing only. Sticky Thumbs will operate under a Type 12 – Commercial Cannabis Microbusiness permit.

The scope of work includes tenant improvements to the existing 12,480 sq. ft. building. The current construction type of the warehouse is Type V and it is not equipped with an Automatic Fire Sprinkler System.

Building Info

Building is not sprinklered, and the owner completed all interior renovations already. We plan to have a room built inside the warehouse this will entail building two walls (see architectural drawings attcahed pg 99)
Other tenants in the building
RestaurantCA (wholesale foods), and Pest Go Away (distributes, spray bottles, traps and parts).
Emergency power system for exit signs – the exit signs will be backed up with batteries

FPE Machinery and Equipment approval (The following notes were pulled from FPE report)

Rosin Press
The rosin press being used by Sticky Thumbs is the Sasquash V2. The Sasquash V2 will be used in the manufacturing area only. All of the equipment consists of UL listed parts. The heating element – Tempco High Density Cartridge Heater, temperature controller – Love Series 16B Dual Controller and hand pump – SPX Flow Hand Pump have all been reviewed and accepted by Zari Consulting Group.

Hydraulic Oil Volume (provided by Sasquash rosin press support team)
Regarding Fluid Volume in the hydraulic jack (inside press) - SPX measures their liquid volume by cubic in.
The V2 - 15 Ton press has a 6.7 cu in. capacity
where the **2.5** has a max of 20.6 cu ft capacity
Keep in mind you will not ever need to reach full capacity as the presses just wont allow it.
So its fair to say you may have a max of 3/4 that capacity in your press at time of use

Vehicle Storage

We have 4 assigned parking spaces in a gated parking lot at our building. We intend to load and unload our vehicle inside the warehouse, but will park the vehicles overnight in the parking lot outside.

COMMUNITY BENEFITS PROPOSAL

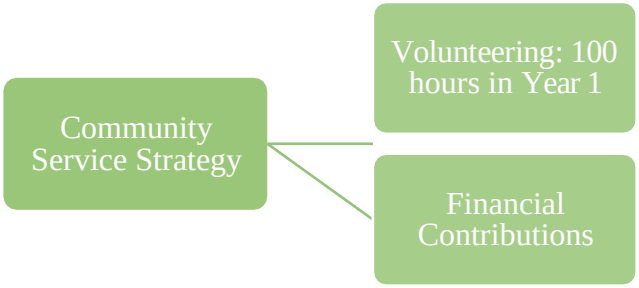
Community Benefit Mission

As a member of the National Cannabis Industry Association, as well as the California Cannabis Industry Association, it is the mission of Sticky Thumb to act locally and provide financial and other support to already-existing organizations.

100 Hours: Sticky Thumb's Year 1 community service hours goal.

Strategy

To achieve our Community Benefit Mission, the Sticky Thumb staff will volunteer at various and contribute to different aspects of the community such as the youth, education, and parks. Our goal is to undertake 100 hours of community service in our first year. In addition to having a physical presence in the community by volunteering, Sticky Thumb will also contribute to programs financially.



Health Education and Prevention Strategies

Sticky Thumb aims to support preventative programs that aim to proactively prevent substance abuse of alcohol and drugs (both prescription and illicit) through education. To this end, Sticky Thumb will:

- Provide financial support to relevant youth programs, by providing food and educational and nutritional activities.
- Provide financial support to local school
- Offer volunteer assistance to youth programs to create safe environments for learning.
- Volunteer cleaning parks

Economic Benefits

- Percentage of revenue is used to finance programs that are beneficial to the local community
- Taxes collected will be allocated, by the city, to local projects.
- Donations to each of the programs listed below will be offered and used as they see fit
- Create long- term well-paying jobs that will be made accessible to the citizens of Hayward
- 100% of new hires will be Hayward citizens. All candidates will need to show proof of Hayward residency.

Organizations to Which Sticky Thumb Will Donate Financial and Resource Support	
Kids Breakfast Club https://www.tkbc.org/tkbc_office 22542 Second st Hayward, CA 94541 Laura Doctor and Yahaira Mondragon from Sticky Thumb will be taking the lead The need to provide California's kids with breakfast and a wide-range of educational and nutritional activities while school is not in session has not been greater than today. The participation rates for California public school students in Free and Reduced Priced Meals programs (FRMP) have steadily increased over the years. Mirroring the state's upward trend, Alameda County in general, and Hayward schools specifically are also seeing steady upward trends in participation rates. California public school students participate in the FRPM program while school is in session. What is unknown is what kind of access California's kids, especially our local neighborhood kids, have to good and quality nutrition and education activities when school is not in session.	**H.A.R.D.** District Administration Office 1099 E St. Hayward, CA 94541 (510) 881-6700 (510) 881-6763 Fax The Hayward Area Recreation and Park District, known locally as "H.A.R.D.," is an independent special use district created to provide park and recreation services for over 280,000 residents. Our boundaries encompass a 100 square-mile area, which includes the City of Hayward and the unincorporated communities of Castro Valley, San Lorenzo, Ashland, Cherryland, and Fairview.
Friends of Chabot College Chabot College Office of Development 25555 Hesperian Blvd Hayward, CA 94545 Farhad Doctor will manage donations Contributions of any size are enthusiastically welcomed and greatly appreciated. Supporting **The Friends of Chabot College fund** is a great way to invest in the future of our students. Whether you are an alum of Chabot College, student, parent, or interested community member, you have a role to play in building the social and financial capital for our college.	Chabot College: Veterans Services 25555 Hesperian Blvd Hayward CA 94545 650-520-7582 Sticky Thumb wants to give back to our Veterans. The first step for us will be donating towards Parking, bus passes and school supplies at Chabot college. We would like to volunteer and find out more about Veteran needs in the community. By doing this we can identify areas we can contribute more to.

COMMUNITY OUTREACH AND SUPPORT

Sticky Thumb has chosen to contribute to the organizations mentioned because we believe that our focus and dedication should go towards supporting youths, veterans, education and community areas of gathering like parks. Our goal is to volunteer our time at with the Kids Breakfast club and H.A.R.D, while providing financial resources to Chabot College programs. Below is a personnel forecast of the Company:

Personnel Forecast					
	Year 1	Year 2	Year 3	Year 4	Year 5
Management Count					
CEO	1	1	1	1	1
Director of Business Development	0	1	1	1	1
Operations Manager	1	1	1	1	1
Driver	5	6	7	8	9
Total Personnel	7	9	10	11	12

Alignment with City of Hayward Strategic Initiatives

The City Council of Hayward has four guiding priorities that guide City action:

- Safe
- Clean
- Green
- Thrive

Sticky Thumbs vision aligns closely with those of the City and will continuously aim to advance these strategic initiatives through its own model and programs.



Safe

•Provide continuos safety and security training to employees

•Outfit all facilities and vehicles with the necessary security and safety equipment including fire extinghuisers and cameras



Clean

• Follow all sanitation and recyclying guidelines and requirements.

• Facilities produce no odor or noteworthy pollution or emissions.



Green

• Delivery fleet is comrpised of Hybrid Priuses.



Thrive

•Jobs created will be given to residents of Hayward.

•Financial and other support will be given to local substance abuse prevention programs

• Goal of 100 volunteer hours for Year 1.

Neighborhood Benefits or Improvements

The following steps will be taken by Sticky Thumb to ensure the adjacent community benefits from the presence of Sticky Thumb in the neighborhood:

- Financial support will be given to non-profit organizations that align with the community and Company's vision, including donations to GED-completion programs.
- Volunteering will be done at local substance abuse prevention and treatment organizations.
- Facilities and fleet will have a minimal ecological footprint: No hazardous materials will be used, and the delivery fleet will be comprised of Prius Hybrid vehicles.

Commercial Cannabis Land Use

Location of Sticky Thumb facility and operations will adhere to the City of Hayward Commercial Cannabis Land Use Maps. See Appendix 4.

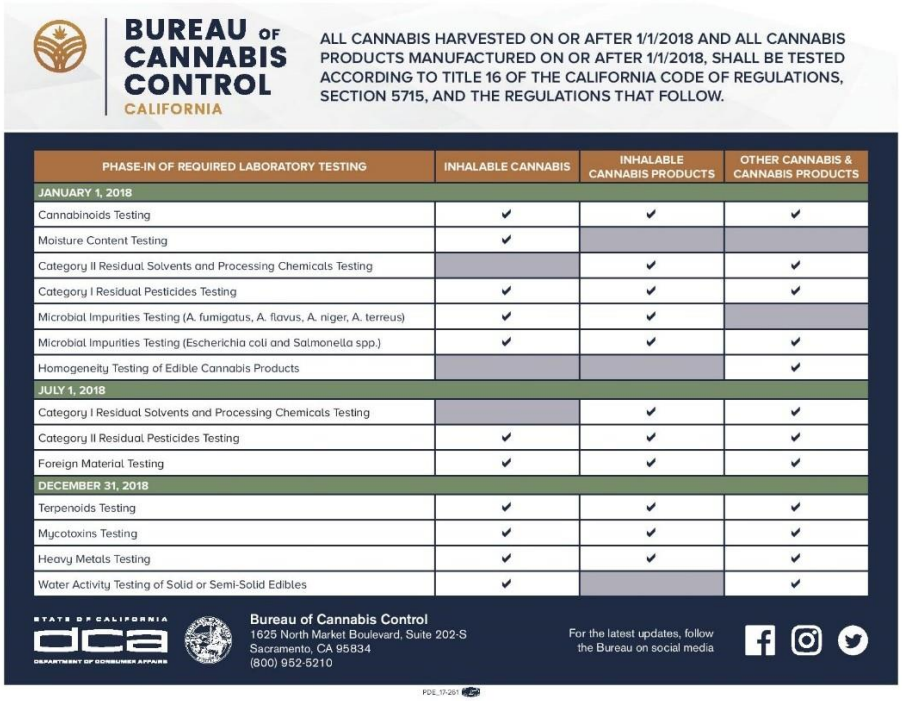
PRODUCT TESTING AND SAFETY

Ninety percent of the products received by Sticky Thumb are sourced from Type A State Licensed Distribution Companies, who test and package products to state regulations. These licensed distribution companies include:

- Kiva Distribution
- River Collective (RVR)
- Choices Distribution

These companies are responsible for making sure all necessary testing has been completed and the product passed. Once the product is deemed safe to consume, then the distribution companies also make sure the product is packaged to meet state guidelines. Child proof packaging ensures children will not accidently ingest products. The State has also implemented a limit on how much cannabis can be in one packaged edible (maximum 100mg). This is to ensure that the consumer is able to use the cannabis safely without risking over-ingesting. It is the job of Sticky Thumb, once it receives these products, to double-check lab test results and packaging to confirm State regulations and standards are being met before the customer receives products from the Sticky Thumb delivery service.

The remaining 10% of product will be tested through Steep Hill Labs, a Licensed Laboratory located in the East Bay. Testing will be done according to Title 16 of the California Code of Regulations, Section 5715, and the regulations listed by the Bureau of Cannabis Control of California (see chart below). Sticky Thumb will then package products in state-approved containers and label products using state guidelines for labeling.



BUREAU OF CANNABIS CONTROL
CALIFORNIA

ALL CANNABIS HARVESTED ON OR AFTER 1/1/2018 AND ALL CANNABIS PRODUCTS MANUFACTURED ON OR AFTER 1/1/2018, SHALL BE TESTED ACCORDING TO TITLE 16 OF THE CALIFORNIA CODE OF REGULATIONS, SECTION 5715, AND THE REGULATIONS THAT FOLLOW.

PHASE-IN OF REQUIRED LABORATORY TESTING	INHALABLE CANNABIS	INHALABLE CANNABIS PRODUCTS	OTHER CANNABIS & CANNABIS PRODUCTS
JANUARY 1, 2018			
Cannabinoids Testing	✔	✔	✔
Moisture Content Testing	✔		
Category II Residual Solvents and Processing Chemicals Testing		✔	✔
Category I Residual Pesticides Testing	✔	✔	✔
Microbial Impurities Testing (A. fumigatus, A. flavus, A. niger, A. terreus)	✔	✔	
Microbial Impurities Testing (Escherichia coli and Salmonella spp.)	✔	✔	✔
Homogeneity Testing of Edible Cannabis Products			✔
JULY 1, 2018			
Category I Residual Solvents and Processing Chemicals Testing		✔	✔
Category II Residual Pesticides Testing	✔	✔	✔
Foreign Material Testing	✔	✔	✔
DECEMBER 31, 2018			
Terpenoids Testing	✔	✔	✔
Mycotoxins Testing	✔	✔	✔
Heavy Metals Testing	✔	✔	✔
Water Activity Testing of Solid or Semi-Solid Edibles	✔		✔

STATE OF CALIFORNIA dca DEPARTMENT OF CONSUMER AFFAIRS

Bureau of Cannabis Control
1625 North Market Boulevard, Suite 202-S
Sacramento, CA 95834
(800) 952-5210

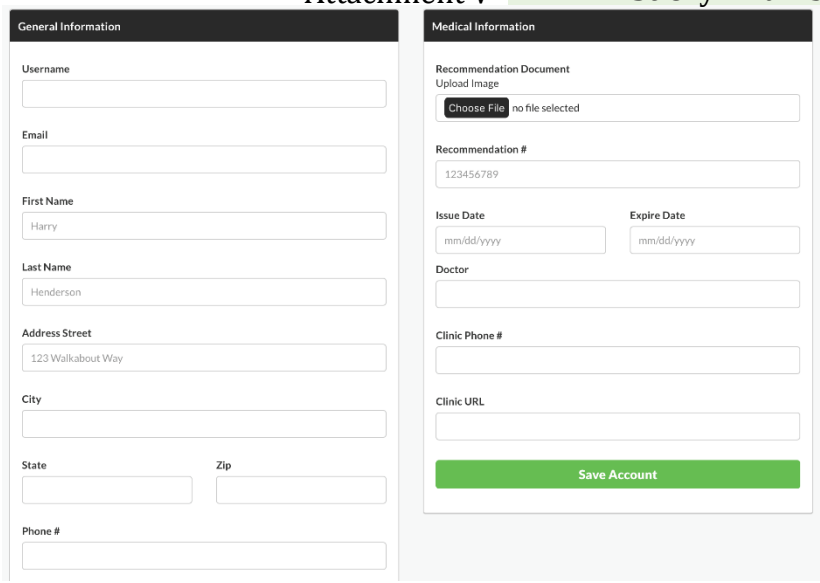
For the latest updates, follow the Bureau on social media

It is crucial that consumers of Sticky Thumb know that the products have been lab-tested and packaged to prevent accidental child use. The State of California has made it clear that a testing Laboratory license cannot be combined with other licenses.

Three-Step Process

Sticky Thumb has created a three-step process to ensure product testing and safety requirements are being met:

Step 1. Review	Review the lab results. This includes (but is not limited to) the review of levels of biological and chemical containments, confirming they meet state and federal standards for food, drugs and tobacco and the cannabis standards set by the state. Sticky Thumb will also review all dosing levels of edibles, ensuring they do not exceed the allowed amount.
Step 2. Ensure	Ensure product quality by checking the tests results are of the current batch provided and dated. Any discrepancies can be verified by contacting the laboratory, which conducted the test.
Step 3. Check	Check all packaging meets state childproof packaging standards.



Inventory Management Plan

Inventory will be tracked using state-approved seed-to-sale tracking software (Treez), which integrates seamlessly with their point of sale system. Treez has been integrated with California's State-mandated seed-to-sale-tracking system (METRC).

Product information that is entered into the Sticky Thumb Treez database includes:

- Wholesale cost
- Retail cost
- Quantity of product
- Test results
- Image of product

Treez also integrates with Xero Accounting Software which helps management run more detailed reports on revenue, cost of goods, marketing, labor and other items which helps store and track vital information needed for tax purposes.

Profile Management

Each Sticky Thumb customer must create a profile through the Treez platform. The profile will include the customer's Full name, email, ID image and information, recommendation (if medical), and will store all purchase data related to that client.

Once the customer creates the profile, Sticky Thumb will then check to make sure they meet medical standards. Once their account has been validated, they are approved and can start shopping on the Sticky Thumb website. The customer or patient will then browse and select products from their site and make purchases. Each purchase is recorded in the Treez system as a sale and the product is deducted from their inventory management system, accordingly.

Labeling

Prior to release of a product to a distributor, a licensee shall ensure that the product is in finished form and is labeled and packaged in its final form for sale. A maximum of 10% of Sticky Thumb product is packaged onsite will be packaged in the office, and labeled according to state guidelines. It is imperative that products do not appeal to children; therefore, product labeling

will avoid colorful imagery and words. Consumers should receive the product with proper labeling announcing risk and warnings of using cannabis as stated by the state.
Sticky Thumb products will be delivered with each of the following statements:

(A) "SCHEDULE I CONTROLLED SUBSTANCE."
(B) "KEEP OUT OF REACH OF CHILDREN AND ANIMALS" in bold print.
(C) "FOR MEDICAL USE ONLY."
(D) "IF PREGNANT OR BREASTFEEDING, CONSULT A PHYSICIAN PRIOR TO USE."
(E) "THE INTOXICATING EFFECTS OF THIS PRODUCT MAY BE DELAYED BY UP TO TWO HOURS."
(F) "THIS PRODUCT MAY IMPAIR THE ABILITY TO DRIVE OR OPERATE MACHINERY, PLEASE USE EXTREME CAUTION."

Cannabis product packaging cannot resemble traditionally available food packages, and edibles packaging must be opaque. All manufactured products must be packaged before they are released to a distributor. In addition to these requirements, statute requires that cannabis product packaging not be attractive to children and be tamper- evident, re-sealable if the product includes multiple servings, and child-resistant.

Cannabis product labels must include an ingredient list, some nutritional facts and the CDPH-issued universal symbol. The label may not refer to the product as a candy. In addition to these requirements, statute requires that labels not be attractive to individuals under age 21 and include mandated warning statements and the amount of THC content.

ENVIRONMENTAL PLAN

Neighborhood Impact Mitigation

Sticky Thumb will mitigate its impact on surrounding communities. Its low impact business model ensures an increase in noise, foot and vehicle traffic, as well as waste and water usage will not be an issue. Door-to-vehicle traffic will not be increased either, given that Sticky Thumb is not a storefront. While their employees primarily use vehicles to deliver, currently there are never more than three drivers out on deliveries on any shift. In addition, there will be no signage or advertisements on their vehicles, assuring complete discretion.

Waste

Hayward requires that all Sticky Thumb products is pre-packaged, labeled and tested to ensure quality and safety. This model allows their business to conduct itself in a low-waste manner. As a manufacturer of up to 10% of its inventory, Sticky Thumb will effectively manage waste, ensuring excess items such as stems, crumbs, leaves, and "shake" is weighed, documented, and tracked through a state-mandated seed-to-sale system. Once collected and weighed, Sticky Thumb will store product in an UL-rated, fire and theft safe until delivered to a state or city-approved waste managing facility to be safely disposed of.

A majority of Sticky Thumb's waste will consist of recyclable boxes in which they receive their products. They will recycle and responsibly dispose of any additional waste.

Water

Because Sticky Thumb's main focus will be delivery, distribution and packaging, their business will not be cultivating. Therefore, they will not be consuming a large amount of water. The largest contributor to water use will be onsite restrooms.

Odor Control

Ninety percent of Sticky Thumb's products will come pre-packaged, emitting zero odors. The remaining amount – a maximum of 10% – is packaged onsite will be packaged in the storage room, which will be sealed to control odors. Sticky Thumb will have charcoal filters installed, which scrub the air inside the facility. Each storage room, warehouse, and office will have a charcoal filter to prevent the emission of odor.

A professional company will be hired to install and test the air-scrubbing system so that it meets all requirements and efficiently scrubs the air for odor. Proper HEPA filters will also be installed in all the vents.

In this way, the facility will provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated inside the dispensary is not detected outside the building, on adjacent properties or public rights-of-way, or within any other unit located within the same building as the dispensary, if the use only occupies a portion of a building.

Energy Efficiency and Sustainability (Fleet greening plan for delivery vehicles)

As a delivery service, Sticky Thumb will have an office space for dispatch that will use a small amount of energy. Sticky Thumb does not require high-grade lighting in their office and intends to use LED lights, creating a more energy efficient space. Using only energy-efficient cars such as the prius hybrid to reduce their carbon footprint will also minimize fuel used by delivery vehicles. For distribution we intend to use Ford Transit connects which are not hybrids but they are 4 cylinders and much better for the environment than most big vans. The software we use for cameras and GPS gives us reports on driving metrics per driver. We intend to promote safe driving through incentive programs like prizes each month for safest driver! Every employee will go through our training on safe driving practices as stated in previous sections of the application.

Sustainability Plan for Commercial Manufacturing

For our Type 6, level 1 manufacturing license we will use an electrical press, which operates using low levels of electricity. All presses use standard 110v, and depending on the size of the press uses between 2 -10 amps. The remainder of the cannabis is called a “puck” those pucks must be collected documented and disposed of through a state approved facility. We feel this process is an organic eco friendly method of cannabis extraction. In addition we will be packaging products under the type 6, level 1. The packaging process does leave us with boxes and excess material all of which we are able to recycle. We anticipate recycling 20-30 lb’s a month during our first year. We will track this number and will be able to provide the city with accurate measurements per month on request.

Purchase and Reuse Plan: We plan to only purchase office/copy paper that is either 100% recycled. All bathroom and office cleaning supplies will be organic by Seventh generation. Our retail boxes, bags, marketing materials will be 100% recycled or FSC Certified with 30% post-consumer waste recycled content.

How do you plan to reduce toxins? Our initial set up is very low impact but we do intend to recycle left over materials as much as possible. Cleaning supplies will be organic made by seventh generation cleaning supplies. We are strong believers in using eco friendly products first. LED bulbs are a great way to lower your carbon foot print, but so is having a compost bin for food, and making sure to recycle, recycle, recycle. Whenever we buy something in our every day lives we check for a more eco friendly option and we intend to bring that to our business.

LABOR AND EMPLOYMENT PRACTICES

Delivery Service Sample Hiring Plan

What we're looking for:

MUST-HAVES:	Resume	Cover letter	Simulations	Interviews	Ref. Checks	Provide documentation
Logistics Expert – great with details and big picture			X	X	X	
Analytical, creative problem-solver, pro-active, initiative taker			X	X	X	
Polished, personable, good with people, good verbal communication, solid written communication	X	X	X	X	X	
Highly organized, doesn't let things slip through the cracks			X	X	X	
Thrives in fast-paced, multi-tasking environment			X	X	X	
Good negotiation and conflict resolution abilities			X	X	X	
Flexible, resilient, handles stressful situations well				X	X	

Proof of documentation to legally work in the USA						X
Clean driving record (DMV proof)						X
Criminal background check						X
NICE-TO-HAVES						
Knowledge / longstanding interest in a career in cannabis / understanding local government and state law pertaining to the cannabis industry.	X	X		X		
Expertise/familiarity with vendors, products, and operation systems.			X	X		
Fun, great sense of humor, people say they're a joy to work with				X	X	

Recruitment

1) Build the pool

- Search for local talent - Posting job description locally, with a focus on the Hayward community.
- If not entry-level – Search for talent from inside. Promoting from within improves staff productivity and morale.
- Reach out to specific staff - Recommendations from top performers; looking for strong work ethic.
- Reach out to professional contacts who are good connectors

2) Resume/Cover letter screen

- Scan for experience in the currently open position(s)
- Divide into "Consider" and "Do not consider"
- Send rejection emails to "do not consider" applicants

3) 20-min phone interview

- Purpose is to screen for polished, personable verbal communicators, note interest/passion level, and begin to probe into open position experience
  (Proactivity, problem solving, detail orientation, organization)
- Send any necessary rejections

4) In-person interview

- Probe more on handling stressful situations and thriving in a fast-paced environment
- Test analytical/creative problem-solving and negotiation/conflict resolution skills by probing past experiences and job simulation exercises
- Possible exercises:
  - Scenarios of day-to-day operations and how do you handle the situation?

5) Final Interview with company CEO

- Purpose is to have a more experienced manager evaluate the finalists
- Send any necessary rejections

6) Reference checks

- For finalists
- Focus on qualities they're not sure they could fully evaluate through interviews, etc.
- Sniff out any red flags

7) Decision

- Sticky Thumb management makes its final hiring decision.

8) Offer and acceptance

- Then make the final rejections

9) Set start date and plan orientation (see training and continued education section)

		Q1 2019		Q2 2019		Q3 2019		Q4 2019	
		Filled	Open	Filled	Open	Filled	Open	Filled	Open
Management	Lead Manager	1	0						
	Hiring Manager	1	0						
Dispatch	Phone Operator	1	0						
	Administrative Assistant	0	1						
Vehicle operators	Driver 1	1	0						
	Driver 2	1	0						

Local Hiring Preferences

As a business coming into the City of Hayward, Sticky Thumb looks forward to having a positive impact on the community in multiple ways. One of the most beneficial ways to contribute to the city is by creating jobs. Sticking Thumb is looking forward to recruiting local talent. As Sticky Thumb's business grows, so will their need for employees – using social media and hiring sites targeting the local community will ensure hiring from within the City of Hayward.

Training and Continued Education

Sticky Thumb will have quarterly meetings to improve product knowledge. The company wants their employees to be very knowledgeable in this field because they want patients and customers to know that they can trust the staff's expertise.

Non-Discrimination

Discrimination occurs when an employee or job applicant receives less favorable treatment because of a specific characteristic they have. In many cases, employers in California are prohibited by law from engaging in discrimination.

Discrimination can take many forms. Common examples include:

- Refusing to hire, refusing to promote, demoting, or firing workers because of their protected characteristic or their membership in a protected group.
- Adopting a company policy that disproportionately affects workers who have a certain protected characteristic.
- Refusing to accommodate the religious or disability-related needs of certain employees.
- Permitting employees to be frequently and severely harassed in the workplace.

