CITY OF HAYWARD

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

Agenda

Tuesday, December 7, 2021

7:00 PM

Council Chamber and Virtual Platform (Zoom)

City Council

CITY COUNCIL MEETING

NOTICE: The City Council will hold a hybrid meeting (in Council Chamber and Virtual Platform via Zoom). All in-person participants will be required to provide proof of vaccination and wear a face covering.

How to observe the Meeting:

1. *Comcast TV Channel 15*
2. *Live stream https://hayward.legistar.com/Calendar.aspx*
3. *YouTube Live stream: https://www.youtube.com/user/cityofhayward*

How to submit written Public Comment:

1. Use eComment on the City's Meeting & Agenda Center webpage at: https://hayward.legistar.com/Calendar.aspx. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to List-Mayor-Council@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 City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

How to provide live Public Comment during the City Council Meeting:

Complete the online speaker card at the Council Chamber entrance or click the link below: https://hayward.zoom.us/j/86142259797?pwd=bTJRQW1GazNsQUtwRmE5dTBCQVdjdz09

Meeting ID: 861 4225 9797
Passcode: CC12721@7p

or

Dial: + 1 669 900 6833 or +1 346 248 7799

Meeting ID: 861 4225 9797
Password: 1929730215

A Guide to attend virtual meetings is provided at this link: https://bit.ly/3jmaUxa

CALL TO ORDER: Mayor Halliday

Pledge of Allegiance: Council Member Salinas

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

November 30, 2021
December 6, 2021
December 7, 2021

PRESENTATION

2021 Small Business Saturday

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Information Items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.

CITY MANAGER'S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

ACTION ITEMS

The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

CONSENT

1. MIN 21-157 Approve the City Council Minutes of the Special City Council Meeting on November 16, 2021

Attachments: Attachment I Draft Minutes of 11/16/2021

2. CONS 21-629 Adopt an Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property Located at 1000 La Playa Drive from Neighborhood Commercial (CN) District to Planned Development (PD) District in Connection with General Plan Amendment, Rezone and Vesting Tentative Tract Map Application No. 202004457 for the La Playa Commons Development

Attachments: Attachment I Staff Report
Attachment II Summary of Published Ordinance

3. CONS 21-632 Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report (AB1600)

Attachments: Attachment I Staff Report
Attachment II Resolution
Attachment III Annual Report of Development Fees

4. CONS 21-630 Adopt a Resolution Accepting the Fiscal Year 2022 Statement of Investment Policy and Delegation of Authority

Attachments: Attachment I Staff Report
Attachment II Resolution
Attachment III Statement of Investment Policy
Attachment IV FY 2022 Statement of Investment Policy

5. CONS 21-631 Adopt an Initial Study/Mitigated Negative Declaration and a Resolution Approving the Plans and Specifications, and Call for Bids for the Water Line Improvements Project, Project No. 07093

Attachments: Attachment I Staff Report
Attachment II Resolution
Attachment III IS-MND
Attachment IV Location Site Map

6. CONS 21-636 Adopt a Resolution Approving the Final Map of Tract 8359, a 13 Lot Subdivision at 24765 Hesperian Boulevard, Hayward to Allow the Construction of Single-Family Residences with Common Open Space Area, and Related Site Improvements; Applicant/Owner: Jason Creek Ventures, LLC., Application No. 202101368

Attachments: Attachment I Staff Report
Attachment II Resolution
Attachment III Final Map Tract 8359
Attachment IV Vesting Tentative Map Tract 8359
Attachment V Vicinity Map Tract 8359

WORK SESSION

Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.

7. WS 21-044 Measure C Annual Report: Review Annual Report of Measure C Revenues and Expenditures, Approved by Voters on June 3, 2014 (Report from Finance Director Claussen)

Attachments: Attachment I Staff Report
Attachment II Measure C 20-Year Forecast

8. WS 21-046 2021 Resident Survey Results: Presentation of 2021 Biennial Resident Satisfaction Survey Results (Report from City Manager McAdoo)

Attachments: Attachment I Staff Report
Attachment II FM3 Scope of Work
Attachment III 2021 Biennial Resident Satisfaction Survey

PUBLIC HEARING

9. PH 21-099 Groundwater Sustainability Plan: Adopt a Resolution Approving the East Bay Plain Subbasin Groundwater Sustainability Plan (Report from Director of Public Works Ameri)

Attachments: Attachment I Staff Report
Attachment II Resolution

LEGISLATIVE BUSINESS

10. LB 21-054 Mayor Pro Tempore Election: Adopt a Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2022 (Report from City Clerk Lens)

Attachments: Attachment I Staff Report
Attachment II Resolution
Attachment III List of Mayor Pro Tempore

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

COUNCIL REFERRALS

Council Members may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council. The intent of this Council Referrals section of the agenda is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the Council to the appropriate Council Appointed Officers for action by the applicable City staff.

ADJOURNMENT

NEXT SPECIAL MEETING – December 14, 2021, 7:00 PM

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit their comment to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time.

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that 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 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 the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ****

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.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.

CHILDCARE WILL NOT BE PROVIDED UNTIL FURTHER NOTICE DUE TO COUNTYWIDE SHELTER-IN PLACE ORDER.

File #: MIN 21-157

DATE: December 7, 2021

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Approve the City Council Minutes of the Special City Council Meeting on November 16, 2021

RECOMMENDATION

That the Council approves the Special City Council meeting minutes of November 16, 2021.

SUMMARY

The City Council held a meeting on November 16, 2021.

ATTACHMENTS

Attachment I Draft Minutes of November 16, 2021

CONCURRENT CITY COUNCIL/HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD MEETING
777 B Street, Hayward, CA 94541
Virtual Platform – Zoom
https://hayward.zoom.us/j/83074838906?pwd=ZkhGQjM5Y3ly1c0R0g2a3JKOHNrdz09
Tuesday, November 16, 2021, 5:00 p.m.

The Special Hayward Geologic Hazard Abatement District (GHAD) Board and Hayward City Council meeting was called to order by Mayor/Chair Halliday at 5:00 p.m. The City Council/GHAD Board held a hybrid meeting which included in-person and teleconference participation by members of the City Council, staff and public.

Pledge of Allegiance: Council Member/GHAD Board Member Márquez

Present: COUNCIL MEMBERS/BOARD MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño
MAYOR/CHAIR Halliday
Absent: None

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND COMMUNITY SERVICES COMMISSION

1. Recommendation from Community Services Commission to Hayward City Council to Adopt a Resolution Apologizing to Black, Indigenous, and People of Color and Latinx Community Members on Behalf of the City of Hayward for Its Implicit and Explicit Role in Perpetuating Historical Institutional Racism in the City of Hayward and Review the Attached Workplan **LB 21-048**

   Staff report submitted by City Manager McAdoo, dated November 16, 2021, was filed.

City Manager McAdoo announced the staff report, thanked members of the Community Services Commission for their recommendation to adopt a Resolution, and introduced Acting Community Services Manager Lobedan who along with Community Services Commission Members Arti Garg, Artavia Berry, Crystal Arrizon and Mick Rubio provided a synopsis of the recommendation which included the background on the item, community engagement efforts over the last 16 months, historical wrongdoings, history of Russell City, ongoing impacts on wrongdoings, Resolution recommendation, and a workplan outlining 11 recommended action items.

Mayor Halliday thanked City staff and the Community Services Commission for the recommendation.

There being no public comments, Mayor Halliday opened and closed the public comment period at 5:36 p.m.

Mayor Halliday and Council Members Zermeño, Andrews, Salinas, Márquez, Lamnin, and Wahab commented favorably on the work done by the Community Services Commission and staff on the workplan and the Resolution.

Council Members Zermeño recommended the Community Services Commission consider making a presentation to the Hayward Youth Commission and expressed the term "Latinx" is not inclusive and recommended the resolution be amended to include the following groups: Californios, Mexicanos, Latinos and Latinx.

Council Member Andrews recommended staff reach out to Black Women Organized for Political Action's (BWOPA) and National Association for the Advancement of Colored People (NAACP) regarding the item, suggested the City find a way to apply an equity lens regarding impacts from development projects, similar to elements required by CEQA review.

Council Member Salinas received confirmation the workplan could be incorporated into to the Hayward Strategic Roadmap which can be funded during the budget cycle; suggested to contact CSUEB History Professor Carlos Salomon for a model on how to collect and share personal experiences; and recommended to stay interdisciplinary and draw from the wealth of ethnic studies' scholarships in the region.

Council Member Márquez apologized for what has happened in the past and the impact to the community and asked the CSC to look closely at the workplan and prioritize.

Council Member Lamnin recognized the work done by former Community Services Commission Member Lawrence for her input on the item; requested to add measurable outcomes to the workplan, such as an "equity checklist" as suggested by Council Member Andrews and use the intersectionality approach across various City departments; and suggested the Hayward Youth Commission might want to take up and build on the framework created by Tennyson Thrives around Russell City.

Mayor Halliday made a motion to support passage of the Resolution and Council Members Andrews, Lamnin, Márquez, Salinas, Wahab, and Zermeño seconded the motion.

Council Member Wahab suggested the Hayward Library should highlight the historical aspect, supported having students conduct research as suggested by Council Member Salinas, recommended building on what was accomplished to remain as inclusive as possible, asked staff to account for all who have been affected by past wrongdoings, and acknowledge the commitment every year.

Mayor Halliday offered a friendly amendment to change the Resolution text in the second Whereas paragraph to indicate, "all residents were evicted and, in many cases, burned out of their homes" to clarify what had occurred in Russell City; urged support of current programs to help first time homebuyers and consult current banking/real estate businesses that might want to make contributions to such fund, in particular for those whose family members were harmed from home loan redlining discriminatory practices.

Mayor Halliday requested inclusion of an amendment requested by Council Member Zermeño to revise the resolution by including the following groups of people: Californios, Mexicanos, Latinos and Latinx.

All members of the City Council were amendable to the two amendments to the proposed Resolution.

It was moved by Mayor Halliday, seconded by Council Members Andrews, Márquez, Lamnin, Salinas, Wahab and Zermeño, and carried by the following roll call vote, to adopt the resolution with two amendments, as noted above.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-223, "Resolution Apologizing to Black, Indigenous, Californio, Mexicano, Latino, Latinx and other Community Members of Color on Behalf of the City of Hayward for its Implicit and Explicit Role in Perpetuating Institutional Racism in the City of Hayward"

Mayor Halliday adjourned to the Hayward Geologic Hazard Abatement District (GHAD) Board of Directors meeting and called for a 15-minute recess at 6:12 p.m.

Mayor Halliday, acting as the GHAD Board Chair, reconvened the GHAD Board of Directors meeting at 6:30 p.m. The GHAD Board adjourned its meeting at 6:43 p.m. and reconvened into the meeting of the City Council.

PRESENTATION

Mayor Halliday introduced Assemblymember Bill Quirk, representing the 20th district of the California State Assembly, who provided an oral update of past and current legislation, and highlighted key elements of the COVID-19 relief package, Budget 2021-22, and Tenant Relief Act.

Assemblymember Quirk was commended for his support related to the Stack Center and Navigation Center grants, efforts with AB 246 regarding illegal dumping, prioritizing, and keeping Hayward clean, and introducing the welcome Afghan refugee's resolution.

Mayor Halliday asked Assemblymember Quirk to give his attention to legislation concerning amending the Brown Act to utilize technology and allow for continued hybrid public meetings and legislation on the use of cameras to reduce speeding.

PUBLIC COMMENTS

Mr. Howard Schindler, property owner of 808 B Street and San Francisco resident, addressed the issue of vacant buildings in the downtown, and expressed frustration with the City's requirement to replace broken windows. Mr. Schindler was asked to send an email to the City Council.

CITY MANAGER'S COMMENTS

City Manager McAdoo made three announcements: the Old Highlands Homeowners Association pavement project is under construction, with completion due later in the month of November; this week was the two-year anniversary of the opening of the City's Homeless Navigation Center, which has transitioned 98 persons into supportive housing; and on November 15, 2021 there was the groundbreaking for the Depot Road Housing Development project with 125 units for formerly homeless residents and low-income households.

CONSENT

Consent Item No. 11 was removed from the Consent Calendar for separate vote.

1. Approve City Council Minutes of the Special City Council Meeting on October 26, 2021 **MIN 21-151**

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the Special City Council meeting on October 26, 2021.

2. Approve City Council Minutes of the City Council Meeting on November 2, 2021 **MIN 21-152**

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council meeting on November 2, 2021.

3. Adopt an Ordinance Opting-In to the Alameda County Waste Management Authority's Organics Reduction and Recycling Ordinance **CONS 21-592**

    Staff report submitted by City Clerk Lens, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Ordinance 21-06, "Ordinance of the City of Hayward Opting-In to the Alameda County Waste Management Authority's Organics Reduction and Recycling Ordinance"

4. Adopt a Resolution Accepting the Resignation of Mr. Adam Murphy from the Keep Hayward Clean and Green Task Force Effective Immediately **CONS 21-597**

Staff report submitted by City Clerk Lens, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-224, "Adopt a Resolution Accepting the Resignation of Mr. Adam Murphy from the Keep Hayward Clean and Green Task Force"

5. Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Cooperating Agreement with East Bay Municipal Utility District to Prepare a Groundwater Sustainability Plan for the East Bay Plain Subbasin **CONS 21-590**

Staff report submitted by Director of Public Works Ameri, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-225, "Resolution Authorizing the City Manager to Amend the Cooperating Agreement with the East Bay Municipal Utility District for Preparation of a Groundwater Sustainability Plan for the East Bay Plain Subbasin"

6. Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the Mission Boulevard Linear Park Landscape Project **CONS 21-591**

Staff report submitted by Director of Public Works Ameri, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-226, "Resolution Approving Plans and Specifications for the Mission Boulevard Linear Park Landscape Project, Project No. 05288 and Call for Bids"

7. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement for a Term of Five Years with LookingPoint for Implementation of Software Defined Network (SD-WAN) in an Amount Not-to-Exceed $1,000,708 **CONS 21-594**

Staff report submitted by CIO/Director of Information Technology Kostrzak, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-227, "Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute an Agreement for a Term of Five Years with LookingPoint for Implementation of a Software Defined Network in an Amount Not-To-Exceed $1,000,708"

8. Adopt a Resolution Authorizing the City Manager Execute an Amendment to the Agreement with ICF Incorporated, LLC, for Review and Update of Hayward's Cannabis Program, and Increasing the Compensation Amount Not-To-Exceed $352,935 **CONS 21-595**

Staff report submitted by Assistant City Manager/Development Services Director Ott, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-228, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with ICF Incorporated for Review and Update of Hayward's Commercial Cannabis Program, and Increasing the Compensation Amount Not-To-Exceed $352,935"

9. Adopt a Resolution Authorizing 1) Authorizing the City Manager to Execute an Agreement with the State Department of Housing and Community Development for $662,000 for the City of Hayward Navigation Center; 2) Accept and Appropriate State Funds; and 3) Reallocate Realized Savings to Mid-County Housing Resource Center (HRC) FOR Flexible Funding Administration **CONS 21-605**

    Staff report submitted by City Manager McAdoo, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-229, "Resolution Authorizing the City Manager to Execute an Agreement with the State of California Department of Housing and Community Development for $662,000 for the City of Hayward Navigation Center; Accept and Appropriate State Funds; and Reallocate Realized Savings to Mid-County Housing Resource Center for Flexible Funding Administration"

10. Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361 **CONS 21-600**

    Staff report submitted by City Manager McAdoo and City Clerk Lens, dated November 16, 2021, was filed.

It was moved by Council Member Salinas, seconded by Council Member Lamnin, and carried by the following roll call vote, to adopt the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-230, "Resolution Making the Required Findings Pursuant to AB 361 to Continue to Hold Teleconferenced Public Meetings During the COVID 19 State of Emergency"

11. Adopt a Resolution Declaring the Week of November 14-21, 2021, as United Against Hate Week **CONS 21-624**

    Staff report submitted by City Manager McAdoo, dated November 16, 2021, was filed.

The item was removed by Mayor Halliday who read the resolution to highlight its importance to the Hayward and broader community.

It was moved by Council Member Wahab, seconded by Council Member Andrews, and carried by the following roll call vote, to approve the resolution.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-231, "Resolution Declaring the Week of November 14-21, 2021, as United Against Hate Week"

PUBLIC HEARING

12. La Playa Commons: Proposed Demolition of the Former Burlington Coat Factory Building and Construction of a New 47-Lot Single-Family Residential Subdivision on a 5.4-Acre Site Located at 1000 La Playa Drive (Assessor's Parcel Number 442-0038-001), Requiring Approval of General Plan Amendment, Rezone and Vesting Tentative Tract Map Application No. 202004457, and Approval of a Mitigated Negative Declaration with Mitigation Monitoring and Reporting Plan Prepared for the Project in Accordance with the Requirements of the California Environmental Quality Act (CEQA); D.R. Horton, Inc. (applicant) on behalf of Quach's Hayward LLC (Property Owner) **PH 21-094**

    Staff report submitted by Assistant City Manager/Development Services Director Ott, dated November 16, 2021, was filed.

Assistant City Manager/Development Services Director Ott announced the item and introduced Associate Planner Kowalski who provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff regarding: five affordable on-site housing units; higher density potential on any development site; Condition

of Approval No. 15 regarding the central air conditioning requirement necessary for noise abatement; standing condition of approval for garages to be used for parking; encouragement to adopt universal design features for aging in place; and bulb-out feature at the corner of the intersection of Calaroga Avenue and La Playa Drive to slow down traffic.

Mayor Halliday opened the public hearing at 7:58 p.m.

Ms. Ro Aguilar, Hayward resident, referred to an email she provided for the record and emphasized the developer's requested action will add value to the property and urged the City to ask the developer to help in furthering its housing goals.

Mr. Chris Zaballos, applicant, addressed questions raised by Council indicating the Homeowners Association will restrict parking in the garages, there are units on the ground floor for multigenerational housing, and duplexes are not feasible.

Mr. Edward Bogue, Hayward resident and president of the Southgate Homeowners Association, spoke in support of the project, and noted the density was appropriate, as was the number of parking spaces allocated per unit.

Mayor Halliday closed the public hearing at 8:10 p.m.

Council Members Lamnin, Wahab, Andrews and Márquez disclosed having separately met with the project applicant and the team.

Council Member Wahab noted the applicant attempted to increase the density but was not feasible, noted revisions to the Housing Ordinance would help address furthering housing goals and made a motion per staff's recommendation.

Council Member Salinas seconded the motion.

Council Member Andrews spoke about density noting the City is bound to regulations with certain properties and inquired about features for children and dogs for future homeowners in partnership with Southland Mall.

Mr. Chris Zaballos noted there is an open area along Calaroga Avenue that could be used for a play structure in lieu of benches, if desired.

Council Member Andrews offered an amendment to the motion to include adding children's amenities and installing a dog feces bag station in the open space.

Council Members Wahab and Salinas were amenable to the amendment.

Council Members Márquez appreciated the presentation of the item to the Council Economic Development Committee and the outreach to the community and supported building affordable housing onsite.

Council Member Zermeño noted the density needed to be reduced due to the proximity of the proposal to the Hayward Executive airport.

Council Member Lamnin requested to add the standard condition, requiring that home garages must be used for parking vehicles, to the conditions of approval; however, the amendment was not accepted by the motion maker.

Council Member Lamnin asked City Attorney and Planning staff to look into the legality of requiring garages be used for parking, suggested staff converse with Southland Mall officials to address safety crossing from the development to the mall and asked the developer to guide future homeowners to needed ADA features.

Mayor Halliday appreciated the developer listening to the Planning Commission input to increase affordable housing.

It was moved by Council Member Wahab, seconded by Council Member Salinas, and carried by the following roll call vote, to introduce the ordinance and adopt the resolution, including two additions: 1) add children's amenities and 2) install a dog feces bag station in the open space.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Ordinance 21-_, "An Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property Located at 1000 La Playa Drive from Neighborhood Commercial (CN) District to Planned Development (PD) District in Connection with General Plan Amendment, Rezone and Vesting Tentative Tract Map Application No. 202004457 for the La Playa Commons Development"

Resolution 21-232, "Resolution Approving General Plan Amendment, Rezone, and Vesting Tentative Tract Map (Tract 8581) for the La Playa Commons Development Located at 1000 La Playa Drive and Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project"

13. Skywest Property Update: Further Review of Preliminary Site Plan and Authorization to Transmit Draft Site Plan to the Federal Aviation Administration for Initial Review **LB 21-050**

Staff report submitted by Public Works Director Ameri, dated November 16, 2021, was filed.

Public Works Director Ameri announced the item and introduced Airport Manager McNeeley who in turn introduced Ms. Erin Sheelan of Kimley Horn to provide a synopsis of the staff report about the revised preliminary site plan for the Skywest property since the October 26, 2021, work session held on this topic.

Discussion ensued among members of the City Council and Ms. Erin Sheelan regarding the location of the Airport Viewing Area, potential for additional trees along the multi-use pathway trail which could be taken to the Federal Aviation Administration (FAA) as discussion point, Sulphur Creek improvements, and potential for urban agriculture on airport property.

Mayor Halliday opened the public hearing at 8:40 p.m.

Ms. Mimi Dean, Hayward resident, suggested planting low lying native plants in the airport safety zone, having more access points to get into the trails, doing everything possible to save the clubhouse and having walk trails with benches.

Mr. Michael Freed, Hayward resident, urged saving some of the Skywest property for open space and taking time to explore the best plan for the land.

CCA, Cherryland resident, urged saving as much open space as possible and saving the clubhouse.

Mayor Halliday closed the public hearing at 8:47 p.m.

Council Member Salinas acknowledged callers from the surrounding neighborhoods and thanked them for their input; and noted it was good to hear support for transmitting the site plan to the FAA.

Council Member Salinas made a motion to approve the staff recommendation and Council Member Zermeno, also serving as the chair of the Council Airport Committee, seconded the motion.

Council Member Wahab received confirmation that staff will look into saving the Skywest clubhouse and urged for more benches along the trail, perhaps every quarter mile.

It was moved by Council Member Salinas, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 21-233, "Resolution Authorizing the Transmission of the Preliminary Site Plan for the Skywest Property Located at Hayward Executive Airport to the Federal Aviation Administration (FAA)"

14. Redistricting: Adopt a Resolution Providing Feedback to the Alameda County Board of Supervisors on the Proposed Draft 2021 Redistricting Maps **LB 21-051**

Staff report submitted by City Manager McAdoo, dated November 16, 2021, was filed.

City Manager McAdoo announced the staff report, noted the Alameda County Board of Supervisors was holding a public hearing at the same time as the City Council about Alameda County Supervisorial District draft maps, and presented visualization of four maps (A, B, C, and D) of proposed Supervisorial districts.

Mayor Halliday opened the public hearing at 9:01 p.m.

Ms. Mimi Dean shared she had just attended the Alameda County Redistricting public hearing where draft Map A was selected as the preferred recommendation for adoption at the December 7, 2021, public hearing.

Mr. Michael Freed also indicated the Board of Supervisors had voted to support draft Map A and keep it open for tweaking before adoption.

Mayor Halliday closed the public hearing at 9:04 p.m.

Council Member Zermeño thanked Council Member Lamnin for sharing information about the Alameda County Redistricting 2021, expressed he did not want Hayward to be divided into different Supervisorial districts, and made a motion to select Map A as the preferred option.

Council Member Salinas seconded the motion, indicated he did not want west of Mission Boulevard divided and did not agree with including Hayward with Pleasanton and Livermore.

Council Member Lamnin was troubled about setting on Map A and discussed new state law on mapping districts; noted Map A did not include the majority of public comments that had been provided, as required; added that Map D divided the cities of Oakland, Hayward and Fremont into more than one district and allowed communities the opportunity to collaborate and have a unified voice and ensure resources are balanced across the county; and urged the Council to not support Map A.

Council Member Márquez noted Hayward is the third largest city in Alameda County and has been competing for resources, was inclined to support Map D for the opportunity it provides to advocate and leverage for more County resources, and thanked Council Member Lamnin for her volunteer work.

Council Member Wahab appreciated the efforts on the redistricting process, stated she would abstain from voting on the matter because she did not believe appropriate to vote on an item affecting the community and did not believe in gerrymandering districts.

Mayor Halliday concurred with comments made by Council Members Lamnin and Márquez concerning Map D and with that option Hayward would be represented by two supervisors and Hayward's western section would continue to be represented by Supervisor Valle.

In response to Council Member Andrews' inquiry about votes taken by the working group on the proposed maps, Council Member Lamnin noted there had been more than 100 comments from Communities of Interests (CoI) and Map D had the most CoI protected.

In response to Council Member Salinas' inquiry about the composition of CoI, Council Member Lamnin replied that it included students, business owners, and people in need who were predominantly Hayward residents.

Council Member Salinas acknowledged that more supervisors would constitute more advocacy on the Board for resources but remained concerned about equity in the distribution of resources and lack of resources for St. Rose Hospital; and did not believe in dividing Hayward into one affluent group and another lacking resources.

Council Member Zermeño concurred with Council Member Salinas and remained in favor of having one strong voice representing Hayward in one Supervisorial district.

City Manager McAdoo expressed the City Council did not need to vote on the Resolution and since there was a split of views by Council Members on the matter, she recommended that staff could draft a letter for the Alameda County Board of Supervisors expressing the concerns and views raised at the meeting.

Council Member Andrews expressed she was uncertain about her view on the draft maps and noted she would prefer sending a letter to the Board.

Council Member Zermeño withdrew his motion and received Council's consensus to direct staff to craft a letter expressing the opinion of the City Council on the draft redistricting maps, particularly regarding Maps A and D, with an opportunity for the Mayor and Council Members to provide comments on the letter before sending it to the Board of Supervisors.

Mayor Halliday commended Council Member Lamnin for keeping the Council informed related to the redistricting process.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Lamnin updated the Council on a CalPERS meeting held on November 15, 2021, reported CalPERS is planning to lower the discount rate which would increase Hayward's cost at $2 million per year.

Council Member Zermeño noted there would be no Council meeting next week due to the Thanksgiving holiday and wished everyone a safe holiday.

Council Member Márquez congratulated A-1 Community Housing Services for holding its third annual housing seminar at Chabot College on November 13, 2021, and including excellent information provided by City Housing Division staff.

Council Member Andrews gave kudos to the Hayward Police Department for helping to locate a missing two-year old child and reminded folks to not leave children unattended inside cars.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 9:51 p.m. in memory of Alameda County Supervisor Wilma Chan and East Bay Times newspaper reporter Peter Hegarty.

Mayor Halliday acknowledged the loss of Alameda County Supervisor Wilma Chan, who died unexpectedly in Alameda; noted she was one of five supervisors and the only female voice on the Board; was an advocate for children, health care, and those less fortunate; and was first elected to the Alameda County Board of Supervisors in 1994, spent six years serving in the state Assembly and returned to the Board in 2010 to represent Alameda County cities. Mayor Halliday noted a letter would be sent to the Board of Supervisors, asking to convey to her family that Council adjourned the meeting in her memory, along with a certificate.

Mayor Halliday noted the meeting was also adjourned in memory of East Bay Times newspaper reporter Peter Hegarty, who covered Hayward in a professional, accurate, and unbiased manner.

Mayor Halliday indicated the next Council meeting was scheduled for December 7, 2021, following the Thanksgiving holiday and business closure.

APPROVED

_____

Barbara Halliday
Mayor, City of Hayward

ATTEST:

_____

Miriam Lens
City Clerk, City of Hayward

File #: CONS 21-629

DATE: December 7, 2021

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Adopt an Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property Located at 1000 La Playa Drive from Neighborhood Commercial (CN) District to Planned Development (PD) District in Connection with General Plan Amendment, Rezone and Vesting Tentative Tract Map Application No. 202004457 for the La Playa Commons Development

RECOMMENDATION

That the Council adopts the Ordinance introduced on November 16, 2021.

SUMMARY

The item entails adoption of an Ordinance amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by rezoning certain property located at 1000 La Playa Drive from Neighborhood Commercial (CN) District to Planned Development (PD) District, introduced on November 16, 2021 by Council Member Wahab.

ATTACHMENTS

Attachment I Staff Report
Attachment II Summary of Published Notice

DATE: December 7, 2021

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adopt an Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property Located at 1000 La Playa Drive from Neighborhood Commercial (CN) District to Planned Development (PD) District in Connection with General Plan Amendment, Rezone and Vesting Tentative Tract Map Application No. 202004457 for the La Playa Commons Development

RECOMMENDATION

That the Council adopts the Ordinance introduced on November 16, 2021.

SUMMARY

The item entails adoption of an Ordinance amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by rezoning certain property located at 1000 La Playa Drive from Neighborhood Commercial (CN) District to Planned Development (PD) District, introduced on November 16, 2021 by Council Member Wahab.

BACKGROUND

The Ordinance was introduced by Council Member Wahab at the November 16, 2021 special meeting of the City Council with the following vote:

AYES:	COUNCIL MEMBERS: Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

The companion resolution to the Ordinance was approved with a friendly amendment by adding a subsection, subsection (d), to Condition of Approval No. 11 to read as follows:

11. (d) Installation of a dog waste bag station and some children's amenities such as a kids' picnic table, playground spring rider or teeter-totter in the open space on Parcel A.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to one of the priorities outlined in the Council's Strategic Roadmap.

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC CONTACT

The summary of the Ordinance was published in the East Bay Times-Daily Review Newspaper on Friday, December 3, 2021. Adoption, at this time, is therefore appropriate.

NEXT STEPS

The Hayward Municipal Code and other related documents will be updated accordingly.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:

Kelly McAdoo, City Manager

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE BY REZONING CERTAIN PROPERTY LOCATED AT 1000 LA PLAYA DRIVE FROM NEIGHBORHOOD COMMERCIAL (CN) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT IN CONNECTION WITH GENERAL PLAN AMENDMENT, REZONE AND VESTING TENTATIVE TRACT MAP APPLICATION NO. 202004457 FOR THE LA PLAYA COMMONS DEVELOPMENT

WHEREAS, on November 16, 2021, the City Council held a public hearing and adopted findings in support of the requested rezone as set forth in companion Resolution No. 21-232;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Provisions.

The Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code is hereby amended by rezoning the property located at 1000 La Playa Drive (Assessor Parcel Number 442-0038-001-00) from Neighborhood Commercial (CN) District to Planned Development (PD) District to allow for construction of La Playa Commons, a 47-unit single-family residential development, subject to the findings and conditions of approval set forth in companion Resolution No 21-232 to this Ordinance.

Section 2. Severance

Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided the remainder of the ordinance, absent the excised portion, ca be reasonably interpreted to give effect to intentions of the City Council.

Section 3. Effective Date.

This ordinance shall go into effect immediately upon the date of adoption.

Introduced at a special meeting of the City Council of the City of Hayward, held the 16th day of November 2021, by Council Member Wahab.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on December 7, 2021, at 7:00 p.m. Please note the City Council will hold a hybrid meeting which will allow for participation in the Council Chamber and virtually via the Zoom platform. All in-person participants will be required to provide proof of vaccination against COVID-19 prior to entering the Council Chamber and will be required to wear a mask or face covering while at City Hall. The full text of this Ordinance and its companion Resolution are available for examination by the public by contacting the City Clerk's office at cityclerk@hayward-ca.gov or (510) 583-4400.

Dated: December 3, 2021
Miriam Lens, City Clerk
City of Hayward

File #: CONS 21-632

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT

Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report (AB1600)

RECOMMENDATION

That Council adopts the annual Mitigation Fee Act (AB 1600) report (Attachment III) prepared to satisfy Government Code Subsection 66006(b)(1)**.**

SUMMARY

The AB 1600 (Cortese) portion of the Mitigation Fee Act applies to fees charged in connection with the approval of development projects to defray the cost of public facilities. AB 1600 was enacted by the State Legislature in 1987, and applies to developer fees established, increased, or imposed on or after January 1, 1989. This legislation requires an annual report on the status of all eligible fees pursuant to the Mitigation Act to satisfy Government Code Subsection 66006(b)(1) requirements. This staff reports includes four primary requirements that the City must satisfy in order to comply with the Mitigation Fee Act, and the City's response for each requirement for the prior fiscal year.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Annual Report of Development Fees

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT: Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report (AB1600)

RECOMMENDATION

That Council adopts the annual Mitigation Fee Act (AB 1600) report (Attachment III) prepared to satisfy Government Code Subsection 66006(b)(1)**.**

SUMMARY

The AB 1600 (Cortese) portion of the Mitigation Fee Act applies to fees charged in connection with the approval of development projects to defray the cost of public facilities. AB 1600 was enacted by the State Legislature in 1987, and applies to developer fees established, increased, or imposed on or after January 1, 1989. This legislation requires an annual report on the status of all eligible fees pursuant to the Mitigation Act to satisfy Government Code Subsection 66006(b)(1) requirements. This staff reports includes four primary requirements that the City must satisfy in order to comply with the Mitigation Fee Act, and the City's response for each requirement for the prior fiscal year.

BACKGROUND

It is common for local agencies to charge fees on new development to fund construction of capital facilities that will serve the development. The AB 1600 (Cortese) portion of the Mitigation Fee Act applies to fees charged in connection with the approval of development projects to defray the cost of public facilities. AB 1600 was enacted by the State Legislature in 1987, and applies to developer fees established, increased, or imposed on or after January 1, 1989. This legislation also requires an annual report on the status of all eligible fees pursuant to the Mitigation Act.

DISCUSSION

Below are the four primary requirements that the City must satisfy in order to comply with the Mitigation Fee Act, and the City's response for each requirement for the prior fiscal year.

1. Requirement: Make certain determinations regarding the purpose and use of a fee and establish a "nexus" or connection between a development project (or class of projects) and the public improvement being financed with the fee.

   Response: For all projects requiring development fees subject to AB 1600, the City complies with this requirement by establishing a connection between the development and public improvements to be financed. This is accomplished through the established fee structure, which calculates the amount of public improvements required to be financed based on the type of development.

2. Requirement: Segregate fee revenue from the General Fund in order to avoid comingling of capital facilities fees and general funds.

   Response: AB 1600 development fees are held in special deposit accounts outside of the General Fund and are therefore not comingled with other fees or funds.

3. Requirement: The City must make findings each fiscal year describing the continuing need for the money for all fees that have been in the possession of the City for five years or more, and for which the dollars have not been spent or committed to a project.

   Response: Water and sewer connection fees are both nonrefundable. The fees collected are used to finance the acquisition, construction, and improvement of public water and sewer facilities needed as a result of this new development. Park impact fees which is refundable has only been adopted last January 20, 2020, and therefore no findings to report.

4. Requirement: Refund any fees, including accumulated interest, for developer deposits in which the findings noted above cannot be made.

   Response: No refunds are required at this time.

The City has satisfied the Mitigation Fee Act requirements for FY 2021.

ECONOMIC IMPACT

There is no economic impact associated with this report.

FISCAL IMPACT

This is an informational report and includes no fiscal impact is associated with it. Attachment III provides a summary of the applicable fees pursuant to the Mitigation Act for FY 2021.

This report is prepared annually in compliance with Assembly Bill 1600 and allows the City to hold development deposits for future improvements to the community to offset the impacts of these new developments.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the projects outlined in the Council's Strategic Roadmap.

PUBLIC CONTACT

A public notice was published in The Daily Review on November 19, 2021, announcing the date, time, location, and subject matter of this report.

NEXT STEPS

Upon Council approval, staff will publish the information on the City's website.

Prepared by: Marichu Maramba, Accounting Manager
Kaitlyn Byrne, Management Analyst I

Recommended by: Dustin Claussen, Director of Finance

Approved by:

Kelly McAdoo, City Manager

ATTACHMENT II

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-_____

Introduced by _____

RESOLUTION ACCEPTING THE REPORT AND ADOPTING FINDINGS RELATED TO FEES COLLECTED FOR THE DEVELOPMENT PROJECTS SUBJECT TO THE REQUIREMENTS OF THE MITIGATION FEE ACT

WHEREAS, Government Code section 66006, part of the Mitigation Fee Act, which is sometimes referred to as Assembly Bill 1600, requires the City to make findings each fiscal year describing the continuing need to retain fees collected from developers, but which remain unexpended and/or uncommitted after a period of five years; and

WHEREAS, the funds maintained for such period of time must be refunded if the requisite findings cannot be made; and

WHEREAS, the City has unexpended fees that it needs to retain for future expenditures.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby accepts the report of the Director of Finance dated December 07, 2021, and adopts the findings contained therein, copy of which is attached hereto as Attachment III.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

ATTACHMENT III

City of Hayward
Annual Report on Development Impact Fees, Per Government Code 66000
AB 1600 Statement
Park-in-Lieu Fees

Municipal Code, Chapter 10, Article 16, Section 10-16.20 authorizes the City to impose a Park Impact Fee upon park and recreational facilities. The fee shall not exceed the cost to the City mitigating the impact of such development on park and recreational facilities in the City.

https://www.hayward-ca.gov/sites/default/files/documents/Adopted-FY22-Master-Fee-Schedule_0.pdf

Beginning Balance, 7/1/2020	$ -		
REVENUES			
Fees - mitigation act	692,639		
Fees - quimby act	971,325		
Interest income	-		
Miscellaneous	-		
Total revenues	1,663,964		
EXPENDITURES		**Percent Financed with Fees**	**Note**
	-		
Total Expenditures	-		
Excess of revenues over/(under) expenditures	1,663,964		
Ending balance, 6/30/21	**$ 1,663,964**		

ATTACHMENT III

City of Hayward
Annual Report on Development Impact Fees, Per Government Code 66000
AB 1600 Statement
Sewer System Connection Charges and Fees

Municipal Code, Chapter 11, Article 3, Section 11-3.255 authorizes the City to assess connection fees to any customer (new or existing) who installs new or additional fixtures, processes, or equipment, or otherwise causes an increase in wastewater discharge into the City sewer. Residential users shall be assessed for each unit. Commercial, Industrial, Institutional and Other Users will be calculated in accordance with the number of gallons of daily capacity required to serve the customers and the pounds per year of carbonaceous biochemical oxygen demand and suspended solids.
https://www.hayward-ca.gov/sites/default/files/documents/Adopted-FY22-Master-Fee-Schedule_0.pdf

Beginning Balance, 7/1/2020	$	19,983,311	
REVENUES			
Fees		3,464,083	
Bond proceeds		5,538,217	
Interest income		131,858	
Miscellaneous		7,049,442	
Total revenues		16,183,600	
			Percent Financed with Fees
EXPENDITURES			
Recycled Water Treatment and Distribution Facilites (07507)		1,235,288	23%
WPCF Headworks Bar Screens (07567)		385,635	100%
Recycled Water Facility Treatment (07710)		240,685	100%
Emergency equipment procurement (07114)		194,581	0%
Laboratory equipment replacement (07743)		136,520	100%
Co-Generation System Maintenance Contract (07679)		135,651	100%
WPCF Sludge Pipeline (07706)		69,409	100%
Sewer Main Install 880/WILLIMET (07717)		41,001	100%
GIS conversion/migration (07514)		10,150	100%
Linden lift station upgrades (07744)		4,907	100%
Energy Management at WPCF (07542)		1,040	100%
Transfer out		2,158,000	
Total Expenditures		4,612,867	
Excess of revenues over/(under) expenditures		11,570,733	
Ending balance, 6/30/21	**$**	**31,554,044**	

Note:
Transfer out in the amount of $2,158,000 was for debt service payments to fund Solar project and WPCF Improvement project Phase I

City of Hayward
Annual Report on Development Impact Fees, Per Government Code 66000
AB 1600 Statement
Water System Facilities Fees

Municipal Code, Chapter 11, Article 2, Section 11-2.05 authorizes the City to impose a Water System Facilities Fee upon every applicant for a new water service. The facilities fee will be based on the water meter size.
https://www.hayward-ca.gov/sites/default/files/documents/Adopted-FY22-Master-Fee-Schedule_0.pdf

Beginning Balance, 7/1/2020	$	41,108,367	
REVENUES			
Fees		4,339,096	
Intergovernmental		107,592	
Interest income		193,480	
Miscellaneous		14,144	
Total revenues		4,654,312	
EXPENDITURES			**Percent Financed with Fees**
Transfer out		537,768	
Radio Telemetry & Transducer Replacement (07119)		49,543	100
D Street/Treeview/Maitland reservoir water quality pump upgrade (07108)		36,846	100
New .75 MG Tank - Garin reservoir (07183)		26,165	0
Groundwater Sustainability plan imp (07191)		22,277	100
Reservoir Water Quality Improvement Project (07102)		20,053	100
GIS data development & cconversion (07177)		10,150	100
Groundwater Management Plan (07021)		8,942	100
Design of facility improvement-Water distribution (07103)		4,772	100
Parallel supply to the 330 zone (07140)		1,831	100
New 8" pipeline - Bart access road (07180)		1,263	0
Total Expenditures		719,610	
Excess of revenues over/(under) expenditures		3,934,702	
Ending balance, 6/30/21	**$**	**45,043,069**	

Notes:
Transfer out in the amount of $265,000 was for capital projets.
Transfer out in the amount of $272,768 was for debt service payments to fund Recycled Water project.

File #: CONS 21-630

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT

Adopt a Resolution Accepting the Fiscal Year 2022 Statement of Investment Policy and Delegation of Authority

RECOMMENDATION

That the Council adopts a resolution (Attachment II) reaffirming the updated Fiscal Year 2022 Statement of Investment Policy and Delegation of Authority.

SUMMARY

There are no recent changes to California Government Code Section 53601 (Code) that governs the investment of public funds. Staff worked in conjunction with the City's portfolio manager, PFM Asset Management, to review the City's Statement of Investment Policy (Policy) and recommends no changes to the Policy (Attachment IV).

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Statement of Investment Policy Review Memorandum
Attachment IV	FY 2022 Statement of Investment Policy

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT: Adopt a Resolution Accepting the Fiscal Year 2022 Statement of Investment Policy and Delegation of Authority

RECOMMENDATION

That the Council adopts a resolution (Attachment II) reaffirming the updated Fiscal Year 2022 Statement of Investment Policy and Delegation of Authority.

SUMMARY

There are no recent changes to California Government Code Section 53601 (Code) that governs the investment of public funds. Staff worked in conjunction with the City's portfolio manager, PFM Asset Management, to review the City's Statement of Investment Policy (Policy) and recommends no changes to the Policy (Attachment IV).

BACKGROUND

The City's Statement of Investment Policy (Policy) requires that staff submit to the Council for approval any recommended changes to the Policy. In addition, the State statutes that govern investment activity require the Council to annually affirm the Policy and to annually confirm the delegation of investment authority, which in the City of Hayward, is to the Director of Finance.

DISCUSSION

As part of the overview of the FY 2021 year-end investment portfolio, staff reviewed and evaluated the need for any changes to the Policy. PFM, the City's portfolio manager, has also reviewed the Policy and prepared a memorandum recommending no changes to the Policy (Attachment III). In conjunction with the City's portfolio manager, staff recommends that the Council recommend approval of the FY 2022 Policy as is (Attachment IV).

STRATEGIC ROADMAP

This is a routine operational item and does not relate to any of the priorities outlined in the Council's Strategic Roadmap.

FISCAL IMPACT

There is no fiscal impact.

PUBLIC CONTACT

The recommended changes to the Policy (Attachment IV) were discussed by the Investment Advisory Committee during its quarterly meeting on October 25, 2021, and presented to Council Budget and Finance Committee on October 20, 2021.