As such, Sticky Thumb will not tolerate any form of workplace discrimination based on the following characteristics:

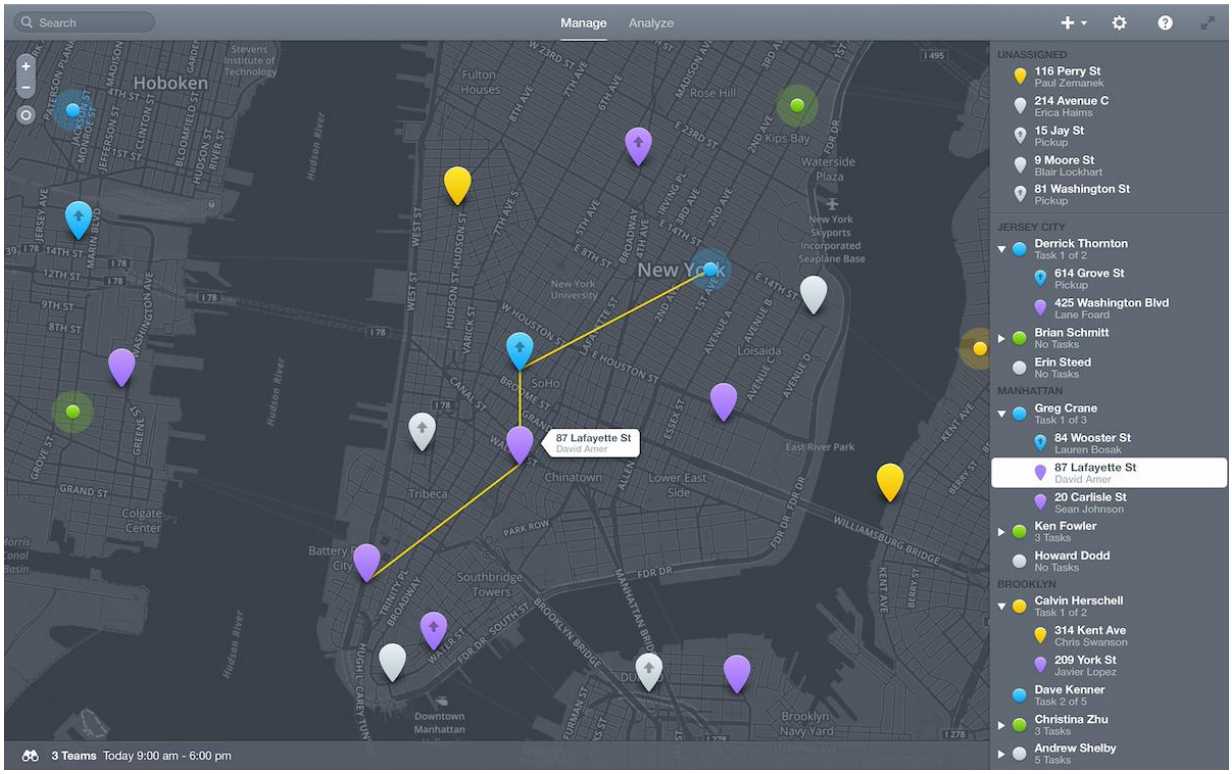
- Age
- Race, color, national origin, or ancestry
- Religion
- Physical or mental disabilities
- Medical condition
- Genetic information
- Marital status
- Sex
- Pregnancy
- Gender, gender identity, or gender expression
- Sexual Orientation
- Military or veteran status
- Criminal conviction history

Please refer to the Declaration of Non-Discrimination in Appendix 6.

Workers Compensation

Sticky Thumb will adhere to an hourly wage of $16.00 for entry-level positions. They want to have room for growth for their employees, therefore they plan to promote within the company. Sticky Thumb will give raises at a 4% rate based on business growth upon annual reviews.

APPENDIX 1: ONFLEET DELIVERY PLATFORM



APPENDIX 5: CALIFORNIA CODE OF REGULATIONS – MANUFACTURER CANNABIS SAFETY HIGHLIGHTS

Key Highlights from the California Code of Regulations, Title 17

Division 1

Chapter 13. Manufactured Cannabis Safety

§40264. Batch Production Record.

(a) The licensee shall prepare a written batch production record every time a batch of a cannabis product is manufactured. The batch production record shall accurately follow the appropriate master manufacturing protocol, and each step of the protocol shall be performed in the production of the batch.

§40268. Recalls.

A licensee shall establish and implement written procedures for recalling cannabis products manufactured by the licensee that are determined to be misbranded or adulterated. These procedures shall include:

(a) Factors which necessitate a recall;
(b) Personnel responsible for implementing the recall procedures; and
(c) Notification protocols, including:
(1) A mechanism to notify all customers that have, or could have, obtained the

product, including communication and outreach via media, as necessary and appropriate;

§40305. Requirements for Edible Products

(a) Edible products shall not contain more than ten (10) milligrams of THC per serving.

(b) Edible cannabis products shall not contain more than one hundred (100) milligrams of THC per package.

§40305. Requirements for Edible Products

Edible products shall not contain more than ten (10) milligrams of THC per serving

Edible cannabis products shall not contain more than one hundred (100) milligrams of THC per package.

§40405. Primary Panel Labeling Requirements: All Products.

(a) The label for a cannabis product shall include a primary panel that includes the following information:

(1) The identity of the product in a text size reasonably related to the most prominent printed matter on the panel;

(2) The universal symbol as prescribed in Section 40412;
(3) The net weight or volume of the contents of the package;
(4) The THC content and CBD content for the package in its entirety, expressed in

milligrams per package;
(b) The primary panel text must be in type size no less than 6 point font and be in

relation to the size of the primary panel and container.
(c) Nothing in this section prohibits the inclusion of additional information on the

primary panel. The content of other cannabinoids or terpenes may be included if such information is verified by the certificate of analysis issued by a licensed testing laboratory.

Authority: Sections 26012, subdivision (a)(3); 26013; and 26130, Business and Professions Code. Reference: Sections 26001; 26012, subdivision (a)(3); 26120; 26121, Business and Professions Code.

§40406. Additional Primary Panel Labeling Requirements: Edible Products

In addition to the requirements of Section 40405, the primary panel of an edible cannabis product shall include the following information:

(a) The words “cannabis-infused” immediately above the identity of the product in bold type and a text size larger than the text size used for the identity of the product.

(b) The THC content and CBD content per serving, expressed in milligrams per serving.

Authority: Sections 26012, subdivision (a), paragraph (3); 26013; 26120; and 26130, Business and Professions Code. Reference: Section 26120, Business and Professions Code.

§40407. [Reserved]

§40408. Informational Panel Labeling Requirements.

(a) The label for a cannabis product shall include an informational panel that includes the following:

(1) The licensed manufacturer and its contact number or website address; (2) The date of the cannabis product's manufacture;
(3) The following statement: "GOVERNMENT WARNING: THIS PRODUCT

CONTAINS CANNABIS, A SCHEDULE I CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. CANNABIS PRODUCTS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. THE INTOXICATING EFFECTS OF CANNABIS PRODUCTS MAY BE DELAYED UP TO TWO HOURS. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS PRODUCTS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE EXTREME CAUTION.

(4) If the cannabis product is intended for sale in the medicinal-use market, the statement "For Medicinal Use Only;"

(5) A list of all product ingredients in descending order of predominance by weight or volume;

(6) If an edible product that contains an ingredient, flavoring, coloring, or an incidental additive that bears or contains a major food allergen, the word "contains," followed by a list of the applicable major food allergens;

(7) If an edible product, the names of any artificial food colorings contained in the product;

(8) If an edible product, the amount, in grams, of sodium, sugar, carbohydrates, and total fat per serving;

(9) Instructions for use, such as the method of consumption or application, and any preparation necessary prior to use;

(10) The product expiration date, "use by" date, or "best by" date, if any; and (11) The UID and, if used, the batch number.
(b) The informational panel text shall be in a type size of no less than 6 point font

and in relation to the size of the primary panel and container, unless there is insufficient area on the container available to print all the required information in a type size of no less than 6 point font. In such a case, the label shall include the warning statements required by paragraph (3) in a type size of no less than 6 point font, and the product shall be accompanied by a supplemental labeling that includes all of the information required by this section. The text of the supplemental labeling shall be no less than 8 point font.

Authority: Sections 26012, subdivision (a)(3); 26013; and 26130, Business and Professions Code. Reference: Section 26001; 26012, subdivision (a)(3); 26120; 26121, Business and Professions Code.

§40409. [Reserved]

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§40410. Labeling Restrictions.

The label shall not contain any of the following:

(a) Claims that the cannabis product was produced from cannabis grown in a California county when the cannabis was not grown there.

(b) The name of a California county unless the cannabis used in the product was grown there.

(c) Content that is or designed to be attractive to individuals under the age of 21, including but not limited to:

(1) Cartoons;

(2) Any likeness to images, characters, or phrases that are popularly used to advertise to children;

(3) Any imitation of candy packaging or labeling; or
(4) The terms “candy” or “candies.”
(d) Any information that is false or misleading.
(e) Any health-related statement that is untrue or misleading. Any health-related statement must be supported by the totality of publicly available scientific evidence (including evidence from well-designed studies conducted in a manner which is consistent with generally recognized scientific procedures and principles), and for which there is significant scientific agreement, among experts qualified by scientific training and experience to evaluate such claims.

Authority: Sections 26012, subdivision (a)(3); and 26130, Business and Professions Code. Reference: Section 26001; 26012, subdivision (a)(3); 26062.5; 26120, 26121, Business and Professions Code.

§40411. Statement of Potential Effects

Pursuant to section 26130(c) of the Act, a cannabis product may include information on the potential effects of the cannabis product if the manufacturer has substantiation that the information is truthful and not misleading. Such information may be located on

DPH-17-010E Cannabis Manufacturing Licensing

the informational panel of the label or as an insert included in the product package. For purposes of this section, "potential effect" includes any physiological effect common to or expected from the particular cannabis strain, but excludes any claim of health benefits.

Authority: Sections 26012, subdivision (a)(3); 26013; and 26130, Business and Professions Code. Reference: Section 26130, Business and Professions Code.

§40412. Universal Symbol.

The primary panel of a cannabis product shall be marked, stamped, or otherwise imprinted with the universal symbol.

(a) The symbol shall replicate the following in form and color:

(b) The symbol shall be no smaller in size than half (.5) inch by half (.5) inch and shall be printed legibly and conspicuously.

Authority: Sections 26012, subdivision (a)(3); and 26130, Business and Professions Code. Reference: Section 26001; 26012, subdivision (a)(3); 26120; and 26121, Business and Professions Code.

§40413. [Reserved] §40414. [Reserved]

§40415. Packaging.

Article 3. Packaging

A package used to contain a cannabis product shall adhere to the following requirements:

(a) The package shall protect the product from contamination and shall not expose the product to any toxic or harmful substance.

(b) The package shall be tamper-evident, which means that the product shall be packaged in packaging that is sealed so that the contents cannot be opened without obvious destruction of the seal.

(c) The package shall be child-resistant, which means the package shall be designed or constructed to be significantly difficult for children under five years of age to open or otherwise obtain access to the product contained therein within a reasonable time, and shall not be difficult for normal adults to open or obtain access to the product contained therein. A package shall be deemed child-resistant if it satisfies the standard for "special packaging" as set forth in the Poison Prevention Packaging Act of 1970 Regulations (16 C.F.R. §1700.1(b)(4)).

(d) The package shall not imitate any package used for products typically marketed to children.

(e) If the product is an edible product, the package shall be opaque.

(f) If the package contains more than one serving of cannabis product, the package shall be re-sealable so that child-resistance is maintained throughout the life of the package.

Authority: Sections 26012, subdivision (a)(3); and 26130, Business and Professions Code. Reference: Section 26001; 26012, subdivision (a)(3); 26120; and 26121, Business and Professions Code.

§40232. Requirements for Personnel.

The licensee shall establish and implement written procedures to ensure the following for all personnel:

(a) Disease control. Any individual who by medical examination or supervisory observation is shown to have, or appears to have, an illness, open lesion (such as boils, sores, or infected wounds), or any other source of microbial contamination presenting a reasonable threat of contamination to cannabis products, contact surfaces, or packaging materials, shall be excluded from any related manufacturing operations until their health condition is corrected. Open lesions, boils, and/or infected wounds shall be adequately covered (e.g., by an impermeable cover). Personnel shall be instructed to report such health conditions to their supervisors.

(b) Cleanliness. All individuals working in direct contact with cannabis products, cannabis product-contact surfaces, and cannabis product-packaging materials shall conform to hygienic practices to the extent necessary to protect against allergen cross- contact and contamination of cannabis products while on duty. The methods for maintaining cleanliness include:

(1) Wearing appropriate outer garments to protect against allergen cross-contact and contamination of cannabis products, contact surfaces, and/or packaging materials;

(2) Maintaining adequate personal cleanliness;

(3) Washing hands thoroughly in an adequate hand-washing facility before starting work, after each absence from the work station, and at any time when the hands may have become soiled or contaminated, and sanitizing hands if necessary to protect against contamination with undesirable microorganisms;

(4) Removing all unsecured jewelry and other objects that might fall into cannabis products, equipment, or containers, and removing hand jewelry that cannot be adequately sanitized during periods in which cannabis products are manipulated by hand. If such hand jewelry cannot be removed, it may be covered by material which can be maintained in an intact, clean, and sanitary condition and which effectively protects against the contamination by these objects of the cannabis products, cannabis product- contact surfaces, or cannabis product-packaging materials.

(5) Maintaining any gloves, if they are used in cannabis product handling in an intact, clean, and sanitary condition.

(6) Where appropriate wearing hair nets, headbands, caps, beard covers, or other hair restraints in an effective manner.

(7) Storing clothing or other personal belongings in areas separate from those where cannabis products are exposed or where equipment or utensils are washed.

(8) Confining the following activities to areas separate from those where cannabis products may be exposed or where equipment or utensils are washed: eating food, chewing gum, drinking beverages, and/or using tobacco.

(9) Taking any other necessary precautions to protect against allergen cross-contact and against contamination of cannabis products, cannabis product-contact surfaces, or cannabis product- packaging materials by microorganisms or foreign substances (including perspiration, hair, cosmetics, tobacco, chemicals, and medicines applied to the skin).

Authority: Sections 26012, subdivision (a)(3); 26013; and 26130, Business and Professions Code. Reference: Sections 26011.5; 26012, subdivision (a)(3); and 26131, Business and Professions Code.

Application No. 201901361
To: Hayward Business Owners
Located within the surrounding area of Foley Street, Hayward CA
From: Farhad & Laura Doctor (applicant)
Business: Sticky Thumb

Hello,
Our Sticky Thumb team would like to reach out to the community and answer some common questions associated with our cannabis business. We have included some frequently asked questions and answers in the section below.

We are a small family owned business that is excited to be involved in the Hayward community. and will be hosting an event for our neighbors to come and voice your concerns or ask questions.

Date: May 15th
Time: 4pm-8pm
Location: Fairfield in and suites conference room Emerald 2
25921 Industrial Blvd, Hayward, CA 94545

Frequently asked questions about our business.

Will your cannabis business cause the neighborhood to smell of cannabis?

No. Our cannabis business will not cultivate or consume marijuana on site. Any smell will not protrude into the neighborhood. In addition, we are required to use scrubbers and ventilation systems to control any odor.

What if people break into your business?

We are working with Hayward police department to outfit our building with the proper security measures.

Will there be surveillance at the building?

Yes. If a crime is committed in the neighborhood, please contact us and we can assist with video footage from our building.

Will the employees have background checks done?

Yes. All employees must have a background check done by Hayward Police Department before working for our company. We also give preference to Hayward residents.

Will there be an increase in traffic of people coming to the location?

No. Sticky Thumb does not service customer's onsite, the majority of our services are transport to the customers or businesses.

Will the cannabis business use any dangerous chemicals that could cause a fire or emergency?

No. Sticky Thumb will not use any hazardous chemicals at our facility. Our goal is to be environmentally friendly company. Using vehicle with low emissions, recycling, and using professional cannabis waste companies.

Will people smoke cannabis outside the building?

No. It is illegal for any consumption to happen at the premises or out in the open in Hayward

735-2929; from Voice

Phones: 1-800-735-2922

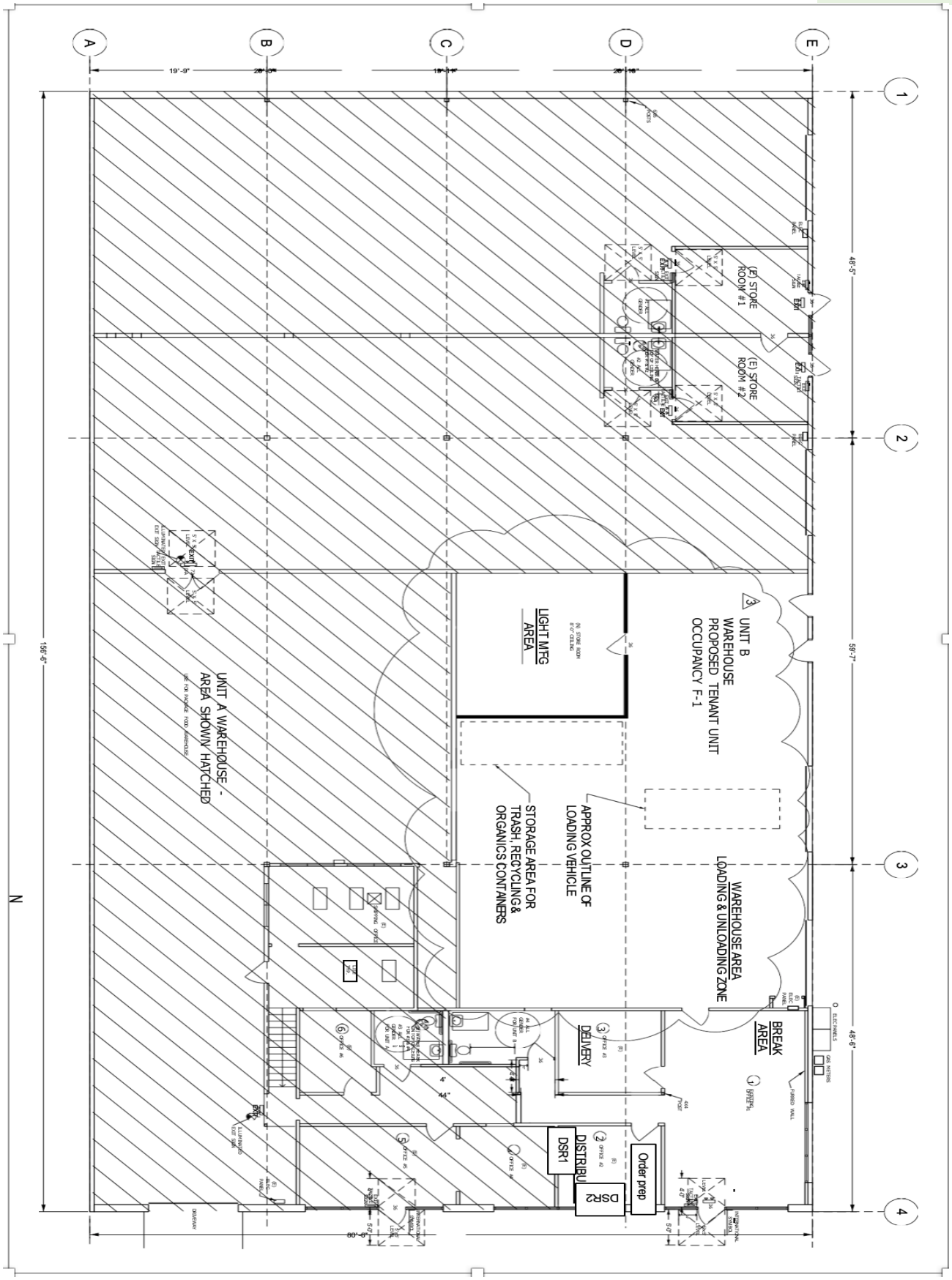
Waste storage site plan

Trash & Recycling

We plan to sign up with Waste Management of Alameda County for a weekly pick up of garbage, compost and recycling. Compost garbage will 32-gallon non-cannabis organics cart to collect food waste in the employee kitchen and any paper waste in the employee kitchen and bathrooms. Garbage containers will be 32g, and recycling will be 96g containers. Containers will be kept in the waste storage are located in the diagram below. We will bring these bins outside on the designated days for pick up. In addition, our team at Sticky Thumb will be responsible for picking up any litter on or within 50ft of the property line.

Cannabis Waste

We will be using GAIACA for cannabis waste. The only people who will have access to our waste pick up area will be the licensed operators, employees, local agency and our contracted waste removal company. The bin will be located as seen below in waste storage area. The bin will be clearly marked for GAIACA. When the waste company arrives for pick-up, we will verify their employment with GAIACA before allowing pick up and retain a c Certificate of Destruction for our records. We will use the recommended size drum 15g drum for our business needs. We have the option to move up to a 55g drum if needed.


UNIT A WAREHOUSE -
AREA SHOWN HATCHED
UNIT B
WAREHOUSE
PROPOSED TENANT UNIT
OCCUPANCY F-1
LIGHT MFG
AREA
STORAGE AREA FOR
TRASH, RECYCLING &
ORGANICS CONTAINERS
APPROX OUTLINE OF
LOADING VEHICLE
WAREHOUSE AREA
LOADING & UNLOADING ZONE
BREAK
AREA
DELIVERY
DSR1
DSR2
Order prep
(E) STORE
ROOM #1
(E) STORE
ROOM #2
156'-6"
80'-6"
N

MAYTEX CORPORATION
23521 Foley St., Hayward, CA 94545 U.S.A.
1-800-462-9839 / 510-887-4888 / Fax 510-786-0209 / E-Mail: maytex18@aol.com

3/20/2019

Jay Lee, ACIP, Associate Planner
City of Hayward, Planning Division
777 B Street
Hayward, CA 94541

Application No. 201901361
Farhad Doctor (Applicant)
Liang Xianghua (Owner)

Oppose proposed location for cannabis cultivation, distribution and manufacuring activities

I am writing to oppose the application for conditional use permit to operate a Type 12, microbusiness that include commercial cannabis cultivation, distribution and manufacuring activities within the existing tenant space at the property located at 23287 Foley Street, Hayward CA 94545.

It is not zoned for this use. Moreover, the possession of cannabis remains a crime under federal law.

My business is all about healthcare. My employees safety and well-being is my priority. A cannabis cultivation and manufacturing activities do not belong next to us and I am hoping as a community we can show the Planning Commission and the City Council they should not approve the permit and ask them to go elsewhere.

I hope we can stop this from happening. Please do what you can to help.

Thank you for your time and attention to this matter,

Joseph Tung

RECEIVED
MAR 27 2019
PLANNING DIVISION

American Seal Company

23521 Foley St., Hayward, CA 94545 U.S.A.
1-800-462-9839 / 510-887-4888 / Fax 510-786-0209

March 25nd, 2019
Jay Lee, ACIP, Associate Planner
City Of Hayward, Planning Division
777 B Street
Hayward, CA 94541
Ref: Application No. 201901361

Dear Sir,

I object to the request for granting a conditional use permit to operate a Type 12, microbusiness that includes commercial cannabis cultivation, distribution and manufacturing activities at 23287 Foley Street, Hayward, California.

My objection comes from multiple levels.

I believe this usage is not in keeping with our zoning regulations. We are zoned for light industrial, NOT agricultural. The difference in environmental impact should not be taken lightly.

I do not believe in operating against the federal law. It is still illegal to possess cannabis under the current federal law.

I would like to maintain a safe and pleasant working environment for my employees. The distribution of marijuana is often linked to various social problems and unsafe neighborhoods. Emission of strong, unpleasant smells is often cited with cannabis related processing.

I believe granting this permit will cause a change for the worse in our neighborhood. Please consider a denial to this application.

Thank you for your prudent consideration of this matter.

Yours sincerely,

Gary Wang

RECEIVED
MAR 27 2019
PLANNING DIVISION

Always Recycling Inc
23521 Foley St., Hayward, CA 94545 U.S.A.
1-800-462-9839 / 510-887-4888 / Fax 510-786-0209

March 25nd, 2019
Jay Lee, ACIP, Associate Planner
City Of Hayward, Planning Division
777 B Street
Hayward, CA 94541
Ref: Application No. 201901361

Dear Sir,

I object to the request for granting a conditional use permit to operate a Type 12, microbusiness that includes commercial cannabis cultivation, distribution and manufacturing activities at 23287 Foley Street, Hayward, California.

Traffic and noise: We would have experienced a huge increase in traffic, notably heavy vehicle traffic. Many employees will have to abandon their daily walks on this once-safe street. The facility would emit a constant rattle of commercial-scale diesel generators running all day, every day for growing marijuana.

The stench: We would have experienced an incredible olfactory assault that shocks even those among us who have lived amid smaller-scale marijuana grows in northern California.
The intense, skunk-like, eye-watering stench would prevent us from opening our windows and doors to cool our office and release the emissions from forklifts, raising unhealthy air levels.

Involuntary exposure to the concentrated chemicals emitted by the cannabis operations would trigger severe headaches, asthma episodes and other respiratory problems on our street. We are greatly concerned about the effects of such chemicals on people with weakened immune systems.

We know that other neighborhoods are experiencing impacts like those we have described here.

The cannabis presence on our street will eventually force us to move away from this place.

Please consider a denial to this application.

Thank you for your prudent consideration of this matter.

Yours sincerely,

RECEIVED
MAR 27 2019
PLANNING DIVISION

Maggie Liu

From: Dana McManus <dmcmanus@sjamoroso.com>
Sent: Monday, March 25, 2019 12:53 PM
To: Jay Lee
Subject: Conditional Use Permit - 23287 Foley Street

Dear Mr. Lee,

I am in receipt of your Notice of Receipt Application for 23287 Foley Street. As the property owner of another business on Cavanagh Court, I want to object to the issuance of a permit to a Cannabis cultivation, distribution and manufacturing business. I am very concerned that if this business is allowed to operate in this location, crime will increase and property values will be significantly reduced.

Please let me know if this objection should be sent to any other party. And thank you for notifying us when the date for a public hearing is set.

Regards,

Dana C. McManus
Chief Executive Office

S.J. Amoroso Construction Co., Inc.
W: (650) 654-1900 F: (650) 654-9001
390 Bridge Parkway, Redwood Shores, CA 94065
www.sjamoroso.com

Balch Enterprises, Inc.

DEVELOPERS / BUILDERS / PROPERTY MANAGERS

April 1, 2019

Via E-Mail: jay.lee@hayward-ca.gov

Jay Lee, ACIP, Associate Planner
City of Hayward, Planning Division
777 B Street
Hayward, CA 94541-5007
Jay.Lee@hayward-ca.gov

RE: Area Map for 23287 Foley Street, Suite A, Hayward
Application No. 201901361
Farhad Doctor (applicant)
Liang Xianghua (owner)

Dear Mr. Lee,

We are writing in response to the subject Notice of Receipt of Application. Thank you for the invitation to offer our comments. Please accept our apologies for the delay in getting this to you as I was out of the country.

We ask that you please take the following concerns into consideration:

- An increase in crime that drug distribution tends to attract. Please note that one of the projects we manage in the area has already endured multiple break-ins, the more recent of which incurred a cost in excess of $30,000.00 for repairs.
- An increased cost to property owners in the area to shore up their security in an effort to protect themselves from vandalism such as steel bars, barbed wire fencing, fierce canine security and possible armed security measures.
- Lowered property values.
- An increased cost for additional police surveillance including nights and weekends.

We are requesting that this Application is not approved unless there are sufficient monies available to increase police surveillance in the area including at night and on the weekends.

If there are any questions, please feel free to contact us by phone or e-mail: (510) 429-9400, or jwbalch@balchenterprises.com; jobalch@balchenterprises.com; mgompertz@balchenterprises.com.

Sincerely,

BALCH ENTERPRISES, INC.

Max Gompertz

JWB / JOB / MG

Application No. 201901361

To: Hayward Business Owners
Located within the surrounding area of Foley Street, Hayward CA

From: Farhad & Laura Doctor (applicant)
Business: Sticky Thumb

Hello,

Our Sticky Thumb team would like to reach out to the community and answer some common questions associated with our cannabis business. We have included some frequently asked questions and answers in the section below.

We are a small family owned business that is excited to be involved in the Hayward community. We will be hosting an event for our neighbors to come and voice your concerns or ask questions. We will be happy to answer questions and look forward to meeting you!

Date: May 15th
Time: 4pm-8pm
Location: Fairfield in and suites conference room Emerald 2
25921 Industrial Blvd, Hayward, CA 94545

Frequently asked questions about our business.

Will your cannabis business cause the neighborhood to smell of cannabis?

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No. Sticky Thumb will not use any hazardous chemicals at our facility. Our goal is to be environmentally friendly company. Using vehicle with low emissions, recycling, and using professional cannabis waste companies.

Will people smoke cannabis outside the building?

No. It is illegal for any consumption to happen at the premises or out in the open in Hayward.

Best Regards,
Farhad & Laura Doctor
650.520.9451
corporate@stickythumbdelivery.com

File #: PH 20-027

DATE: May 14, 2020

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Proposed Cannabis Microbusiness with Cultivation, Manufacturing, Distribution, and Delivery Activities Located at 2730 Cavanagh Court (Assessor Parcel No. 439-0036-103-00) Requiring Approval of Conditional Use Permit Application No. 201805798. American Holdings (Applicant); Moose and Squirrel Holdings, LLC (Property Owner).

RECOMMENDATION

That the Planning Commission approve the Conditional Use Permit for the proposed cannabis microbusiness to allow cultivation, manufacturing, distribution, and delivery uses based on the analysis set forth in this report and the required Findings (Attachment II), and subject to the Conditions of Approval (Attachment III).

SUMMARY

The applicant, American Holdings, is seeking approval of a Conditional Use Permit (CUP) to occupy an approximately 11,000 square-foot existing industrial building, located at 2730 Cavanagh Court, for the operation of a cannabis microbusiness facility that includes cultivation, manufacturing, distribution, and delivery activities. The proposed project includes upgrades and modifications to the site and building to enhance security and allow for the safe operation of cannabis activities.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Findings
Attachment III	Conditions of Approval
Attachment IV	Plans
Attachment V	Business Plan
Attachment VI	Security and Safety Plan
Attachment VII	Environmental Compliance Program
Attachment VIII	Public Correspondence

SUBJECT

Proposed Cannabis Microbusiness with Cultivation, Manufacturing, Distribution, and Delivery Activities Located at 2730 Cavanagh Court (Assessor Parcel No. 439-0036-103-00) Requiring Approval of Conditional Use Permit Application No. 201805798. American Holdings (Applicant); Moose and Squirrel Holdings, LLC (Property Owner).

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SUMMARY

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BACKGROUND

On October 30, 2017[1] and November 28, 2017[2], respectively, the City Council enacted regulatory and land use ordinances authorizing cannabis businesses within the City of Hayward, subject to compliance with local and State regulations. At their October meeting, the Council also established a request for proposal (RFP) process by which the City would select commercial cannabis businesses. The process involved four stages to help differentiate applicants who meet the City's desired set of qualifications. These stages include:

1. Criminal Background Investigation
2. Competitive Scoring and Ranking
3. Proposal Interviews
4. City Council Approval

[1] October 30, 2017 City Council Minutes
https://hayward.legistar.com/MeetingDetail.aspx?ID=570110&GUID=1F62F795-56FA-4667-9BD1-E5FDA22CB8C5&Options=info&Search=

[2] November 28, 2017 City Council Minutes
https://hayward.legistar.com/MeetingDetail.aspx?ID=573134&GUID=C82D348A-0412-4741-854C-23697F2AE444&Options=info&Search=

The RFP process commenced on December 8, 2017. At that time, the City received 77 total applications for commercial cannabis companies. Four of these applications did not meet the background check requirements of the City's cannabis program; however, 73 applications were then sent to a neutral, third party reviewer hired by the City to evaluate and score the proposals. Following an independent review by the outside consultants and interviews by City staff, the City Manager recommended to the City Council the award of commercial cannabis licenses to eleven commercial operators for land use activities that include cultivation, manufacturing, distribution, testing labs, delivery, and retail. Once selected, applicants had six months to file their land use applications. The applicant, American Holdings, was one of the eleven companies selected for a commercial cannabis permit, specifically for a cannabis microbusiness.

Public Outreach. On November 8, 2018, an initial Notice of Application Receipt for the project application was sent to 71 addresses including property owners, tenants, and businesses within a 300-foot radius of the project site.

As of the date this staff report was written, Planning Division staff has been contacted by two nearby businesses. One neighbor expressed a concern about whether or not there would be a retail component to the facility. The applicant reached out to this neighbor directly and assured that a retail component was not part of this application. The second neighbor emailed concerns about a potential increase in crime and a potential reduction in property values if the proposed business is allowed [Attachment VIII]. The applicant also reached out to this neighbor to set up a call or meeting to discuss their concerns. The neighbor declined the opportunity.

On May 1, 2020, a Notice of this Public Hearing for the Planning Commission meeting was sent to property owners, residents, and businesses within 300-feet of the project site as well as published in The Daily Review newspaper.

PROJECT DESCRIPTION

Existing Conditions. The project is located on a 0.46-acre parcel located at 2730 Cavanagh Court. The site is zoned General Industrial (IG) and has a land use designation of Industrial Technology and Innovation Corridor (IC) in the *Hayward 2040 General Plan*.

The site currently contains an approximately 11,000 square foot industrial building which was originally constructed in 1988, and a parking area. Surrounding land uses include a range of industrial uses, including warehousing, manufacturing, and contractors.

Proposed Project. As proposed, the existing building would be occupied by a cannabis microbusiness with cultivation, manufacturing, distribution, and delivery activities. The project plans and Business Plan [Attachments IV and V] provide details on the proposed operation, logistics and floor plans. As shown in the floorplan, the facility would be partitioned into 17 different rooms. On the ground floor will be offices for the delivery and distribution components of the business and flower rooms, a vegetative room, drying room, and servicing area for the cultivation component. Upstairs will be product storage rooms, a quarantine room, and a security office. In addition, there will be a packaging and labeling room for the manufacturing component of the business. No changes are proposed to the exterior of the building, other than relocating a door on the west façade and the installation of some security cameras and lighting, which is discussed further below.

As detailed in the Business Plan, the proposed microbusiness has a three-step process for cultivating cannabis. First small plants delivered from licensed nurseries will be located in the vegetative room. Once plants reach the flowering stage, they will be transported to the flowering rooms. When the flowers are ready for harvest, they will be cut and brought to the drying room. Once the flowers are dry, the plants will be trimmed and the product will be sent to the manufacturing component of the facility as well as other licensed manufacturers.

The manufacturing component of the business will be minor – limited to packaging and labelling product and the destruction of cannabis goods that do not pass testing. The distribution component will ship packaged products sourced from American Holdings and other licensed operators to licensed dispensaries and delivery businesses as well as to the delivery component of American Holdings. The delivery component of the business will deliver straight to customers. No members of the public will be permitted entry to the facility. American Holdings will operate between the hours of 6:00 a.m. and 10:00 p.m.

Safety and Security Plan. The applicant has provided a detailed Security and Safety Plan [Attachment VI] to ensure public and product safety. According to the Plan, and as conditioned, a minimum of one security guard will be on site at all times during hours of operation. Other proposed security measures include the installation of an alarm system and high definition 24-hour cameras located in the interior and exterior of the building. Rooms with cannabis or cannabis products will have limited access that only managers or supervisors have keys to. A new metal fence with a security gate will be installed around the property and a new security screen will be installed to block views of the loading and unloading area from the street. Delivery vehicles will be outfitted with money drop boxes as well as built-in lock boxes for product to be stored.

Surveillance videos and inventory reports will be made available to the City upon request. The applicant has also specified that an employee-training program will be implemented so that each employee understands their role in keeping the facility, themselves, and the products safe and secure. The Security and Safety Plan provides further detail about the additional security measures that will be taken with each component of the microbusiness. All proposed security measures have been reviewed and deemed appropriate by the Hayward Police Department.

Environmental Compliance Program. The Environmental Compliance Program [Attachment VII] includes the required Odor Control Plan and Sustainability Plan. In the Odor Control Plan, American Holdings proposes a number of measures to prevent the emission of any cannabis odors outside of the building. A forced exhaust system will be used to create negative pressure in the facility, which will minimize or eliminate odor seepage through open doors, windows, or through cracks, seams, and joints. In addition, exhaust outlets will be equipped with carbon filters or commercial UV-light odor eliminators to filter air before it leaves the building. Odor control systems will be appropriately sized for the facility and regularly inspected to ensure proper functioning.

The Sustainability Plan includes a number of sustainability measures for the proposed facility. This includes the use of non-filtered water directly from the tap, rather than water generated from a reverse osmosis process, which generates a significant amount of lost backwash. In addition, double bottom grow tubs will collect runoff water to be wicked back up to the plants as the upper soil tries. This ensures that there will be no wasted water as a result of watering

plants. To lower energy consumption, American Holdings will use light fixtures called "cool tubes" that continuously suck the hot air generated from the grow light bulbs into an air duct that is expelled from the room. This will prevent the heat from grow lights from raising the air temperature in the grow rooms, which would increase the need for cooling. The Environmental Services Division has reviewed the Environmental Compliance Program and deems it appropriate.

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan. The project site is in an area designated as Industrial Technology and Innovation Corridor (IC) in the *Hayward 2040 General Plan*[3]. The Corridor is expected to grow as an economic and employment center and evolve to achieve a healthy balance of traditional manufacturing and warehousing and newer information- and technology-based uses. Allowable uses include professional offices, corporate campuses, research and development, warehousing and logistics, manufacturing, and biotechnology.

The proposed cannabis microbusiness would support the following *Hayward 2040 General Plan* goals and policies:

- *Land Use Policy LU-2.16, Uses to Attract the Creative Class.* The City shall encourage the development of uses and amenities to attract creative-class professionals and businesses to Hayward.
- *Economic Development Policy ED-1.4.* The City shall establish business attraction efforts that focus on small and medium-sized businesses within emerging and growing business sectors.
- *Economic Development Goal ED-2.* Cultivate a culture of entrepreneurship to encourage and support local business start-ups.

Further discussion of the consistency between the proposed use and policies are included in the Staff Analysis section below and in Attachment II, Findings.

Zoning Ordinance. The project site is located within the General Industrial (IG) zoning district.[4] The IG district conditionally permits the establishment of a cannabis facility with manufacturing activities and cultivation in a space over 5,000 square feet with approval of a Conditional Use Permit.[5] The proposed use would operate within an existing building. The only site and building improvements proposed are the relocation of a door and the addition of security fencing and screening.

The Planning Commission may conditionally approve a Conditional Use Permit with a cannabis use that includes manufacturing and cultivation in a space over 5,000 square feet when all of the required Findings pursuant to Sections 10-1.3225 and 10-1.3609 of the Hayward Municipal Code are met. The required Findings are listed below:

[3] Hayward 2040 General Plan: https://www.hayward2040generalplan.com/
[4] Section 10-1.1600 (Industrial Districts) of Hayward Municipal Code: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1600INDI
[5] Section 10-1.3200 (Conditional Use Permit) of Hayward Municipal Code: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=CD_ORD_CH10PLZOSU_ART1ZOOR_S10-1.3200COUSPE

Conditional Use Permit Required Findings

- The proposed use is desirable for the public convenience or welfare;
- The proposed use will not impair the character and integrity of the zoning district and surrounding area;
- The proposed use will not be detrimental to the public health, safety, or general welfare; and
- The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.

Cannabis Required Findings

- The proposed cannabis use will not be detrimental to the public health, safety, or general welfare in that the cannabis operation is situated in an appropriate location where sensitive land uses will not be adversely impacted;
- Appropriate measures have been taken to address nuisances related to odor, noise, exhaust, and waste related to the cannabis operation;
- The cannabis operation is designed to be safe, secure, and aesthetically compatible with the surrounding area; and
- The cannabis operation will not place a burden on the provision of public services disproportionate to other industrial or commercial uses.

Further analysis related to the cannabis findings is included in the Staff Analysis section below and contained in Attachment II, Findings.

Commercial Cannabis Permits. An applicant is required to obtain approval of a Commercial Cannabis Permit by the City to ensure that all regulatory requirements are met.[6] The applicant has satisfied this requirement.

The applicant must also obtain the necessary land use entitlements, which must be consistent with the Zoning Ordinance standards, which are the subject of this application. Following entitlement, the applicant will be required to obtain a cannabis license from the State. Failure to obtain the State license would be grounds for revoking the City's permit. Commercial Cannabis Permits issued by the City Council are valid for one year and must be renewed annually following the completion of a mandatory safety inspection and demonstration of compliance with all local and State regulations, including any Conditions of Approval of this Conditional Use Permit.

STAFF ANALYSIS

Staff has reviewed the project application and believes that the Planning Commission can make the required Findings to conditionally approve the establishment of the proposed cannabis microbusiness with cultivation, manufacturing, distribution, and delivery activities at the subject property. As mentioned previously, the proposed use is located within the City's industrial area, surrounded by a mix of industrial uses including warehousing, manufacturing, and contractors. With approval of a Conditional Use Permit, the proposed project is consistent with the General Industrial Zoning District, as well as the goals and policies of the City's General

[6] Chapter 6, Article 14 (Commercial Cannabis Businesses) of the Hayward Municipal Code: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1600INDI

Plan, which calls for a diverse mix of industrial uses, including those associated with new technologies and emerging industries.

As part of the initial RFP process to obtain their Commercial Cannabis Permit from the City Council, the applicant's business plan was reviewed and scored by an independent, outside consultant who determined this operator would meet several of the City's objectives related to best practices for the cannabis industry. Planning Division staff has further determined that potential nuisances associated with the facility will be mitigated with the implementation of the proposed Business Plan, Security and Safety Plan, and Environmental Compliance Program, as well as the attached Conditions of Approval.

The Hayward Police Department, Code Enforcement Division, and Fire Department have reviewed the project proposal with Planning Division staff to ensure the proposed microbusiness can be operated in a safe manner. As conditioned, the proposed use would provide a safe and secure environment for employees and mitigate potential impacts to adjacent properties. The conditions require the applicant to adhere to the approved plans, including the comprehensive list of security, odor, noise, and sustainability measures. Additionally, Commercial Cannabis Permits are renewed annually, providing the City an opportunity to revoke a permit if determined that the applicant does not adhere to the City's requirements and Conditions of Approval.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class I for existing facilities in that the project involves the use of an existing structure. Therefore, no environmental review is necessary.

NEXT STEPS

If the Planning Commission approves the Conditional Use Permit, then a 10-day appeal period will commence from the date of decision. If no appeal is filed, then the decision will be deemed final. If an appeal is filed within the 10-day time frame, then the application will be heard by the City Council for final disposition.

Prepared by: Elizabeth Blanton, AICP, Associate Planner

Approved by:

Sara Buizer, AICP, Planning Manager

Laura Simpson, AICP, Development Services Director

CITY OF HAYWARD PLANNING DIVISION
PROPOSED CANNABIS MICROBUSINESS WITH CULTIVATION, MANUFACTURING, DISTRIBUTION, AND DELIVERY ACTIVITIES
AMERICAN HOLDINGS, 2730 CAVANAGH COURT
CONDITIONAL USE PERMIT APPLICATION NO. 201805798

DRAFT FINDINGS FOR APPROVAL

Conditional Use Permit

Pursuant to Hayward Municipal Code Section 10-1.3225, The Planning Commission or other approving authority may approve or conditionally approve an application when all the following findings are made:

1. *The proposed use is desirable for the public convenience or welfare;*

   The proposed cannabis microbusiness with cultivation, manufacturing, distribution, and delivery uses would be desirable for the public convenience and welfare in that it would result in establishment of a new cannabis facility in an existing building within the General Industrial (IG) Zoning District. The proposed cannabis microbusiness would positively contribute to the City by paying local taxes and contributing to the diversification of uses within the industrial area. Building improvements would be made to facilitate the new use and enhance security. Site improvements would include new security fencing and screening. The applicant would also provide security guard service and video surveillance, benefitting the neighborhood.

2. *The proposed use will not impair the character and integrity of the zoning district and surrounding area;*

   The proposed facility would occupy an existing building. In the IG District, a cannabis microbusiness with manufacturing activities and cultivation in a space over 5,000 square feet is allowed with approval of a Conditional Use Permit. If approved, the cannabis microbusiness would operate in similar fashion as other surrounding industrial uses.

   To ensure that the proposed use would not impair the character and integrity of the applicable zoning district, the facility would adhere to all the requirements set forth by the City's Cannabis Ordinance, in addition to the requirements set forth by the Hayward Police Department, Hayward Fire Department, Hayward Building Division, and all other pertinent regulations established by State, County and local laws.

   Only minor changes to the building exterior are proposed to allow for the relocation of a door on the west elevation. Site improvements include new fencing surrounding the property as well as a security screen leading to the main entrance. These minor changes will enhance security while maintaining a consistent appearance with the surrounding area.

3. *The proposed use will not be detrimental to the public health, safety, or general welfare; and*

   The proposed cannabis microbusiness would not be detrimental to the public health, safety, or general welfare in that the facility, as conditioned, would operate within the permit requirements and regulations established by State and local laws. The applicant has provided an Odor Mitigation Plan to ensure that cannabis odors cannot be detected outside of the building, and a detailed Security and Safety Plan that includes installation of security cameras inside and outside of the building and a security guard to be present at all times during operating hours. Additionally, the facility would have an alarm system; have controlled access for any areas where cannabis and cannabis products are stored; maintain compliance with a State-mandated track and trace program to prevent diversion of cannabis; maintain a records retention program; and provide identification of a local contact to handle all safety and security issues. The applicant and all employees associated with the business are subject to extensive background screening by the Hayward Police Department and will be subject to employee training.

4. *The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.*

   Per Table 10-1.1603 of the Hayward Municipal Code, a cannabis microbusiness with manufacturing activities and cultivation in a space over 5,000 square feet is an allowed use in the IG District with the approval of a Conditional Use Permit. The proposed use would contribute positively to the City's tax base and support the following General Plan goals and policies:

   - *Land Use Policy LU-2.16, Uses to Attract the Creative Class.* The City shall encourage the development of uses and amenities to attract creative-class professionals and businesses to Hayward.
   - *Economic Development Policy ED-1.4*. The City shall establish business attraction efforts that focus on small and medium-sized businesses within emerging and growing business sectors.
   - *Economic Development Goal ED-2*. Cultivate a culture of entrepreneurship to encourage and support local business start-ups.

Cannabis Ordinance

In addition to the required findings contained in HMC Section 10-1.3225 (Conditional Use Permit), every land use application requiring discretionary review for cannabis and cannabis products shall be required to make the following findings per HMC Section 10-1.3609 prior to issuance:

1. *The proposed cannabis use will not be detrimental to the public health, safety, or general welfare in that the cannabis operation is situated in an appropriate location where sensitive land uses will not be adversely impacted;*

The proposed cannabis microbusiness would not be detrimental to the public health, safety, or general welfare in that the facility, as conditioned, would operate within the permit requirements established by the State and by the City. Per the City's land use requirements, cannabis facilities with manufacturing activities and cultivation in a space over 5,000 square feet are allowed in the IG District with the approval of a Conditional Use Permit.

The proposed project includes a Security and Safety Plan, including but not limited to an on-site security guard, cameras, controlled access areas, employee background checks, loading and unloading of vehicles behind a security screen, and Conditions of Approval related to odor, loitering, and other potential nuisances. In addition, the facility would not be open to the public. Together, these measures and conditions protect public health and safety within the vicinity of the subject site.

2. *Appropriate measures have been taken to address nuisances related to odor, noise, exhaust, and waste related to the cannabis operation;*

Physical and operational safeguards are in place to ensure this cannabis microbusiness operates at the proposed location without impacts to other properties. The proposed project includes an Odor Mitigation Plan and a Security and Safety Plan that contain measures including, but not limited to, installing a forced exhaust system and air filtration/scrubbing system reviewed by a professional engineer or industrial hygienist, installing security cameras inside and outside of the building, providing an on-site security guard, submitting to employee background checks, and securing and properly disposing of cannabis waste.

As part of the initial RFP process, the applicant's business plan was reviewed and scored by an independent, outside consultant who determined this operator would meet the City's objectives related to cannabis industry best practices. Furthermore, per the proposed Conditions of Approval and as required by the Municipal Code, the applicant's Commercial Cannabis Permit shall be renewed annually. This provides the City a yearly opportunity to reevaluate the proposed business, and ensure compliance with the approved business plan, the Conditions of Approval, and all pertinent City regulations.

3. *The cannabis operation is designed to be safe, secure, and aesthetically compatible with the surrounding area; and*

The proposed cannabis microbusiness would occupy an existing building. The relocation of a door on a non-street facing façade is the only change proposed to the exterior of the building. Site improvements include the installation of an attractive metal security fence and a security screen by the main entrance. As conditioned, the final design of the security screen shall be approved by the Planning Division during the building permit process. These changes will ensure aesthetic compatibility with the surrounding area as well as promote enhanced security for the cannabis facility.

4. *The cannabis operation will not place a burden on the provision of public services disproportionate to other industrial or commercial uses.*

   The proposed use would operate in an existing industrial building. The energy and water needs of the proposed facility are not anticipated to exceed those of similar industrial and wet industrial uses. In addition, the applicant would be subject to annual review, which would require inspection of the cannabis microbusiness by the City's Code Enforcement Division, Police Department and Fire Department. Further, as conditioned, any excessive calls for service, including nuisance and code violations, may result in the revocation of the approval.

Environmental Review

1. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1), Existing Facilities, in that the prosed use would occupy a tenant space within an existing industrial building to accommodate a cannabis microbusiness. As proposed and conditioned, the proposed use will not result in any significant impacts related to traffic, noise, air quality and water quality.

CITY OF HAYWARD PLANNING DIVISION
PROPOSED CANNABIS MICROBUSINESS WITH CULTIVATION, MANUFACTURING, DISTRIBUTION, AND DELIVERY ACTIVITIES
AMERICAN HOLDINGS, 2730 CAVANAGH COURT
CONDITIONAL USE PERMIT APPLICATION NO. 201805798

DRAFT CONDITIONS OF APPROVAL

GENERAL

1. The applicant shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

2. The applicant, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.

3. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City and agreed to by the applicant, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City' s requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project. The applicant acknowledges that the conditions set forth in this approval are not intended to supersede any obligations imposed pursuant to Chapter 6, Article 14 of the Hayward Municipal Code related to commercial cannabis permits, as it may be amended from time to time.

4. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.

5. The applicant shall take all reasonable steps to discourage and correct conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys and areas surrounding a permitted facility. Such conditions include but are not limited to: smoking; creating a noise disturbance; loitering; littering; and graffiti. Graffiti must be removed from property and parking lots within 72 hours of discovery.

6. All loading and unloading of delivery vehicles shall be done from the designated loading area, as shown on the approved set of plans date stamped January 31, 2020.

7. Delivery vehicles shall not be stationed on public right of way.

8. The cannabis microbusiness facility with cultivation, manufacturing, distribution, and delivery activities shall operate according to these conditions of approval and the business plan submitted on February 3, 2020, including the hours of operation, intensity of use and mode/character of the proposed microbusiness operation. Any future change or modification of the operational plan and/or any expansion of the approved use may require the submittal of a new use permit application and commercial cannabis permit and shall be subject to additional review and approval by the City prior to any change, modification or expansion.

9. The cannabis microbusiness may operate between the hours of 6:00 a.m. and 10:00 p.m. Pacific Time. Upon license renewal, the City may impose more restrictive hours of operation due to site specific conditions or as the result of excessive and/or extraordinary calls for service, as determined by the City's Police Department.

10. The applicant shall provide a detailed Community Benefits program and coordinate the implementation of the proposed Community Benefits program with City staff within six months from use permit approval. The applicant will be subject to annual review and verification on the implementation of the approved Community Benefits program prior to permit renewal.

11. Permittees shall employ only persons at least 21 years of age at any permitted facility within the City of Hayward. Employee records shall be kept and maintained, and proof of age shall be provided to the City upon request.

12. Permittees shall have an on-site manager at each permitted facility within the City of Hayward who is responsible for overall operation during times that employees are conducting operations and shall provide the City with contact information for all such persons, including telephone number and email address. Permittees shall also provide the City with the name and contact information including phone number of at least one manager that can be reached 24-hours a day.

13. The proposed cannabis use shall operate in a manner to prevent possible diversion of cannabis and shall promptly comply with any track and trace program established by the State.

14. The applicant shall notify the City if it intends to transfer any portion of ownership or operational control of a Commercial Cannabis Business and shall complete the New Owner/Investor Application Attestation Form as provided by the City. All new owners/investors are subject to the LiveScan fingerprint background check and the transferee shall be responsible for complying with all applicable local and state licensing requirements. Any conditions imposed upon the transferor by the original use permit shall be binding upon any subsequent transferees. Any transfer of ownership or operational control of a Commercial Cannabis Business which results in a lapse of normal operations for a period of six months or more shall be required

to obtain a new use permit and/or commercial cannabis permit, consistent with Sections 10-1.3170 or 10-1.3270 of the Hayward Municipal Code, as applicable.

15. The Commercial Cultivation of Medical and Non-Medical Cannabis must be conducted in accordance with all applicable federal, state, and local laws and regulations governing the use of pesticides. Any fumigation or insecticidal fogging shall comply with the California Fire Code Chapter 26 (Fumigation and Insecticidal Fogging).

16. The applicant shall utilize only extraction processes that are (a) solvent-free or that employ only non-flammable, nontoxic solvents that are recognized as safe pursuant to the federal Food, Drug, and Cosmetic Act, and/or (b) use solvents exclusively within a closed loop system that meets the requirements of the federal Food, Drug, and Cosmetic Act including use of authorized solvents only, the prevention of off-gassing, and certification by a California licensed engineer. The use of volatile solvents, defined as Commercial Medical and Non-Medical Cannabis Manufacturing - Level 2, is prohibited.

17. No closed loop systems shall be utilized without prior inspection and approval of the City's Building Official and Fire Code Official.

18. Any manufacturing, processing and analytical testing devices used by the applicant must be UL (Underwriters Laboratories) listed or otherwise certified by an approved third-party testing agency or engineer and approved for the intended use by the City's Building Official and Fire Code Official.

19. All owners, employees, volunteers or other individuals that participate in the production of edible cannabis products must be state certified food handlers. The valid certificate number of each such owner, employee, volunteer or other individual must be on record at approved facility where that individual participates in the production of edible cannabis products. No consumption of any cannabis product is allowed on-site, including in outdoor areas and parking lots.

20. If applicable, the applicant shall obtain a permit from the Alameda County Public Health Department and provide a copy of the valid permit to the City prior to the operation of any cannabis manufacturing activities on-site. All permit holders shall comply with State and County health permit requirements. These requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.

21. No person who is younger than the minimum age established by State law for the purchase, possession or consumption of cannabis and cannabis-related products shall be allowed on the premises of a permitted Commercial Cannabis Business.

22. Only employees of the licensee and other authorized individuals shall be allowed access to enter the licensed premises. Authorized individuals may include employees, outside vendors, scheduled deliveries and/or contractors, but shall not include the general public.

23. The premises shall be prohibited from conducting on-site sales of cannabis products and cannabis/tobacco paraphernalia/accessories.

24. The applicant shall provide the Police Department with information regarding any motor vehicle used for the delivery of cannabis goods, including the vehicle's make, model, color, vehicle identification number (VIN), license plate number and Department of Motor Vehicles registration information. Vehicles shall be registered with the Hayward Police Department.

25. Any motor vehicle used to deliver or transport cannabis goods is subject to inspection by the Hayward Police Department. Vehicles may be stopped and inspected by the Hayward Police Department at any licensed premises or during delivery or transport.

26. A licensed retailer's delivery employee shall not carry cannabis goods in the delivery vehicle with a value in excess of $3,000 (three-thousand) at any given time.

27. Cannabis or cannabis products, whether for medicinal or adult recreational use, shall only be sold to individuals authorized by state law to purchase such cannabis or cannabis products.