Prepared and Recommended by: Nicole Gonzales, Deputy Director of Finance
Dustin Claussen, Director of Finance

Approved by:

_____
Kelly McAdoo, City Manager

ATTACHMENT II

HAYWARD CITY COUNCIL

RESOLUTION NO. 21 -_____

Introduced by Council Member

RESOLUTION REAFFIRMING THE STATEMENT OF INVESTMENT POLICY AND RENEWING THE DELEGATION OF AUTHORITY TO MAKE INVESTMENTS TO THE DIRECTOR OF FINANCE

WHEREAS, by Resolution No. 21-004, dated January 26, 2021, the City Council adopted a Statement of Investment Policy for the City of Hayward; and

WHEREAS, under section 53607 of the California Government Code, the authority of the legislative body to invest or to reinvest funds of a local agency, or to sell or exchange securities so purchased, may be delegated for a one-year period by the legislative body to the treasurer of the local agency, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires, and shall make a periodic report of those transactions to the legislative body. Subject to review, the legislative body may renew the delegation of authority pursuant to this section each year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the FY 2022 Statement of Investment Policy is hereby reaffirmed as amended, and that the authority of the Director of Finance, or his or her designee, to make investments pursuant to the Policy is hereby renewed.

BE IT FURTHER RESOLVED that the Director of Finance and his/her successors in office is authorized to order the deposit or withdrawal of money in the accounts of the City of Hayward, the Public Financing Authority, the Successor Agency of the Redevelopment Agency of the City of Hayward, and the Housing Authority within the Local Agency Investment Fund of the State of California for the purpose of investment in accordance with the provisions of Section 16429.1 of the California Government Code; and further authorized to delegate responsibility for daily deposits or withdrawals of money in the above referenced accounts as required to ensure proper functioning of the fiscal operations of the City and these agencies.

IN COUNCIL, HAYWARD, CALIFORNIA _____ 2021.

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

October 13, 2021

Memorandum

To: Dustin Claussen, Director of Finance
City of Hayward

From: Monique Spyke, Managing Director
Allison Kaune, Senior Analyst
PFM Asset Management LLC

Re: Investment Policy Review 2022

We reviewed the City of Hayward's (the "City") Statement of Investment Policy (the "Policy"), as part of the City's annual review process. As written, the Policy is comprehensive, is consistent with the City's objectives and risk tolerances, and it is in compliance with the California Government Code (the "Code") sections that govern the investment of public funds. Consequently, we are not recommending any changes to the Policy at this time.

Please let us know if you have any questions. Thank you.

CITY OF
HAYWARD
HEART OF THE BAY

FY ~~2021~~2022
Statement of Investment Policy

Finance Department
Director of Finance, Dustin Claussen
Policy last amended: Jan 26, 2021

Table of Contents

I. Introduction

The purpose of this document is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy and to organize and formalize investment-related activities. Activities that comprise good cash management include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and arranging for a short-term borrowing program that coordinates working capital requirements and investment opportunities.

A. Included – Funds included in this Statement of Investment Policy are described in the City's annual financial report, and include: General Fund, Special Revenue Funds, Capital Projects Funds, Enterprise Funds, Internal Service Funds, Fiduciary Funds, Housing Finance Agency Funds, Successor Hayward Housing Authority funds, and Hayward Redevelopment Agency Successor Agency funds. The Statement of Investment Policy applies to all transactions involving the financial assets and related activity of the foregoing funds.

B. Excluded – The following funds are excluded from the Statement of Investment Policy: Deferred Compensation Fund assets and monies held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of the City, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements may be invested in accordance with the ordinance, resolution, indenture or agreement approved by the City Council which govern the issuance of those bonds, or lease installment sale, or other agreement, rather than this Statement of Investment Policy.

II. Statement of Objectives

It is the policy of the City of Hayward to invest public funds not required for immediate day-to-day operations in safe and liquid investments with maturities under five years, in conformance with the California state statutes governing the investment of public funds. Investments are intended to achieve a reasonable rate of return while minimizing the potential for capital losses arising from market changes or issuer default.

In managing the City of Hayward's Investment Portfolio, the City's primary objectives are safety, liquidity, and yield.

1. **Safety** – Safety of principal is the foremost objective of the City, followed by liquidity and yield. Each investment transaction shall seek to first ensure that capital losses are avoided, whether they are from securities defaults or erosion of market value.

2. **Liquidity** – The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated.

3. **Yield** – The City may establish a performance benchmark based on current investment objectives and constraints. The investment portfolio shall be managed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the City's policy constraints and cash flow requirements. The City should not take undue risk to obtain above-market rates of return.

4. **Diversification** – The City's investment portfolio will be diversified to avoid concentrating investments in specific security types or in individual financial institutions.

While the City will not make investments for the purpose of trading or speculation as the dominant criterion, the Director of Finance shall seek to enhance total portfolio return by means of active portfolio management.

III. Use of State Investment Guidelines

Government Code Sections 53601, 53607, and 53646 of the State of California regulate investment practices. It is the policy of the City of Hayward to use the State's provisions for local government investments as the base for developing and implementing the City's investment policies and practices.

IV. Delegation of Authority

The responsibility for conducting the City's investment program is hereby delegated to the Director of Finance, who has established written procedures for the operation of the investment program, consistent with this Statement of Investment Policy. The Finance Director has further authority, with consent of the City Council, to engage the services of one or more external investment managers to assist in the management of the City's investment portfolio in a manner consistent with the City's Statement of Investment Policy. Such managers must be registered under the Investment Advisors Act of 1940.

V. Investment Advisory Committee

The City Manager will appoint an Investment Advisory Committee (IAC). The IAC shall, at minimum, consist of the Assistant City Manager, Director of Finance or Deputy Director of Finance, City Attorney or Assistant City Attorney, one department head, and a minimum of one non-City employee that possesses financial skills to be chosen by the City Manager as available.

The IAC shall meet at least quarterly for the purpose of overseeing the implementation of the City's investment program and assuring it is consistent with the Statement of Investment Policy as approved by the Council. The committee shall include in its discussions such topics as economic outlook, portfolio diversification and maturity structure, potential risks to the City's funds, approval of authorized financial institutions, and the performance of the investment portfolio. Written investment procedures must be approved by the IAC.

VI. Ethics and Conflict of Interest

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program or impair their ability to make impartial decisions.

All members of the City's IAC shall annually file Statements of Economic Interests (SEIs or Form 700) with the California Fair Political Practices Commission.

VII. Investment Policy Adoption

The City's Statement of Investment Policy shall be annually reviewed and approved by the Investment Advisory Committee and thereafter shall be reviewed and approved by the City Council at a public meeting.

VIII. Standard of Prudence

All participants in the investment process shall act responsibly as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. Nevertheless, in a diversified portfolio, it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

The standard of prudence to be used by investment officials shall be the "prudent investor standard," which states:

> *"When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a*

like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency."

Investment officers acting in accordance with written procedures and the Statement of Investment Policy, and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this Policy.

IX. Reporting

The following investment activity reports will be completed.

A. Monthly

The Director of Finance shall post a monthly investment and transaction summary to the City's public website that will be available to the City Manager, Investment Advisory Committee, City Council Budget & Finance Committee, City Council, and the general public. Code section 53607 requires agencies to make a monthly report of transactions available to the legislative body.

The investment summary will list investment transactions executed during the month, and will report key aspects of the investment portfolio, including the following information about each investment instrument: issuer, par amount, purchase price, sales price, realized gains and losses, maturity dates, credit ratings, and the percentage of the portfolio by each type of investment.

B. Periodic

While there is no legislative requirement for quarterly investment activity reporting, the Director of Finance shall submit periodic investment reports to the City Manager, Investment Advisory Committee, City Council Budget & Finance Committee, and City Council.

A periodic report shall include all components of the City's monthly report, highlight key aspects of information contained in the investment reports, and inform readers of economic conditions affecting the portfolio. The report will present recent investment performance and future investment strategy; disclose any perceived threats to portfolio quality, security or liquidity; compare the portfolio performance to that of the City's established performance benchmark, state compliance with the Investment Policy and include a statement denoting the ability to meet expenditure requirements for the next six months.

C. Annual

While there is no legislative requirement for submission of an annual investment report, the Director of Finance shall present a comprehensive annual report on the investment program and investment activity no later than 180 days following the end of the fiscal year. This report shall be presented to the Investment Advisory Committee. The annual report shall include a performance summary, shall suggest policies and improvements

that might enhance the investment program, and include an investment plan for the ensuing fiscal year. In conjunction with its review of the annual investment report, the Investment Advisory Committee shall review and reaffirm the Statement of Investment Policy of the City, whether or not specific policy modifications are suggested.

Following the annual review of the Statement of Investment Policy by the Investment Advisory Committee, the Investment Policy shall be submitted to the City Council, together with any changes recommended by the Investment Advisory Committee. The City Council shall consider any such recommended changes and approve the Statement of Investment Policy at a public meeting of the City Council.

X. Investment Instruments

A summary and description of authorized investment instruments is below.

INVESTMENT INSTRUMENT SUMMARY				
Security Type	**Maximum Maturity**	**Min Credit Quality**	**Authorized Investment Limit**	**Per Issuer Limit**
A. US Treasury Notes/Bills	5 Years	None	100%	100%
B. US Agencies	5 Years	None	100%	40%
B. US Agencies–Mortgage-Backed	5 Years	None	20%	20%
C. Banker's Acceptance (BA)	180 days	A-1	40%	5%
D. Commercial Paper	270 days	A-1	40%	5%
E. Negotiable Certificates of Deposit	5 Years	"A"	30%	5%
F. Repurchase Agreements	1 Year	None	20%	20%
G. Medium Term Notes (MTN)	5 Years	"A"	30%	5%
H. Money Market Fund	N/A	AAAm	20%	10%
I. Alameda County Investment Pool	None	None	10%	10%
J. Shares of beneficial interest issued by a joint powers authority	None	AAAm	100%	N/A
K. LAIF	None	None	Max amount allowed by Advisory Board	N/A
L. Collateralized Certificates of Deposit	5 Years	None	25%	20%
M. Municipal Bonds	5 Years	"A"	20%	5%
N. Supranationals	5 Years	"AA"	30%	30%
O. Asset-Backed Securities	5 Yr WAL[1]	"AA"	20%	5%

The following sections describe individual investment types. The sections specify a

[1] WAL – Weighted Average Life. See glossary for definition

percentage limitation for a particular category of investment. That percentage is applied on the date of purchase. A later increase in a percentage resulting from a change in values or assets shall not constitute a violation of the Policy restriction.

Unless stated otherwise in the Policy, no more than 5% of the City's portfolio may be invested in securities issued by any one issuer.

A. United States Treasury Notes, Bonds, Bills, or Certificates of Indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest with a final maturity not exceeding five years from the date of trade settlement.

CA Govt Code 53601(b)

B. Federal Agency or United States Government-Sponsored Enterprise (GSE) Obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies, or United States government-sponsored enterprises with a final maturity not exceeding five years from the date of trade settlement. There is no limit to the amount of the City's portfolio that may be invested in federal agency or GSE securities, except that the aggregate investment in federal agency mortgage-backed securities shall not exceed 20% of the City's total portfolio. Furthermore, the aggregate investment in any one federal agency or GSE issuer shall not exceed 40% of the City's total portfolio.

CA Govt Code 53601(f)

C. Banker's Acceptances, otherwise known as bills of exchange or time drafts, that are drawn on and accepted by a commercial bank with a final maturity not exceeding 180 days from the date of trade settlement, rated at least "A-1" or the equivalent by a nationally recognized statistical-rating organization (NRSRO). The aggregate investment in banker's acceptances shall not exceed 40% of the City's total portfolio.

CA Govt Code 53601(g)

D. Prime Commercial Paper with the highest letter and numerical rating as provided for by a NRSRO. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph 1 or paragraph 2 below:

(1) The entity meets the following criteria:
- is organized and operating in the United States as a general corporation;
- has total assets in excess of five hundred million dollars ($500,000,000); and
- has debt other than commercial paper, if any, that is rated in a rating category of at least "A" or its equivalent by a NRSRO.

(2) The entity meets the following criteria:
- is organized within the United States as a special purpose corporation, trust, or limited liability company;

- has program wide credit enhancements including, but not limited to, over-collateralization, letters of credit, or surety bond; and
- has commercial paper that is rated "A-1" or higher, or the equivalent, by a NRSRO.

Eligible commercial paper shall have a final maturity not exceeding 270 days from the date of trade settlement. The aggregate investment in commercial paper shall not exceed 40% of the City's total portfolio. Furthermore, the City may invest no more than 5% of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

CA Govt Code 53601(h)

E. Negotiable Certificates of Deposit issued by a nationally- or state-chartered bank, a savings association or a federal association as defined by Section 5102 of the California Financial Code, a state or federal credit union, or by a federally-licensed or state-licensed branch of a foreign bank with a final maturity not exceeding five years from the date of trade settlement. Deposits are limited to institutions which have long-term debt rating in a rating category of at least "A" or the equivalent by a NRSRO. The aggregate investment in negotiable certificates of deposit shall not exceed 30% of the City's total portfolio.

CA Govt Code 53601(i)

F. Repurchase Agreements with a final termination date not exceeding 360 days from the date of trade settlement collateralized solely by United States Treasury, federal agency, or United States government sponsored enterprises permitted by this Statement of Investment Policy. The purchased securities (the "collateral") shall have a minimum market value of 102% of the dollar value of the funds invested. The market value of the collateral securities shall be marked-to-the-market daily and the value shall be adjusted no less frequently than weekly. No substitution of collateral shall be allowed without the prior approval of the Finance Director. All collateral securing repurchase agreements must be delivered to the City's custodian bank or handled under a tri-party repurchase agreement. The City or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to repurchase agreement.

Approved repurchase agreement counterparties shall have a repurchase agreement counterparty credit rating of at least "A-1" or the equivalent and a long-term credit rating of at least "A" or the equivalent by a NRSRO. Repurchase agreement counterparties shall execute a City approved master repurchase agreement with the City. No more than 20% of the City's total portfolio shall be invested in repurchase agreements.

CA Govt Code 53601 (j)

G. Medium-Term Notes issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state

and operating within the United States, with a final maturity not exceeding five years from the trade settlement, and rated in a rating category of at least "A" or the equivalent by a NRSRO at the time of purchase. The aggregate investment in medium-term notes shall not exceed 30% of the City's total portfolio. Furthermore, the City shall invest no more than 5% of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

CA Govt Code 53601 (k)

H. Money Market Funds. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, et seq.). To be eligible for investment pursuant to this subdivision these companies shall either:

(1) attain the highest ranking letter or numerical rating provided by not less than two of the three largest NRSROs, or

(2) have an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years of experience managing money market mutual funds and with assets under management in excess of $1,000,000,000.

The purchase price of shares shall not exceed 20% of the City's total portfolio and shall not include any commission that the companies may charge. Furthermore, no more than 10% of the City's total portfolio may be invested in any one money market fund.

CA Govt Code 53601 (l)

I. Alameda County Investment Pool. The City's maximum investment in the Alameda County pool is limited to 10% of the City's total aggregate portfolio.

CA Govt Code 53684

J. Other Investment Pools. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (r), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

1) The adviser is registered or exempt from registration with the Securities and Exchange Commission.

2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive.

3) The adviser has assets under management in excess of five hundred million dollars ($500,000,000).

CA Govt Code 53601 (p)

K. State of California's Local Agency Investment Fund (LAIF). The City's participation in LAIF shall conform to State Regulation. The City maintains a total of two LAIF investment accounts and may invest the maximum amount permitted by LAIF's Local Investment Advisory Board. In general, it is the City's intention to use investment in LAIF as a temporary repository for short-term funds needed for liquidity purposes. The Finance Director shall maintain appropriate information concerning LAIF's current investment policies, practices and performance on file. The Finance Director shall also maintain files on LAIF's requirements for participation, including, but not limited to, limitations on deposits or withdrawals and the composition of the portfolio.

CA Govt Code 16429.1

L. Collateralized Certificates of Deposit in FDIC-insured financial institutions located in California with a maximum maturity no longer than five years from the date of deposit. Deposits are limited to banks who have a long-term debt rating in a rating category of at least "A" or the equivalent and a short-term debt rating of at least "A-1" or the equivalent by a NRSRO. The City may waive collateral for any portion of its deposit that is covered by federal deposit insurance.

Money shall not be deposited in any state or federal credit union if a member of the legislative body of the City, or any person with investment decision making authority of the administrative office, manager's office, budget office, auditor-controller's office, or treasurer's office of the City, also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or supervisory committee, of the state or federal credit union.

The amount on deposit shall not exceed the total paid-up capital (to include capital notes and debentures) and surplus of any depository bank, or the total of the net worth of any savings and loan association. However, deposits in collateralized certificates of deposit shall not exceed 25% of the City's total portfolio, nor shall the City deposit more than 20% of its total portfolio in the collateralized certificates of deposit of any one bank.

CA Govt Code 53649

M. Municipal Bonds issued by the state of California and any local agency within the state, including bonds payable solely out of revenues from a revenue-producing property owned, controlled, or operated by the state or any local agency, or by a department, board, agency or authority of the state or any local agency.

Registered treasury notes or bonds of any of the other 49 United States in addition

to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.

The aggregate investment in municipal bonds may not exceed 20% of the City's total portfolio.

CA Govt Code 53601(c), CA Govt Code 53601(d), and CA Govt Code 53601(e)

N. Supranationals defined as United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a final maturity not exceeding five years from the trade settlement, and eligible for purchase and sale within the United States. Supranationals shall be rated in a rating category of at least "AA" or the equivalent by a NRSRO at the time of purchase.

The aggregate investment in supranationals may not exceed 30% of the City's total portfolio.

CA Govt Code 53601(q)

O. Asset-Backed Securities defined as all mortgage pass-through securities, collateralized mortgage obligations, mortgage-backed or other pay-through bonds, equipment lease-backed certificates, consumer receivable pass-through certificates, and consumer receivable-backed bonds, with a final maturity not exceeding five years from the trade settlement.

Asset-backed securities shall be rated in a rating category of at least "AA" or the equivalent by a NRSRO at the time of purchase and have a maximum remaining maturity of five years or less.

The aggregate investment in asset-backed securities may not exceed 20% of the City's total portfolio.

CA Govt Code 53601(o)

XI. Prohibited Investments

Investments not specifically approved by this Statement of Investment Policy are prohibited, including inverse floaters, range notes, mortgage derived interest-only strips, and securities that could result in zero interest accrual if held to maturity, except as provided in the subsequent paragraph.

Notwithstanding the prohibitions stated in the above paragraph, effective January 1, 2021, the City may invest in securities issued by, or backed by, the United States government that could result in zero- or negative-interest accrual if held to maturity, in the event of, and for the duration of, a period of negative market interest rates. The City

may hold these instruments until their maturity dates. Securities described in this paragraph shall remain in effect only until January 1, 2026, and as of that date is repealed.

XII. Credit Downgrade

The minimum rating criteria for particular investment categories is applied on the date of purchase. The City may from time to time be invested in a security whose rating is downgraded. In the event a rating drops below the minimum allowed rating category for that given investment type, the securities shall be reviewed and a plan of action shall be recommended by the Director of Finance or investment manager. The Director of Finance may consult the Investment Advisory Committee on the action to be taken and shall advise its Chairman and Members of the final disposition of the matter either by e-mail or fax.

If an investment advisor is used, the investment advisor will immediately notify the Director of Finance if a purchased security has been downgraded below accepted minimums specified herein, or if the security is placed on negative credit watch, where downgrade could result in a rate drop below acceptable levels of that fact. The course of action to be followed will then be decided on a case-by-case basis, considering such factors as the reason for the rate drop, prognosis for recovery or further drop, and market price of the security. The City Council will be advised of the situation and intended course of action by e-mail or fax.

XIII. Maturity and Diversification

Maturities shall be based on a review of cash flow forecasts. Maturities will be scheduled to permit the City to meet all projected obligations.

The City may not invest in a security that exceeds five years from the date of purchase unless City Council has granted express authority to make that investment no less than three months prior to the investment.

XIV. Internal Controls

The Finance Director shall establish a system of internal controls. The controls shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. Controls deemed most important include:

- **Clearly delegating authority to subordinate staff members.** Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.

- **Separating transaction authority from accounting and record keeping.** By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.

- **Delivery versus payment.** All trades where applicable will be executed by delivery vs. payment (DVP). This ensures that securities are deposited in the eligible financial institution before the release of funds. A third party custodian as evidenced by safekeeping receipts will hold securities.

- **Avoiding physical delivery securities.** Book entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.

- **Confirming telephone transactions for investments and wire transfers in writing.** Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.

- **Developing wire transfer agreements with the lead bank or third party custodian.** This agreement should outline the various controls and security provisions, and delineate responsibilities of each party making and receiving wire transfers.

XV. Banks and Security Dealer Selection

The Investment Advisory Committee shall approve all financial institutions from which securities are purchased or sold.

In selecting financial institutions for the deposit or investment of City funds, the Finance Director shall consider the creditworthiness of institutions. The Finance Director shall continue to monitor financial institutions' credit characteristics and financial history throughout the period in which City funds are deposited or invested.

Only primary government securities dealers that report to the New York Federal Reserve shall be used for the purchase of repurchase agreements. (It is acknowledged that inclusion on the primary dealer listing of the Federal Reserve Bank of New York is not a guarantee of creditworthiness.)

Effective October 14, 1987, the City shall be prohibited from investing funds with any person who is knowingly or intentionally engaged in the development or production of nuclear weapons. Person is defined as any person, private corporation, institution or other entity, which is within the jurisdiction of the City of Hayward.

If a third-party investment advisor is authorized to conduct investment transactions on the City's behalf, the investment advisor may use its own list of approved broker/dealers and financial institutions for investment purposes.

XVI. Risk Tolerance

The City recognizes that investment risks can result from issuer defaults, market price changes, or various technical complications leading to temporary illiquidity. Portfolio diversification is employed as a way to control risk. Investment managers are expected to display prudence in the selection of securities as a way to minimize default risk. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

The Director of Finance shall periodically establish guidelines and strategies to control risks of default, market price changes and illiquidity. All investment reports shall specifically address whether current investment results have been affected by any of the foregoing risks, and shall explain what actions investment officials have taken to control or correct for such risks.