28. Retail sales of cannabis that violate state or local law are expressly prohibited.

29. The facility must be conducted in accordance with the Sustainability Plan approved.

Security

30. The proposed cannabis use shall provide adequate security on the premises, including any on-site security, lighting, and alarms, to ensure the public safety and the safety of persons within the facility and to protect the premises from theft. The applicant shall provide at least one, State-licensed, security guard on the premises during hours of operation. Additionally, all Commercial Cannabis Businesses and Cannabis Operators shall maintain and implement a security and safety plan that includes the following minimum requirements:

    a. *Security Cameras.* Security surveillance IP video cameras shall be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of all internal and exterior areas where Cannabis is weighed, manufactured, packaged, stored, and transferred. The cameras shall allow for remote access to be provided to the Hayward Police Department. The security surveillance cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. IP cameras shall remain active at all times and shall be capable of operating under any lighting condition. Security video must use standard industry

format to support criminal investigations and shall be maintained for ninety (90) days.

b. *Alarm System*. A professionally monitored security alarm system shall be installed and maintained in good working condition. The alarm system shall include sensors to detect entry and exit from all secure areas and all windows. The applicant shall keep the name and contact information of the alarm system installation and monitoring company as part of the Commercial Cannabis Business's onsite books and records.

c. *Local Contact*. Cannabis Operators shall also identify a local contact who will be responsible for addressing security and safety issues and shall provide and keep current that contact information to the Hayward Police Department as part of the permitting process.

d. *Secure Storage and Waste*. Commercial Cannabis products and associated product cultivation, manufacturing, distribution, and delivery waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.

e. *Transportation.* The proposed use shall implement procedures for safe and secure transportation and delivery of Commercial Medical and Non-Medical Cannabis, including all Cannabis products and currency, in accordance with local and state law. None of the vehicles associated with commercial use shall have markings or advertising that indicates the presence of cannabis on-site.

f. *Building Security*. All points of ingress and egress to the proposed use shall be secured with Building Code compliant commercial-grade, non-residential door locks and/or window locks. All heating, ventilating, air-conditioning and service openings shall be secured with steel bars and/or metal grating.

g. *Emergency Access*. Security measures shall be designed to ensure emergency access is provided to the Hayward Police Department and Hayward Fire Department for all areas on the premises in the case of an emergency.

h. *Background Checks*. All employees working in conjunction with the cannabis microbusiness shall be subject to background/LiveScan checks. Additionally, all employees shall furnish the Hayward Police Department a state or federal registered Identification Card, upon request. The applicant shall provide to the Hayward Police Department all persons employed at the cannabis business, regardless of the nature of the employment. All employees shall be registered with the Hayward Police Department.

i. *Inspections*. During regular business hours, the building premises shall be accessible, upon request, to an identified Hayward Police Department,

Building Division, or Code Enforcement employee for random and/or unannounced inspections.

j. *Security Guards.* The applicant shall provide at least one uniformed security guard licensed by the State of California.

i. The security guard(s) shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of the properties of nearby businesses.

ii. Said personnel shall carry his/her Guard Card on their person at all times and present it to any Peace Officer upon demand. Said personnel shall be clothed in such a manner as to be readily identifiable.

iii. The security guard shall be contracted out through a licensed security employer. If the business owner chooses to hire security guards under his/her business, he/she must hold a PSE license (Proprietary private Security Employer). See further information from the Bureau of Security and Investigative services: https://www.bsis.ca.gov/consumers/faqs/ppse.shtml.

k. *Records Retention*. All financial records, personnel records, training records, contracts, permits, security records, destruction records, data entered into track-and-trace, and an accurate record of all business activities must be made available to the Hayward Police Department upon request.

Odor Control

31. No cannabis odors shall be detectable outside of the facility. The applicant shall incorporate and maintain adequate on-site odor control measures such that the odors resulting from cannabis cultivated, manufactured, and/or stored on-site cannot be readily detected from outside of the structure in which the Business operates or from other non-cannabis businesses adjoining the Commercial Cannabis Business.

32. The building permit application shall include duct work, air pressure systems, filters and other recommendations included in the Odor Mitigation Plan and shall be certified by a professional engineer or industrial hygienist. The Odor Mitigation Plan shall include the following:

a. Operational processes and maintenance plan, including activities undertaken to ensure the odor mitigation system remains functional;

b. Staff training procedures; and

c. Engineering controls, which may include carbon filtration or other methods of air cleansing, and evidence that such controls are sufficient to effectively mitigate odors from all odor sources. All odor mitigation systems and plans submitted pursuant to this subsection shall be consistent with accepted and best available industry-specific technologies designed to effectively mitigate cannabis odors.

Commercial Cannabis Permit

33. The applicant shall obtain and maintain a valid Commercial Cannabis Permit from the City, including any other applicable State and local permits and inspections. Commercial Cannabis Permit renewals are subject to the requirements of Section 6-14.15 of the Hayward Municipal Code. Commercial Cannabis Permits are valid for a period of one year from the date that the permittee received land use approval and shall be renewed annually. The permit is invalid if the term has expired and the annual fee, as established in the City of Hayward Master Fee schedule, has not been timely paid in full. Non-payment will result in a violation penalty fee in accordance with the Master Fee Schedule for Cannabis uses. Additionally, the City may invalidate or suspend a Cannabis Permit for excessive calls for service or nuisance citations.

34. The proposed commercial cannabis use shall not commence operations until the Business can demonstrate compliance with all necessary state and local licenses (dual licensing) and agency permits. Failure to demonstrate dual licensing in accordance with the Hayward Municipal Code shall be grounds for revocation of a City approved permit. Revocation of a local permit and/or a state license shall terminate the ability of the Commercial Cannabis Business to operate until a new permit and/or state license is obtained.

35. The applicant shall maintain books, records, accounts, public safety calls for service, and all data and information relevant to its operations of the commercial cannabis use, including the implementation of the proposed community benefits component, and allow the City access to such records for purposes of conducting an audit or examination to determine compliance with the Hayward Municipal Code, and other local regulations, including compliance with local tax obligations. Prior to the applicant's commercial cannabis permit renewal each year, the applicant shall provide these records to the City for review to verify compliance.

36. The applicant shall allow inspections by the City of any facility permitted pursuant to this Article to verify compliance with the requirements of this Article, the Hayward Municipal Code and the requirements of state law.

Building Design & Signage

37. The building colors and materials shown on the building permit plans shall match those shown on the plans and renderings, except as modified in these conditions of

approval. Any revision to the approved colors and materials shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.

38. Design of security screen obscuring the loading/unloading zone shall be approved by the Planning Division during the building permit process.

39. All exterior and rooftop mechanical equipment shall be screened. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and other equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit.

40. Any light fixtures affixed to the building shall incorporate a shield to allow for downward illumination. No spillover lighting to adjacent properties is permitted and all exterior lighting on walls shall be recessed/shielded to minimize impacts.

41. Any above-ground structures that may be required to provide utilities for the project shall be compatible as to location, form, design, exterior materials, and noise generation. The applicant shall obtain staff approval prior to issuance of permits.

42. There shall be no display of cannabis goods and/or cannabis related products visible to the general public at the licensed premises. The establishment shall not display any cannabis related paraphernalia that may be used to administer commercial cannabis and/or commercial cannabis products.

43. No signs are approved with this project. Any signs shall be reviewed and approved by the Planning Division and a separate Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.

Expiration & Revocation

44. This Use Permit approval is void 36 months after the effective date of approval unless:

    a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or a time extension of the approval has been granted by the Planning Director.

    b. If a building permit is issued for construction of improvements authorized by the use permit approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on the conditional use permit approval. A request for an extension must be submitted in writing to the Planning Division at least 30 days prior to the above date.

c. Business operations have commenced in accordance with all applicable conditions of approval.

45. If this conditionally permitted use ceases operation for a period of more than six consecutive months, it shall be deemed to be discontinued, and the use permit establishing said use shall become null and void. Reestablishment of said use shall only be permitted upon obtaining a new use permit.

46. The Planning Commission may require modification, discontinuance or revocation of this Conditional Use Permit if its determined that the use is operated or maintained in a manner that it:

a. Adversely affects the health, peace or safety of persons living or working in the surrounding area;

b. Contributes to a public nuisance; or

c. Has resulted in excessive nuisance activities including disturbances of the peace, illegal drug activity, diversion of cannabis or cannabis products, public intoxication, smoking in public, harassment of passerby, littering, or obstruction of any street, sidewalk or public way; or

d. Violates any provision of the Hayward Municipal Code or condition imposed by a City issued permit, or violates any provision of any other local, state, regulation, or order, including those of state law or violates any condition imposed by permits or licenses issued in compliance with those laws.

CODE ENFORCEMENT

47. All tenant improvements and modifications and/or demolition require approval of a building permit prior to the start of the work. Verified violations of the California Building Code Section 105.1 are subject to a penalty fee of 205% of the required permit fees in addition to the regular Building Division fees in accordance with the City of Hayward Master Fee Schedule.

48. No outdoor storage or uses permitted. All cannabis related activities are to be conducted indoors.

49. The Commercial Cannabis establishment shall maintain and visibly post valid copies of all required State, Local, and Municipal permits, including but not limited to the State of California Cannabis Bureau license, the Hayward Cannabis license, City of Hayward business license, and other pertinent permits and licenses according to the specific cannabis use.

50. Every owner of real property within the City is required to manage the property in a manner so as not to violate the provisions of the Cannabis Ordinance and/or any State and Municipal regulations. The property owner remains ultimately liable for

all penalties and fees as a result of violation of any of the requirements for the Commercial Cannabis operation thereof regardless of any contract or tenant agreement or other third parties.

BUILDING

51. The following comments are for a Planning Application review by the Building Division. These comments are intended to help with the future submittal of a building permit application. Unlike Planning Division conditions of approval, these comments are non-binding when the Planning Application is approved. All Building Code related items will be formally approved during the building permit application process.

52. The project will require a building permit application and the associated building permit plan review process.

53. In the building permit application drawings, please include the following information:

    a. Information regarding the equipment and/or chemicals that support the plant cultivation.

    b. Path of travel upgrades to the public right of way per CBC 11B section 202.

    c. T-24 energy reports for new lighting and any new conditioned floor area.

    d. Electrical panel schedules and single line diagrams.

    e. Mechanical drawings describing any new ventilation devices or HVAC systems.

54. During the building permit review stage, additional detailed comments will be provided. The project does not present any significant design issues from a building code standpoint that would prevent it from moving forward to the next stage of review.

UTILITIES

55. Wastewater Discharge Survey. Provide a complete Wastewater Discharge Survey. Disclose the estimated volumes and strengths of wastewater discharge from the proposed facility, including both domestic and process wastewater discharge.

56. Existing Water Services. The property has an existing 1" domestic water meter (account 32221). Any modifications to existing water services (upsize, downsize, relocate, abandon, etc.) must be performed by City Water Distribution personnel at the applicant's or owner's expense.

57. Irrigation Services. If the property will have more than 1,000 square feet of irrigated landscapes, a dedicated irrigation water service and meter must be installed.

58. Sewer Services. The property has an existing industrial sewer connection with a permitted sewer capacity of 210 gallons per day of domestic strength discharge. Additional sewer capacity to accommodate additional wastewater discharge over the "grandfathered" sewer capacity will need to be purchased prior to building permit issuance.

59. Fire Services. New fire services must be installed by City Water Distribution Personnel at the owner's/applicant's expense. Fire service and fire hydrant installation costs are based on actual costs of work performed and equipment/materials used with a time and materials deposit due prior to the start of installation. If actual costs are less than the deposit amount, the applicant or owner will receive a refund in the amount of the unused deposit. If actual costs exceed the deposit amount, the applicant or owner will receive an invoice in the amount of the overage.

60. Backflow Devices. All domestic and irrigation water meters must have Reduced Pressure (RP) Backflow Prevention Assemblies, per SD-202. Backflow prevention assemblies shall be at least the size of the water meter or the water line on the property side of the meter, whichever is bigger. Backflow prevention assemblies on domestic water services shall be lead-free.

61. Water meters and services must be located a minimum of two feet from top of driveway flare as per City Standard Details SD-213 thru SD-218. Water meters shall not be in setback areas or private driveways or roadways unless approved otherwise.

62. Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to exceed 100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline.

SOLID WASTE

63. Projects for which a building permit is required for Commercial Premises shall include in its site plans storage space for Recyclable Materials and Organic Materials that is at least equivalent to the space required for Solid Waste intended for Disposal.

64. The owner or property manager shall be responsible for litter-free maintenance of the property and shall remove any litter on or within 50 feet of the property daily to ensure that the property and its street frontage remain clear of any abandoned debris or trash per Municipal Code Sec.11-5.22.

65. Construction & Demolition Debris: The City requires that construction and demolition debris be recycled per certain ordinance requirements. Submittal of the Debris Recycling Statement will be required at the time of your building permit. The form can also be found at http://www.hayward-ca.gov/services/city-services/construction-and-demolition- debris-disposal. You may also visit Hayward's Green Halo webpage and create a waste management plan instead of filling in the Debris Recycling Statement.

FIRE

Fire Prevention

66. Submit for proper building permits for the construction of the building to the Building Department. All building construction shall meet the requirements of adopted California Building Code.

67. The building is required to install a new fire sprinkler system in accordance with NFPA 13. It will be designed for Ordinary Hazard Group1.

68. Per the requirement of Hayward Public Works Department, a static pressure of 80 PSI should be used when a water test data indicates a higher pressure. The residual pressure should be adjusted accordingly.

69. Underground fire service line serving NFPA 13 sprinkler systems shall be installed in accordance with the Hayward Public Work Department SD-204. Underground fire service line shall be minimum 4-inch in diameter.

70. Fire department connection shall be located on the street/fire apparatus access side of buildings, within 100 feet to a fire hydrant, fully visible and recognizable from the street or nearest point of fire department vehicle access. Fire department connection shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the building for other fire apparatus.

71. Install portable fire extinguishers having a minimum size of 5 lbs. and a minimum rating of 2A:10BC in centrally located and accessible locations (as approved by the Fire Department) with maximum travel distance of 75 feet within the tenant space.

72. A building permit is required for the installation of storage racks greater than 6 feet in height. A Fire Department annual operation permit is required for any combustible storage (floor and/or rack) which exceeds 12 feet in height (Class I-IV type commodities), AND/OR any high hazard storage which includes commodities such as hazardous materials, flammable liquids, plastics, foam and rubber products, or any other classified commodity as dictated by the California Fire Code and NFPA 13 Standards, which exceeds 6 feet in height.

Hazardous Materials

73. Application of pesticides, insecticides, herbicides, mildewcides, etc. - Shall be per the Alameda County Agricultural Commission as well as other appropriate regulatory agencies. Disposal of containers shall be done in an approved manner.

74. Protection for City Staff during inspections – If required during inspections business shall provide:

75. Appropriate PPE for inspectors including Tyvek suits, masks, etc.

76. Information as to when last application pesticides and other control agents to inspections staff along with information as to adequate waiting times between applications and entry.

77. Oxygen Deficient Environments – This facility is not proposing having oxygen deficient atmospheres or utilizing carbon dioxide to enhance plant grow operations. If there is a change, the operator shall contact the Hazardous Materials Office of the Hayward Fire Department as well as the Hayward Planning Division for approval and conditions.

78. Extraction Processes – This facility is not proposing extraction processes. If there is a change, the operator shall contact the Hazardous Materials Office of the Hayward Fire Department as well as the Hayward Planning Division for approval and conditions.

79. Disposal of Waste Cannabis Product – Shall be done per the appropriate regulatory agencies. If disposal of waste includes chemical treatment to render the product non-useable then the Hazardous Materials Office of the Hayward Fire Department shall be notified for approval and conditions.

80. Hazardous Materials Permit – Based on quantities of hazardous materials/waste an annually Hazardous Materials Permit - Range 1A shall be required to be obtained and maintained by the facility. Any change to chemical quantities and type shall require notification and approval of the Hayward Fire Department's Hazardous Materials Office.

81. Hazardous Materials Business Plan (HMBP) / California Environmental Reporting System (CERS) – Facility shall submit an initial one-time hazardous materials electronically reported through the California Environmental Reporting System for the chemical to be stored/used on-site.

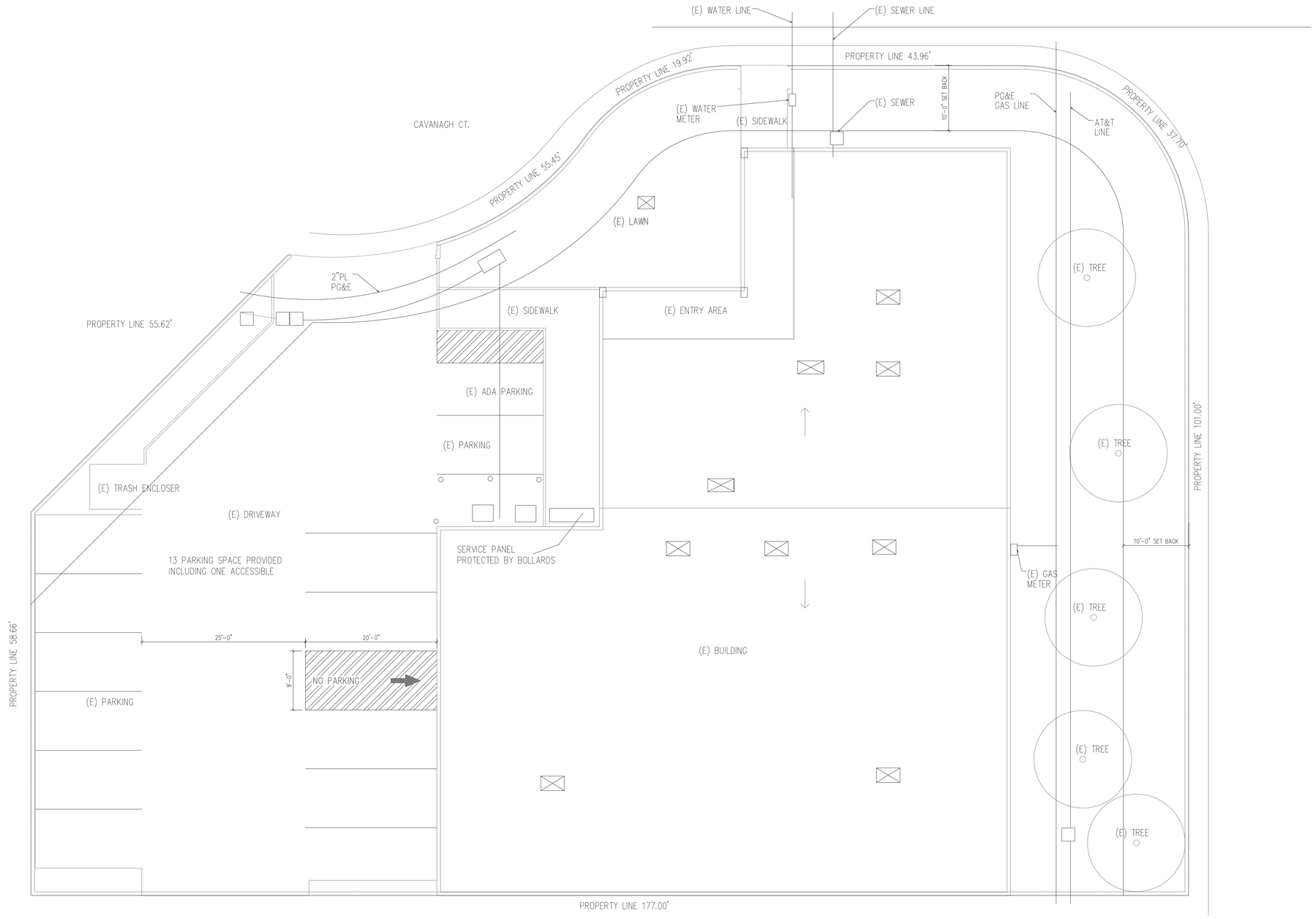
82. Flammable and Combustible Liquid Storage and Use – The storage and use of flammable and combustible liquids shall meet the requirements of Chapter 57 of the 2016 California Fire Code as adopted by the City of Hayward.

83. Flammable Liquid Storage Cabinet – Quantities in excess of ten gallons of flammable liquid shall require an approved flammable liquids cabinet with self-closing doors.

84. Hazardous Materials over the Maximum Allowable Quantities (MAQs) – Quantities of hazardous materials/waste shall not be stored and used in amounts greater than the maximum allowable quantities (MAQs) in the 2016 California Fire Code as adopted by the City of Hayward.

85. Incompatible Materials – Incompatible materials in storage or use shall be separated according to Chapter 50, Section 5003.9.8 (Separation of incompatible materials) of the 2016 California Fire Code (CFC) when the stored materials are in containers having a capacity of more than 5 lbs. or 0.5 gallons.

86. Hazardous Waste – Hazardous waste shall be managed and disposed of per Title 22 of the California Code of Regulations. All containers holding hazardous waste shall be properly label and identified with a hazardous waste label. Labeling shall include Generator information, EPA ID number, accumulation start date, contents, physical state and hazard of the waste. Provisions shall also be made for the management and disposal of universal/electronic wastes which are a category of hazardous waste.



EXISTING SITE AND ROOF PLAN
SCALE: 1/8" = 1'-0"

PLAN NORTH

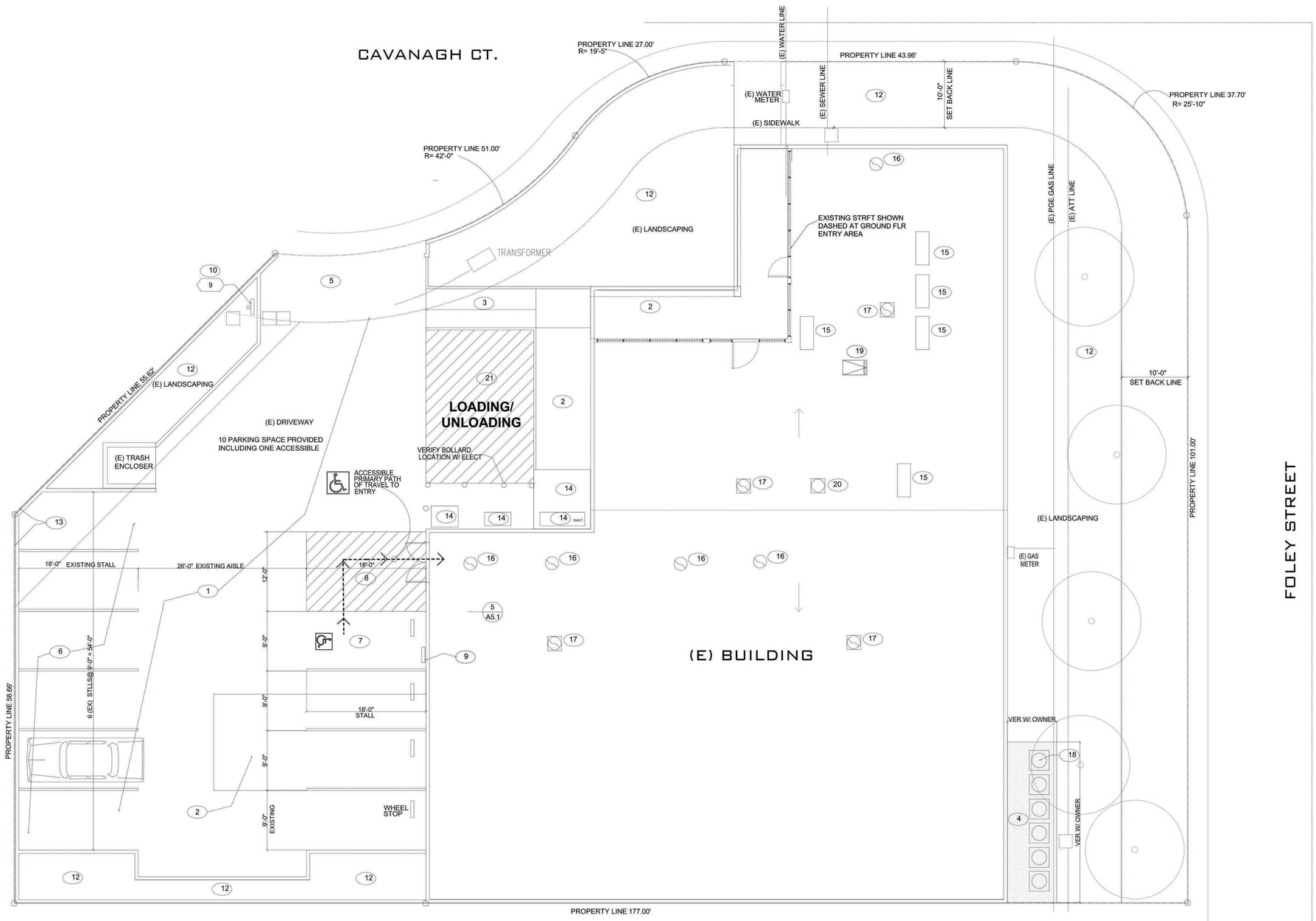
0' 5' 10' 15' 20' 25'

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■ TENANT IMPROVEMENTS ■
2730 CAVANAUGH COURT, HAYWARD, CALIFORNIA 94545

DATE	JANUARY 31, 2020
SCALE	AS NOTED
DRAWN	HSC
JOB NO	1902
SHEET	EX.1



SITE KEY NOTES

1. EXISTING EXTERIOR AC PAVING
2. EXISTING EXTERIOR CONCRETE PAVING
3. EXISTING ACCESSIBLE EXTERIOR CONCRETE RAMP
4. EXISTING CONC SLAB W/ 6X6 10/10 WWF REINFORCING
5. EXIST CONC DRIVEWAY CURB CUT
6. EXIST PAINTED PARKING LOT STRIPING
7. PAINT NEW ACCESSIBLE PARKING STALL COMPLIES W/ CBC ON EXIST AC PAVING THAT DOES NOT EXCEED 2% SLOPE
8. EXISTING ACCESSIBLE UNLOADING ZONE COMPLIES W/ CBC ON EXIST AC PAVING THAT DOES NOT EXCEED 2% SLOPE IN ANY DIRECTION
9. EXISTING WALL MOUNTED "ACCESSIBLE (VAN) PARKING" SIGN COMPLIES W/ CBC
10. EXISTING POLE MOUNTED "UNAUTHORIZED PARKING" SIGN COMPLIES W/ CBC
11. EXISTING ACCESSIBLE PAINTED STRIPPIMG ON EXISTING AC PAVING THAT DOES NOT EXCEED 2% SLOPE IN ANY DIRECTION
12. EXISTING LANDSCAPING AND IRRIGATION
13. EXISTING EXTERIOR WOOD FENCE
14. EXISTING SERVICE PANEL & TRANSFORMER PROTECTED BY CONCRETE FILLED BOLLARDS
15. NEW HVAC UNIT
16. NEW HVAC EXHAUST FAN
17. NEW HVAC SUPPLY FAN
18. NEW GROUND MOUNTED HVAC UNIT
19. EXISTING ROOF HATCH/ LADDER
20. NEW HVAC EXHAUST AIR ROOF CAP
21. STRIPED LOADING ZONE

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JANUARY 31, 2019

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JOB NO
1902

SHEET
CUP1

PROPOSED SITE AND ROOF PLAN
SCALE: 1/8" = 1'-0"

PLAN NORTH

0' 5' 10' 15' 20' 25'

Attachment IV

OFFICE
OFFICE
OFFICE
OFFICE
HALLWAY
TOILET ROOM
STORAGE
TOILET ROOM
RECEPTION
UP
OFFICE
WAREHOUSE
ELECT.
ELECT.
(E) GAS METER
(E) 1-1/4" G
(E) 1-1/4" G, UP
(E)3/4" CW
(E)BACKFLOW PREVENTOR
(E)WATER METER
(E) RAISED FLOOR CLEAN- OUT
40.80
30.68