A thorough investigation of any money market fund or investment pool, including LAIF and the Alameda County Pool, is required prior to investing, as well as on an ongoing basis. The following information should be obtained and analyzed:

I. A description of eligible investment securities
II. A written statement of investment policies and objectives
III. A description of interest calculation and their distribution, and the treatment of gains and losses
IV. A description of how the securities are safeguarded and how often the

securities are priced and the program audited

V. Information about the size and frequency of deposits and withdrawals allowed, and how much notice is needed for withdrawals
VI. A schedule for receiving statements and portfolio listings
VII. A fee schedule, as well as how and when the fees are assessed
VIII. The rating of the pool/fund
IX. Information about investment advisers, including registration with the Securities and Exchange Commission, length of experience and total assets under management

In addition to these general policy considerations, the following specific policies will be strictly observed:

1. All investment funds will be placed directly with qualified financial institutions. The City will not deposit or invest funds through third parties or money brokers.

2. A competitive bid process, utilizing financial institutions approved by the Investment Advisory Committee, will be used to place investment purchases. Based on annual evaluation, securities dealers, banks, and other financial institutions will be dropped or continued on the eligibility list. The following criteria will be used in the evaluation:

    a. Number of transactions competitively won
    b. Prompt and accurate confirmation of transactions
    c. Efficient securities delivery
    d. Accurate market information account servicing

    If a third party investment advisor is authorized to conduct investment transactions on the City's behalf, the investment advisor may rely on its review process and use its own list of approved broker/dealers for investment purposes.

3. The Finance Director may designate an official to manage investments and designate a second official to perform investment management during absences of the primary designee. The Finance Director shall ensure that competent investment management is maintained and shall ensure that, if both designated investment officials are replaced or are simultaneously absent, any temporary replacement(s) shall be closely supervised, indoctrinated in the requirements of this Statement of Investment Policy, and given written investment procedures regulating the authority to invest in maturities beyond six months by means of appropriate controls and restraining requirements.

4. In order to assist in identifying "qualified financial institutions," the Finance Director shall forward copies of the City's Statement of Investment Policy to those financial institutions with which the City is interested in doing business and require written acknowledgement of the policy.

XVII. Safekeeping and Custody

To protect against potential fraud and embezzlement, the assets of the City shall be secured through third-party custody and safekeeping procedures.

The investment official shall be bonded to protect the public against possible embezzlement and malfeasance. An independent auditor shall review safekeeping procedures annually. The auditor may conduct surprise audits of safekeeping and custodial procedures.

All cash and securities in the City's portfolio shall be held in safekeeping in the City's name by a third party bank trust department, acting as agent for the City under the terms of a custody agreement executed by the bank and the City.

All securities will be received and delivered using standard delivery versus payment (DVP) procedures; the City's safekeeping agent will only release payment for a security after the security has been properly delivered. The only exception to the foregoing shall be depository accounts and securities purchases made with: (i) local government investment pools, and (ii) money market funds, since the purchased securities are not deliverable.

Appendix A

Comparison and Interpretation of Credit Ratings[1]

Long-Term Debt Ratings

Rating Interpretation	Moody's	Standard & Poor's	Fitch
Best Quality Grade	Aaa	AAA	AAA
High Quality Grade	Aa1 Aa2 Aa3	AA+ AA AA-	AA+ AA AA-
Upper Medium Grade	A1 A2 A3	A+ A A-	A+ A A-
Medium Grade	Baa1 Baa2 Baa3	BBB+ BBB BBB-	BBB+ BBB BBB-
Speculative Grade	Ba1 Ba2 Ba3	BB+ BB BB-	BB+ BB BB-
Low Grade	B1 B2 B3	B+ B B-	B+ B B-
Poor Grade to Default	Caa	CCC+	CCC
In Poor Standing	- -	CCC CCC-	- -
Highly Speculative Default	Ca C	CC -	CC -
Default	- - -	- - D	DDD DD D

Short-Term/Commercial Paper Investment Grade Ratings

Rating Interpretation	Moody's	Standard & Poor's	Fitch
Superior Capacity	P-1	A-1+/A-1	F1+/F1
Strong Capacity	P-2	A-2	F2
Acceptable Capacity	P-3	A-3	F3

[1] These are general credit rating guidelines and are for information only.

Appendix B

Glossary

ASK PRICE: The price at which a seller offers to sell a security to a buyer.

ASSET-BACKED SECURITIES: Bonds created from various types of consumer debt. Returns on these securities come from customer payments on their outstanding loans. The primary types of asset-backed securities are mortgages, home equity loans, auto loans, leases, credit card receivables and student loans.

BANKERS' ACCEPTANCE: A letter of credit issued in a foreign trade transaction which allows exporters to receive payment prior to importation of their goods. Banks provide short-term financing to facilitate the transaction and may sell the obligation to a third party. Bankers' Acceptances are secured by the issuer of the bill, while the underlying goods also serve as collateral.

BANK DEPOSITS: Collateral in the form of currency that may be in the form of demand accounts (checking) or investments in accounts that have a fixed term and negotiated rate of interest.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID PRICE: The price at which a buyer offers to purchase a security from the seller.

BOND: A debt investment in which an investor loans money to an entity (corporate or governmental) that borrows the funds for a defined period of time at a fixed interest rate called a coupon payment. Bonds are used by companies, municipalities, states and the U.S. government to finance a variety of projects and operating activities.

BROKER: A broker aligns buyers and sellers of securities and receives a commission when a sale occurs. Brokers generally do not hold inventory or make a market for securities.

CALIFORNIA LOCAL AGENCY OBLIGATIONS: Bonds that are issued by a California county, city, city and county, including a chartered city or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

CD (CERTIFICATE OF DEPOSIT): Time deposits issued by a bank, savings or federal credit union, or state-licensed branch of a foreign bank. Negotiable Certificates of Deposits rely on the credit rating of the issuing entity.

COLLATERAL: Securities, evidence of deposit, or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank

to secure deposits of public monies.

COLLATERALIZATION: Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security.

COMMERCIAL PAPER: Short-term unsecured promissory note issued by a company or financial institution. Commercial paper is issued at a discount and matures at face value. Usually a maximum maturity of 270 days, and given a short-term debt rating by one or more NRSROs.

COUNTY POOLED INVESTMENT FUNDS: The aggregate of all funds from public agencies placed in the custody of the county treasurer or chief finance officer for investment and reinvestment.

COUPON: The annual rate of interest that a bond's issuer promises to pay the bondholder, expressed as a percentage of the bond's face value.

CREDIT RISK: Credit risk is the likelihood that an issuer will be unable to make scheduled payments of interest or principal on an outstanding obligation.

CUSTODIAN: An agent such as a broker or a bank that stores a customer's investments for safekeeping. The custodian does not have fiduciary responsibilities.

DEALER: A dealer, as opposed to a broker, acts as a principal in security transactions, selling securities from, and buying securities for his/her own position.

DEFAULT: To default is to fail to repay principal or make timely interest payments on a bond or other debt investment security, or failure to fulfill the terms of a note or contract.

DELIVERY VERSUS PAYMENT (DVP): A securities industry procedure whereby payment for a security must be made at the time the security is delivered to the purchaser's agent.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

DURATION: The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

FIDUCIARY: An individual who holds something in trust for another and bears liability for its safekeeping.

FLOATING RATE INVESTMENTS: Notes whose interest rate is adjusted according to the interest rates of other financial instruments. These instruments provide protection against rising or falling interest rates, but may pay lower yield than fixed rate notes.

FUTURES: Commodities, which are sold in the present time and are to be delivered at a future date.

INTEREST ONLY STRIPs: Securities with cash flow based entirely on the monthly interest payments received from a mortgage, Treasury, or bond payment. No principal is included in these types of securities.

INVERSE FLOATING RATE INVESTMENTS: Variable-rate notes (such as inverse floating rate notes) whose coupon and value increase as interest rates decrease.

INVESTMENT PROGRAM: The process of modern portfolio management. The process includes establishing investment policy, analysis of the economic and capital markets environment, portfolio monitoring and rebalancing, and measuring performance.

LIQUIDITY: The ease with which investments can be converted to cash at their present market value. Liquidity is significantly affected by the number of buyers and sellers trading a given security and the number of units of the security available for trading.

LOCAL AGENCY BONDS: These bonds are issued by a county, city, city and county, including a chartered city or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

LOCAL AGENCY INVESTMENT FUND (LAIF): A voluntary investment fund open to state and local government entities and certain non-profit organizations in California in which organization pools their funds for investment. LAIF is managed by the State Treasurer's Office.

MARKET RISK: Market risk is the risk that investments will change in value based on changes in general market prices.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract which includes provisions specific to the governmental agency that is signed by an authorized officer with each counterparty. A master agreement will often specify details to the nature of transactions, the relationship of the parties to the agreement, parameters pertaining to the ownership and custody of collateral, and remedies in the event of default by either party.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MEDIUM TERM NOTES (MTN): Unsecured, investment-grade senior debt securities of major corporations that are sold either on a continuous or an intermittent basis. MTNs are highly flexible debt instruments that can be structured to respond to

market opportunities or to investor preferences.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

MORTGAGE-BACKED SECURITIES: A debt instrument with a pool of real estate loans as the underlying collateral. The mortgage payments of the real estate assets are used to pay interest and principal on the bonds.

MORTGAGE PASS-THROUGH SECURITIES: A securitized participation in the interest and principal cash flows from a specified pool of mortgages. Principal and interest payments made on the mortgages are passed through to the holder of the security.

MUTUAL FUNDS: An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. **Money market mutual funds** invest exclusively in short-term (1-day to 1-year) debt obligations such as Treasury bills, certificates of deposit, and commercial paper. The principal objective is the preservation of capital and generation of current income.

NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATION (NRSRO): The formal term to describe a credit rating agency that is registered with the U.S. securities and exchange commission's office of credit ratings. Ratings provided by NRSROs are used frequently by investors and are used as benchmarks by federal and state agencies. Examples include Moody's, Standard and Poor's, and Fitch.

OFFER: The price asked by a seller of securities. See Ask Price and Bid Price.

OPTION: A contract that provides the right or obligation, depending on the buyer or seller's position within the contract, to buy or to sell a specific amount of a specific security within a predetermined time period at a specified price. A call option provides the right to buy the underlying security. A put option provides the right to sell the underlying security. The seller of the contracts is called the writer.

PORTFOLIO: A collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL ONLY STRIPS: Securities with cash flow based entirely on the principal payments received from an obligation.

RANGE NOTES: A range note is a bond that pays interest if a specified interest rate remains above or below a certain level and/or remains within a certain range.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or

its current market price.

REPURCHASE AGREEMENT (RP, Repo): A contractual transaction between an investor and an issuing financial institution (bank or securities dealer). The investor exchanges cash for temporary ownership or control of collateral securities, with an agreement between the parties that on a future date, the financial institution will repurchase the securities.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held by the bank in the customer's name.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION (SEC): A federal government agency comprised of five commissioners appointed by the President and approved by the Senate. The SEC was established to protect the individual investor from fraud and malpractice in the marketplace. The Commission oversees and regulates the activities of registered investment advisers, stock and bond markets, broker/dealers, and mutual funds.

STATE OBLIGATIONS: Registered treasury notes or bonds of the 50 United States, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the 50 United States.

STRIPS: Bonds, usually issued by the U.S. Treasury, whose two components, interest and repayment of principal, are separated and sold individually as zero-coupon bonds. Strips are an acronym for Separate Trading of Registered Interest and Principal of Securities.

SUPRANATIONALS: International financial institutions that are generally established by agreements among nations, with member nations contributing capital and participating in management. Supranational bonds finance economic and infrastructure development and support environmental protection, poverty reduction, and renewable energy around the globe.

TRUSTEE: An individual or organization, which holds or manages and invests assets for the benefit of another. The trustee is legally obliged to make all trust-related decisions with the trustee's interests in mind, and may be liable for damages in the event of not doing so.

U.S. AGENCY OBLIGATIONS: Federal agency or United States government-sponsored enterprise obligations (GSEs), participations, or other instruments. The obligations are issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. Issuers include: Fannie Mae, Farmer Mac, Federal Farm Credit Banks, Freddie Mac, Federal Home

Loan Banks, Financing Corporation, Tennessee Valley Authority, Resolution Trust Funding Corporation, World Bank, Inter-American Development Bank, and PEFCO.

U.S. TREASURY OBLIGATIONS (TREASURIES): Securities issued by the U.S. Treasury and backed by the full faith and credit of the United States. Treasuries are considered to have no credit risk and are the benchmark for interest rates on all other securities in the U.S. and overseas. The Treasury issues both discounted securities and fixed coupon notes and bonds.

Treasury Bills: All securities issued with initial maturities of one year or less are issued as discounted instruments, and are called Treasury Bills (T-bills). The Treasury currently issues 3-month and 6-month T-bills at regular weekly auctions. It also issues "cash management" bills as needed to smooth cash flows.

Treasury Notes: All securities issued with initial maturities of 2- to 10-years are called Treasury Notes (T-notes), and pay interest semi-annually.

Treasury Bonds: All securities issued with initial maturities greater than 10-years are called Treasury Bonds (T-bonds). Like Treasury Notes, they pay interest semi-annually.

WAL: Weighted Average Life: Is the weighted average time for principal repayment, that is, the average time it takes for every dollar of principal to be repaid. The time weights are based on the principal payments, i.e., the years with more principal payments will have a higher weight..

YIELD: The rate of annual income return on an investment, expressed as a percentage. Yield does not include capital gains.

Income Yield is obtained by dividing the current dollar income by the current market price for the security.

Net Yield or **Yield to Maturity** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

ZERO-COUPON BOND: A bond on which interest is not payable until maturity (or earlier redemption), but compounds periodically to accumulate to a stated maturity amount. Zero-coupon bonds are typically issued at a discount and repaid at par upon maturity.

File #: CONS 21-631

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt an Initial Study/Mitigated Negative Declaration and a Resolution Approving the Plans and Specifications, and Call for Bids for the Water Line Improvements Project, Project No. 07093

RECOMMENDATION

That Council adopts a resolution (Attachment II) that:

1) Adopts the Initial Study/Mitigated Negative Declaration (Attachment III) prepared in compliance with the requirements of State environmental regulations, and
2) Approves the plans and specifications for the Water Line Improvements Project, Project No. 07093, and calls for construction bids to be received on January 11, 2022.

SUMMARY

The City has completed the environmental analysis for the construction of the Water and Sewer Line Improvements Project (Project) in accordance with the California Environmental Quality Act (CEQA). The current Capital Improvement Program includes funding to replace and/or improve main lines in the City's water distribution and sewer collection systems. Combining both water and sewer projects into one analysis allows for better design efficiencies and economies of scale. A draft Initial Study and Mitigated Negative Declaration (IS/MND) has been prepared and circulated for public review. The City received no public comments upon completion of the thirty-day review period. The sewer main improvement part of the Project is currently under design and will be issued for bidding separately.

The Water Line Improvement Project will improve water supply reliability by replacing approximately 26,600 linear feet of existing cast iron, ductile iron (DIP), and asbestos cement (ACP) pipes ranging from 4 to 12-inch with new 6, 8, or 12-inch polyvinyl chloride (PVC), ductile iron (DIP), or earthquake resistant ductile iron (ERDIP) pipes. This project takes place at fourteen locations throughout the City (Attachment IV). Approximately 26,000 linear feet will be replaced by traditional open-cut method, and another approximately 600 linear feet will be replaced by trenchless technology used to cross under obstructions that prohibit open-cut installation. Design has been completed and bid documents have been prepared.

Staff is requesting Council's approval of the plans and specifications and call for bids to be received on January 11, 2022.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution
Attachment III Initial Study/Mitigated Negative Declaration
Attachment IV Location Site Map

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT Adopt an Initial Study/Mitigated Negative Declaration and a Resolution Approving the Plans and Specifications, and Call for Bids for the Water Line Improvements Project, Project No. 07093

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BACKGROUND

The City's current Capital Improvement Program includes funding to replace the City's water mains to improve supply reliability and fire flow through annual water line replacement projects. The City has approximately 375 miles of water distribution pipeline, of which approximately 67% consists of asbestos cement pipe and a majority of the existing pipelines are 6 inches in diameter. The water line locations were selected by staff for a variety of reasons including being undersized, having exceeded service life, frequency of breaks, and/or upgrades needed for supply reliability and fire flow improvements.

On September 15, 2020[1], Council approved Resolution No. 20-141, authorizing the City to enter into a Professional Services Agreement with HydroScience Engineers, Inc. (HydroScience), for design services and technical support during construction.

DISCUSSION

In June 2021, Analytical Environmental Services (AES), subconsultant to HydroScience, started preparation of the Environmental Assessment for the combined Sewer and Water projects pursuant to CEQA. The environmental assessment includes review and analysis of the major State environmental issues that may be affected by the construction and operation of the Sewer and Water projects.

In August 2021, AES submitted a draft IS/MND for public review. Potentially significant environmental effects that were addressed in the IS/MND include, but are not limited to, aesthetics, agricultural resources, air quality, biological resources, cultural resources, hydrology/water quality, and traffic and transportation. All potential significant environmental impacts were found to be avoided or would result in less than significant impacts with the incorporation of mitigation measures.

As shown in Attachment IV, the water main improvements include replacing approximately 26,600 linear feet of existing 4, 6, 8, and 12-inch cast iron, ductile iron, and asbestos cement pipes at 14 locations throughout the City. These segments have been selected based on performance and maintenance data over the past several years. Recommended projects from the 2014 Water System Master Plan, including upsizing undersized water mains and installing new water lines, were also incorporated to address capacity deficiencies within the existing water distribution system, satisfy future capacity requirements, and provide sufficient fire flow.

Approximately 26,000 linear feet of water main will be replaced by traditional open-cut method constructed in segments to minimize the impact to customers and traffic. The work generally involves excavating a trench two to three feet in width and four to six feet deep parallel to the water main to be replaced, typically eight feet or more away from the existing water main. After a segment of new water main has been installed and tested, service connections are expeditiously transferred from the old water main to the new one such that water service is typically restored within two hours. After all services have been

[1] https://hayward.legistar.com/LegislationDetail.aspx?ID=4640098&GUID=DAAB6C51-8A86-47A4-B5D0-35F45982BD1F&Options=&Search=

transferred to the new water main, the remaining portions of the old water main are abandoned in place.

The remaining 600 linear feet will be replaced by trenchless pipe replacement techniques including bore and jack and micro tunneling where open-cut installation is impossible. The bore and jack method generally utilizes a boring head that is driven into the ground together with a protective steel casing using jacking equipment. The boring head cuts through and extracts the soil and the steel casing allows installation of new water mains crossing under obstructions such as railroad tracks, storm culverts, and flood channels. The micro tunneling method is a newer technology similar to bore and jack and is used to install larger diameter or longer pipe runs.

Construction is anticipated to begin in spring 2022 and take approximately 12 months.

ECONOMIC IMPACT

The community will enjoy the benefits of the Project, including the continued operability and serviceability of the water distribution system. Furthermore, a robust and reliable water infrastructure can help foster economic development and viability in the City.

Replacing the water mains and appurtenances are part of an effort to, pursuant to Council direction, modernize and upgrade existing infrastructure. The Project will reduce operations and maintenance costs associated with servicing the undersized and aging water mains. In addition, staff time attending to issues related to high frequency maintenance and system breaks will be reduced.

FISCAL IMPACT

The estimated costs for the Water Line Improvements Project are as follows:

Construction Contract with Contingency (Estimated)	$11,470,000
Construction Administration – City Staff (Estimated)	$400,000
Inspection & Testing (Estimated)	$600,000
Total	$12,470,000

The adopted FY 2022 CIP includes $10,538,000 for the Project, Project No. 07093. The construction cost is an engineer's estimate. Given the current construction bidding climate, the City needs to go through the bidding process to determine what the Project's budget needs will be. At that time staff would return to Council to request whether additional funds need to be appropriated to cover the total cost of the Project.

STRATEGIC ROADMAP

This agenda item supports the Strategic Roadmap, which includes Improve Infrastructure as one of the strategic priorities. Specifically, this item relates to the implementation of the following project:

Project 13b: Replace 4-6 miles of water pipelines annually.

SUSTAINABILITY FEATURES

The repair and replacement of deteriorating water lines would reduce potable water and energy losses.

PUBLIC CONTACT

The Draft IS/MND was circulated for a thirty-day public review period, starting from August 13 through September 13, 2021. A newspaper publication was printed on August 12, 2021 informing the public about the availability of the IS/MND. Copies of the IS/MND were available for review online and posted at the Alameda County Clerk's Office as well as the State Clearing House for distribution. The City received no public comments upon conclusion of the thirty-day review period.

Prior to and during construction, notices will be provided to affected residents, property, and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule and City contact for additional information. In addition, staff will separately contact any large employers and schools that may be affected by the project and coordinate work to minimize impact.

NEXT STEPS

If Council approves the project, staff will advertise the construction project for public bidding and return to Council for the award of the construction contract, after construction bids have been received and reviewed.

The following schedule has been developed for this project:

Receive Bids	January 11, 2022
Award Construction Contract	February 8, 2022
Notice to Proceed	March 4, 2022
Construction Completion	March 10, 2023

Prepared by: Sammy Lo, Associate Civil Engineer

Reviewed by: Tay Nguyen, Senior Utilities Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-_____

Introduced by Council Member _____

RESOLUTION ADOPTING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING THE PLANS AND SPECIFICATIONS FOR THE WATER LINE IMPROVEMENTS PROJECT, PROJECT NO. 07093, AND CALL FOR BIDS

BE IT RESOLVED by the City Council of the City of Hayward as follows:

WHEREAS, the City of Hayward (City) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Water Line Improvement Project (Proposed Project) in accordance with the requirements of the California Environmental Quality Act (CEQA), and state and local guidelines implementing CEQA; and

WHEREAS, the City is the lead agency on the Proposed Project, and the City Council is the decision-making body for the Proposed Project; and

WHEREAS, the purpose of the Proposed Project is to improve water supply reliability by replacing approximately 26,600 existing aging pipes with new larger size pipes; and

WHEREAS, the IS/MND concluded that potentially significant environmental effects were found to be avoided or would result in less than significant impacts with the incorporation of mitigation measures; and

WHEREAS, the IS/MND was made publicly available on August 13, 2021 for the required 30-day public review period under CEQA, and

WHEREAS, no public comments were received by the City upon conclusion of the 30-day public review period, and

WHEREAS, those certain plans and specifications for the Water Line Improvements Project, Project No. 07093, will be on file in the Office of the City Clerk, are hereby adopted as plans and specifications for the project; and

WHEREAS, the City Clerk is hereby directed to cause a notice calling for bids for the required work and material to be made in the form and manner provided by law.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Council does hereby adopt the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Water Line Improvement Project (Proposed Project) pursuant to the following findings: (1) it has independently reviewed and analyzed the IS/MND and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the IS/MND prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA, and (3) the IS/MND represents the independent judgment and analysis of the City as lead agency for the Proposed Project. The City Council designates the City's Director Public Works as the custodian of documents and records of proceedings on which this decision is based.