EXISTING GROUND FLOOR PLAN

SCALE: 1/4" = 1'-0"

PLAN NORTH

0 5 10 15

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JANUARY 31, 2020

SCALE
AS NOTED

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JOB NO
1902

SHEET
EX.2



PROPOSED GROUND FLOOR PLAN

SCALE: 1/4" = 1'-0"

PLAN NORTH

0 5 10 15

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2730 CAVANAUGH COURT, HAYWARD, CALIFORNIA 94545

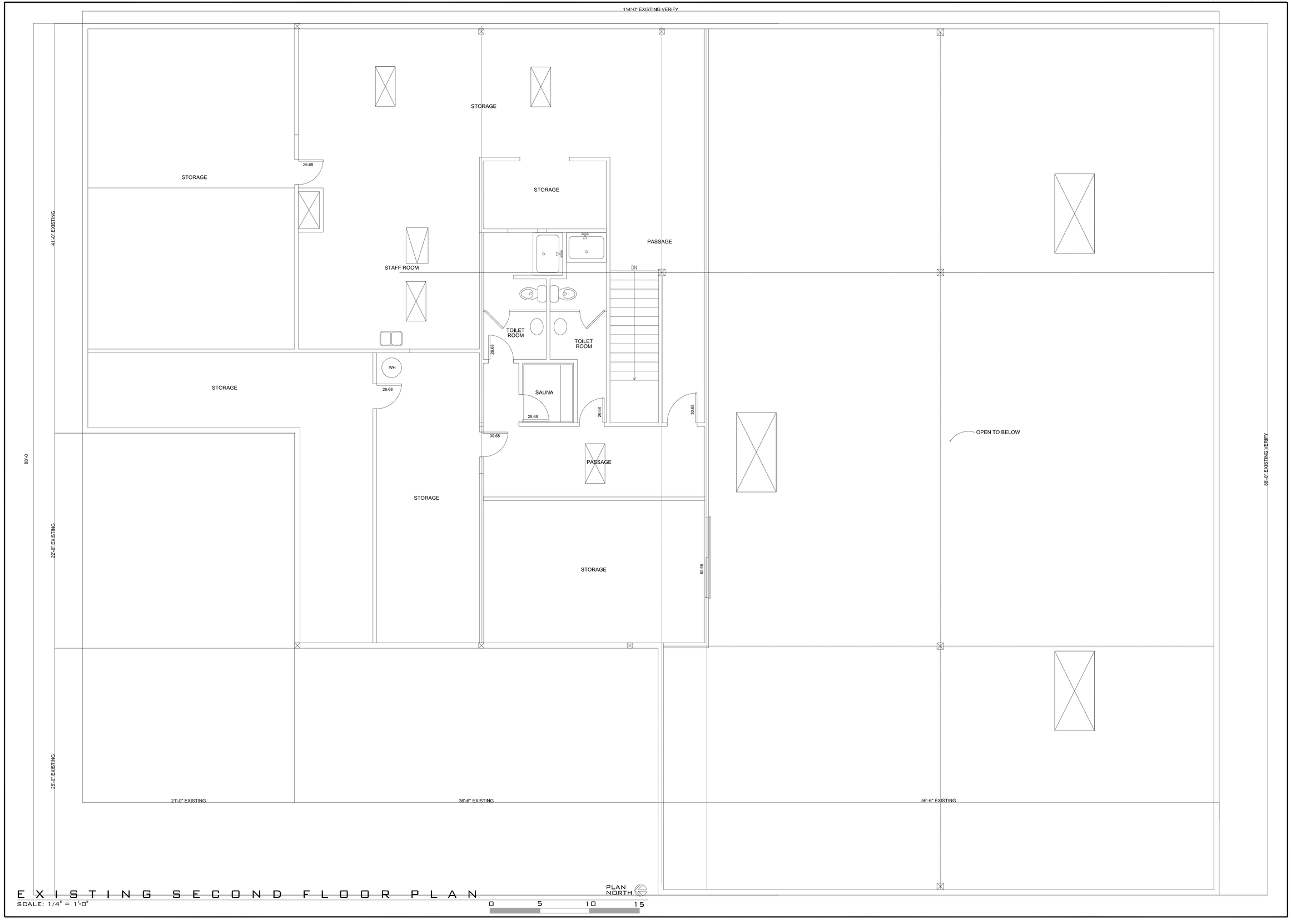
DATE
JANUARY 31, 2020

SCALE
AS NOTED

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1902

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CUP2



EXISTING SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

PLAN NORTH

0 5 10 15

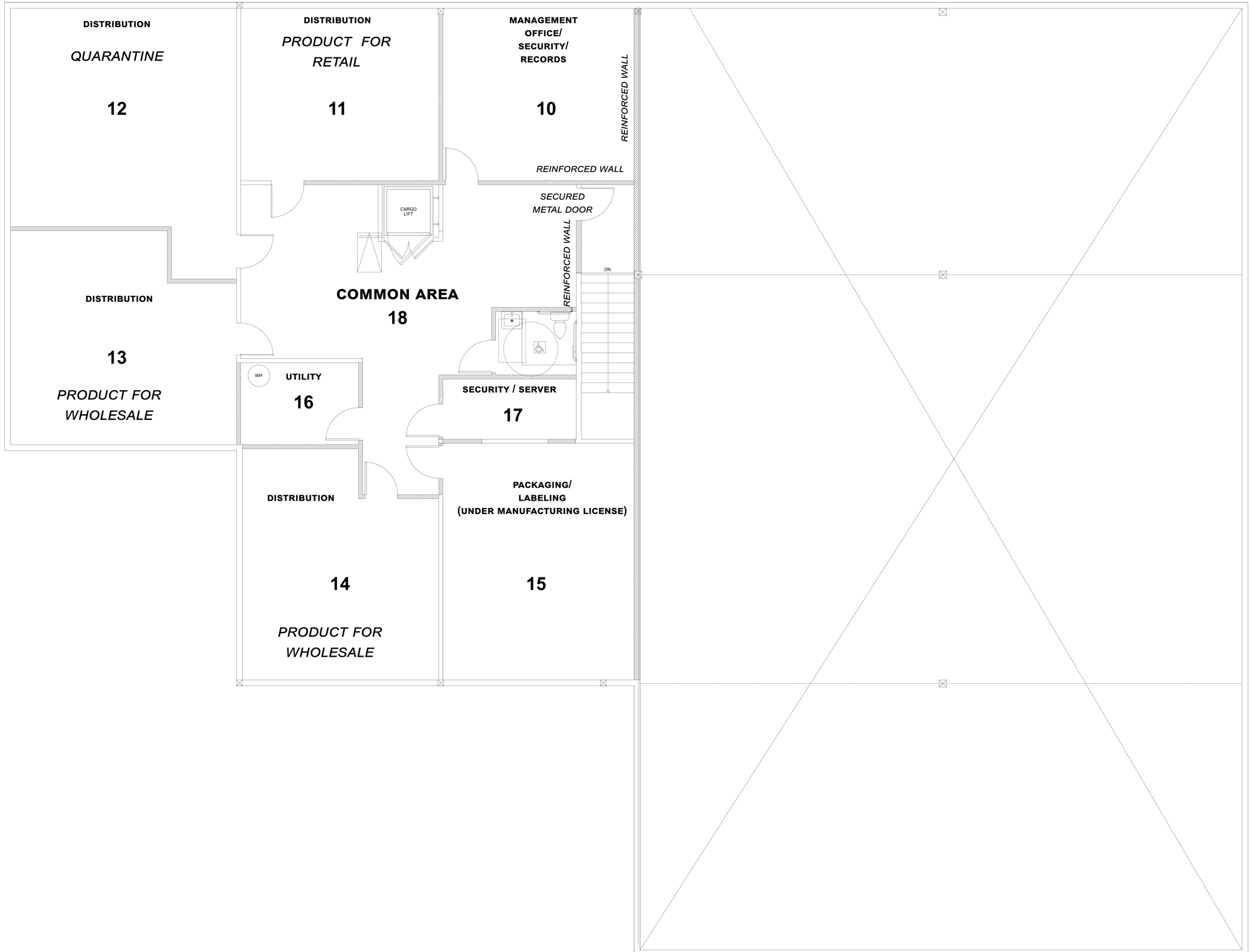
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JOB NO	1902
SHEET	EX.3



PROPOSED SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

PLAN NORTH

0 5 10 15

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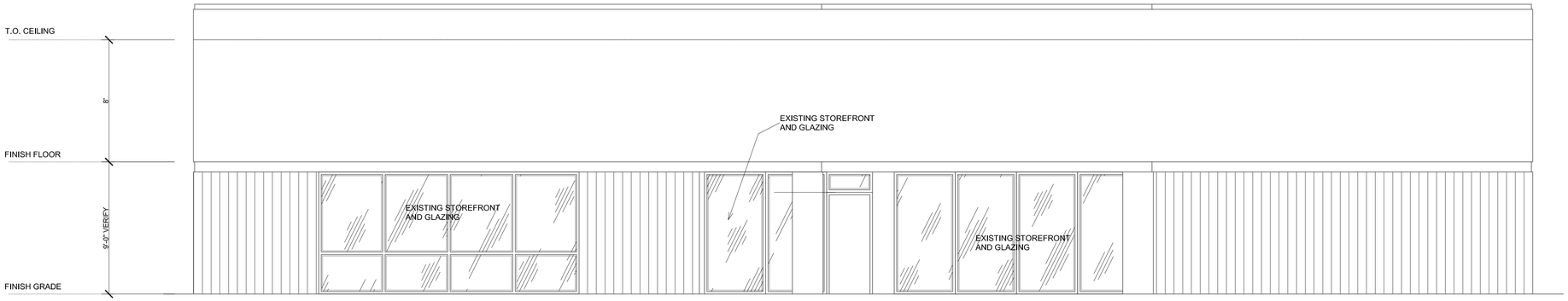
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AS NOTED

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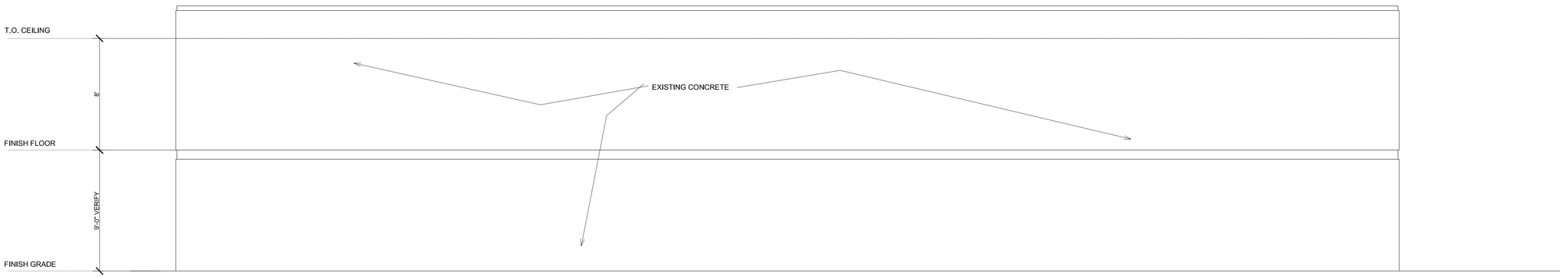
SHEET
CUP3



EXISTING NORTH ELEVATION

SCALE: 1/4" = 1'-0"

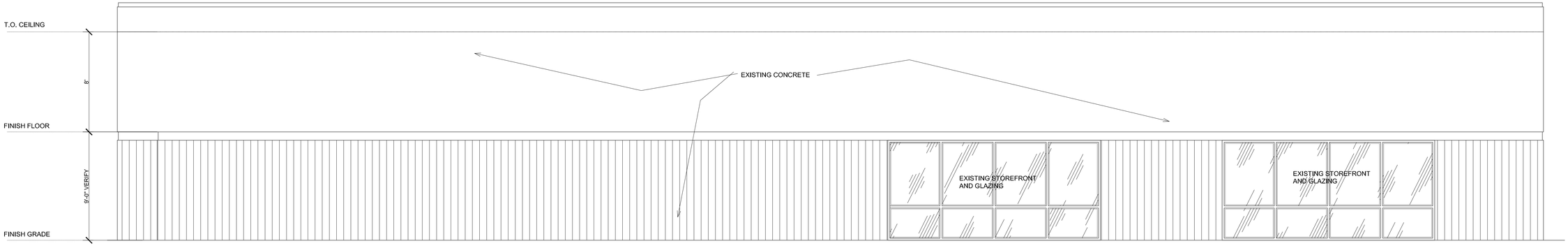
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EXISTING SOUTH ELEVATION

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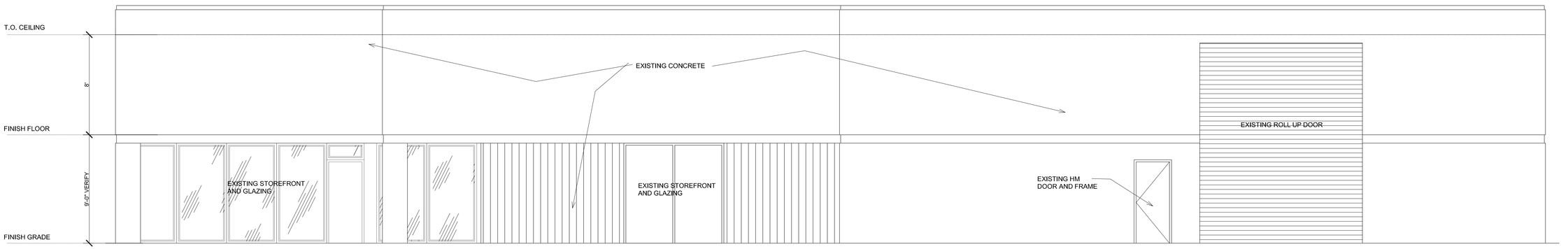
0 5 10 15



EXISTING EAST ELEVATION

SCALE: 1/4" = 1'-0"

0 5 10 15



EXISTING WEST ELEVATION

SCALE: 1/4" = 1'-0"

0 5 10 15

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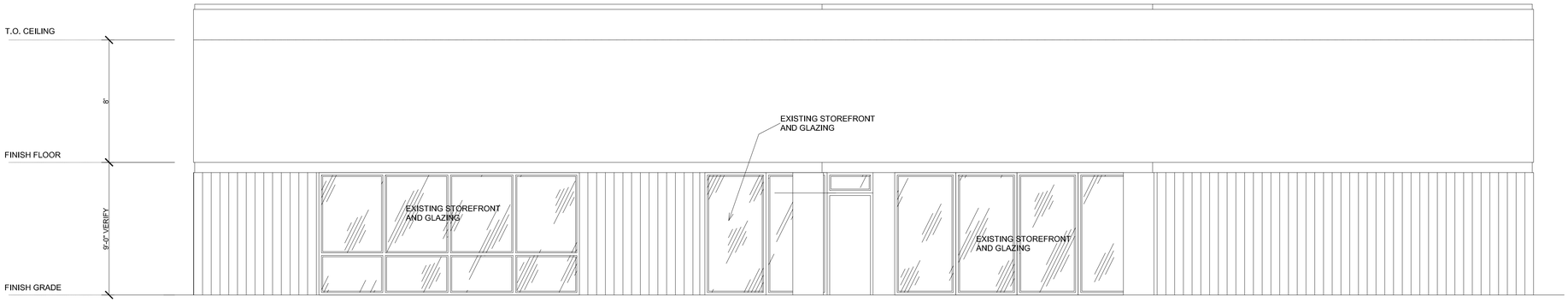
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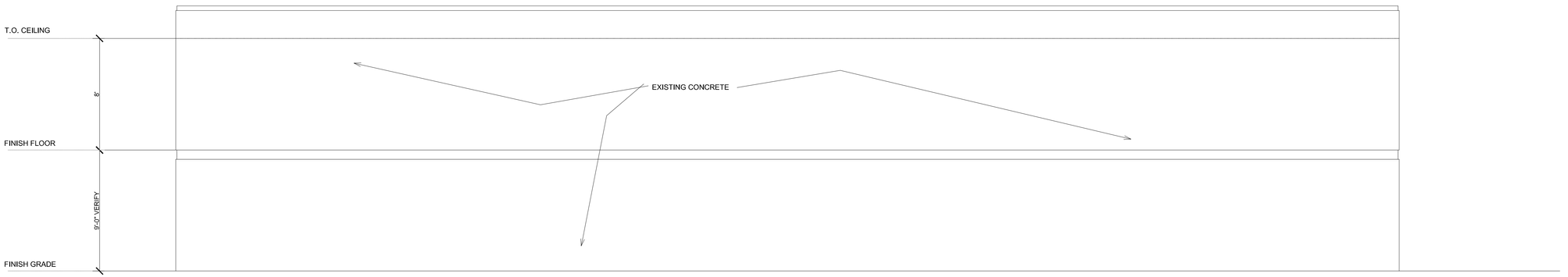
JOB NO
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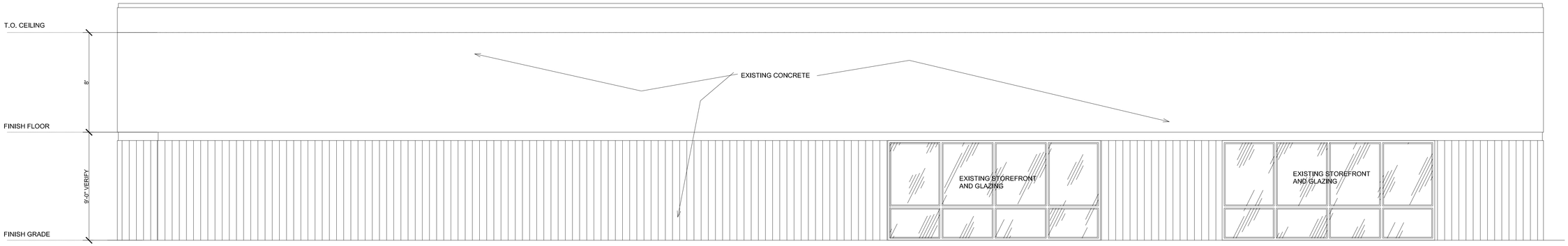
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SCALE: 1/4" = 1'-0" 0 5 10 15



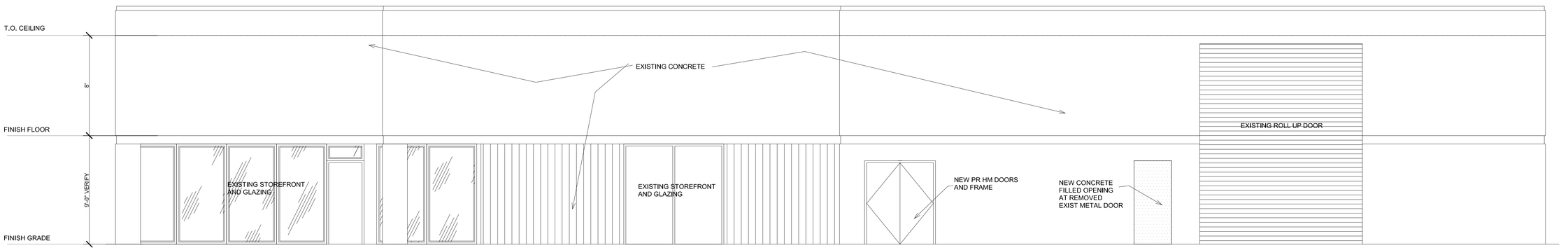
P R O P O S E D S O U T H E L E V A T I O N (NO CHANGE)

SCALE: 1/4" = 1'-0" 0 5 10 15



P R O P O S E D E A S T E L E V A T I O N (NO CHANGE)

SCALE: 1/4" = 1'-0" 0 5 10 15



P R O P O S E D W E S T E L E V A T I O N

SCALE: 1/4" = 1'-0" 0 5 10 15

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JOB NO
1902

SHEET
CUP4

AMERICAN HOLDINGS **BUSINESS PLAN** **Table of Contents**

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THESE ARE INSTRUCTION FOR THE CITY OF HAYWARD PUBLIC RECORDS AND INFORMATION DEPARTMENT:

All the pages of this document marked CONFIDENTIAL must remain confidential and MUST BE blacked out when requested to be produced under CPRA.

The document reveals sources and methods of the Applicant and will cause irreparable damage to the Applicant's business if produced unredacted.

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OPERATION

1. Introduction

The Applicant, American Holdings LLC, has applied for a **Commercial Cannabis Microbusiness (Type 12)** license in the City of Hayward. On June 26. 2018 the application was approved by the Hayward City Council.

2. Facility

The proposed facility for the operation is at the address 2730 Cavanagh Ct, Hayward, CA 94545. It is an approximately 11,000 sq ft facility purchased by Moose and Squirrel Holdings, LLC for lease to the American Holdings LLC. The companies have a long-term lease agreement. The facility is located in the industrial area of Hayward and is happily situated in a cul-de-sac. The facility is presently undergoing a Conditional Use Permit application process.

The Applicant's operation includes cultivation, light manufacturing, distribution, and delivery.

3. Cultivation

The following activities will be performed within the scope of the cultivation component of microbusiness: indoor cultivation of approximately 4,000 sq ft of cannabis flower canopy.
The operation will NOT use CO2 enrichment. The flowered plants will not be supported by any nets or ropes, i.e. the plants will be standing on their own.

The plants on all stages will grow in **self-wicking** grow trays or pots. Self-wicking means that upon watering, the excess of water will accumulate in bottom compartment of the grow tray or pot and then it will gradually get absorbed back into the soil from the bottom up as the soil loses moisture. It means that the grow system will have **NO runoff.** In agriculture this method is also known as subirrigation.
The grow trays (beds of live soil) will be approximately 18"x36", i.e. **small** trays. They will be positioned directly on the floor. Since they are small, when and if needed, they can be easily moved or removed or pushed aside. Since they are on the floor and are approximately 7-8 inches

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tall with soil reaching the bream, first responders, for example, can walk on and through them to reach needed location within the room.

The Applicant will use air-cooled 600W HPS grow lights.

The proposed grow setup will require 2 full time employees and 1 grow manager.

Harvested flower will be dried or frozen. Dried flower will be trimmed, and bagged in bulk for curing. Dried and cured flower will be quality tested and transferred to manufacturing for further packaging. Frozen flower will be outsourced for processing to another licensed manufacturer where they will be tested and made into some type of extract.

The specialized equipment to be used for cultivation component of the business is as following: Cool Tube grow lights, Industrial A/C Units, Industrial Dehumidifiers, Soil Mixers, Compost Tea Brewers, Trimmers, Chest Freezers.

4. Manufacturing

The manufacturing at the Applicants facility will only include packaging, re-packaging, labelling, and re-labelling. There will be **NO extraction done at the facility**.

The specialized equipment to be used for manufacturing component of the business is as following: vacuum sealers, canning equipment.

5. Distribution

Within the distribution framework the Applicant will facilitate transactions between other licensed parties and will ensure that all the excise taxes are paid, the products are tested and labeled according to the latest labeling regulations, and in rare cases, product may have to be destroyed and disposed.

The cannabis products purchased by the Applicant from the third parties will be safely stored on-site.

The Applicant will arrange pick-up and transportation of products between the licensees, parties to the transaction. The Applicant will maintain all the records and documentation as needed including the required General Liability Insurance as specified in the Safety section of the Safety and Security plan.

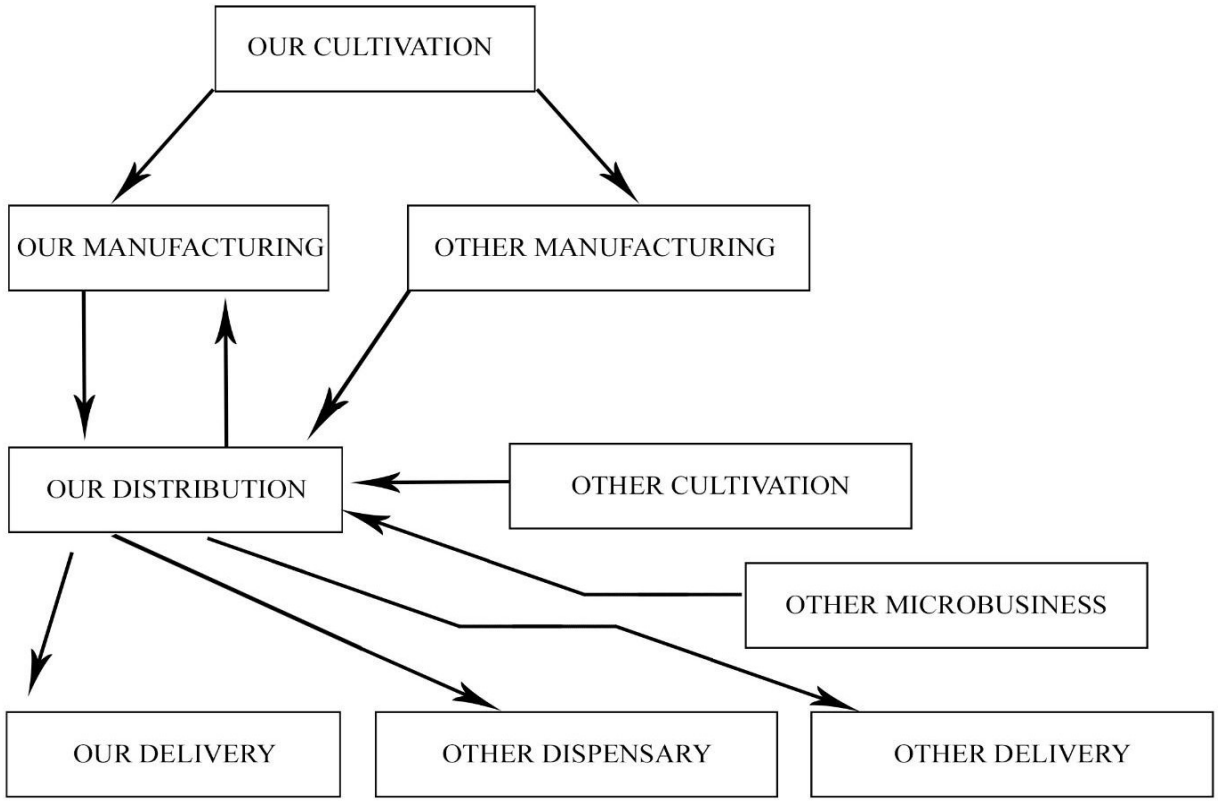
The specialized equipment to be used for distribution component of the business is as following: Humidors, Refrigerators, GPS Trackers, Vault Rooms.

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6. Delivery

The facility will NOT be open to the general public. The delivery operation will accept purchase orders through an online system that will verify the consumer's identity and age and maintain his or her account. The online system will receive a purchase order that will further be emailed to the Applicant's delivery dispatch, processed, and fulfilled. In the future, the repeat customers will be able to order the product over the phone. The delivery will sell products procured by the distribution operation either from the 3rd party licensees or from the Applicant's cultivation and manufacturing operations.

The specialized equipment to be used for the delivery component of the business is as following: GPS Trackers, Car IP Cameras tethered to a cell phone, secured cash boxes, secured product boxes. Below is the workflow of relationships between the four components of the Applicant's microbusiness and other licensed businesses.