BE IT FURTHER RESOLVED that the City Council does hereby authorize the Director of Public Works to file the Notice of Determination with the California State Clearinghouse and the Alameda County Recorder-Clerk within five (5) days of this resolution as required by CEQA.

BE IT FURTHER RESOLVED, sealed bids therefor will be received by the City Clerk's office at City Hall, 777 B Street, First Floor, Hayward, California 94541, up to the hour of 2:00 p.m. on Tuesday January 11, 2022, and immediately thereafter publicly opened and declared by the City Clerk in the City Hall Rotunda.

BE IT FURTHER RESOLVED, that the City Council will consider a report on the bids at a regular meeting following the aforesaid opening and declaration of same.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

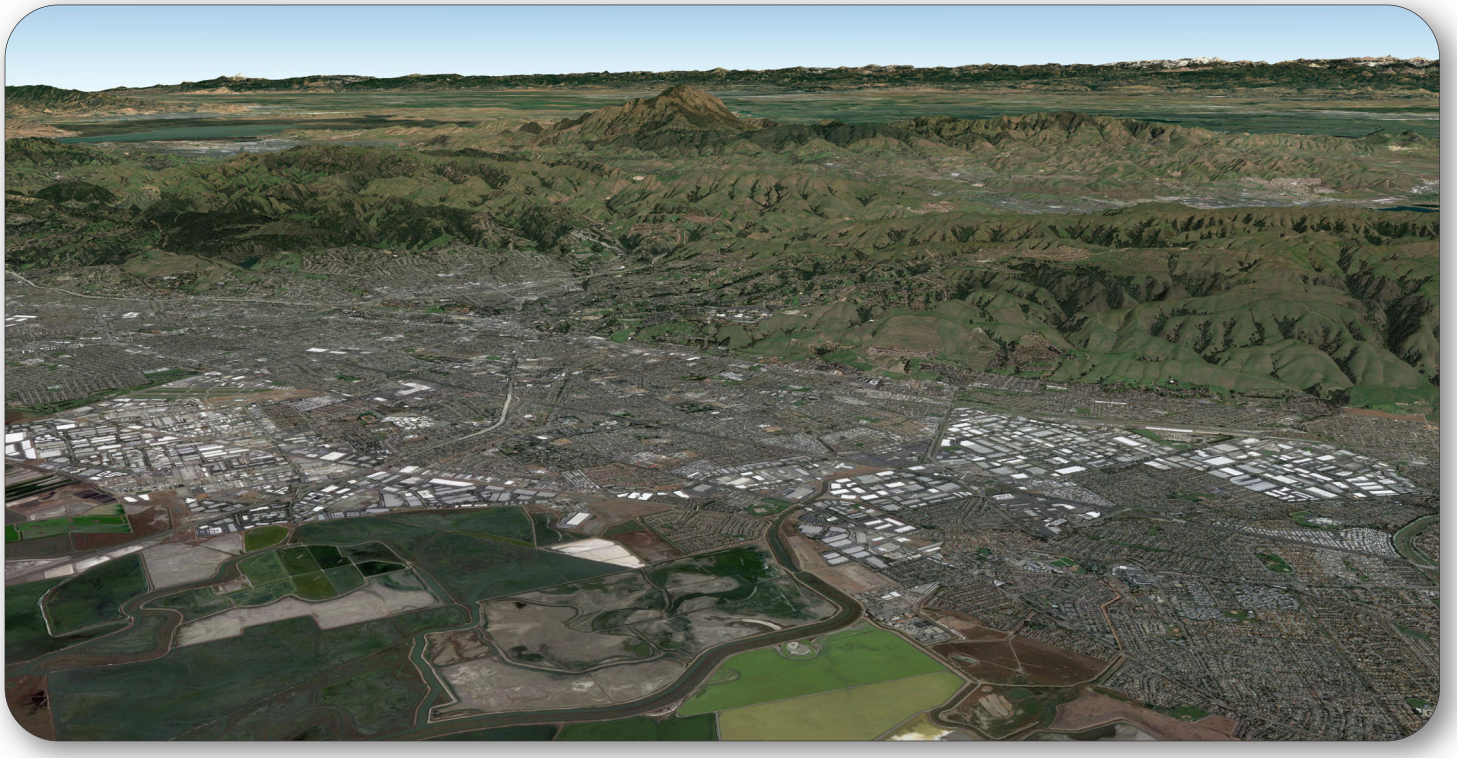
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward



INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

CITY OF HAYWARD
SEWER AND WATER PIPELINE IMPROVEMENTS PROJECT

JUNE 2021

PREPARED FOR:

City of Hayward
Public Works & Utilities Department
777 B Street
Hayward, CA 94541

PREPARED BY:

Analytical Environmental Services
1801 7th Street, Suite 100
Sacramento, CA 95811
(916) 447-3479
www.analyticalcorp.com

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

CITY OF HAYWARD
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CITY OF HAYWARD SEWER AND WATER PIPELINE IMPROVEMENTS PROJECT

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1 INTRODUCTION

1.1 PROJECT SUMMARY/ENVIRONMENTAL CHECKLIST FORM

Project Title:	City of Hayward Sewer and Water Pipeline Improvements Project
Lead Agency Name and Address:	City of Hayward Public Works & Utilities Department 777 B Street Hayward, CA 94541
Contact Person and Phone Number:	Sammy Lo, P.E., Associate Civil Engineer (510) 583-4768
Project Location:	Pipeline segment improvements would take place across 44 distinct locations across the City of Hayward, in Alameda County, California.
Project Sponsor's Name and Address:	City of Hayward Public Works & Utilities Department 777 B Street Hayward, CA 94541
General Plan Designation:	Various
Zoning:	Various
Description of the Project:	The Proposed Project involves replacing and improving approximately 5.2 miles of water mains, 3.7 miles of sewer line segments, and related appurtenances at 44 locations throughout the City of Hayward. A detailed description of the Proposed Project is included in **Section 2.4**.
Existing and Surrounding Land Uses:	The Project Area consists of 44 distinct pipeline improvement locations throughout the City and is within City limits. The 44 improvement locations fall under various City zoning and land use classifications. The majority of the improvement locations are located within paved rights-of-ways, surrounded by urban and commercial land uses.
Other Public Agencies Whose Approval may be Required:	San Francisco Bay Regional Water Quality Control Board Bay Area Air Quality Management District

Consultation with California Native American Tribes	On April 2, 2021, the City sent a letter to the Ione Band of Miwok Indians providing detailed information on the Proposed Project and describing the Assembly Bill (AB) 52 consultation process. The letter requested that the Tribe notify the City within 30 days if they would like to engage in formal consultation regarding possible significant effects that the Proposed Project may have on tribal cultural resources. A response letter from the Ione Band of Miwok Indians was not received. Therefore, the requirements of Public Resources Code (PRC) § 21080.3.1 have been satisfied. Refer to the discussion in **Section 3.6** regarding outreach to Native American Tribes identified by the Native American Heritage Commission.

1.2 PURPOSE OF STUDY

The City of Hayward (Lead Agency) has prepared this Initial Study (IS) for the City of Hayward Sewer and Water Line Improvement Project (Proposed Project) in accordance with the California Environmental Quality Act (CEQA) of 1970 (as amended), codified in California PRC § 21000 *et seq*., and the CEQA *Guidelines* in the Code of Regulations, Title 14, Division 6, Chapter 3. Pursuant to these regulations, this IS is intended to inform City decision-makers, responsible agencies, interested parties, and the general public of the Proposed Project and its potential environmental effects. This IS is also intended to provide the CEQA-required environmental documents for all city, local, and state approvals or permits that might be required to implement the Proposed Project. This IS supports a Mitigated Negative Declaration (MND) as defined under CEQA *Guidelines* § 15070.

1.3 DOCUMENTS INCORPORATED BY REFERENCE

On July 1, 2014, the City of Hayward approved the Hayward 2040 General Plan and certified the Final General Plan Environmental Impact Report (EIR). The General Plan EIR is a program-level EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations [CCR], Sections 15000 et seq.). The General Plan and EIR analyzed full implementation of the City of Hayward General Plan and identified measures to mitigate the significant adverse project and cumulative impacts associated with the General Plan. Pursuant to CEQA Guidelines Section 15150(a), the City of Hayward General Plan and EIR are incorporated by reference. Both documents are available at the City of Hayward, 777 B Street, Hayward, CA 94541. The impact discussions for each section of this IS/MND are in part based on information in the City of Hayward General Plan and EIR.

1.4 ORGANIZATION OF THE INITIAL STUDY

This document is organized into the following sections:

Section 1.0 – Introduction: Describes the purpose, contents, and organization of the document and provides a project summary. Includes the significance determination, which identifies the determination of whether impacts associated with development of the Proposed Project are significant, and what, if any, additional environmental documentation may be required.

Section 2.0 – Project Description: Includes a detailed description of the Proposed Project.

Section 3.0 – Environmental Impact Analysis: Contains the Environmental Checklist from CEQA *Guidelines* Appendix G with a discussion of potential environmental effects associated with the Proposed Project. Mitigation measures, if necessary, are noted following each impact discussion.

Section 4.0 – List of Preparers

Section 5.0 – References

Appendices – Contains information to supplement sections within the IS.

1.5 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the Proposed Project, involving at least one impact requiring mitigation to bring it to a less-than-significant level. Impacts to these resources are evaluated using the checklist included in **Section 3.0**. The Proposed Project was determined to have a less-than-significant impact or no impact without mitigation on unchecked resource areas.

☐ Aesthetics	☐ Agriculture and Forest Resources	☑ Air Quality
☑ Biological Resources	☑ Cultural Resources	☐ Energy
☑ Geology and Soils	☐ Greenhouse Gas Emissions	☑ Hazards and Hazardous Materials
☑ Hydrology and Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☑ Public Services
☐ Recreation	☑ Transportation	☑ Tribal Cultural Resources
☐ Utilities and Service Systems	☑ Wildfire	☑ Mandatory Findings of Significance

1.6 CEQA ENVIRONMENTAL DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

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

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

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

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

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

8/10/21

Date

2 PROJECT DESCRIPTION

2.1 PROJECT SUMMARY

The Proposed Project involves replacing and improving approximately 5.2 miles of water mains, 3.7 miles of sewer line segments, and related appurtenances at 44 locations throughout the City of Hayward. The Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and selected line upgrades are based on recommendations from the City's 2014 Water System Master Plan and 2015 Sewer Collection System Master Plan. The Project location and components are described in more detail below.

2.2 PROJECT LOCATION AND SETTING

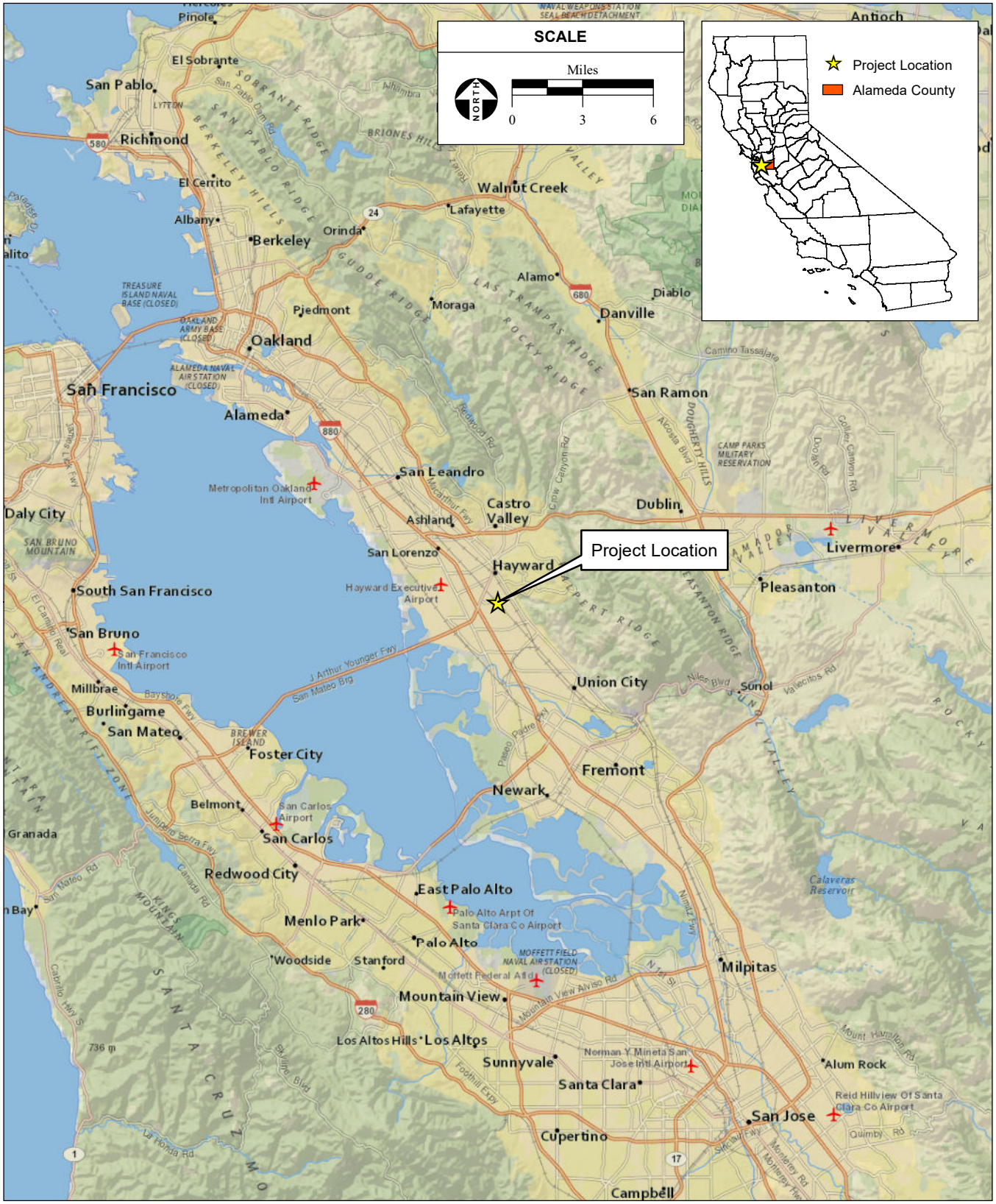
Pipeline segment improvements would take place across 44 distinct locations across the City of Hayward (City), in Alameda County (County), California (Project Area). The general Project Area and individual pipeline segment improvement locations are displayed on **Figures 2-1**, **2-2**, and **2-3**. Land uses surrounding each pipeline segment vary, with the majority of improvements taking place within commercial and residential areas. Pipeline improvements would occur primarily within paved and disturbed right of ways. However, some locations occur within unpaved areas such as residential backyards, parks, or utility easements. A detailed description, including location information, for each water and sewer line improvement location can be found in **Table 2-1** below. **Appendix A** includes map book sheets, showing the precise location and route for each pipeline segment to be improved. The pipeline location numbers identified in **Table 2-1** and shown on **Figure 2-3** correspond to the map book sheet numbers included in **Appendix A**.

2.3 PROJECT BACKGROUND

2.3.1 CITY OF HAYWARD UTILITY INFRASTRUCTURE IMPROVEMENTS

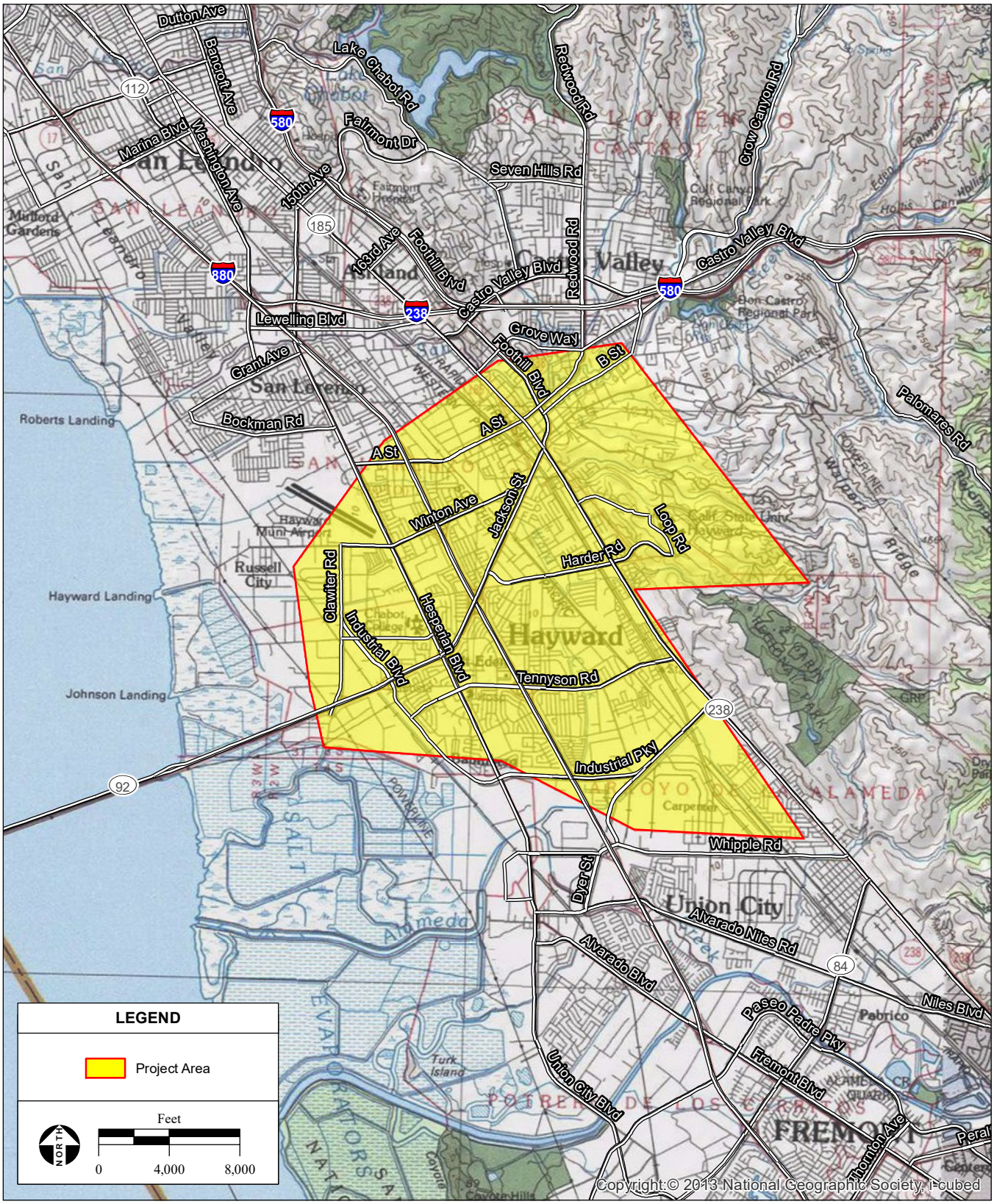
On January 28, 2020, the City Council adopted a Strategic Roadmap that identified improvements to its infrastructure as a core priority, including water and sewer utilities (City of Hayward, 2020a). With this plan, the City aims to annually upgrade four to six miles of its water distribution and sanitary sewer collection system infrastructure to meet the City's level of service goals. These replacements will improve the City's water distribution system and sewer collection system, maintain the operability and capacity of the systems, provide adequate fire flows, and prevent sanitary sewer overflows.

In June 2014, the City's Water System Master Plan (WSMP) (City of Hayward, 2014a) was developed. This document identifies strategies for improving the City's distribution system infrastructure, provides guidance to enhance operational, emergency preparedness, and water quality practices, provides a framework for diversifying the City's water supply, and makes recommendations to enhance the City's existing sustainability programs. The WSMP includes recommendations addressing both capacity deficiencies in the existing water distribution system and future capacity requirements. Furthermore, in 2015, the City's Sewer Collection System Master Plan (CSMP) was prepared, which identified collection system capacity deficiencies and presented recommended projects to address those



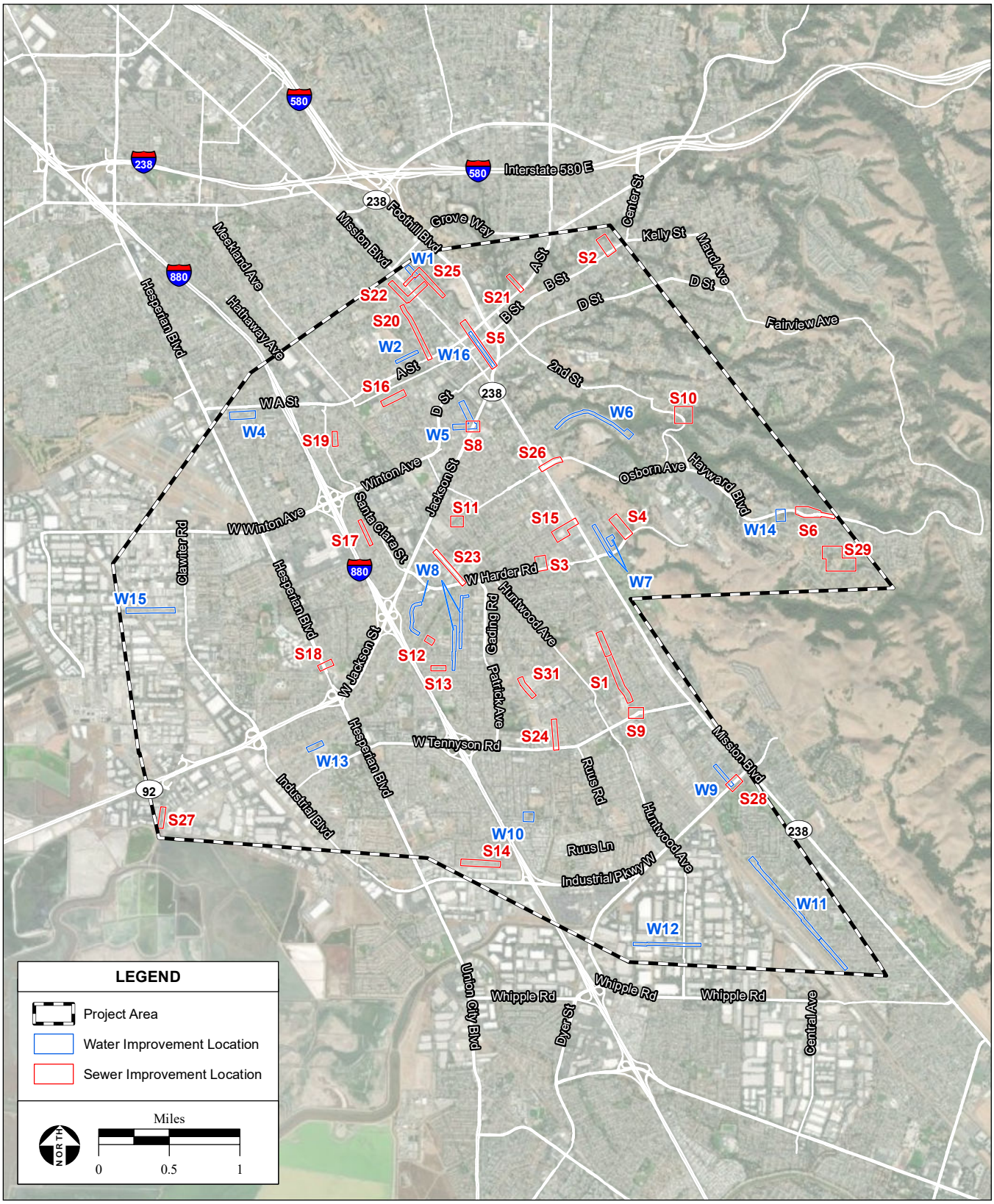
SOURCE: NatGeo 2021; AES, 5/11/2021

Figure 2-1
Regional Location



SOURCE: "San Francisco, CA" USGS 100k Topographic Quadrangle, T3S R2W Unsectioned Areas of San Lorenzo-Castro, San Lorenzo-Soto, & Potrero de los Cerritos, Mt. Diablo Baseline & Meridian; ESRI, 2020; AES, 5/11/2021

Figure 2-2
Project Area



SOURCE: HydroScience Engineering, 12/2020; Vivid/Maxar aerial photograph, 11/4/2019; Caltrans, 2020; AES, 6/21/2021

Figure 2-3
Pipeline Locations

deficiencies (City of Hayward, 2015). Water and sewer pipeline improvements associated with the Proposed Project were specifically chosen by the City based on recommendations within these two Master Plans. Pipes were also selected for replacement considering frequency of breaks, the presence of sags or breaks, those pipes that are reaching the end of their useful life, and replacement of asbestos cement pipe (ACP) and cast-iron pipe with more suitable materials, such as polyvinyl chloride (PVC). The WSMP and CSMP directed the City's current Capital Improvement Program (CIP) through determining priority improvements and how to fund them. Funding is targeted to replace the City's water mains to improve supply reliability and fire flow, and undersized and structurally damaged sewer mains through annual water and sewer line replacement projects. The City's General Plan dictates that the WSMP and the CSMP shall be maintained and implemented.

Existing Utility Distribution

The City's approximately 160,000 residents are serviced by roughly 375 miles of water distribution pipelines. The City is supplied water from the San Francisco Public Utilities Commission (SFPUC). The City distribution system consists of 8 pressure zones, 16 water storage tanks, 7 pump stations, and 375 miles of water distribution pipelines servicing 37,500 water service connections. According to City records, approximately 67 percent of the City's water distribution pipelines are ACP and most of the existing water pipelines are 6-inches in diameter (**Appendix B**).

The City owns and operates the wastewater collection and treatment system for residential, commercial, and industrial users. The City's residents are serviced by approximately 325 miles of sewer mains and nine sewage lift stations. The collection system conveys the wastewater flow to the City's Water Pollution Control Facility (WPCF), which treats an average of 11.3 million gallons per day of wastewater generated by the City's residents and businesses (**Appendix B**).

2.4 PROJECT DESCRIPTION

The Proposed Project involves replacing and improving approximately 5.2 miles of water mains, 3.7 miles of sewer line segments, and reconnection or replacement of laterals and appurtenances in accordance with City standards. Pipeline locations to be replaced/improved were based on recommendations within the WSMP and CSMP. The following sections detail the specific pipeline locations to receive upgrades. **Table 2-1** lists each improvement location.

2.4.1 WATER LINE IMPROVEMENTS

The Proposed Project would upgrade water distribution infrastructure at 15 locations throughout the City (see **Table 2-1** and **Figure 2-3**). The Proposed Project would also update the City's hydrants and their placement, water service connections, and meter box locations. Water mains would be located within street rights-of-way and five feet from the face of curb, to the extent possible. Design criteria for pipe material, coating, lining, joints, and fittings are set by City standards and project specific requirements and are further discussed in **Section 2.4.6** below.

Water pipeline improvements associated with the Proposed Project include either replacement, installation, and/or rerouting of water pipelines and appurtenances on various easements and streets throughout the City. Two of the water pipeline locations (W12 and W15) include railroad crossings, which would require the use of trenchless construction methods. The remaining sites would involve the open cut

method for pipeline removal and replacement. The new water mains would be installed in parallel to the existing mains as much as practicable to minimize water service disruption. The existing pipelines would be abandoned in-place.

2.4.2 SEWER LINE IMPROVEMENTS

The Proposed Project would replace and/or rehabilitate approximately 3.7 miles of existing sanitary sewer lines within the City, at 29 distinct locations. This includes replacement and/or rehabilitation of manholes, replacement of lower sewer laterals, paving, and associated work. Construction would be through conventional open cut methods, with the exception of location S15 requiring installation of a steel casing by trenchless methods and pipe reaming to replace a portion of the existing sewer, cured-in-place pipe liner used at location S4, and pipe bursting to replace existing sewers at locations S20, S22, S23, S24, S25, S26, and S29. Design criteria for pipe material, coating, lining, joints, and fittings are set by City standards and project specific requirements and are further discussed in **Section 2.4.6** below.

Table 2-1. Water and Sewer Pipeline Improvements

Water Line Improvements							
	Existing			Proposed			
Location	Size (in)	Material	Year	Size (in)	Length (ft)	Surrounding Land Use	Description of Improvement and Need
W1	4	CIP	1965	8	240	Residential Crosses fault	Replace water mains; chosen to be replaced based on frequency of breaks. Will be installed with ERDIP.
	6	CIP	1965	8	135		
	8	DIP	1992	8	110		
W2	6	CIP	1929	8	795	Residential	Replace water mains; mains have exceeded service life. Will be replaced with PVC.
W4	6	ACP	1960	8	770	Residential	Replace water mains; chosen to be replaced based on frequency of breaks. Will be replaced with PVC.
W5	6	CIP	Varies	8	940	Residential	Replace water mains; chosen to be replaced based on frequency of breaks and have exceeded service life. Will be replaced with PVC.
	6	CIP	1938	8	630	Residential	
W6	6	CIP	1948	8	3,155	Residential	Replace water mains; chosen to be replaced based on frequency of breaks. Will be replaced with DIP.
W7	4	ACP	1951	8	195	Residential	

	6	CIP	1951	8	260	Adjacent to fault	Replace water mains; chosen to be replaced based on frequency of breaks. Will be installed with ERDIP on Spring Ct. and DIP on Bryn Mawr Ave.
	6	CIP	1951	8	1,205		
W8	6	ACP	1954	8	1,630	Residential	Replace water mains; chosen to be replaced based on frequency of breaks. Will be replaced with PVC.
	6	ACP	1953	8	2,275		
	6	ACP	1953	8	1,475		
W9	6	ACP	1956	12	1,010	Residential	Upsize water main for capacity. Will be replaced with DIP.
W10	N/A	N/A	N/A	8	0	Residential	Installation of a fire hydrant.
W11	6	ACP	1955	8	205	Residential	Replace water mains; chosen to be replaced based on frequency of breaks. Will be replaced with PVC.
	6	ACP	1955	12	705		
	6	ACP	1955	12	1065		
	6	ACP	1955	12	400		
	6	ACP	1951/ 1955	12	3,185		
	6	ACP	1951/ 1955	12	465		
W12	12	ACP	1969	12	785	Industrial	Replace water mains; chosen to be replaced based on frequency of breaks. New pipeline to be constructed within a casing under the rail line using trenchless technologies. Will be replaced with fusible PVC within a steel casing.
	12	ACP	1969	12	1,900		
W13	12	ACP	1955	12	595	Residential - PG&E utility corridor	Relocate water main approximately 15 feet north for ease of maintenance access. Easement is adjacent to PG&E facilities - new easement required. Will be replaced with DIP.
W14	NEW	N/A	N/A	8	350	College Heights Park	New water main to provide a redundant supply pipeline to the neighborhood uphill along Belfast Lane. Alignment traverses through lawn of park. Will be replaced with DIP.

W15	NEW	N/A	N/A	12	1,350	Industrial	Install new water main to improve fire flow capacity per Water Master Plan, EX-CIP-P1 project. Buried critical utilities nearby. Crosses railroad tracks and under the lined Alameda County drainage channel to connect to existing pipe. Will be replaced with fusible PVC within a steel casing.
W16	8	CIP	1948	12	1,605	Residential/Commercial - one block from fault	Replace water main as it has exceeded service life and needs to be upsized prior to the City's Main Street Complete Streets Improvement Project. Considerations of fault proximity will be made during the design. Will be replaced with DIP. Fusible PVC within a steel casing will be used for the trenchless section.
Total Approximate Length (Water Lines)							**27,435 feet (5.20 miles)**
Sewer Line Improvements							
	Existing			**Proposed**			
Location No.	**Size (in)**	**Material**	**Year**	**Size (in)**	**Length (ft)**	**Surrounding Land Use**	**Description of Improvement and Need**
S1	8	VCP	1949	N/A	N/A	Residential – near Tennyson High School	Install sanitary sewer MH at 6 intersections to improve maintenance access.
S2	6	VCP	1960	N/A	N/A	Residential	Change cleanout to MH.
	6	VCP	1980	N/A	N/A		
S3	8	VCP	1950	8	470	Residential - Cross through Harder Elementary	Replace sewer main due to cracked pipe.
S4	8	VCP	1949	8	560	Private residential backyards - near fault	Replace sewer main due to deformed pipe condition. Rehabilitation via CIPP repair is also proposed.
S5	6	VCP	1950	8	70		

	6	VCP	1950	8	440	Residential/Commercial - Near Hayward Fault.	Replace sewer main due to offsets prior to the City's Main Street Complete Streets Improvement Project.
	6	VCP	1998	8	235		
	6	VCP	1927	8	195		
	6	VCP	1927	8	380		
S6	10	ACP	1967	12	1,500	Residential	Upsize sewer main for more capacity.
S8	8	VCP	1930 to1940	10 or 12	735	Residential	Reroute flow to reduce turns in alignment and improve maintenance access. Install new MH and divert flow from MHs.
S9	8	VCP	1950	10 or 12	335	Residential	Reroute flow to alleviate downstream capacity.
S10	8	VCP	1966	10 or 12	295	Residential - near Green Belt Park.	Upsize sewer main due to surcharging during wet weather. Abandon MH as overflow drain to creek.
S11	8	VCP	1949	8	200	Residential	Reroute flow to alleviate flows on Pleasant and Soto. Install new MH.
S12	N/A	N/A	N/A	12	45	Residential - near Schafer park School	Reroute flow from MH to new MH. Install new main and MH.
S13	8	VCP	1952	8	400	Residential	Replace sewer main due to sag.
S14	12	VCP	1966	8	295	Commercial Residential	Replace sewer main due to sag.
	12	VCP	1964	12	355		
	12	VCP	1964	12	360		
S15	10	VCP	1949	12	1005	Residential and Commercial	Replace sewer main via pipe reaming due to sag and upsize for more capacity. Section of sewer main crosses BART.
S16	8	VCP	1945	8	N/A	Residential - near Burbank School	Install MH for maintenance access
S17	8	VCP	1955	8	20	Residential	Replace sewer main due to sag.
	8	VCP	1955	8	75		
S18	8	VCP	1959	8	60	Residential - near Chabot College	Replace sewer main due to sag.
S19	6	VCP	1950	8	520	Residential	Upsize sewer main for more capacity. Existing pipe cracked and has sag.
S20	6	VCP	UNK	8	2100	Residential. Near Hayward Fault.	Upsize sewer main for more capacity. Replacement may be done via pipe bursting or open cut.

S21	6	ACP	1950	8	385	Residential and commercial - near Hayward Japanese Gardens	Upsize sewer main for more capacity. Existing pipe is cracked.
	6	N/A	N/A	8	N/A		Replace C/O with MH.
S22	6	VCP	UNK	8	905	Residential - near fault	Upsize sewer mains for more capacity by pipe bursting or open cut.
	8	VCP	UNK	10	915		
S23	8	VCP	1949	12	420	Residential	Upsize sewer mains for more capacity per Project P3 of Sewer Master Plan
	8	VCP	1949	12	105		
	8	VCP	1949	12	285		
	8	VCP	1949	12	365		
	8	VCP	1949	12	45		
	8	VCP	1949	12	365		
	8	VCP	1949	12	55		
	8	VCP	1949	12	90		
S24	12	HDPE	1999	15	405	Residential	Upsize sewer mains via pipe bursting or open cut for more capacity per Project P6 of Sewer Master Plan.
	12	HDPE	1999	15	300		
	12	HDPE	1999	15	100		
	12	HDPE	1999	15	155		
	12	HDPE	1999	15	100		
S25	6	VCP	1928	8	200	Residential - near fault	Sewer main has exceeded service life. Sags and crack in pipe. Install MH. Will be installed with HDPE.
	6	VCP	1928	8	265		
	6	VCP	1928	8	325		
	6	VCP	1928	8	400		
	8	VCP	1928	8	700		
S26	8	VCP	1949	12	330	Commercial and residential – near fault	Upsize sewer main for more capacity, per Project P1 of Sewer Master Plan, via pipe bursting or open cut.
S27	8	VCP	1968	8	235	Commercial and Industrial	Replace sewer main due to sag.
S28	8	VCP	UNK	12	55	Industrial	Upsize sewer main for more capacity.
	8	VCP	UNK	12	125		
	8	VCP	UNK	12	65		
	8	VCP	UNK	12	115		
S29	8	VCP	1968	8	235	Residential	Replace sewer main due to sags and roots, via pipe bursting or open cut.
	8	VCP	1968	8	205		

	N/A	N/A	N/A	N/A	N/A	Canyon View Park	Repair existing access road and retaining wall.
S31	8	Various	1957	8	470	Residential – in front of Tyrrell Elementary	Replace existing sewer main due to deteriorated condition of pipe.
Total Approximate Length (Sewer Lines)							**19,370 feet (3.7 miles)**
Acronyms: ACP: Asbestos Cement Pipe; UNK: Unknown; CIP: Cast Iron Pipe; DIP: Ductile Iron Pipe; VCP: Vitrified Clay Pipe; MH: Sanitary Sewer Manhole; ERDIP: Earthquake Resistant Ductile Iron Pipe; HDPE: High Density Polyethylene Note: Locations S7 and W3 have been removed from the Proposed Project.							

2.4.3 ACCESS ROAD AND RETAINING WALL REPAIRS AT S29

Sewer pipeline replacement location S29 is within the Canyon View Park area. In the vicinity of this location, the existing sewer main is proposed to be replaced due to sags and roots. In addition, the City's Public Works department has requested that an existing access road and wood retaining wall be repaired. The existing access road would be regraded and recompacted. The improvement of this access road would be the only permanent introduction of new hardscape associated with the Proposed Project.

2.4.4 GEOTECHNICAL STUDIES

Cal Engineering and Geology (CE&G) first reviewed the available geotechnical information of the Project Area to characterize the soil conditions anticipated to be present and developed a tailored investigation scope. CE&G has obtained available information regarding geology, soil, and groundwater levels across the Project Area. They used this geotechnical data for analysis and the development of preliminary recommendations for the Proposed Project. CE&G prepared a Geotechnical Desktop Study (**Appendix C**) which summarizes their evaluation of existing geotechnical information and provided Project-specific recommendations. Where data gaps exist, CE&G provided recommendations for additional exploration. The Geotechnical Desktop Study concluded that:

- High groundwater may be encountered at locations closer to the Bay;
- Excavations made in the upper five feet below ground surface are anticipated to be able to stand vertically for water pipeline installation;
- Excavations in Bay Mud may be susceptible to buoyant uplift (applies to location S27)
- The water and sewer pipeline sites are in areas of very low to moderate susceptibility to liquefaction;
- Locations W1, S25, and a portion of W7 are located on the Hayward Fault. Locations W16, S4, S5, S20, and S26 are located approximately one block away from the Hayward Fault.

In areas of the City where groundwater levels are shallow, the potential for buoyancy uplift is high; for open cut construction, dewatering would likely be required to mitigation buoyance uplift. Soil borings will be conducted at the trenchless locations, W12, W15, and S15 to help with design of the new steel casing and the railroad crossing permit applications. Additional borings will be advanced in native trench backfill

at sites where pipe bursting will be performed to confirm the sustainability of the material for pipe bursting and to determine the projected soil heave. Borings were completed where required during March 2021.

2.4.5 UTILITY LOCATING AND POTHOLING

Critical utilities that need to be located will be potholed, such as large diameter gas pipelines and fiber-optic cables. Other utilities that appear to be close to the pipeline improvements will be potholed, as needed, to assure adequate clearance for construction. This potholing is being performed in coordination with the City to verify the horizontal and vertical location of selected existing utilities.

2.4.6 CITY STANDARDS AND DESIGN CRITERIA

The Proposed Project will adhere to City Department of Public Works & Utilities Standards, including City of Hayward Specifications for Construction of Water Mains (12-inch diameter or less) and Fire Hydrants (July 2006-R1), City of Hayward Specifications for Construction of Sanitary Sewer Mains and Appurtenances (12-inch diameter or less) (November 2006), City of Hayward Standard Details 2017, and Public Works Memo 5-6, Policies and Procedures for Construction Activities Near City Aqueducts. These standards would be used for the design of the pipeline alignments and detailing, as well as specifying the materials of construction and execution within construction documents.

Design and Location of Water Mains and Sanitary Sewers

Water mains would be located within street rights-of-way and five feet from the face of curb, to the extent possible. Water valves would be required at all branches, hydrant lines, and right-of-way/easement transitions. City of Hayward Standards state that depth of cover shall be 48-inches for water pipes with an inside diameter greater than 6-inches and 36-inches for water pipes smaller than 6-inches. Replacement sanitary sewer mains would generally be located along the alignments of the existing sanitary sewers to preserve the exiting grade for connecting sewer services. Where this is impractical, the new sewer would be placed in the roadway or in an easement to minimize conflicts with other sewers and to provide good access for inspection and maintenance of the sewers. The lower sanitary sewer laterals would be replaced concurrent with the sewer main from the main connection to behind the property line in accordance with City standards. Each new lower lateral would be provided with a new cleanout.

Minimum pipeline separation requirements are governed by CCR § 64572. The City's separation requirements are identified in the Standard Specifications, Section 1.10.B and as shown in Standard Drawing No. SD-224 and meet or exceed the separation requirements in CCR § 64572. Where local conditions create a situation where there is no alternative but to install water mains at a distance less than that which is required by the Standards, Alternative Criteria for Construction shall be followed per City Standards 1.10.B.2, which meets or exceeds the separation requirements in CCR § 64572.

Pipeline Design Criteria

Design criteria for pipe material, coating, lining, joints, and fittings are set by City standards and project specific requirements.

Water mains would generally be constructed of ductile iron pipe (DIP) with a class 50 thickness conforming to AWWA C150/A21.50, C151/A21.51 or PVC Class 150 conforming to AWWA C900/905. DIP would be asphalt coated and lined with cement mortar and seal coated conforming to AWWA

C104/A21.4. Joints for water mains would be DIP flanged and restrained conforming to AWWA C115/A21.15, with rubber gaskets or PVC. Fittings for water mains would be ductile iron (pressure class 250) with cement lining and seal coated. Flexible couplings would be used (Type 304 stainless steel) and corrosion protection of metallic DIP would occur through asphaltic coatings and polyethylene encasement. Earthquake resistant ductile iron pipe (ERDIP) would be used for water pipeline improvements that cross or are adjacent to an active fault zone, as this material could mitigate soil movement.

Isolation valves would be constructed at each branch where new water pipelines connect to existing pipelines, at intervals not exceeding approximately 1,000 feet, and at either end of trenchless reaches.

New water service lines would be installed to connect existing services and fire hydrants to the new water main. The existing fire hydrants and meter boxes would be expected to remain in a similar location to where they are currently located.

New sewer mains would generally be constructed of SDR 26 PVC sewer pipe conforming to ASTM D3034. Where spot repairs are performed on existing vitrified clay pipe (VCP), new VCP conforming to ASTM C700 would be used to conform with the inside diameter of the adjoining pipe. Sewer pipe installed by pipe bursting and/or pipe reaming would be fusible PVC pipe conforming to AWWA standards C900 or C905 with a maximum SDR of 26. High Density Polyethylene (HDPE) pipe would be used where the sewer crosses a known fault, as the durability and flexibility of HDPE makes the material more likely to withstand future earthquakes or fault movement. Sewer laterals would be constructed of SDR 26 PVC pipe conforming to ASTM D3034. Cleanouts would be installed where the new lateral connects to the building sewer. This construction would conform to City Standard Details SD-312 and SD-313. Pipe sizes for both water and sewer would be 8-inches minimum in size.