7. Hours of Operation

The business hours of operation are 10 AM to 8PM; extended business hours of operation that include shipping, receiving, and delivery are 6 AM - 10 PM. There may be someone on duty in the off hours inside the facility but no deliveries are to be made or accepted outside of the extended business hours.

[redacted]

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MARKETING APPROACH

1. Branding

a) Packaging

Each product package will have marketing sleeve or card that will be uniformly styled for all Applicant's products (**colors, layout, fonts**); and which will include graphic representation of the Applicant's **name/logo**. In addition to the branded packaging there will be an individual product label affixed to every package.

Individual labels will include specific information related to the product in it, such as the product batch, weight, name, and all other attributes stored in the track-and-trace system which generates those labels. The labelling is described in detail in the Security and Safety Plans included in with this submission.

b) Seal of Quality

The Applicant will use its own seal of quality on all the products that the Applicant tests and believes to be "top notch". The seal of quality is different from the Applicant's brand name, but will often be alongside the brand name and is incorporated into the Applicant's trade dress.

c) Marketing Materials

All the Applicant's advertisement, tradeshow appearances, award submissions, web presence, and apparel will be using the same trade dress/name/logo across the board.

2. Instagram

Presently, Instagram is the social media platform where all the cannabis companies, seed banks, breeders, cultivators, dispensaries, and nurseries exchange their information and updates on what is going on in the cannabis world and where consumers have an opportunity to follow their favorites.

a) Rare and Award-Winning Genetics

The Applicant has access to rare and award-winning genetics through the plant culture biology lab. The Applicant will be offering to consumers highly thought after strains grown in live soil. Close-up photos and associated hashtags will draw attention of the public and create

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Instagram following. The Applicant's trade name and trade dress will be visible to all the followers.

b) Product Quality

The combination of good genetics and right cultivation environment result in quality product. "To see our other products and drop-off times follow us on Instagram.", is an effective line that creates following just because people who bought the product once and liked it, now want to get more. Drop-off times are the dates when the Applicant's product will be offered by licensed dispensaries for sale. This creates demand and word-of-mouth.

c) Shout-outs

Our Director of Distribution and Delivery has a lot of connections including companies that have been growing and selling their products with local licenses prior to 2018, for example Jungle Boys, CO2 Clear, Zëki Farms, and some others. Out brand will receive a shout out from those people on the social media that has a large following.

3. Direct Marketing

The Applicant's delivery operation will register all patients in the patient database. With patient's permission, the Applicant will send out texts and/or emails with news and promotions.

4. Celebrity Endorsement

Our Director of Distribution and Delivery has access to the production company almost exclusively/alone arranging concerts all through the state of California. The production company management has free access to the music artists and will arrange meetings for the Applicant and facilitate endorsements with the music artists that the Applicant will be interested to engage.

5. Web Presence

a) Delivery Operation Website

Our delivery operation will have a website for customers to order from. The website will feature all of the Applicant's products including close-up pictures and vivid descriptions.

b) Cannabis Web Directories and Listings

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There is a number of web directories featuring ALL the cannabis companies. Some have very high traffic and some have much less. The most prominent of those is WeedMaps with over 2.5M unique users every month. The second in line is the StickyGuide with a little over 350K of unique users each month. These two cannabis web directories provide the majority of online traffic to dispensaries and deliveries in all states. The Applicant will list the business with both of them and create metrics to measure output that comes from those directories.

6. Attending Events

a) Cannabis Conventions/Conferences and Competitions

There are multiple events that take place either locally or statewide. Various conventions that also feature competitions, for example, an Emerald Cup, a High Times Cannabis Cup, and some others. We will participate in the conventions and events and submit our products for awards when appropriate.

b) Patient-to-Grower Socials

Additionally, we will take advantage of the patient-to-grower social opportunities, for example, meet and greets at familiar and well-known dispensaries.

7. Apparel

We plan on making various apparel with our company logo and our product logo.

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COMMUNITY BENEFIT PROPOSAL

1. Contributions and Donations

The Applicant intends, if the law permits, to make donations either monetary, or equipment, or in other manner to the Hayward Police Department and to the Hayward Fire Department.

We want them to have suitable equipment, cars, gas, people, and training. We believe that these agencies can be trusted with contributions/donations and they will use them for the good of everyone.

2. Community Outreach (AMENDED)

a) Foreword

Based on the latest developments, the City of Hayward proposed and voted on an additional community outreach tax for cannabis companies. If and when this tax goes into effect, all the Community Outreach plans by cannabis applicants will be rendered irrelevant. Therefore, the Applicant will abide by the current laws and regulations and if and when the tax goes into effect, the below proposal will be rolled back.

b) A Non-Profit

We will form and fully subsidize a non-profit organization that will teach people to grow fresh, organic food in their backyard, front yard, or even on a patio and provide a point of contact to those who want to do it but need assistance and advice. We will offer free classes and seminars on the subjects of sustainable gardening, healthy eating habits, easy container gardening, and other. Along with that the attendees will receive free seeds and free compost starter packs.

We will reach out to:

i. schools (offering to teach youth healthy eating habits, show to them what opportunities exists and how to take advantage of them, because everyone can grow their own organic food)

ii. recreation center (offering seminars for everyone)

iii. businesses (provide seminars and materials teaching how to turn your work place into an oasis in the midst of industrial area)

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We will offer our information and contacts to the city (for publishing on the city website). Our classes and seminars will be advertised in local newspapers. Our volunteers will contact school/district administration with details of our proposal. Businesses will be approached though US mail. If and when there are local public events, we would consider getting a table and offer free information about the subject matter along with the ways to contact us either for help or for free seminars.

Our non-profit will develop its own website where we can receive inquiries, provide ways to contact, and display information.

The classes and seminars will teach people:

- how to amend soil and make it alive
- how bacteria and microorganisms in soil reduce carbon footprint
- easy composting
- how to easy grow great tasting food in your backyard
- growing fruit trees in containers
- healthy eating and how to do it for cheap by growing your own food in your spare time.

As a bonus, we want to invite speakers, who we consider authorities in healthy food preparation, such as, for example, fermentation specialists who teach making kombucha, yogurt, sauerkraut.

This non-profit goes along with the city guiding priorities: Green and Thrive. It will not require any subsidies from the city.

c) Planned Projects

Within the first 6 months the Applicant starts operating, we will reach out to South Hayward Parish. It came to our attention that the Parish has a community garden that may require attention. The Applicant will discuss the needs of the Parish community garden in detail with the Parish director/supervisor and determine how the Applicant can contribute.

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[redacted]

LABOR AND EMPLOYMENT PRACTICES

1. Preference

Under equal consideration the preferences will be given as following:

(1) people with prior experience (for positions where it may matter)

(2) US Army veterans

(3) Hayward residents

2. Non Job-Specific Requirements

- 21+ years old
- Clean Live Scan is not a must. Every person must be given an opportunity especially if their debt to society is paid.
- A team player, motivated, responsible
- Follows the rules and policies
- If state certification or license is required for the job it is up to the applicant to obtain such license (security guard, driver, or other)

3. Job Specific Requirements

a) Skilled Labor Positions

- Exhibit qualifications both in resume and during interview
- Provide verifiable references
- Willing to adapt his or her techniques and follow protocols
- Able to climb, carry, jump, run, reach out to over 6 ft heights
- Able to work in hot and humid environment
- Exhibits attention to details

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b) Unskilled Labor Positions

- Showing aptitude in a personal interview
- Able to climb, carry, jump, run, reach out to over 6 ft heights
- Able to work in hot and humid environment
- Exhibits attention to details

4. Living Wage

The Applicant will provide a fair pay above minimum wage which will be either at or above the living wage for Hayward.

In determining living wages per job position, the Applicant will consult available sources. Hayward Living Wage Ordinance (for the city service contractors), for example, lists the living wages as follows:

Required Wage per hour, with health benefits	$13.16
Required Wage per hour, without health benefits	$15.21
Medical Benefits	$2.05

MIT University Living Wage Calculator provides among other information references to typical annual salaries per occupational area as, for example, the following:

Occupational Area	**Typical Annual Salary**
Management	$148,810
Business & Financial Operations	$89,667
Community & Social Service	$53,331
Protective Service	$42,896

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Occupational Area	Typical Annual Salary
Sales & Related	$39,924
Office & Administrative Support	$48,339
Farming, Fishing, & Forestry	$30,135
Production	$38,212
Transportation & Material Moving	$37,474

5. Labor Peace Agreement

The labor peace agreement is required when the number of employees reaches 20 people.

The Applicant is presently reviewing an option of signing a Labor Peace Agreement, even though the Applicant may only have several employees within the first two years.

TRAINING AND EDUCATION

1. **Following company policies**

   When people join our company, they will have a designated mentor to help them to get familiar with company policies and regulations. Most of other cannabis companies will have similar rules and regulations. Being familiar with the framework already gives any candidate an advantage if they choose to find a job elsewhere in the future.

2. **Learning State and Local regulations**

   State and Local regulations will be incorporated in the company policy. Employees learning and knowing company policies will be well prepared to work in any California licensed cannabis business.

3. **Cultivation Techniques**

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Our lead growers are passionate about growing plants. They grow fruits and vegetables in their own backyards. They help neighbors to restore soil around their properties and grow fresh food. Any employee of the company will undoubtfully learn about growing food, composting, and about beneficial bacteria. They will have a hands-on experience and direct access to our growers for consultation. Our lead growers are on a mission to teach people how to make live soil, turn their backyards into oasis boasting with fresh tomatoes, lettuce, okra, cucumbers, strawberries, apricots, and more. All employees will be welcome to participate in and even later on lead classes and sessions through our "Give to Community" program.

4. Learning Cannabis Related Skills

Through work, our employees will learn about cultivation and all other aspects of cannabis business and will gain basics of harvesting, drying, trimming, canning, and working with cannabis specific equipment.

5. Continuing Education

The company will offer employees professional classes, such as Pesticide Training, Compliance, attending seminars (Elaine Ingham seminars, for example), trips to tradeshows and attending seminars there, and will invite guest-speakers.

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SECURITY PLAN

I. GENERAL PROVISIONS

1.

2. Background Check and Interviews

   All the employees and contractors involved in the cannabis operation (not a building contractor or engineering contractors, for example) will go through a LiveScan check. See LABOR AND EMPLOYMENT PRACTICES of the Business Plan section for employment requirements.

3. Employee Badge

   Every employee/contractor involved in the cannabis operation will have to carry an employee badge while on duty. The badges will be made following the most current, at the time of start of the operation, guidelines of the State of California set for cannabis companies.

4. Limited-Access Areas

   Limited-Access areas are rooms where cannabis and cannabis products are stored, or otherwise left unattended, even for short periods of time; security room(s) where security footage is recorded and stored; and room(s) where cash is stored. The limited access rooms are as follows: room 4, 10, 11, 12, 13, 14, and 17.

   The limited access rooms will have clear signs that include all or any relevant combination of the following messages (the actual wording may differ):

   - Do Not Enter.
   - Limited/Restricted Access Area.
   - Authorized Personnel Only.

   Only management and supervising personnel, selected at the discretion of the management, will have keys to the Limited Access Areas.

   Rooms 3,7, and 8 will be Authorized Personnel Only areas. Those areas are treated as Limited Access Areas after hours, but during work hours they will be closed but not locked.

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Violation of access (non-authorized persons accessing authorized personnel only areas) is ground for employment termination without prior notice.

5. Physical Fence

The Applicant is planning to install a 6 ft physical fence along the property line where setbacks are not required (the back adjacent to 23287 Foley St and the side adjacent to 2748 Cavanagh Ct). Additionally, at the front of the property on Cavanagh Ct, where 10 ft setback is required, the Applicant is planning to install a 6 ft fence with a security gate. The proposed physical fence boundary is as on the enclosed drawing (DRAWING 5). The proposed fence will be made of metal bars curved outwards, similar to the below picture:



As proposed on the DRAWING 5, the fence will only surround the parking lot and the front entrance of the property.

The Applicant will explore with the City and option to have this fence at 8 ft high.

6. Lighting

   The outdoor area of the property will be adequately lit during night hours with motion censored lighting. The lighting will most likely be LED, some lighting will be with battery backup. The outdoor lighting will be a part of the building permit. A licensed electrical engineer will prepare the lighting design.

7. Locks

   All the points of entry and exist to the premises and all the limited-access areas must be equipped with commercial grade, non-residential door locks.

8. Keys

   a) Management will have keys to the limited-access areas.

   b) Selected area supervisors will have keys to the limited access areas.

   b) Management and several designated employees will have the keys to the premises, other than limited-access areas.

   c) HPD /HFD shall have a set of keys to access the premises in case of emergency and to all the areas inside the property they see fit.

9. Security Dispatch

   The Applicant intends to hire Johnsons Controls to provide security of the facility. However, regardless of what security company the Applicant hires, there will be a dispatch operator to receive calls and security alerts and to put alerts to HPD.

10. Security Codes

    a) Only the facility manager and the person responsible for the security on the premises will know the actual security codes for the security system.

    b) Every person who holds keys to the premises will have a remote control that unlocks the security system without entering the actual codes. In case of breach, the security code will be changed disabling all the remotes.

    c) HPD and the HFD shall have a remote control disabling the alarm system. There is always an option to call the company's contact person for the PD and FD and get the security codes

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to enter them manually. There will be a password given to HPD and FPD ahead of time so that only the password holder can get the actual codes over the phone from the contact person to enter them manually.

11. Video Surveillance

The Applicant will set up indoor and outdoor video surveillance.

Indoor video surveillance will be as follows:

a) Minimum camera resolution of 1280 x 720 pixels.

b) The surveillance-system storage device or the cameras shall allow access through internet and the HPD will be proved unlimited access to the security feed.

c) Each camera shall be permanently mounted and in a fixed location. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the licensed premises, and allows for the clear and certain identification of any person and activities in all areas as defined below:

i. Areas where cannabis goods are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the premises;

ii. Limited-access areas;

iii. Areas storing the surveillance-system storage device with at least one camera recording the access points to the secured surveillance recording area;

iv. Entrances and exits to the premises, which shall be recorded from both indoor and outdoor vantage points.

d) Cameras shall record continuously 24 hours per day and at a minimum of 15 frames per second (FPS). Surveillance recordings shall be kept for a minimum of 90 days as directed by Bureau of Cannabis Control.

e) The physical media or storage device on which surveillance recordings are stored shall be secured in a manner to protect the recording from tampering or theft.

f) Recorded images shall clearly and accurately display the time and date.

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g) The video surveillance system shall be equipped with a failure notification system that provides notification to the Management of any interruption or failure of the video surveillance system or video surveillance-system storage device.

h) Video surveillance system will be equipped with battery backup.

i) <u>The actual location of the security cameras will be agreed upon with HPD after the property layout is approved and the building permit is granted. The Applicant will supply HPD with the layout of all the security cameras on the premises.</u>

Outdoor video surveillance will have cameras covering the entire territory displayed on DRAWING 6. More specifically:

a) every square inch of the premises within the property line

b) the roof of the building

c) Foley St and Cavanagh Ct in the proximity to the Applicant's premises

d) Partial view of neighbor premises

12. Security Guards

The Applicant will hire a security company. At all times during the operating hours there will be one or more licensed security guards on the premises. At discretion of the management (when there is a high dollar value of goods at the facility) the Applicant will have one or more 24/7 security guards. The company will have both – armed and unarmed security guards. Both armed and unarmed guards may carry other permitted means of protection, such as tasers, batons, or pepper spray.

"Given that security will be contracted through a private security company, will the same security guards be used regularly?"

The Applicant will have a contract with a security company and their representative(s) will be explained, provided with, and field-trained to follow the policies and procedures of the Applicant. It is up to the security company to train their actual guards to follow those policies and procedures in the way they train their security guards. Therefore, it is in everyone's interests to have regular security guards assigned to the facility. The Applicant will have a

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right to decline security guards but will not have the right to select desirable guards, because it is the security provider who manages guards' shifts and schedules.

"Will security guards be given IDs?"

Yes. Security guards are considered contractors and will be given IDs. The security company will have to request IDs for all the security guards they intend to send to the site. Every time they send a new person, they will have to go through the same procedure ahead of time. A new security guard cannot show up at work and ask to issue an ID. Only the authorized security company's representative, known to the Applicant, can request an ID for their employee.

"The Police Department will need to be informed of the private security company used, and which security guards are armed and unarmed."

The Police Department will be informed of the private security company used and which security guards are armed and unarmed.

13. Contact Person

The operators will designate one contact person who will be addressing safety and security issues. His or her contact information will be provided to HPD. The designation of contact person will be discussed and agreed upon with HPD.

14. Access To The Facility

When in operation, only employees, permanent contractors (such as trimmers, security guard, janitors, etc), authorities, business associates, and approved guests may access the property. Non-employees or temporary contractors (such as plumber, installer, electrician, etc) cannot be on the property without supervision.

Entry Security Procedures

1. Entering the secured gated area

1.1. Fence and Entry Points

The Applicant proposes to secure the entrances to the facility by a 6 ft (or if permitted by an 8 ft) fence with a vehicle gate and a wicket. The proposed fenced area is marked on the enclosed drawing. The fence will be encircling only the key areas: the parking lot and

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the front of the property. The proposed fence will be made of vertical metal bars with spiky top ends, curved outwards.

The Applicant's consideration of the security measures includes the following:

a) The facility is located in a cul-de-sac of Cavanagh Ct.

b) Both entry points into the fenced area are also located in the Cavanagh Ct.

c) The entire cul-de-sac area will be monitored by Applicant's security cameras.

d) There are three other properties whose entrances overlook Cavanagh Ct, with **active** businesses in them.

The conclusion of the Applicant is that based on the above considerations it is practically not possible to enter the court in a heavy vehicle at a speed and ram through the fence/gate during business hours (i.e. during hours when security system is not armed). It is also practically not possible to do that action undetected in the off hours (i.e. when security system is armed). Once a vehicle enters Cavanagh Ct in the off hours, the Applicant's security system will notify the dispatch of the vehicle.

The gate will have a security camera looking at a driver and a security camera looking at a license plate. The wicket will have a security camera looking at a person. Each entry will have an intercom – a two-way remote communication system. The gate and the wicket will be monitored, opened, and closed from the inside of the building by a designated security operator.

1.2. Who can enter?

Only pre-registered persons and pre-registered vehicles will be allowed to enter through the entry points. Pre-registered persons include employees, managers, contactors of the company, and visitors permitted for entry. Pre-registered vehicles include only the vehicles declared for entry by pre-registered persons with authority to bring in vehicles.

For example, a grower working on cultivation informs a designated security operator that a vehicle delivering soil will arrive tomorrow between 2 and 4 PM. Such vehicle is not permitted for entry and is not considered pre-registered. Only a supervisor of the cultivation area can place a request for a delivery vehicle.

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1.3. When can enter?

Vehicles: All vehicles permitted for entry will also have an entry time window. There will be no entry outside of the allocated time window. Vehicles for loading and unloading of any products (including non-cannabis) will have a designated loading/unloading window. During loading or unloading of a vehicle with cannabis products no entry/exit of other vehicles is allowed, i.e. the gate may not open. Only one vehicle at a time will be scheduled for loading/unloading. Loading/unloading procedure is enclosed in a separate chapter here below.

Persons: Can enter/exit via wicket during business hours.

2. Entering the facility

2.1. Facility and Entry Points

The facility has 3 entry/exit points. Main door leading to the warehouse area, door to the shipping and receiving area, and a door to the lobby of the office area.

During business hours every door can be open from the inside without a key. At no time a door can be open from the outside without a key, or without a security operator "buzzing" people through, or without a security guard opening the door manually from the inside.

Every door will have a security camera on the outside and a small screen on the inside showing the outside of the door. Therefore, a security guard, for example, can observe on the screen a person coming through the wicket and approaching the entry door. The door can be opened right at the moment the person approaches the entry door and then be closed behind the visitor.

Shipping/Receiving area door will remain open during the loading/unloading processes and will be closed at all other times. Loading and unloading procedure is enclosed here below.

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15. Transactional Security

As cannabis is still a Schedule 1 drug on the federal level, legal within the states cannabis operations are unable to use federal resources, such as banks, credit cards processing, etc.

The majority of legal cannabis delivery businesses and dispensaries are accepting debit cards and cash only in purchase/sale transactions. The merchant companies providing processing terminals to accept debit cards are risking to lose their merchant status due to cooperation with cannabis businesses.

There are several "closed-loop" systems designed to work with cannabis companies, such as PayQwick. However, those system are only useful if the general consumer uses them as well, which is not the case. Additionally, any solution that uses federal resources is in essence an illegal solution, despite of what they advertise to cannabis operators.

Any cannabis operator must consider secured cash transactions at every level. Cash, stored in the facility, will be stored in an armored, coded, safe, bolted to the floor and/or a wall. Delivery drivers will have lock boxes in their cars for storing cash, while all other security measures apply to keep drivers and their cargo safe and secure (described in more detail below). Transactions involving high amounts of money will require secure transport by licensed security guards in the vehicle, and possibly by licensed security guards with an open carry permit accompanying the transported cash in a separate vehicle(s).

II. SECURITY SETUP

1. Considerations

Cannabis businesses are a coveted target for robbers and burglars. This is because cannabis flower and cannabis derivatives are high valued items stored in the same location. Plus, the federal regulations also force legal cannabis businesses to operate in cash. Therefore, a single cannabis business is likely to have the products and the cash stored on the premises, which makes it a highly desired target for criminals.

To make one's operation safe and secure doesn't mean to make the property impenetrable. It means that the property has to be harder to get into and the operation has to have less of

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the valuables than other operations. In other words, when running from a wolf, one doesn't have to run faster than the wolf, he just has to outrun the other person.

a) Legality of any cannabis operation makes it a lesser target.

Bay Area has many legal and illegal cannabis operations.

Our business is a legal cannabis operation that will work closely with the police. Illegal businesses do not have that luxury and therefore any successful robbery or burglary of such business remains unreported and carries no consequences for criminals. Just this fact alone already elevates any permitted business into a category of less desirable targets.

b) Reducing the value of goods on hand makes it a lesser target.

Bay Area and specifically the City of Oakland has many large indoor cultivation cannabis facilities. Our facility's flowering space has less than 5000 sq ft gross area. Subtracting hallways, isles, and separating walls the actual canopy size will be less than 4000 sq ft. Comparing to the most of the legal businesses in the Bay Area the potential value of the product stored on our premises is significantly less than the value of the product stored at much larger grow operations.

The way to even further reduce the amount of high valued items on the premises at any single time is to stagger the flowering process. With 2 flowering rooms in place, our operation will only have 1/2 of the possible flower supply ready at any single time. The product has a shelf life and therefore it will be sold and quickly shipped out when ready.

2. Outdoor Security Setup

The main objective of a cannabis operator is not to catch criminals in action but to deter them from even attempting a robbery or a burglary. However, if criminals make such an attempt, we have to put multiple levels of defense in place that motivate those criminals to abandon their intentions and to give enough time for the police to dispatch a team. Detecting break-ins BEFORE they occur is the main objective of the OUTDOOR SECURITY SETUP. The police upon request will get the exact locations of all the security sensors.

a) Electronic fence around the property

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Our defense plan includes having an invisible electronic fence outside of the facility along every line where an entry into the building or, where applicable, onto the property is possible. The electronic fence will be set up along the sides of the building and the roof. Also, there will be an outdoor scanner monitoring crossing of the most sensitive property lines. Such an invisible electronic fence doesn't interfere with aesthetics of the surrounding area and is in tune with all the applicable city codes.

When the invisible fence is triggered, an alarm will transmit the signal to the list of specified parties, such as the alarm company, police, and/or management of the cannabis operation. The electronic fence runs on accumulated replaceable battery power good for 2 years.

b) Physical fence surrounding the parking lot

The Applicant plans to install a 6-6.5 ft fence as was discussed above and as it is outlined in the Attachment 1

c) Outdoor security cameras

Outdoor security cameras will cover the premises in such fashion that when a fence alarm is triggered, the monitoring personnel can immediately see what triggered the alarm. Since during the business hours the alarm is will likely be off, the outdoor perimeter will constantly be monitored by all the employees and the management of the cannabis operation. This will be done through the monitors placed in the common areas of the facility, such as either a hallway or a breakroom or both, which will transmit feeds of the outdoor security cameras.

d) Outdoor sirens and speakers

The buildings will be equipped with:

- an outdoor siren system, which can be manually turned on/off by an operator.
- a loud speaker system which will allow an operator to talk to the intruders.

This type of external security setup has been used successfully by jewelry stores that carry lots of high-ticket items and, in recent years, by some car dealerships and by some local banks. Most notably, a private security company, CrimeTek, offers outdoor sirens and speakers as a part of their security solution.

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Criminals, who plan a break-in, want to do it quietly. Sirens, loudly going on, attract attention of the entire neighborhood. Talking to criminals through a megaphone, describing their appearance and what they are wearing, telling them that the police is on the way, makes most of them run away.

When one or more sensors are triggered outdoor, a silent alarm will alert all the parties on the alarm list, such as the monitoring company, the police, and/or the management of the operation. All parties will have a real-time access to the security feed.

The logistics of the ACTUAL desired response – whether to power sirens and/or loudspeakers - will be discussed and agreed upon ahead of time with the police and other parties on the alarm list.

3. Indoor Security Setup

The purpose of the indoor security setup is to pinpoint the location of perpetrators and to slow them down while giving time to the police to arrive and take action. If the indoor security ever gets triggered it means that criminals disregarded outdoor security alarms and sirens and despite being detected they are moving ahead with the breach. This is where antitheft doors, locks, and safes should provide sufficient barrier for criminals to allow police to arrive. Indoor security setup can run without electricity for minimum of 2 hours and some devices will run longer on their own batteries. Any electricity failure will generate an alert to the management and the police and therefore it will not be possible to turn off the power and wait for 2 hours for the alarm system to partially run out.

a) Glass-break sensors

Every window will be equipped with a glass-break sensor.

b) Door-open sensors

Every door and any other possible point of entry that can open and close will be equipped with a door-open sensor.

c) Motion detectors

All the hallways and walkways will be monitored by motion detectors.

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d) Panic buttons

i. Installed panic buttons.

There will be several panic buttons installed in places where they cannot be accidentally pressed but at the same time where they can be undetectably pressed at the time of need.

ii. Carry around panic buttons.

Some people will be entrusted panic buttons to carry around. If none of the installed buttons are accessible at the time of need, there is a chance that at least one of the carry-around buttons could be accessible to activate undetectably.

j) Limited-Access Rooms

Products will be stored in designated limited-access rooms. Security server and NVR/DVR and footage will be stored in a security room.

Access to the limited-access rooms is permitted only to at least two people. No single entry is permitted.

Limited-access rooms will either meet or supersede the security measures required by the State of California, such as commercial locks, keys, security cameras, etc.

k) Track-and-Trace system

The Company will be using a track-and trace system, such as Franwell's METRC system or other approved systems, as directed by the State of California. The system is used to track the plants "from seed-to-sale". Maintaining proper records is a part of security setup. All the employees and contractors will be trained to use the track-and-trace system.

The Applicant will record in the track-and-trace system all commercial cannabis activity, including:

- Packaging of cannabis goods.
- Sale and transfer of cannabis goods.
- Transportation of cannabis goods to another licensee.
- Receipt of cannabis goods.
- Return of cannabis goods.
- Destruction and disposal of cannabis goods.

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- Laboratory testing and results.
- Any other activity as required by the State of California.

For each activity entered in the track-and-trace system the following **information** will be **recorded**:

(1) Name and type of the cannabis goods.

(2) Unique identifier of the cannabis goods.