Valves and Appurtenances – Water Mains

All isolation valves, 12-inches and smaller, shall be gate valves meeting the City Standard Specifications. The existing service lines and meters would remain in place to the extent possible. From the new water main, service line stubs would connect to the existing service lines. The specifications would include an allowance for providing entirely new service lines if the existing lines are determined to be in poor condition during construction. New pipeline would be installed to reconnect the existing fire hydrants to the new water main. The existing fire hydrants would either remain in place or be moved to a new location if the current location is observed to be in a location subject to damage. Along a reach of pipeline, air release valves would be located at the highpoints and blowoffs would be installed at the low points. Corrosion protection would be provided on the metallic DIP, as described previously. Sacrificial galvanic anodes would be provided at each valve.

Manholes – Sanitary Sewer Pipe

Sanitary sewer manholes would conform to the City's standard details SD-304 and SD-305. At least two special manholes would be required. At location S12, an oversized manhole would be designed to accommodate the 12- and 15-inch sewers that will be joining at similar grades. At location S21, a shallow cleanout would be replaced with a shallow manhole. In general, new manholes would be installed concurrent with new sewer construction, including at the ends of all sewer reaches where the new sewer

connects with existing sewer. New manholes would be located with a maximum spacing of 400 feet, in accordance with City standards.

2.4.7 CONSTRUCTION

Based on geotechnical analysis, open cut trenching was found to be the recommended construction method for the majority of the water line improvement locations. However, trenchless construction methods would be employed at locations W12 and W15. For sewer line improvement locations, pipe reaming and pipe bursting methods may be feasible, as long as the existing sewer does not harbor any significant sags. As mentioned previously, pipe bursting is being considered for sewer replacement at Sites S20, S22, S23, S24, S25, S26, and S29, and pipe reaming is being considered for replacement under the sidewalk at location S15.

There are many existing utilities within the vicinity of pipeline locations. Protection of these pipelines during trenchless construction (particularly pipe bursting) will be a key consideration in selecting trenchless installation. New steel casing would be required to cross the Union Pacific Railroad and Bay Area Rapid Transit (BART) tracks as a part of the work at location S15. This casing would need to be installed by trenchless method to avoid disrupting rail traffic. The most likely methods for this installation would be by guided boring or by microtunneling. The recommended method would be selected in consultation with a geotechnical engineer. The remainder of the sewer pipeline construction would be performed by conventional open-cut construction methods.

Open Cut Trenching

In areas that do not involve crossing significant at-grade facilities, such as rail crossings, pipelines would be constructed using open cut trenching. Open cut trenching requires clearing of the pipeline alignment, saw cutting pavement where necessary, excavation of the trench, pipeline installation, backfill operations, and re-paving where necessary. Estimated trench depth for potable water pipelines would be approximately five to six feet, with 36 to 48 inches of cover. Estimated trench depth for sewer pipelines would be approximately 10 to 15 feet, with depths of cover typically up to 13 feet. The pipeline depth for sewer pipelines would depend on the elevation of the existing sewer. Pipeline depths for sewer pipeline will vary by pipeline location.

Depending on site conditions or terms of the encroachment permit, trenches would be secured at the end of each workday by either covering with steel plates, backfill material, or installing barricades to restrict access. If the area were paved prior to construction, a trench patch or covering would be used. Construction for open cut trenching is expected to occur at a pace of approximately 20 to 120 linear feet per day.

Jack and Bore Tunneling and Directional Drilling

Jack and bore tunneling or directional drilling (trenchless methods) would be utilized for installing underground pipelines without disturbing the ground surface. This method would be utilized in areas where trenching methods are not feasible due to limited space, the presence of sensitive biological resources (i.e., stream crossings and riparian areas), geotechnical conditions, or other environmental constraints. Jack and bore tunneling involves advancing a horizontal boring machine in a tunnel bore to remove material ahead of the pipe. In the directional drilling method, a small diameter hole is directionally

drilled using a horizontal drill rig, and is then enlarged to a diameter that would accommodate the pipeline. Construction via trenchless methods is expected to occur at a pace of 10 to 90 linear feet per day.

Waste Disposal

The majority of pipelines would be abandoned in place and would not require waste disposal. Significant amounts of solid waste are not anticipated. In circumstances where pipe needs to be cut into and disposed of ACP would be performed in accordance with the BAAQMD and all applicable standards.

Surface Restoration

Surface restoration techniques would be employed after segments of pipeline construction are completed. In most cases this would involve repaving of roadways. Roadways would be restored to pre-project conditions and unpaved areas would be restored by hydroseeding.

Staging Areas

If required, staging areas would be utilized in areas near construction sites to store pipe and other materials, construction equipment, and other necessary items. This is anticipated to take place in the parking areas or along the side of public streets in paved or graveled areas. Short-term temporary easements for staging areas may be required and would be negotiated by contractors prior to construction. Staging areas would be located in previously disturbed areas where sensitive biological resources are not present. The contractor would obtain necessary permits from the City, as required.

Construction Equipment

Energy efficient construction equipment would be utilized to the extent feasible. The following equipment may be utilized during construction of the project:

- Horizontal directional drill rig
- Pavement saw
- Jack hammers
- Excavators
- Front-end loaders
- Dump truck
- Crane
- Bulldozers
- Flat-back delivery truck
- Concrete trucks
- Sweepers
- Road grader
- Concrete pumper trucks
- Welding trucks
- Paving equipment: back hoe, asphalt hauling trucks, compactors, paving machines, rollers

2.4.8 OPERATION AND MAINTENANCE ACTIVITIES

Periodic maintenance of water and sewer pipelines and appurtenant structures would be required after the Proposed Project is operational. Pumps, piping, valves, and appurtenant structures would be checked and maintained regularly, and replaced as necessary. City staff would inspect components of the Proposed Project regularly, and replace equipment that reaches the end of its lifetime or fails during use. Pipe materials, valves, depth of cover, maintenance, and corrosion protection measures will comply with the respective City specifications and practices.

2.4.9 SCHEDULE

The precise schedule for implementing water and sewer line improvements at each of the 44 locations is unknown at this time. However, it is anticipated that all improvements could be completed over approximately 38 months. Final design is anticipated to be complete during August 2021 with construction commencing during Fall 2021. The schedule is contingent on a variety of factors, including securing available funding, City approvals, and obtaining necessary permits and easements.

2.5 PROJECT REVIEW AND APPROVAL

2.5.1 LEAD AGENCY

In accordance with Sections 15050 and 15367 of the CEQA Guidelines, the City of Hayward is the 'lead agency' for the Proposed Project, which is defined as the "public agency which has the principal responsibility for carrying out or disapproving a project."

The following discretionary actions would be taken by the City in order to approve the Proposed Project:

- Encroachment Permits and or temporary easements for pipeline construction and staging areas within City right-of-ways.
- Approval of points of connection, pressure, flow, and ongoing use will be subject to the City's review and approval of engineering reports, plans and annual reports prepared and submitted.

2.5.2 CEQA ACTIONS

Prior to approving the Proposed Project, the City must undertake CEQA review including:

- Adoption of the Mitigated Negative Declaration – pursuant to CEQA and the CEQA Guidelines; and
- Mitigation Monitoring – Adoption of a Mitigation Monitoring and Reporting Program to reflect the measures required to mitigate significant impacts, if any, of the project.

The Mitigated Negative Declaration and Initial Study are intended to provide the CEQA documentation for approval of the Proposed Project.

2.5.3 OTHER AGENCY ACTIONS

The IS/MND prepared for the Proposed Project would be used by Responsible Agencies and Trustee Agencies that may have some approval authority of the Proposed Project. The City will obtain all permits, as required by law. The following agencies, which may be considered Responsible Agencies, have discretionary authority over approval of certain project elements, or alternatively, may serve in a ministerial capacity:

- State Water Resources Control Board (SWRCB) / San Francisco Bay Regional Water Quality Control Board (SFBRWQCB):
    - Determination that the project qualifies for coverage under the Clean Water Act (CWA) NPDES Construction General Permit for the protection of surface waters from construction and other land-disturbing activity.

- Bay Area Air Quality Management District (BAAQMD)
  - Verification of compliance with various rules and use of best available mitigation measures.
- Union Pacific Railroad (UPR)
  - Encroachment permit for railroad crossings.
- Alameda County Flood Control District
  - Encroachment permit for Flood Control District facilities crossings.

3 ENVIRONMENTAL ANALYSIS (CHECKLIST)

3.1 EVALUATION OF ENVIRONMENTAL IMPACTS

Pursuant to CEQA *Guidelines* §15063, an IS should provide the lead agency with sufficient information to determine whether to prepare an EIR or negative declaration for a proposed project. The CEQA *Guidelines* state that an IS may identify environmental impacts by use of a checklist, matrix, or other method, provided that conclusions are briefly explained and supported by relevant evidence.

If it is determined that a particular physical impact to the environment could occur, then the checklist must indicate whether the impact is Potentially Significant, Less Than Significant with Mitigation, or Less Than Significant. Findings of No Impact for issues that can be demonstrated not to apply to a proposed project do not require further discussion.

3.1.1 EVALUATION TERMINOLOGY

The following sections contain the environmental checklist form presented in Appendix G of the CEQA *Guidelines*. The checklist form is used to describe the impacts of a proposed project. For this checklist, the following designations are used:

- **Potentially Significant Impact**: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified and no mitigation is available to reduce the impact to a less-than-significant level, an EIR must be prepared.
- **Less-than-Significant Impact with Mitigation Incorporated**: Impacts that would be reduced to a less-than-significant level by feasible mitigation measures identified in this checklist.
- **Less-than-Significant Impact**: Any impact that would not be considered significant under CEQA relative to existing standards.
- **No Impact**: The Proposed Project would have no impact.

3.1.2 CUMULATIVE IMPACT ANALYSIS

In accordance with Section 15064(h) of the CEQA Guidelines, the Proposed Project's potential contribution to a significant cumulative impact has been considered. As described in **Section 2.3.1**, the WSMP and CSMP are required to be implemented under the City's General Plan and contain recommendations to meet infrastructure needs and capacity deficiencies for future buildout and growth anticipated and planned for in the General Plan. Water use projections within the WSMP were developed based on a population and employment-based methodology using Association of Bay Area Governments (ABAG) growth projections, which were correlated with land use information from the city's General Plan. Future base wastewater flow projections within the CSMP were estimated by

applying unit flow factors to the increase in the number of households and jobs based on land use information provided by the City's Planning Department. This included the 2010 ABAG household and employment projections for Traffic Analysis Zone and Priority Development Areas, and subdivision tract information for planned developments and redevelopments (City of Hayward, 2015). Because infrastructure improvements associated with the Proposed Project are based on recommendation within the WSMP and CSMP, which are both accounted for in the City's General Plan, potential cumulative impacts from the Proposed Project have already been considered and would not lead to unexpected cumulative impacts.

3.2 AESTHETICS

3.2.1 ENVIRONMENTAL CHECKLIST

AESTHETICS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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) In nonurbanized areas, 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 that would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

3.2.2 SETTING

Regulatory Context

California Scenic Highway Program

The California Scenic Highway Program, administered by Caltrans, intends to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to scenic highways. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been designated. Cities and counties can nominate eligible scenic highways for official designation by identifying and defining the scenic corridor of the highway. The municipality must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes.

Environmental Setting

The individual improvement locations are generally located in urbanized areas with a mix of residential and commercial uses. There are no State Scenic Highways within the Project Area. The nearest eligible State Scenic Highway is Interstate 580, which does not provide views of any improvement location (Caltrans, 2018). The Proposed Project does not involve components that would be visible, as pipeline improvements would be located underground, with the exception of the access road and retaining wall repairs that would occur at location S29.

Scenic Resources

There is no comprehensive list of specific features that automatically qualify as scenic resources; however, certain characteristics can be identified which contribute to the determination. The following is a partial list of visual qualities and conditions that if present, may indicate the presence of a scenic resource:

- A tree that displays outstanding features of form or age.
- A landmark tree or a group of distinctive trees accented in a setting as a focus of attention.
- An unusual planting that has historical value.
- A unique, massive rock formation.
- An historic building that is a rare example of its period, style, or design, or which has special architectural features and details of importance.
- A feature specifically identified in applicable planning documents as having a special scenic value.
- A unique focus or a feature integrated with its surroundings or overlapping other scenic elements to form a panorama.
- A vegetative or structural feature that has local, regional, or statewide importance.

3.2.3 DISCUSSION OF IMPACTS

Question A

Would the project: Have a substantial adverse effect on a scenic vista?

Less than Significant. The Proposed Project involves improving various water and wastewater pipeline segments across the City, as well as repairing an existing access road and retaining wall at location S29. Upon completion, improved pipelines would be located underground and therefore, not visible. Repairs to the existing access road and retaining wall would not change the current aesthetic. There are no direct views of scenic resources that would potentially be blocked due to construction of the Proposed Project. Construction activities could potentially impair views; however, this would be temporary. Impacts would be less than significant.

Question B

Would the project: Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. None of the pipeline improvement locations would involve damaging scenic resources, such as trees, rock outcroppings, or historical buildings. Furthermore, the majority of improvements would take place in paved right of ways. No impact would occur.

Question C

Would the project: In nonurbanized areas, 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?

No Impact. The Project Area is located in an urbanized area. As described above, improved pipelines would be located underground and therefore, would not degrade the existing visual character of public views. No impact would occur.

Question D

Would the project: Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

No Impact. The Proposed Project does not involve any permanent new sources of light or glare. Construction activities may introduce lights sources; however, this would include lighting for construction visibility and safety, and would be temporary in nature and not substantial. As described in **Section 3.14.2**, construction would occur on Sundays and holidays only after approval by the City, and would be restricted to the hours of 10:00 a.m. to 6:00 p.m. or as authorized by the City. On all other days, construction would occur between the hours of 7:00 a.m. to 7:00 p.m., in alignment with the City's Municipal Code. Therefore, lighting during nighttime conditions would be limited. No impact would occur.

Cumulative Impacts

No Impact. The Proposed Project would not have impacts on aesthetics; therefore, Proposed Project would not contribute to cumulative impacts to aesthetics.

3.2.4 MITIGATION MEASURES

None required.

3.3 AGRICULTURE/FORESTRY RESOURCES

3.3.1 ENVIRONMENTAL CHECKLIST

AGRICULTURE/FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
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?	☐	☐	☐	☒

3.3.2 SETTING

Regulatory Context

Federal

Farmland Protection Policy Act

The Farmland Protection Policy Act is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that federal programs are administered in a matter that is compatible with state and local units of government, and private programs and policies to protect farmland (7 United States Code [USC] § 4201).

State

California Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the State's farmland to and from agricultural use, was established by the California Department of Conservation (DOC), under the Division of Land Resource Protection. The program maintains an inventory of state agricultural land and updates its "Important Farmland Series Maps" every two years.

Williamson Act

The Williamson Act is a State program that was implemented to preserve agricultural land. Under the provisions of the Williamson Act (California Land Conservation Act 1965, Section 51200), landowners contract with the county to maintain agricultural or open space use of their lands in return for reduced property tax assessments (DOC, 2020).

Forestry Resources

Forestry Resources are defined in the California PRC Section 12220(g) as “land that can support 10-percent native tree cover of a species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits”. The California Government Code Section 51104(g) defines “timberland” as “privately owned land, or land acquired for State forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre”.

Environmental Setting

According to the FMMP, the Project Area is predominantly classified as “Urban and Built-Up Land”. Portions of some improvement locations overlap with land classified as “Other Land” (DOC, 2020a). No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance exists on or in the vicinity of the improvement locations. Furthermore, the improvement locations are not under a Williamson Act contract and are not classified as forest land.

3.3.3 DISCUSSION OF IMPACTS

Question A

Would the project: 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?

No Impact. The Project Area is predominantly classified by the FMMP as "Urban Built-Up Land" and does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Proposed Project involves improvements to underground water and sewer pipelines, as well as to an access road and retaining wall, and does not involve conversion of land. Therefore, the Proposed Project would not result in the conversion of farmland to a non-agricultural use. The Proposed Project would have no impacts on agricultural resources.

Question B

Would the project: Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The improvement locations are not zoned for agricultural use and are not under a Williamson Act contract. Therefore, the Proposed Project would have no impacts on existing zoning for agricultural use.

Question C

Would the project: 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))?

No Impact. The improvement locations are not zoned Forest Land, Timberland, or Timberland Production. Therefore, the Proposed Project would not cause rezoning of forest land or timberland. The Proposed Project would have no impacts on zoning.

Question D

Would the project: Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Proposed Project does not involve conversion of land or the loss of forest land. The Proposed Project would have no impacts on forestry resources.

Question E

Would the project: 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?

No Impact. The improvement locations do not contain land classified as farmland or forest land and the Proposed Project does not involve the conversion of land. Therefore, the Proposed Project would not convert farmland to a non-agricultural use or convert forest land to a non-forest use.

Cumulative Impacts

No Impact. The Proposed Project would not result in the conversion of agriculture or forest land; therefore, it would not contribute to cumulative impacts to agricultural resources.

3.3.4 MITIGATION MEASURES

None required.

3.4 AIR QUALITY

3.4.1 ENVIRONMENTAL CHECKLIST

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

3.4.2 SETTING

Environmental Setting

The City of Hayward is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). This region of the SFBAAB is bordered on the east by the East Bay hills and on the west by the San Francisco Bay. This region is indirectly affected by marine air flow and sea breezes, although less so than regions closer to the Golden Gate Bridge. The climate is also affected by its close proximity to the San Francisco Bay. During warm weather, the San Francisco Bay cools the air it comes in contact with, while during cold weather the San Francisco Bay warms the air. The normal northwest wind pattern carries this air onshore during the daytime while bay breezes draw air from the land offshore at night. Wind speeds are moderate in this subregion with annual average wind speeds of approximately seven miles per hour (mph) close to the San Francisco Bay and approximately six mph further inland. Air temperatures are moderated by the subregion's proximity to the Bay and to the sea breeze. Average maximum temperatures are in the mid-

70 degrees Fahrenheit (°F) during the summer months and in the high 50°F to low 60°F during the winter months (BAAQMD 2017b).

Sensitive Receptors

Schools, hospitals, and convalescent homes are considered to be relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality related health problems. Residential areas are considered sensitive to poor air quality, because people usually stay home for extended periods of time increasing the potential exposure to ambient air quality. Recreational uses are also considered sensitive due to the greater exposure to ambient air quality conditions because vigorous exercise associated with recreation places a high demand on the human respiratory system.

As described in **Section 2.2**, the majority of pipeline improvements would take place within paved and disturbed right of ways in commercial and residential areas. However, some locations occur within unpaved areas such as residential backyards, parks, or utility easements.

Regulatory Context

Ambient Air Quality Standards

The U.S. Environmental Protection Agency (USEPA), under the Clean Air Act (CAA) establishes maximum ambient concentrations for the six criteria air pollutants (CAP), known as the National Ambient Air Quality Standards (NAAQS). The six CAPs are ozone (O_3), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), carbon monoxide (CO), lead (Pb), and particulate matter 10 and 2.5 microns in size and smaller (PM_{10} and $PM_{2.5}$, respectively).

The California CAA (CCAA) establishes maximum concentrations for the six CAPs, as well as four additional air pollutants in California (visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride). These maximum concentrations for the State are known as the California Ambient Air Quality Standards (CAAQS). Concentrations above these time-averaged limits are anticipated to cause adverse health effects to sensitive receptors.

The California Air Resources Board (CARB) is part of the California EPA and has jurisdiction over local air districts and has established their own standards and violation criteria for each CAP under the CAAQS. Refer to **Table 3-1** for the standards and violation criteria for the various averaging times for criteria pollutants of concern in the BAAQMD under the NAAQS and CAAQS.

NAAQS and CAAQS Attainment Designations

As shown in **Table 3-2**, the BAAQMD has been designated nonattainment for the federal and State O_3 standards, the State PM_{10} standard, and the federal and State $PM_{2.5}$ standards. The BAAQMD either meets the federal and California standards or is unclassifiable for all other CAPs.