(3) Amount of the cannabis goods, by weight or count, and total sale price of the cannabis goods, as applicable.

(4) Date and time of the activity or transaction.

(5) Name and license number of other licensees involved in the activity or transaction.

In addition to the components to record for each activity, there is a specific information required to record per type of license.

4. Distribution Operation Security

a) Track-and-Trace records

When the cannabis goods are being transported within the scope of **the distribution component of the license** of the Applicant, then:

(A) The Applicant will generate through the track and trace system a shipping manifest, that includes the required items (1) through (5) as per above, as well as:

(i) The name, license number, and premises address of the originating licensee (which is not necessarily the Applicant).

(ii) The name, license number, and licensed premises address of the Applicant as the transporter of the cannabis goods.

(iii) The name, license number, and licensed premises address of the destination licensee (which is not necessarily the Applicant) receiving the cannabis goods into inventory or storage.

(iv) The date and time of departure from the licensed premises (either the Applicant's premises or another licensee) and approximate date and time of departure from each subsequent licensed premises, if any.

(v) Arrival date and estimated time of arrival at each licensed premises.

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(vi) Driver license number of the personnel transporting the cannabis goods, and the make, model, and license plate number of the vehicle used for transport.

(B) Upon pick-up or receipt of cannabis goods for transport, storage, or inventory, the Applicant will ensure that the cannabis goods received are as described in the shipping manifest, and will record acceptance and acknowledgment of the cannabis goods in the track-and-trace system.

(C) If there are any discrepancies between the type or quantity specified in the shipping manifest and the type or quantity received by the Applicant, the Applicant will record and document the discrepancy in the track-and-trace system and in any relevant business record.

b) Moving product from one licensed location to another.

The applicant will retain licensed security guards as employees who will physically move product from one licensee to another in accordance with the rules and regulations mandated by the State of California (vehicle requirements, locked in the box, not visible from the outside, no stops overnight, not leaving the product unattended, vehicle alarm, GPS, record keeping, shortage reporting, inconsistency in product, and so on).

5. Delivery Operation Security

a) Vehicles

- The vehicles used for delivery to the retail customers will all be enclosed vehicles (no convertibles, no open top trucks). The vehicles to be selected for the delivery operations are likely to be hybrids (like Prius) which will be long-term leased by the Applicant.
- Overnight or when not in use the vehicles will be on the Applicant's secured and gated parking lot.
- The vehicles will have no signs identifying them as cannabis delivery vehicles.
- Each vehicle will have a dedicated Global Positioning System (GPS) device owned by the Applicant and used for delivery only. The device will be either permanently or temporarily affixed to the delivery vehicle and will remain active and inside of the delivery vehicle at all times during delivery. At all times, the Applicant's dispatch shall

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be able to identify the geographic location of all delivery vehicles that are making deliveries for the Applicant.

- The business will use "ONFLEET" software to dispatch drivers to their destination. The software is accessible to drivers with a company issued mobile device. ONFLEET has a built in GPS mapping technology.
- Each vehicle will be equipped with an alarm system, proper functioning locks, a dash cam, and a panic button.
- **Employees will not receive new orders while in the process of conducting deliveries and therefore, there will be no order receiving/processing devices or software in the vehicles.**
- The record for each vehicle will be maintained and stored by the Applicant. The information shall include the vehicle's make, model, color, Vehicle Identification Number, license plate number, and Department of Motor Vehicles registration information, will be maintained and stored by the Applicant.
- **Each vehicle will be equipped with a box, container, or cage that is secured on the inside of the vehicle, or inside the trunk to carry cannabis goods during deliveries.**

b) Drivers

- All the drivers will have to pass a LiveScan process.
- Only the employees of the Applicant performing the delivery will be in the vehicle at the time of delivery.
- Any consumption of cannabis products during deliveries is prohibited and is grounds for termination.
- A delivery employee of the business shall, during deliveries, carry copies of both the Bureau of Cannabis Control issued license and the Hayward City License (or however the City refers to its license or permit), the employee's government-issued identification, and an identification badge issued by the business.

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- In case of potential robbery drivers are instructed to comply with the robbers and immediately call the police thereafter. The drivers must notify the dispatch/Applicant immediately after the police is notified.

c) Product

- **The cannabis goods transported will not visible to the public. They will be locked in a box, container, or cage that is secured on the inside of the vehicle – either in the salon or in the trunk.**
- The value of the cannabis goods in the delivery vehicle at any time should not exceed the value limit set by the law. The Applicant adopts the maximum limit of $3,000 per vehicle recommended by the Hayward Police department. The value of cannabis goods is determined using the current retail price of the products.
- Before leaving the licensed premises, the business' delivery driver shall have a delivery inventory ledger of all cannabis goods provided to the business' delivery driver. For each cannabis goods item, the delivery inventory ledger shall include the type of good, the brand, the retail value, the track and trace identifier, and the weight, volume or other accurate measure of the cannabis good. After each customer delivery, the delivery inventory ledger shall be updated to reflect the current inventory in possession of the business' delivery driver. The business' delivery driver shall maintain a log that includes all stops from the time the business' delivery driver leaves the licensed premises to the time that the business' delivery driver returns to the licensed premises, and the reason for each stop. The log shall be turned in to the business when the delivery driver returns to the licensed premises. The business shall maintain the log as a commercial cannabis activity record as required by the Bureau of Cannabis Control.

  Immediately upon request by the Bureau or any law enforcement officer, the business' delivery driver shall provide: (1) All delivery inventory ledgers from the time the business' delivery driver left the licensed premises up to the time of the request; (2) All delivery request receipts for cannabis goods carried by the driver, in the delivery vehicle, or any deliveries that have already been made to customers;

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and (3) The log of all stops from the time the business' delivery driver left the licensed premises up to the time of the request.

d) Order Processing and Delivery

There are several ways for a customer to place an order:

- Over the phone – calling a dedicated phone line to place orders
- By text – texting the order to a dedicated phone line
- Via Applicant's website
- Via a 3rd party website (like weedmaps)

A team of employees (the operations team) processes orders received from all the platforms and manually enters them into the Applicant's Point Of Sale (POS) system, likely MJ Freeway. In the POS system the ordering customer must have an **established and verified account**. The business shall only deliver cannabis goods to a physical address in California.

How do we establish and verify customer's accounts?

<u>New Account:</u>

ALL THE CUSTOMER ACCOUNTS IN THE POS SYSTEMS ARE ENTERED IN AND VERIFIED MANUALLY when created.

- When orders arrive via the phone or text, or through a 3rd party, then a processing employee enters all the available data from the order and contacts the customer to complete account setup – add data and verify.
- When orders arrive via Applicant's website, the customer's data will be fully populated. The Applicant's processing employee will get in touch with the customer to complete the verification.

The Applicant's processing employee contacts new customers with a request to provide a copy (a picture) of their ID either via email or by a text message to the dedicated phone line. At this point the Applicant's employee is to verify that the person placing the order is 21 or older. The ID image is stored in the Applicant's system on an air-gapped computer. If the delivery address on the order differs from the address on the ID, the customer is asked to provide an address verification

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– a copy of an additional document, such as a utility bill, that ties the customer to the requested delivery address. This document is also stored in the system along with the ID.

This concludes verification process for new customers/accounts.

Verification at Delivery: Prior to handing cannabis goods to the customer, a delivery driver checks the physical ID of the recipient. The driver shall verify the age of the person as is on the ID and only hand the goods if the ID matches the one on the record. Transaction process is not video recorded.

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SAFETY PLAN

I. FIRE SAFETY

1. Sprinklers

The facility will be equipped with fire sprinklers. Once the final architectural plans are confirmed, a licensed contractor, SAI Fire Supply (formerly based in Hayward, presently in San Leandro) or another similar, will plan the installation of the sprinklers at the facility.

2. Alarm

A professional fire alarm company, Tyco Integrated Security (Hayward branch), is preparing a proposal for the Applicant for the fire/smoke alarm installation. Either Tyco or other similar company will plan and install the fire/smoke alarm.

The Applicant will also install a smart gas alarm sensor (Detects LPG (Liquid Propane Gas), LNG (Liquid Natural Gas), and CO (carbon monoxide)).

3. Fire Extinguishers

Tyco Integrated Security is making a recommendation for the Applicant pertaining the location of portable fire extinguishers, including height, and the spacing of those from each other provided the facility is fire sprinkled.

4. Emergency Lighting

Every room in the facility will have one or more battery equipped emergency lights. Also, Tyco Integrated Security is preparing a recommendation for marking exits with emergency lighting.

II. EMPLOYEE SAFETY

1. Employee Training

   Every employee and contractor that is going to work at the facility has to be trained before starting any work for the Applicant and retrained/examined annually to refresh their understanding and recollection of the safety procedures. For example, policies applicable to

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ALL the employees and contractors include no consumption of product on site. The training will include among other things, for example, the response procedure for the internal alarm, evacuation, assembly points in case of emergency, location and content of emergency medical supply kit and emergency response equipment. The employees will be explained incident reporting procedures.

2. Job Related Training

   The Applicant's business has four main components – cultivation, manufacturing, distribution, and non-storefront retail (delivery). Every employee or contractor will be engaged in one or more components of the business. Safety training will focus on applicable to the employee/contractor's jobs safety regulations. For example, delivery drivers will have to know and abide by different rules than people engaged in cultivation. Delivery drivers, for example, will have to know response procedures in case of emergency at the time of delivery, while cultivators should know how to use personal protective equipment and handle use and storage of dry and liquid non-organic fertilizers, acids, and bases (if those are present at the facility).

3. Following policies and procedures

   It is the Applicant's priority to run a business compliant with the state and local regulations. The Applicant will provide a series of training sessions for employees/contractors explaining the logistics of their job, recordkeeping, reporting, storage of products, and more. The employees will be explained what is made safer by following specific procedures and who – the employee him or herself, customers, consumers, or other - can be affected by neglect to follow those procedures. The administrative consequences of not following the safety procedures will also be made known.

4. Handling equipment

   The facility will have various equipment such as lights, fans, air filters, air conditioners, gas heaters, washing machine, dryer, lift, various safety sensors, and others. All of the equipment will have to be maintained in good working condition, periodically inspected, and if necessary fixed within the shortest time. There will be a person responsible for

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each specific group of equipment, who is either an employee or a third-party contractor. For example, ducts should either be cleaned or replaced, filters should be replaced, dryer vent should be cleaned, etc. Some of the equipment can only be handled and adjusted by specifically trained, designated people and therefore it should be made known to the employees/contractors that such equipment is out of bounds.

Other equipment, for example, sprayers, should only be used when using protective gear (masks, gloves).

5. Hazardous material handling and safety procedures

A businesss must complete a Hazardous Materials Business Plan (HMBP) for the safe storage and use of chemicals if it stores/handles hazardous material equal to or greater than the minimum reportable quantities which are:

- 55 gallons of a hazardous liquid
- 200 standard cubic feet of a compressed gas, including oxygen
- 500 pounds of a hazardous solid

In the near 12-24 months and long thereafter the Applicant does not intend to store anything near such amounts. That is because the Applicant doesn't use any solvents for manufacturing, and the amounts of fertilizer stored at the facility will be low, as it is a predominantly organic grow. Some materials that considered hazardous may enter the facility as supplements, though they will never reach amounts at which HMBP is required. Nevertheless, the Applicant intends to take the following steps related to Hazardous Materials:

- Maintain Safety Data Sheets (SDS) for all hazardous materials stored at the site
- Keep spill clean-up materials readily available.
- Store flammable materials in an approved "flammables" storage cabinet OR "flammables" safety can.
- Safety cans and drums containing flammable liquids should be grounded and bonded when being used.
- Containers of chemicals are stored below eye level.
- Large bottles and containers are stored on shelves no higher than 5' from the floor.

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- Secondary containment provided for bulk liquid and hazardous waste storage.
- Segregate acids from bases.
- Segregate acids from flammable and combustible materials.
- Conduct quarterly self-inspections of all hazardous materials storage areas and maintain written records of the inspections.
- Ensure all containers of hazardous materials are labeled with:
    - the name of the material; and
    - the appropriate hazard warning
- Ensure labels on hazardous materials containers are legible.
- Ensure containers of hazardous materials are stored in a manner to prevent tipping over and/or inadvertent spills.
- Maintain a spill kit on site.

6. Delivery Driver Training

   Before any of the delivery drivers begin their employment, they will have to go through instructions to operate and/or maintain in a turned-on or ready state the equipment installed in their cars, such as panic button, dash cam, and GPS. The employees will go through drills playing scenarios of various situations that may take place, such as an employee wants to take a bathroom break, to stop for fuel or food, gets in an accident or becomes a witness to an accident, gets stopped or ambushed by criminals when in or out of the car, and more. The employees will be taught to stay in communication with the dispatch and follow their instructions or go back to the base if communication is lost.

7. Emergency Training

   a) Continuous Monitoring of Outdoor Security Cameras

   The security in the facility after hours is such that it is highly unlikely for any criminals to have a successful robbery. The HPD is just within minutes' drive from the facility plus the alarm company sends a patrol car when an alarm is triggered. Even if early detection of criminals did not persuade them to leave, they will not have sufficient time to actually rob the place. During the business hours, however, the proximity sensors and alarms are disabled. There will be a live feed transmitted from outdoor security cameras which will

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be displayed either on screens in the break room or in the hall or both. All the employees and contractors will be trained to always look at the camera feed to assess if anything out of ordinary is brewing around.

b) Fire training/drills

While the facility is going to be equipped with fire sprinklers, the people will have to know what actions to take when alarm goes off in case of smoke or fire, including evacuation plan. There will be a training session for new employees and annual fire drills for everyone.

c) Other emergencies

Other emergencies include earthquake, armed robbery during work hours, or other. It is not possible to predict an unknown/unexpected emergency situation; however, the company will offer guidelines of handling all non-listed emergencies including evacuation procedures.

III. PRODUCT SAFETY

1. Track-and-Trace system training

Every employee will be trained to use track-and-trace system (either METRC or other) required by the State of California to track plants seed-to-sale.

2. Lab Testing

The Applicant, as a distributor, is responsible for arranging for lab testing. A designated lab employee has to visit the premises and independently select samples for the batch testing (must be video recorded), sign the chain of custody, and report on results when completed. The distributor is responsible for arranging destruction of the product if product has failed the testing beyond repair (rules and conditions are provided by the state of California). If passed, the distributor is to arrange packing of the product based on the certificate of analysis showing %% of THC and CBD. If the product is subject to repair, the distributor is to arrange delivery of the product to a manufacturer for extraction.

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Distributor is to maintain all the records related to the lab testing including the sample selection video footage which should be kept for 90 days.

3. Labelling

The label on the cannabis goods is to be consistent with the certificate of analysis regarding cannabinoid content and contaminants required to be listed by law.

As the labeling regulations are still changing, the Applicant can commit to follow the regulations and conform to the labelling requirements applicable at the time of packaging. The product packaging label is to include all the applicable warnings.

a) Wholesale.

Every batch of manufactured products or flowers shall be labeled with track-and-trace system (possibly METRC) generated labels. The system would typically store the information about the manufacturer/cultivator, the date of entry, product description, weight/quantity of product in the batch, and expiration date if exists.

b) Retail

The products intended for sale in retail requires state and local packaging and labelling compliance.

The requirements for packaging and labelling differ for every type of product and may have variations in local jurisdictions. Our company has defined a process of approval for both – the packaging and the labelling - for every product intended for retail.

Packaging and labelling approval process includes the following:

For each product the compliance team will learn the current packaging and labelling requirements as directed by the state and by local jurisdiction in Hayward and surrounding jurisdictions. Every dispensary we sell to, if not located in Hayward, will provide us with the list of local requirements to packaging and labelling. Based on the data collected, our compliance team will propose packaging options and compliant label content to the board of directors.

The board will review, ask questions, and select the packaging and approve the labels.

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The compliance team will monitor packaging and labelling guidelines and will alert the board when they change. The compliance team must then propose modifications.

4. Destruction and Disposal of Cannabis Goods
   a) Cannabis waste such as pruned at the facility green leaves and remainders (old leaves and stems) of the harvested plants will be processed at the facility and used for compost.
   b) The batches of product received by the Applicant as a distributor and which did not pass testing and cannot be remediated via manufacturing, will be destroyed and disposed of through a 3rd-party cannabis waste hauling company.
   c) In order to be disposed of as cannabis waste, cannabis goods must first be destroyed, which at a minimum, includes removing the cannabis goods from any packaging and rendering it unrecognizable and unusable.

IV. INSURANCE

a) General Liability Insurance

The Applicant will obtain a commercial general liability insurance in the aggregate in an amount no less than $2,000,000 and in an amount no less than $1,000,000 for each loss. The accepted insurance carriers will be selected based on criteria outlined by the State of California.

b) Vehicle Insurance

All the vehicles transporting cannabis must have a proof of insurance. The Applicant will maintain records with the year, make, model, license plate number, VIN and a copy of proof of insurance for each vehicle used for distribution and/or delivery operations (i.e. transporting cannabis goods).

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ATTACHMENT 1

Physical Fence

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Environmental Compliance Program

Including:

NEIGHBORHOOD IMPACT PLAN

ODOR CONTROL PLAN

SUSTAINABILITY PLAN



Reviewed and approved by:

Michael A. Polkabla, CIH, REA
Senior Certified Industrial Hygienist, Principal
BioMax Environmental, Inc.

1-31-2020
Date

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ENVIRONMENTAL COMPLIANCE PROGRAM

I. NEIGBORGOOD IMPACT PLAN

1. Foot and Vehicle Traffic

The subject property operated by American Holdings Company (AHCO) is located in an industrial area of Hayward and the vehicle traffic anticipated from the use of the property is consistent with the overall neighborhood traffic. In terms of foot traffic, the AHCO doesn't foresee any increase in such as the facility will not be open to the general public. The vehicle traffic will minimally increase compared to the current traffic, as the subject property is presently vacant. Compared to other businesses in the area of the similar size, the vehicle traffic coming to and from the AHCO facility will be considered average to the area.

Presently, adjacent properties have a continuous flow of delivery/pickup trucks. Specifically, the property at 2748 Cavanagh Ct, H2O Precision has large trucks coming to and from the site on a daily basis. The property at 23188 Foley St, Oven Fresh Bakery, has trucks with trailers and reefer boxes coming in and out on a regular daily basis. Each of those businesses has other vehicle traffic including employees vehicles coming to and from the noted work places. Once the AHCO starts operating, just like in other businesses, the employees and contractors will be coming to and from work in their private cars and/or will be dropped off as carpools. There will be product deliveries and pickups at the facility, which will primarily consist of small delivery cars and vans. Therefore, it is anticipated that overall vehicle traffic will be consistent with the current neighborhood traffic in general.

2. Nuisance and Noise

The AHCO business operation by design doesn't create any increased noticeable noise. All the work done at AHCO will take place inside the building structure other than loading and

unloading of supplies and materials. Specifically, there will be no heavy trucks coming to the facility and no heavy machinery will be operated on the premises.

The maximum noise from the facility is from the air conditioner units which are located on the building rooftop and away from the property line. The overall increase in noise level is, therefore, believed to be minimal and non-invasive.

3. Consumption of Resources

The AHCO facility will total 11,000 sq ft in space and will be divided for use between the four components of the cannabis microbusiness, where the cultivation component will consist of less than 4,000 sq ft of canopy growing space. The primary focus of the AHCO facility and business will consist of distribution and delivery wherein the total overall cultivation portion of the business will be minimal as compared to, for example, exclusive cannabis cultivation facilities.

II. ODOR CONTROL PLAN

The AHCO Odor Control Plan will be implemented according to the mechanical drawings drafted by a licensed mechanical engineer which will be a part of the building permit application as separately submitted for approval. In accordance with the City requirements, the application can only be filed with the building department after the Odor Control Plan is approved. Therefore, below are the main principals and operating procedures related to odor control. However, the final details of the Odor Control Plan as it relates to actual site setup and equipment orientation will only be available after the building department reviews AHCO's engineering drawings and makes any comments and/or revisions. Therefore, the final Odor Control Plan site setup and layout will be affected by, and dependent on, the building permit as approved.

The following are the proposed guidelines for the odor control at AHCO's facility.

1. Engineering Design/Setup

a) The facility as a whole, will have designated exhaust outlet areas designed to force air to the outside of the building. These outlets will either be equipped with carbon filters (cleaning air from low odor rooms) or with commercial UV-light odor eliminators, such as Pure Leaf, Big Blue, etc., that is designed to clean 99.9% of odors and is routinely used for odor control within high odor areas in cannabis and other similar industries.

b) Controlled and filtered forced exhaust systems such as these creates negative pressure in the facility as a whole. This significantly minimizes and/or eliminates seeping of odor-containing gasses and vapors to the outside of the facility through open doors, windows, as well as structural cracks, seams, and joints. Such negative interior pressure will thereby establish a gradient pressure differential whereby outside will always flow towards the inside of the building.

c) The AHCO's unique cultivation processes and equipment uses **NO Carbon Dioxide (CO_2) enrichment processes** within our commercial space. It is important to outline pros and cons of such setup, as related to the odor management. The con of NOT using CO_2 is potentially

lower growing rates and yield. The benefits (pros) of such systems and processes include, among others, efficient and simple odor control system.

As previously stated, the AHCO's facility processes will utilize growing areas which are under negative pressure as stated above in paragraph b).

Other companies who use CO_2 have to create systems that keeps CO_2 inside the room for as long as possible and when they exhaust air, they do so in very small quantities which does not permit maintaining adequate negative pressure and which thereby, leads to uncontrolled odor releases. Other competitor companies and facilities are known to bring air from the outside/outdoor into the cultivation room, thereby, causing positive pressure in the room and resultant fugitive odor emissions. Such competing methods (not performed by AHCO) cause odor to seep to the outside through building penetrations, unless the design of their facility is complex and provides for capturing odor on the outside of the grow area. These are the reasons why processes which do not employ CO_2 enrichment (such as performed by AHCO) generally emit lower levels of odors as part of the processes.

d) In addition, a number of cultivators elect to create positive pressure in their rooms, trying to prevent outside bacterial and fungal spores come into their grow rooms. Such approach is mainly used by hydroponic growers who have to eliminate all the bacteria – good and bad - in their grow rooms. Positive pressure pushes odor to the outside trough penetrations in the building envelope causing odor releases. AHCO has solved the issue of fungal/bacterial invasion by using live organic soils as a grow medium. Live soils such as these, contains beneficial bacterial and fungal spores that naturally fight harmful microbial organisms coming from the outside.

e) TO SUMMARIZE: In the cultivation area, which is understood to be the primary contributor to emitting odors, AHCO has implemented what is called in the industry, an "open room" environment. With no CO2 supplementation, each grow room has exhaust systems that expels air through designated outlets – known as centralized points of air expulsion. Those points are equipped with carbon filters and/or use a more advanced blue light odor management system (such as "Big Blue", for example). Such systems minimize the

potential for odor to escape to the outside without first going through a cleaning and/or treatment process through a centralized point of expulsion.

f) Hence, every room where cannabis **is being processed or stored** will have either a carbon filter exhaust system or a carbon air scrubber. The air scrubber is a carbon filter and a fan attached which collects air within the room and runs it through the carbon filter which adsorbs volatile organic compounds and gasses and expels clean air back into the room. These filter and fan systems will be labeled with the room size capacity for reference purposes. For example, a room that has 980 cu ft of air would be served well with a scrubber where both the fan and the filter are marked for 1100 cu ft rooms. If an exhaust system is used, it will be built similar to those used in the grow room with high odor.

2. Monitoring Effectiveness

Odor control is a known issue in many industries (including cannabis) where eliminating and/or controlling odor emissions is a regular challenge and procedure. In all such industries, the first measure of the odor control monitoring is the “sniff test”. If there is no detectible smell within close range of the facility, the assumption is that all the equipment is working properly. If there is a detectible smell coming from indoor cannabis facility it evidences that some equipment is in need of improvement/adjusting, and/or is either failing or out of order.

The second measure to control odor is through neighborhood complaints. The AHCO business and Odor Control Plan includes provisions to meet with and explain to neighbors that a smell is an indicator of equipment malfunction and if they detect/smell odors then they are encouraged to report such conditions to AHCO so such conditions may be addressed. See below section 4. Handling Complaints.

3. Maintenance

Carbon filters have their lifespan which depends on the size of the filter, the concentration of Volatile Organic Compounds (VOCs) creating such odors, and on the frequency and conditions under which the filter is working in. AHCO’s designated ventilation contactor will be required to inspect carbon filters and ducts annually and/or when the lifespan of the filter/duct nears

completion. The Big Blue equipment systems will be inspected as per manufacturer's instructions and/or as needed based on function and odor emissions.

If a neighbor complaint has been made or an on-site "sniff test" detects a smell outside the facility, AHCO will immediately perform a documented investigation of the exhaust system and ventilation controls and will mitigate and/or replace any failing and/or equipment determined to be our-or-order, as necessary. If deemed necessary, during the investigation, AHCO may add a carbon scrubber to the identified odor source area in the event that the area has been determined to be insufficiently filtered by the carbon filters that are the part of the exhaust system.

4. Handling Complaints

The neighboring businesses adjacent to the subject property will be provided with a contact number to report smell, suspicious activity, or other business-related complaints. AHCO will promptly review and address the complaint as necessary and will contact the complainant if additional details are needed to investigate. All complaint issues will be addressed as soon as possible within the reasonable time frame depending on the nature of the report and facts associated with such odor complaints.

III. SUSTAINABILITY PLAN

AHCO has determined that the cost of production of 1 lb of dry flower demonstrates sustainability of a grow operation. There are other contributing factors that have to be taken into account when comparing the cost of production of similarly sized facilities. Those factors include the types and strains that are produced and the quality of the resulting product.

The cost of production is highly dependent of electricity and water usage, as those are the main contributors to the cost of production. To analyze sustainability of a cultivation and grow operation, quantified measurements and metrics have to be taken and logged into the overall system for evaluation.

AHCO has elected to use its specific growing and cultivation method which are know for their simplicity and efficiency. AHCO has concluded that its production cost per lb of product is among the lowest in the industry.

1. Water Management

The main water savings possible to achieve at a cannabis business facility where the business is engaged in cultivation, lays with water management systems within the site operations. Office-related water management will be presented within design plans as submitted by a licensed plumbing engineer and a licensed architect made in accordance with the current building codes. The office water management will be approved by the City of Hayward during the building permit application. <u>The office-related water management systems, therefore, will not be reviewed here.</u>

a) Water Consumption for Cultivation

AHCO anticipates that its grow and cultivation systems consume between 10,650 and 11,000 gallons/month.

Please refer to the AHCO's Grow Room Layout as attached to this plan (DRAWING 1 and DRAWING 2). According to the planned layout, there will be 120 lights in the flower room 1 (number 7 on the marked architectural drawings) and 127 lights in the flower room 2 (number 8 on the marked architectural drawings). Each light is

serving two plant containers (trays) with total number of trays in both rooms at 494. The plants are watered every third day with 2 gal of water per tray, totaling in 494 trays x 2 gal = 988 gal/every third day. Therefore, on average the consumption of the entire flowering setup of the grow per day is 988 gal / 3 days = 329.33 gal/day.

For the vegetation room (non-flowering plants, number 3 on the marked architectural drawings) the water consumption is approximately 60 gal every third day and therefore, on average, it is 20 gal/day.

For the entire cultivation system, the average water consumption per day is approximately 329.33+20=349.33 gal/day, which is 365 days/year x 349.33 gal/day = 127,505.45 gal/year, which is approximately 10,625.45 gal/month. AHCO has 247 lights in the flower rooms, which makes water consumption per light per month of **only 43 gal/month/light**.

b) Conservation of Cultivation-Related Water

AHCO adopts a highly efficient method of growing. It is efficient in use of water and electricity. Below are the main reasons AHCO's water consumption is lower than of other comparable cannabis facilities while achieving the same outcome.

i. **Water used for cultivation will not be filtered.** Most of the competing cultivation facilities and especially those using hydroponic growing methods utilize filtration, and specifically reverse osmosis (RO) filtration, in their irrigation system. Making 1 gallon of RO water generates 4 gallons of backwash. By contrast, AHCO's direct use of tap (non-filtered) water directly from the faucet is the most efficient in terms of water conservation.

ii. Custom Self-Watering Grow Tubs.

AHCO uses double-bottom tubs to implement self-wicking watering (a.k.a. sub-irrigation). All the runoff from watering is collected in the double-bottom area and is gradually used by plants when the upper soil dries. Drying soil literally wicks water accumulated in the double bottom of the grow tray and water travels up to the plant's roots. Therefore, AHCO has **no waste water (or runoff)** as a result of watering plants.

iii. No wastewater/runoff means that no recapturing of runoff is needed, no filtration, no extra testing of the filtered water, and no cumbersome systems to take care of the issue of handling the runoff. This also provides electricity savings as the recapturing and filtration system is powered by electricity.

iv. Watering of plants only takes place once every three days. Since runoff is simply collected in the double bottom of the self-wicking grow tray, this system and equipment provides continuous source of food and water to the plants until fully consumed. 2 gallons of feeding solution per tray is enough to sustain mature flowering plants for 3 days.

v. The plants are handwatered and the self-wicking trays are constructed in the way that the double bottom capacity is 2 gallons. When 2 gallons of water are poured, the double bottom compartment does not permit more water in.

vi. Pruning the plants.

Regular pruning at the stages when it is not detrimental to the plants, reduces transpiration and therefore water consumption.

vii. AHCO performs and/or utilizes No CO_2 enrichment processes.

By contrast, CO_2 supplementation requires higher temperature of the environment for plants to utilize CO_2. Higher temperature promotes perspiration in plants which increases water consumption.

c) Alternative Water Supply

Under normal conditions AHCO's administrative and cultivation processes will use municipal (city) supplied water.

i. Rain Water. If permitted by the City of Hayward, the Applicant will supplement such systems with rainwater barrels on the property to capture rainwater upon city approval. Under such approvals, the rainwater can be used for landscape irrigation, use in restrooms, and other utility purposes.

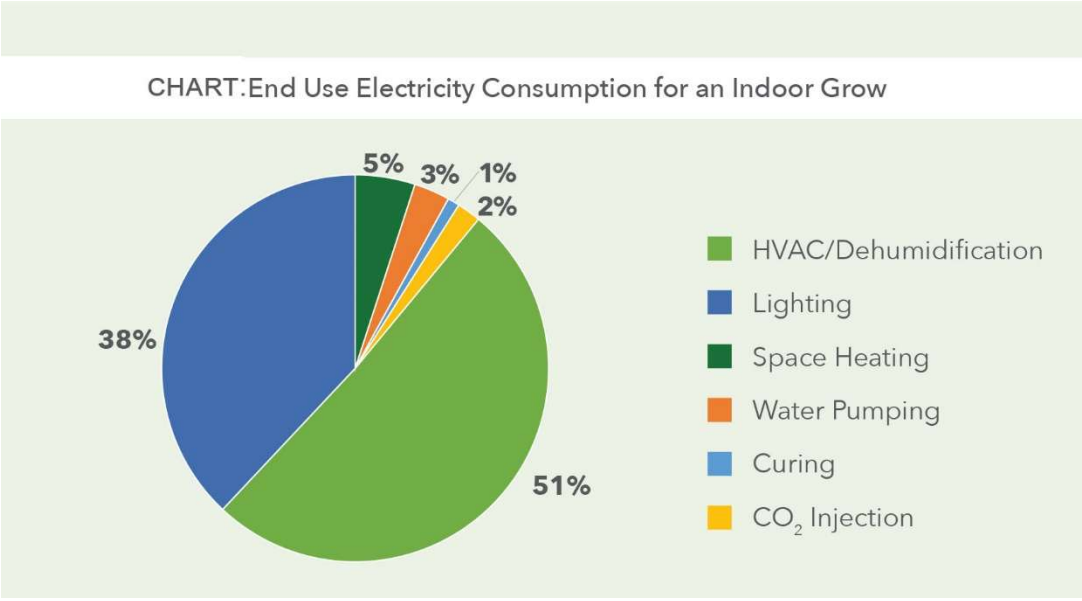
ii. Out-of-State Water Suppliers. The Applicant will locate bulk water suppliers in Oregon (and other states), evaluate the costs of these alternate services, lock-in

the purchase price, and sign contracts that will be effectuated in event of an emergency, i.e. if California declares the drought state of emergency, for example.

iii. In-State Well-Water Suppliers. The Applicant will also locate bulk well-water suppliers in California, that obtain well water in cities and regions that do not sink as a result of ground water depletion. The Applicant will evaluate such in-State services and costs, lock-in a purchase price, and sign contracts that will be effectuated in case of local water shortage emergency situation.

2. Energy Management

In regular commercial cannabis grow rooms, it is recognized that the largest percentage of electricity is used for cooling the flower rooms by running AC during the lights-on period. The below chart is an outtake from Kowley, N. (2017) SWEEP, A Budding Opportunity: Energy Efficiency Best Practices for Cannabis Grow Operations.



Based on the above study, it appears that efficiency in HVAC/Dehumidification and efficiency in lighting would be the largest contributing factors to maintaining a sustainable grow system.

According to the Northwest Power and Conservation Council (NPCC), indoor commercial cannabis production (also known as a cannabis grow room) can consume 2,000 to 3,000 kilowatt hours (kWh) of energy per pound of product.

Our grow operation – everything related specifically to the grow operation, including drying, office lights, bathrooms, etc – has planned consumption of between 670 kWh and 940 kWh per pound of product.

a) Energy Reducing Measures

i. Lowering HVAC Usage

AHCO will implement two measures to lower HVAC usage:

- No CO2 supplementation
- Using air-cooled lights in the flower rooms

CO2 burners raise room temperature, triggering the need to run AC cooling. AHCO **will not use CO2 enrichment** and thus will reduce AC usage to cool the rooms down.

The key in reducing usage of HVAC in the grow room is ability to remove from the grow room hot air generated by lights before it mixes with the inside air.

AHCO uses air-cooled light fixtures called “Cool Tubes”. Cool Tubes have air ducts attached to one end which then connects to the ducting hub. The ducting hub is a part of the odor-controlled exhaust system. Through this system, the hot air generated around the grow light bulb, is continuously “sucked” into the air duct and expelled from the grow room (and from the facility) before it has an opportunity to even mix with the room air. The hot air is removed by regular inline fans (low wattage) directing it into the exhaust ducting instead of cooling it on-site. Therefore, AHCO’s flower room requires significantly less AC cooling than a standard commercial flower room does. The Applicant’s setup uses only about half of the AC tonnage than a standard commercial grow room of this size would use.

ii. Lower Wattage and Focused Usage of Lights

A standard commercial grow room will have many high output lights – 1000W to 1200W – which require a lot of electricity. These lights are hung at a safe distance from the plants to not burn them, usually between 3 to 5 ft above the canopy. In most cases because the grow tables are or can be moved around, the engineering design for commercial lighting is intended to light the entire room rather than focus on canopy only. Such high numbers of lights are known to generate a great deal of unwanted heat. Since light is a wave, such light also gets "absorbed" and/or transferred into objects, surfaces, and air in the grow room, but not directly by the plants themselves. Therefore, only a small percentage of the entire light output gets used by the plants and the other percentages of light output is converted to heat energy. The light penetration into the plant canopy is also limited to about 18"-20" depending on the defoliation of the plants.

AHCO will run 600-Watt air-cooled lights, also known as Cool Tubes [https://www.zenhydro.com/ipower-grow-lights-6-cool-tube-with-add-on-wing.html].

This wattage is sufficient for the plants because the lights are suspended down to the plant level right above the canopy while the plants stretch. Since the light are air-cooled the plants do not burn even when touching the light fixtures. The light waves dissipate and are absorbed by the plants and not by surrounding objects because the lights are closer to the plants than to anything else. When the plants grow and no more stretch is needed, the lights then remain inside the canopy giving the entire light output to the plant. The light penetration into the canopy is from top of the plant to the bottom, through the entire plant. Light inside the canopy contributes to higher quality bud.

iii. Lowering Water Pump Usage

- Water filtration uses electricity to produce filtered water. AHCO uses tap water and has no water filtration needs.
- The grow setup uses self-wicking trays which yield no runoff and there is no need of recapturing runoff and there is no need in runoff filtration. Self-

wicking (sub-irrigation) method of growing saves electricity, since runoff filtration uses electricity to run pumps and filters and to divert water around.

- AHCO's plants are handwatered using a water pump every 3 days. Comparable grows watered automatically use pumps several times a day. Handwatering is more work intensive but it is energy saving in the long run.

b) Alternative Energy

i. Background

It is commonly known that less than 10% of produced energy in the USA comes from renewable sources. The majority of the renewable energy is coming from hydropower, then bio fuel, then wind, and only about 5% of all renewable energy comes from solar.

Nearly all the cannabis cultivation facilities in Alameda County receive their electricity from the municipal grid. Specifically, in the City of Oakland PG&E implemented a number of upgrades to make sure they can support electricity demand for hundreds of marijuana cultivators. Moreover, As of March 1, 2017, existing medical marijuana growers and future recreational marijuana growers are eligible for PG&E's agricultural energy rate.

ii. On-Site Power Generation

There are two technologies that can be effective to use in cannabis cultivation facilities - solar photovoltaic arrays (Solar PV) and natural gas cogeneration systems (Combined Heat & Power). Their implementation is complex and requires technical expertise, coordination with PG&E, and long-term financial planning.

AHCO consulted Southern Energy Services, SepiSolar, and PG&E regarding possible on-site power generation. To be able to determine feasibility and to offer any realistic solution the consultants required **final** facility layout, mechanical, plumbing, structural, and electrical designs. And additionally, at least 12 months of utility bills for the Level 1 Feasibility Analysis. Such considerations will be determined at a later date following demonstrated usage at this site.

AHCO was advised in the next 12 months:

- to finalize the tenant improvement designs and to present the consultants with the final copies for which building permit is issued;
- to collect utility bills from the cultivation facility for 12 months of operation;
- the applicant will install a 12-months data collector at the location proposed by consultants that will log number of hours of full sun per day (production capacity per day per panel = 250 watt panel x num hours of full sun per day)

While considering solar panels, it is important to make sure the panels have been sufficiently tested in use. Tesla solar batteries installed by Walmart and Amazon in sunny states caused multiple fires at Walmart and Amazon facilities.

iii. Off-Site Optimization

The City of Hayward now receives carbon-free energy through the East Bay Community Energy. EBCE began operating in June 2018 and according to their public commitments they purchase carbon-free energy from multiple energy providers in California and elsewhere, and then PG&E delivers this energy to the consumers at a fee. There are no cost savings to the consumers (i.e. to the Applicant), but the energy purchased through EBCE is a green energy. EBCE promises that at least 20% of energy used for cultivation to come from carbon-free sources.

c) Power-Related Emergency

i. Prevention

Power-related state of emergency comes as a result of inability by PG&E to support high electricity demand in peak hours and shortage of electricity (for various reasons). This creates rolling blackouts. The Applicant provided PG&E with estimates of the electrical consumption to help them prevent the state of emergency in the area and to plan ahead.

ii. Actions in Case of Emergency

If there is shortage of energy, i.e. electricity has to be routed to the city because there is higher/unexpected surge in demand, or for any other reason, AHCO will do all or some of the below steps, depending on the situation:

b. Contact the City and PG&E to find out the estimated timeline of the state of emergency;
c. Lower all the lights to the absolute minimum necessary for the plants to survive;
d. Lease/rent a flatbed/truck power generator(s) and power the lights on alternative energy;
e. Assess the state of the plants and determine the most cost-efficient solution of handling the further production (temporary termination, partial termination, continuing on low and alternative energy source).

3. Waste Management

All waste – cannabis and non-cannabis – will be in the secure waste enclosure. See DRAWING 3 for the secure waste enclosure on the property. The drawing shows the proposed physical fence and electronic fence surrounding the territory in which the waste enclose is located. DRAWING 4 shows the secure trash enclosure in large scale with all the trash bins and locks listed. Note, that the secure cannabis trash receptacle will be locked in addition to other means of securing the location. Non-cannabis trash staging area is also marked on DRAWING 3.

a) Industrial Waste

AHCO anticipates that the industrial waste will be on the premises only at the time of the construction. The construction debris will be disposed of by the building contractor overseeing the project according to the rules and regulations related to the debris disposal. The Applicant will obtain copies of receipt of debris disposal from the contractor.

In the normal course of business operation there will be no industrial waste.

b) Office Waste

Waste produced on the property due to the day-to-day operation will be a regular domestic waste, similar to any office waste and will be collected by the municipal waste management company operating in that area.

AHCO will maintain several types of trash bins in the facility: recycling, organic, and trash.

c) Cannabis Waste Management Plan

All the cannabis waste will be disposed through a Waste Service Provider permitted by a local agency.

In accordance with applicable State requirements AHCO will obtain and retain:

(1) the following information from Waste Service Provider:

(A) Name of local agency providing waste hauling services, if applicable;

(B) Company name of the waste hauler franchised or contracted by a local agency or private waste hauler permitted by the local agency, if applicable;

(C) Local agency or company business address; and

(D) Name of the primary contact person at the local agency or company and contact person's phone number.

(2) a copy of a receipt from the Waste Service Provider evidencing subscription to a waste collection service.

AHCO will maintain a secured waste receptacle as follows:

- The waste receptacle (bin) for cannabis waste will be provided by the contracted waste hauler.
- The secured waste receptacle will be equipped with a chain and a key allowing access only of the Applicant, its employees and contractors, and of the contracted waste hauler.

- The secured waste receptacle will be located on the premises in a secured trash enclosure - the designated gated and locked dumpster enclosure (see DRAWING 3 and architectural plans). It is the same dumpster enclosure where the regular waste and recycled waste is stored (DRAWING 4). Additionally, the secured dumpster enclosure is going to be located in the area surrounded by the outer main fence encircling the parking lot and the front of the property. See DRAWING 3.

The waste produced in the framework of cannabis cultivation, such as pruned green leaves, yellow leaves and stems remaining after harvest, will be collected and dumped into the secured waste receptacle. The cannabis waste produced in the course of the distribution or manufacturing (packaging and labelling) activity, will be destroyed and dumped into the secured waste receptacle. Destruction of cannabis goods includes, at a minimum, removing or separating the cannabis goods from any packaging or container and rendering it unrecognizable and unusable through the addition of non cannabis filler (such as saw dust, filler or equivalent). All cannabis waste activities will be reported in track-and-trace system.

At the time of waste pickup, the waste hauler vehicle will be allowed onto the premises through the gate and a security personnel will oversee the waste collection processes at which point the paperwork and the manifest required by the certified cannabis waste hauling company will be provided to them and the waste hauling vehicle will be let out through the gate upon completion.

The regular (non-cannabis) waste pickup will be done outside of the facility. On the day of pickup the waste containers with recycle and general trash will be hauled out to the curbside/staging area (DRAWING 3) where they will be picked up and emptied.

d) Hazardous Waste

There will be no hazardous waste on site.

4. Waste Reduction and Recycling

a) Cultivation related waste reduction

At an average cannabis cultivation facility, a conventional fertilizer is responsible for the bulk of the cultivation-related non-cannabis waste. More specifically, the nutrient packaging and rockwool (for hydroponic setup). To address these concerns AHCO's consumption of plant nutrient is as low as it can possibly be. First, AHCO replaces soil at every new flowering cycle. New soil has all the organic nutrients for the first 2-4 weeks of flowering and therefore no additional nutrients are required. Used soil is sent to the commercial organic composting site and is mixed with organic matter and reclaimed for future use.

AHCO's grow method yields no run-off, all the fertilizer used on the plants remains in the grow tub. A subsequent watering after a regular feeding will either be plain pH-ed down water or a low concentration of fertilizer, only at 25% strength. As no fertilizer goes to waste, the use of the fertilizer in the AHCO setup is considered the most efficient.

b) Office Related (Domestic) waste reduction

AHCO will take extensive efforts to recycle as much as possible and given a choice will strive to select office products in packaging suitable for recycling. AHCO will maintain several types of trash bins and encourage and incentivize its employees and contractors to recycle and to conduct their operations and businesses in a sustainable manner.

AHCO's purchase policy goals for the office use are as follows:

- Purchase office/copy paper that is either: 100% recycled or FSC Certified with at least 30% post-consumer waste recycled content.
- Purchase bathroom and kitchen papers with a minimum of 30% post-consumer waste.
- For packaging of products, purchase containers with recycled content (minimum 30% post-consumer recycled content)

- Minimize and/or eliminate the use of single use plastic materials wherever possible and chose recycled materials as feasible.
- Packaging should be recyclable and/or compostable.

5. Other Sustainability Considerations

As AHCO does not use CO2 enrichment, no CO2 is released into the atmosphere from our cultivation operations, thereby minimizes our carbon footprint and fugitive gases commonly linked to and associated with Global Warming.

From: Jay Lee
Sent: Monday, November 19, 2018 2:57 PM
To: 'Dana McManus'
Cc: Judy Perez
Subject: RE: Conditional Use Permit - 2730 Cavanagh Court

Hi Dana,

Thank you for reaching out to me and expressing your concerns regarding this application. The City will evaluate the issues you raised through the Conditional Use Permit process. We have circulated the application to all relevant City staff to evaluate the project from various perspectives (security, environment, etc.).

We are still in the early stages of the City's review since the application was recently submitted. The application has been deemed incomplete; therefore, the application is still under review and we need more information to continue our review. Furthermore, if the application is ever deemed complete at some point later on, a public hearing before the Planning Commission will be required prior to any action.

We will add you to our interested parties list so that you are notified of any future hearings. Therefore, you will have opportunities prior to the hearing and at the hearing to express your concerns to staff and the Planning Commission. Please feel free to reach out to me if you want to visit our office next week to take a look at the application and discuss it with me in person. Please also feel free at any time in the following weeks to check in on the status of the application.

Jay Lee, AICP
Associate Planner
City of Hayward
777 B St.
Hayward, CA 94541
jay.lee@hayward-ca.gov
(510) 583-4207

From: Dana McManus <dmcmanus@sjamoroso.com>
Sent: Monday, November 19, 2018 2:04 PM
To: Jay Lee <Jay.Lee@hayward-ca.gov>
Cc: Judy Perez <jperez@sjamoroso.com>
Subject: Conditional Use Permit - 2730 Cavanagh Court

Dear Mr. Lee,

I am in receipt of your Notice of Receipt Application for 2730 Cavanagh Court. As the property owner of another business on Cavanagh Court, I want to object to the issuance of a permit to a Cannabis cultivation, distribution and manufacturing business. As you may be aware, Cavanagh Court is a very small cul-de-sac. I am very concerned that if this business is allowed to operate in this location, crime will increase and property values will be significantly reduced.

Please let me know if this objection should be sent to any other party. And thank you for notifying us when the date for a public hearing is set.

Regards,

Dana C. McManus
Chief Executive Office

S.J. Amoroso Construction Co., Inc.
W: (650) 654-1900 F: (650) 654-9001
390 Bridge Parkway, Redwood Shores, CA 94065
www.sjamoroso.com

File #: MIN 20-050

DATE: May 14, 2020

TO: Planning Commission

FROM: Director of Development Services

SUBJECT

Minutes of the Planning Commission Meeting of March 12, 2020

RECOMMENDATION

That the Planning Commission approve the minutes of the Planning Commission meeting of March 12, 2020

SUMMARY

The Planning Commission held a meeting on March 12, 2020

ATTACHMENTS

Attachment I Draft Minutes of March 12, 2020

MINUTES OF THE REGULAR MEETING OF THE CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, March 12, 2020, 7:00 p.m.
777 B Street, Hayward, CA 94541

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Bonilla.

CALL TO ORDER Pledge of Allegiance

Commissioner Goldstein led in the Pledge of Allegiance.

ROLL CALL

Present:	COMMISSIONERS:	Stevens, Andrews, Faria, Patton, Roche, Goldstein
	CHAIRPERSON:	Bonilla
Absent:	COMMISSIONER:	None

Staff Members Present: Lochirco, Monlux, Solla, Vigilia, Wolny

General Public Present: 0

PUBLIC COMMENT:

There were none.

WORK SESSION:

1. SB743 Work Session on Level of Service (LOS) to Vehicle Miles Traveled (VMT) Analysis

Principal Planner Lochirco introduced the item and introduced Ms. Meghan Wier and Mr. Marvin Ranaldson from Nelson Nygaard, the City's environmental transportation consultant.

Ms. Wier provided a synopsis of the staff report and presented the PowerPoint presentation.

Ms. Wier confirmed for Commissioner Faria that SB 743, Section 15064.3 (c) compliance date is 7/1/2020. As of July 1, 2020, the methodology of Level of Service (LOS) can no longer be used as the threshold of significance within California Environmental Quality Act (CEQA). Principal Planner Lochirco spoke about the change to using Vehicle Miles Traveled (VMT) methodology when reviewing traffic studies for new infill projects.

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Commissioner Patton has concerns that VMT prioritizes regional traffic as opposed to local traffic and said there needs to be a balance. Mr. Patton said that even if the City changes to VMT within CEQA which is an information document, he is in favor of San Jose's approach and is in favor of providing Council with the suggestion of retaining LOS in the City's General Plan. This will enable staff to answer residents' concerns about traffic impact from new projects as this is a quality of life issue for existing residents. Senior Transportation Engineer Solla said that most projects will have a local transportation analysis performed to make sure there is a balance and that there is a consultant working on the nexus study for the traffic impact fees which should be concluded towards the end of summer.

Commissioner Andrews asked what types of projects would trigger a last mile shuttle, Ms. Wier said a project located above the threshold would trigger mitigation measures and determines the level of mitigation that would be most effective. Ms. Wier said a project occupied by a major employer that is too far to walk from major transportation stop would be considered above the threshold and a project that is that is within a half mile radius of a major transportation stop is considered below the threshold. She also provided information for smaller employers such as parking and carpooling incentives. Senior Transportation Engineer Solla shared that the Lincoln Landing project has a last mile shuttle as part of their Transportation Demand Management (TDM) strategy. Principal Planner Lochirco said that Emeryville has a shuttle supported by multiple businesses but shared that shuttles does not work for every situation. Mr. Lochirco said that per the State mandate staff is focusing on making amendments to the City's General Plan for future projects and that staff is developing a local traffic LOS and there is a TDM approach being discussed at the regional level.

Commissioner Roche acknowledges that the VMT method may be a smarter way to look at streets and capitalize on housing, but she has concerns for residents about how their environmental and traffic impacts will be addressed. Ms. Roche commented that for a new office park that is far from a major transportation stop she would like to see a coordinated effort for shuttle service for the workers.

Ms. Wier explained for Commissioner Goldstein the difference between the LOS and VMT methodologies. Ms. Wier said LOS is measured by using data collected at specific points, collect traffic counts for specific intersections then make estimates based on the proposed projects. The VMT is modeled from output from regional travel which looks at traffic connections and regional corridors and has been used for a long time to measure greenhouse gas emissions (GHG). She said that the Alameda County model has been updated recently and Hayward VMT measurements are based on several blocks.

In response to Commissioner Stevens' request for a comparison between a 500-unit residential development apartment project in Hayward and a 500-unit single family homes

project in Tracy. Principal Planner Lochirco explained that in Hayward there is an urban setting where stores are nearby so the VMT would be lower as in Tracy where stores are more spread out the VMT would be higher which adds to the environmental impacts. Mr. Lochirco said an urban environment can be mitigated easier as opposed to being on the outskirts of a suburban area. The level of VMT would depend on the options that are available to residents and staff would need to identify the multiple criteria involved which would include the geography of the area. Ms. Wier added that every lead agency sets their own threshold.

Ms. Wier provided Chair Bonilla with examples of learning experiences from other cities' implementation of the VMT methodology. Mr. Bonilla has concerns with regional transportation in Hayward as residents still rely on their cars. Mr. Bonilla hopes that the VMT method will help the City achieve a better level of transportation both locally and regionally. Ms. Wier shared that all cities in California have the same deadline of July 1, 2020 and if the deadline is not met then it could impact development. Principal Planner Lochirco said the City was very proactive in obtaining the Metropolitan Transportation Commission (MTC) grant for this study,

Commissioner Andrews asked what is being done to hold cities accountable to adopt the VMT process, Principal Planner Lochirco said this is a State mandate and non-conforming cities can be in a situation of liability which can lead to potential litigation. Ms. Wier added that long term VMT analysis is important for planning transit service and in the long term can help in reducing VMT and environmental impacts.

Chair Bonilla commented that it appears that both the LOS and VMT methods can work and that the City will be keeping the LOS method at the local level in the City's General Plan.

There being no speakers Chair Bonilla open and closed the public hearing at 8 17 p.m.

APPROVAL OF MINUTES

2. Approval of the Planning Commission Meeting Minutes of February 27, 2020.

Commissioner Stevens made a motion, seconded by Commissioner Roche, to approve the Planning Commission Meeting Minutes of February 27, 2020.

The motion passed with the following vote:

AYES: Commissioners Stevens, Andrews, Faria, Patton, Roche, Goldstein
Chair Bonilla

MINUTES OF THE REGULAR MEETING OF THE CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
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NOES: None
ABSENT: None
ABSTAIN: None

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters:

Principal Planner Lochirco provided an update on the 2020 census and shared that staff has been working closely with the Alameda County Census Counts Group on a public outreach effort. Mr. Lochirco said there will be postcards mailed out and the establishment of Question Assistance Centers at both libraries (Main and Weekes). Mr. Lochirco encourages the City's residents to complete the census questionnaire which is due by April 1, 2020. Mr. Lochirco shared that the City's website will have an informational census page.

Mr. Lochirco reminded everyone regarding COVID-19 state of emergency that the City will be partially closed starting Monday, March 16, 2020. The Permit Center for Building and Planning will be by appointment only for the next 30 days and that is for the safety of staff, applicants and community members.

Mr. Lochirco said the March 26th Planning Commission meeting will most likely be cancelled and there could be an opportunity for teleconferencing for the April meeting.

Principal Planner Lochirco confirmed for Commissioner Andrews that the census cannot ask if you are a citizen.

Principal Planner Lochirco explained for Chair Bonilla the City Manager's direction regarding the State of Emergency because of the coronavirus.

Commissioners' Announcements, Referrals:

Commissioner Roche shared about attending the Planning Commissioners Academy last week and that one of the sessions she attended was on the Mandatory Housing Element in the General Plan and she is happy to share information that she learned.

Commissioner Goldstein cautioned everyone that during this stressful time to please to be alert to any alarmist email or unusual emails as hackers are out there and ready to take advantage of people. Mr. Goldstein provided tips on internet safety during emergency times.

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ADJOURNMENT

Chair Bonilla adjourned the meeting at 8:31 p.m.

APPROVED:

_____
Julie Roche, Secretary
Planning Commission

ATTEST:

_____
Michael Wolny, Senior Secretary
Office of the City Clerk