California State Implementation Plan

California's State Implementation Plan (SIP) is comprised of the State's overall air quality attainment plans to meet the NAAQS, as well as the individual air quality attainment plans of each Air Quality Management District (AQMD) and Air Pollution Control District (APCD). The items included in the

California SIP are listed in 40 CFR Chapter I, Part 52, Subpart F §52.220. The California SIP is a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting,

Table 3-1. National and California Ambient Air Quality Standards and Violation Criteria

Pollutant	Averaging Time	Standard (parts per million)		Standard (microgram per cubic meter)		Violation Criteria	
		CAAQS	NAAQS	CAAQS	NAAQS	CAAQS	NAAQS
Ozone (O_3)	1 hour	0.09	N/A	180	N/A	If exceeded	N/A
	8 hours	0.070	0.070	137	137	N/A	If exceeded on more than 3 days in 3 years
Carbon Monoxide (CO)	8 hours	9	9	10,000	10,000	If exceeded	If exceeded on more than 1 day per year
	1 hour	20	35	23,000	40,000	If exceeded	If exceeded on more than 1 day per year
Nitrogen Dioxide (NO_2)	Annual arithmetic mean	0.030	0.053	57	100	N/A	If exceeded
	1 hour	0.18	0.100	470	188	If exceeded	N/A
Sulfur Dioxide (SO_2)	Annual arithmetic mean	N/A	0.030	N/A	N/A	N/A	If exceeded
	24 hours	0.04	0.14	105	N/A	If exceeded	If exceeded on more than 1 day per year
	1 hour (primary)	0.25	0.075	655	196	N/A	N/A
	3 hours (secondary)	N/A	0.5	N/A	N/A		If exceeded on more than 1 day per year
Respirable Particulate Matter (PM_{10})	Annual arithmetic mean	N/A	N/A	20	N/A	If exceeded	If exceeded
	24 hours	N/A	N/A	50	150	If exceeded	If exceeded on more than 1 day per year
Fine Particulate Matter ($PM_{2.5}$)	Annual arithmetic mean (primary)	N/A	N/A	12	12	If exceeded	If exceeded
	Annual arithmetic mean (secondary)	N/A	N/A	N/A	15	If exceeded	If exceeded
	24 hours	N/A	N/A	N/A	35	If exceeded	If exceeded on more than 1 day per year
Lead (Pb)	30-day Average	N/A	N/A	1.5	N/A	If equaled or exceeded	N/A
	Rolling 3-month Average	N/A	N/A	N/A	0.15	N/A	If exceeded

Source: CARB, 2016

Table 3-2. BAAQMD Attainment Status

Pollutant	Averaging Time	CAAQS	NAAQS
Ozone (O_3)	8 hour	**Nonattainment**	**Nonattainment (marginal)**
	1 hour	**Nonattainment**	Not Applicable
Carbon Monoxide (CO)	8 hour	Attainment	Attainment
	1 hour	Attainment	Attainment
Respirable Particulate Matter (PM_{10})	Annual Arithmetic Mean	**Nonattainment**	Unclassifiable/Attainment
	24 Hour	**Nonattainment**	Unclassifiable/Attainment
Fine Particulate Matter ($PM_{2.5}$)	Annual Arithmetic Mean	**Nonattainment**	**Nonattainment (moderate)**
	24 Hour	Not Applicable	**Nonattainment**
Nitrogen Dioxide (NO_2)	1 hour	Attainment	Unclassifiable/Attainment
	Annual Arithmetic Mean	Not Applicable	Attainment
Sulfur Dioxide (SO_2)	24 Hour	Attainment	Unclassifiable/Attainment
	1 Hour	Attainment	Unclassifiable/Attainment
Lead (Pb)	30 Day Average	Not Applicable	Attainment
	Calendar Quarter	Not Applicable	Attainment
Source: BAAQMD, 2019			

etc.), AQMD and APCD rules, State regulations, and federal controls for each air basin and California's overall air quality.

California State Implementation Plan

California's State Implementation Plan (SIP) is comprised of the State's overall air quality attainment plans to meet the NAAQS, as well as the individual air quality attainment plans of each Air Quality Management District (AQMD) and Air Pollution Control District (APCD). The items included in the California SIP are listed in 40 CFR Chapter I, Part 52, Subpart F §52.220. The California SIP is a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), AQMD and APCD rules, State regulations, and federal controls for each air basin and California's overall air quality.

Many of the items within the California SIP rely on the same control strategies, such as emissions standards for cars and heavy trucks, fuel regulations, and limitations on emissions from consumer products. AQMDs and APCDs, as well other agencies such as the Bureau of Automotive Repair, prepare draft California SIP elements and submit them to CARB for review and approval. The CCAA identifies CARB as the lead agency for compiling items for incorporation into the California SIP, and submitting the items to the USEPA for approval.

Toxic Air Contaminants

In addition to the above-listed California CAPs, Toxic Air Contaminants (TAC) are another group of pollutants regulated under the CCAA. TACs are less pervasive in the urban atmosphere than the CAPs,

but are linked to short-term (acute) or long-term (chronic or carcinogenic) adverse human health effects. There are 244 chemicals listed by the State as TACs with varying degrees of toxicity.

Sources of TACs include industrial processes, commercial operations (e.g., gasoline stations and dry cleaners), grading (asbestos), and diesel motor vehicle exhaust. Public exposure to TACs can result from emissions from normal operations, as well as accidental releases. Health effects of TACs include cancer, birth defects, neurological damage, and death.

Ambient air quality standards have not been set for TACs. Instead, these pollutants are typically regulated through a technology-based approach for reducing TACs. This approach requires facilities to install Maximum Achievable Control Technology on emission sources.

Bay Area Air Quality Management District

The 2017 Clean Air Plan for the San Francisco Bay Area (Bay Area) is prepared with the cooperation of the BAAQMD, the Metropolitan Transportation Commission, and the ABAG. On April 19, 2017, the BAAQMD adopted the most recent revision to the Clean Air Plan, the Bay Area 2017 Clean Air Plan (BAAQMD, 2017a). The Bay Area 2017 Clean Air Plan serves to:

- Update the most recent Bay Area ozone plan, the 2010 Clean Air Plan, pursuant to air quality planning requirements defined in the California Health & Safety Code;
- Include all feasible measures to reduce emissions of O_3 precursors (reactive organic gas [ROG] and NOx) and reduce transport of O_3 and its precursors to neighboring air basins; and
- Build upon and enhance the BAAQMD's efforts to reduce emissions of fine particulate matter and toxic air contaminants.

The Bay Area 2017 Clean Air Plan includes a wide range of proposed "control measures," or actions to reduce combustion-related activities, decrease fossil fuel combustion, improve energy efficiency, and decrease emissions of potent greenhouse gases (GHG). Numerous measures reduce multiple pollutants simultaneously: for example, O_3, particulate matter, air toxics, and GHGs. Others focus on a single type of pollutant, such as "super GHGs" – defined as those GHGs with very high global warming potential (GWP) such as methane (CH_4) – or are progressive actions to remove harmful particles in the air (BAAQMD, 2017a).

BAAQMD CEQA Guidelines

On June 2, 2010, the BAAQMD Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under CEQA. These thresholds are designed to establish the level at which the BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA. The current BAAQMD CEQA guidelines were approved and adopted in May 2017. While the BAAQMD is currently working on updating the CEQA *Guidelines* and thresholds of significance, no drafts have been released and therefore the 2017 version of the guidelines are the most recent available. Refer to **Table 3-3** for a summary of BAAQMD Air Quality CEQA Thresholds.

Table 3-3. BAAQMD Air Quality CEQA Thresholds of Significance

Pollutant	Construction-Related	Operations-Related	
Criteria Air Pollutants and Precursors (Regional)	**Average Daily Emissions (lb/day)**	**Average Daily Emissions (lb/day)**	**Maximum Annual Emissions (tpy)**
ROG	54	54	10
NO_X	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
$PM_{10}/PM_{2.5}$ (fugitive dust)	Best Management Practices	None	
Local CO	None	9.0 ppm (8-hour average), 20.0 ppm (1-hour average)	
Accidental Release of Acutely Hazardous Air Pollutants*	None	Storage or use of acutely hazardous materials locating near receptors or new receptors locating near stored or used acutely hazardous materials considered significant	
Odors	None	5 confirmed complaints per year averaged over three years	

Notes:
lb/day = pounds per day
ppm = parts per million
tpy = tons per year
Source: BAAQMD, 2017b

3.4.3 DISCUSSION OF IMPACTS

Methodology

The Sacramento Metropolitan Air Quality Management District's Road Construction Emissions Model, Version 9.0.0. (RCEM) was used to estimate the construction emissions for the pipeline improvements. RCEM provides default values when site-specific inputs are not available. The default values are provided in **Appendix D**. The following site-specific inputs and assumptions were used for the purposes of air quality modeling:

- Emissions from construction were calculated based on all construction related activities, including but not limited to grading, excavation, paving, use of construction equipment, material hauling, and site preparation.
- Construction would occur over a period of 38 months for water line improvement and 44 months for sewer line improvements, starting in 2021.

The results of the RCEM modeling are discussed below and output files are provided in **Appendix D**. Resulting emission estimates are compared to applicable BAAQMD thresholds to evaluate the effects of construction activities on regional air quality.

Questions A and B

Would the project: Conflict with or obstruct implementation of the applicable air quality plan; 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?

Construction

Less than Significant with Mitigation. As stated above, the Project Area is under the jurisdiction of the BAAQMD. Emissions generated from construction activities resulting from the Proposed Project would be short-term, intermittent, and temporary in nature. Construction activities associated with the Proposed Project would result in the generation of ROG, NOx, and PM_{10} emissions. PM_{10} is generally the direct result of trenching, excavation, road paving, and exhaust associated with construction equipment. PM_{10} emissions are largely dependent on the amount of ground disturbance associated with site preparation activities. Emissions of NOx and ROG are generally associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. **Table 3-4** shows emissions from construction activities and compares these to BAAQMD thresholds to determine if the construction emissions of the Proposed Project would have a significant impact on regional air quality, thereby conflicting with or obstructing BAAQMD air quality plans.

Table 3-4. Construction Emissions

Year	Pollutants of Concern			
	ROG	NOx	PM_{10}	$PM_{2.5}$
	(lb/day)			
Water Line Improvements	2.11	22.61	1.09	0.95
Sewer Line Improvements	2.10	22.24	1.07	0.94
Maximum Daily Emissions	**4.21**	**44.85**	**2.16**	**1.89**
BAAQMD Thresholds	*54*	*54*	*82*	*54*
Exceed BAAQMD Threshold	No	No	No	No
Source: **Appendix D**				

As shown in **Table 3-4,** construction emissions of ROG and NO_x would not exceed the BAAQMD significance thresholds.

The BAAQMD's approach to analysis of construction-related particulate impacts is to emphasize implementation of effective and comprehensive dust control measures rather than detailed quantification of emissions. The BAAQMD considers construction-related fugitive dust impacts of projects to be less than significant if a suite of recommended dust-control measures are implemented. Dust control measures are required by the BAAQMD for compliance with their Clean Air Plan. The absence of dust control measures during construction would conflict with the BAAQMD's Clean Air Plan, which would be a potentially significant impact. Therefore, BAAQMD-identified Best Management Practices (BMP) for control of fugitive dust are included as **Mitigation Measure AQ-1**. With **Mitigation Measure AQ-1**, dust control measures would be implemented and the Proposed Project would not obstruct the implementation of an applicable air quality plan. Furthermore, construction of the Proposed Project would not result in a cumulatively considerable net increase of any CAP for which the Proposed Project region is in

nonattainment under an applicable federal or State ambient air quality standard. Therefore, construction of the Proposed Project would have a less than significant impact on regional air quality with mitigation.

Operation

Less than Significant. Periodic maintenance of water and sewer pipelines and appurtenant structures would be required after the Proposed Project is operational. Maintenance activities would result in a negligible increase in additional traffic, and the resulting additional trips added to the roadway network would not cause an exceedance of the BAAQMD thresholds. Therefore, ROG, NOx, and PM_{10} emissions would not increase over current levels, and operation of the Proposed Project would have a less than significant impact on regional air quality.

Question C

Would the project: Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant with Mitigation. Diesel particulate matter (DPM) is the main TAC of concern during construction of the Proposed Project. Construction would include grading, paving, and building activities. These activities utilize heavy equipment, which use diesel fuel and emit DPM. DPM emissions during operation would also be emitted from diesel vehicles used by employees and deliveries.

Various sensitive receptors are located in the vicinity of the improvement locations where construction activities would occur. DPM generally dissipates rapidly from its original concentration; however, due to the close distance of nearby sensitive receptors, construction of the Proposed Project has the potential to expose sensitive receptors to substantial concentrations of DPM. This would be a potentially significant impact. **Mitigation Measure AQ-2** would reduce DPM emissions from construction activities by limiting idling times for construction equipment. Further, as discussed above, CAP emissions would be well below the applicable BAAQMD thresholds. Therefore, with mitigation, construction and operation of the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.

Question D

Would the project: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant. The Proposed Project would not result in emissions adversely affecting a substantial number of people because the Proposed Project does not include any components that would result in the generation of long-term odors or similar emissions. Construction activities that have the potential to emit odors and similar emissions include operation of diesel equipment, generation of fugitive dust, and paving (asphalt). Odors and similar emissions from construction are intermittent and temporary, and generally would not extend beyond the construction area. Due to the temporary and intermittent nature of construction odors, impacts would be less than significant.

Cumulative Impacts

Less than Significant with Mitigation. Past, present, and future development projects contribute to a region's air quality conditions on a cumulative basis; therefore, by its very nature, air pollution is largely a cumulative impact. If a project's individual emissions contribute toward exceedance of the NAAQS or the

CAAQS, then the project's cumulative impact on air quality would be significant. In developing attainment designations for criteria pollutants, the USEPA considers the region's past, present, and future emission levels. AQMDs determine suitable significance thresholds based on an area's designated nonattainment status. These thresholds provide a tool by which the districts can achieve attainment for a particular criteria pollutant that is designated as nonattainment. Therefore, the BAAQMD's significance thresholds consider the region's past, present, and future emissions levels.

Implementation of the Proposed Project combined with future development within the Project Area could lead to cumulative impacts to air quality. Construction of the Proposed Project would result in the generation of CAPs that when combined with future growth within the Project Area could lead to cumulative impacts to air quality. As discussed in detail above, emissions resulting from the Proposed Project would not exceed the BAAQMD's thresholds, and construction would be in conformance with the applicable SIP developed to address cumulative emissions of CAPs in the SFBAAB. Therefore, the Proposed Project would have a less-than-significant cumulative impact on local and regional air quality with implementation of mitigation.

3.4.4 MITIGATION MEASURES

AQ-1

The following BMPs shall be implemented during construction.

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

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

d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.

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

AQ-2

The following BMPs shall be implemented during construction.

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

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

3.5 BIOLOGICAL RESOURCES

Information in this section is summarized from the Biological Memorandum, dated March 2021 (**Appendix E**).

3.5.1 ENVIRONMENTAL CHECKLIST

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

3.5.2 SETTING

Regulatory Context

Clean Water Act

The U.S. Army Corps of Engineers (USACE) has primary federal responsibility for administering regulations that concern waters of the U.S. (including wetlands), under Section 404 of the CWA. Section 404 of the CWA regulates the discharge of dredged or fill material into wetlands or waters of the U.S. The USACE requires that a permit be obtained if a project proposes impacts to a surface water resource that qualifies as a wetland or water of the U.S.

Projects impacting waters of the U.S. that require a CWA Section 404 permit additionally require a CWA Section 401 Water Quality Certification Permit. Authority to issue a Section 401 permit has been delegated by the USEPA to the Regional Water Quality Control Board (RWQCB). Under the CWA, beneficial uses lost due to impacts of a project must be replaced by a mitigation project of at least equal function, value, and area. In instances where a surface water resource is not identified as a water of the U.S., but is identified as a water of the State by the RWQCB, jurisdiction falls to the Porter-Cologne Act discussed below.

Federal Endangered Species Act

The U.S. Fish & Wildlife Service (USFWS) and the National Marine Fisheries Service are tasked with implementation of the Federal Endangered Species Act (FESA) of 1973 (16 USC § 1531 et seq.).

Threatened and endangered species on the federal list (50 Code of Federal Regulations [CFR] Subsections 17.11, 17.12) are protected from “take” (direct or indirect harm) by individuals, unless a Section 10 Incidental Take Permit is granted to an individual or a Section 7 Incidental Take Permit is granted to a federal Lead Agency for potential take occurring during otherwise lawful activities. The USFWS also designates species of concern. While species of concern are not afforded legal protection under the FESA, the USFWS may still recommend specific management actions or publish guiding documents for these species. Project-Related impacts to such species, either as individuals or populations, would also be considered significant and require mitigation. Under the FESA, loss of habitat for listed species is considered a significant impact.

Critical Habitat

Critical Habitat is defined under the FESA as specific geographic areas within a listed species range that contain features considered essential for the conservation of the listed species. Designated Critical Habitat for a given species supports habitat determined by the USFWS to be important for the recovery of the species.

Migratory Bird Treaty Act

Migratory birds are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 USC §§ 703 712). The MBTA makes it unlawful to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR § 10. This includes feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR § 21).

California Fish and Game Code

California Fish and Game Code §§ 1600-1616 regulate impacts to State waters and stream and lake beds. Section 1602 requires California Department of Fish and Wildlife (CDFW) notification before beginning any activity that may obstruct or divert the natural flow of a river, stream, or lake; change or use any material from the bed, channel, or bank of a river, stream, or lake; or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake. California Fish and Game Code § 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the State.

In addition to protections for habitat, California Fish and Game Code includes provisions that protect individuals of certain species. California Fish and Game Code §§ 2582, 3511, 4700, 5050, and 5515 include provisions against the take of any CDFW Fully Protected Species without a permit. Prior to implementation of the FESA and California Endangered Species Act (CESA), the California Department of Fish and Game (now CDFW) maintained a list of those species believed to be rare or in peril of extinction, classified as "Fully Protected." While most species currently identified by CDFW as Fully Protected are listed under FESA and/or CESA, those species that are not formally listed, but are designated as Fully Protected, are still considered special-status species. Therefore, take of a Fully Protected Species is prohibited. CDFW additionally maintains a list of "Species of Special Concern," which are similarly afforded protection under California Fish and Game Code and are evaluated under CEQA. Under the Code, "take" is defined as attempting to "hunt, pursue, catch, capture, or kill, or attempt" to perform such an action. California Fish and Game Code § 3503 also includes provisions against the needless destruction of eggs and nests of any bird.

California Endangered Species Act

The CDFW implements state regulations pertaining to fish and wildlife and their habitat. The CESA of 1984 (California Fish and Game Code § 2050 et seq., and CCR Title 14, §§ 670.2, 670.51) prohibits the take (interpreted to mean the direct killing of a species) of species listed under CESA (California Fish and Game Code § 2080; 14 CCR §§ 670.2, 670.5). A CESA permit (Individual Take Permit) must be obtained if a project would result in the "take" of listed species, either during construction or over the life of the project. California Fish and Game Code § 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: (1) the take is incidental to an otherwise lawful activity; (2) the take will be minimized and fully mitigated; (3) the applicant ensures adequate funding for minimization and mitigation; and (4) authorization will not jeopardize continued existence of listed species (California Fish and Game Code § 2081).

Under CESA, the CDFW is responsible for maintaining a list of threatened and endangered species designated under State law (California Fish and Game Code § 2070). In addition to the list of threatened and endangered species, CDFW also maintains lists of species of special concern, which serve as "watch lists." Pursuant to requirements of the CESA, an agency reviewing a project within its jurisdiction must determine whether any State-listed species may be present in the project area and determine whether the project would have a potentially significant impact upon such species.

Porter-Cologne Act

In instances where a surface water resource is not identified as a water of the U.S., the RWQCB may still classify the resource as a water of the State under the Porter-Cologne Act. Projects that impact waters of the state that do not meet the definition of waters of the U.S. general require a Waste Discharge Requirement Permit (WDR) from the RWQCB, or a waiver from this requirement. WDR Permits are required pursuant to California Water Code Section 13260 for any persons discharging or proposing to discharge waste, including dredge or fill, that could affect the quality of the waters of the state. The WDR permit is obtained through the RWQCB that has jurisdiction over the site on which impacts occur. The Project Site falls within the jurisdiction of the SFBRWQCB.

City of Hayward General Plan

The Natural Resource element of the City's General Plan establishes goals and policies to protect and enhance the natural resources within the Hayward Planning Area. The following goals are identified in the General Plan related to biological resources and form the foundation for the City's policies and actions related to preservation and management of such resources:

Goal NR-1	Protect, enhance, and restore sensitive biological resources, native habitat, and vegetation communities that support wildlife species so they can be sustained and remain viable.
Goal NR-6	Improve overall water quality by protecting surface and groundwater sources, restoring creeks and rivers to their natural state, and conserving water resources.

Goal NR-1 includes measures for native wildlife habitat protection, sensitive habitat protection, migratory bird habitat protection, and riparian corridor habitat protection. Goal NR-6 includes measures for erosion control, stormwater management, and NPDES permit compliance.

Environmental Setting

Special-Status Species

For the purposes of this assessment, special-status has been defined to include those species that are:

- Listed as endangered or threatened under the FESA (or formally proposed for, or candidates for, listing);
- Listed as endangered or threatened under the CESA (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Game Code (§ 1901);
- Designated as fully protected, pursuant to California Fish and Game Code (§ 3511, § 4700, or § 5050);
- Designated as species of concern by the CDFW (CEQA *Guidelines* § 15380); or,
- Defined as rare or endangered under CEQA.

Methodology

A biological resources survey of relevant improvement locations within the Project Area was conducted on January 21, 2021. Sewer and water line improvement locations were reviewed using aerial imagery

prior to the survey. Of the 44 locations within the Project Area, 10 were determined to have the potential for biological impacts, due to the proximity to waterways and/or vegetation, or the involvement of new ground disturbance, and were therefore targeted in the survey (see **Table 3-5** below). Improvement locations that were not included in the survey involved pipeline replacements to occur solely in paved rights-of-ways within exiting roadways, with no foreseeable potential impacts to biological resources. The survey was conducted by walking throughout the targeted improvement locations to identify habitat types, potentially occurring wetlands and waters of the U.S and state, and potentially occurring special-status species. Sensitive habitats include those that are designated by the CDFW, considered by local experts to be communities of limited distribution, or likely to be waters of the U.S. or state by the appropriate regulatory agencies. Habitat requirements of special-status species were compared to habitats observed, which were determined based on aerial photographs, field observations, and background data review. Data was collected via a Trimble Geo XH hand-held GPS receiver, camera, and field notes.

In addition to the survey, the following biological information was obtained and reviewed:

- Aerial photographs of the Subject Areas and surrounding area;
- U.S. Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) list, accessed January 14, 2021 (Attachment 1 of **Appendix E**);
- California Natural Diversity Database (CNDDB) list, accessed January 14, 2021 (Attachment 1 of **Appendix E**);
- California Native Plant Society (CNPS) list, accessed January 14, 2021 (Attachment 1 of **Appendix E**);
- National Wetlands Inventory (NWI), accessed January 25, 2021 (Attachment 2 of **Appendix E**);
- Critical Habitat for Threatened and Endangered Species, accessed January 26, 2021 (Attachment 3 of **Appendix E**);
- Natural Resources Conservation Service (NRCS) soils map, accessed January 19, 20201 (Figure 4 of **Appendix E**).

Habitat requirements of special-status species were compared to habitats within the Project Area. Results of the survey are included in **Appendix E**.

Habitats

The survey area includes 10 improvement locations which have the potential for biological impacts. The dominant habitat type consists of land that has been previously disturbed and developed. Developed areas include roads, parking lots, sidewalks, railroads, residential and commercial areas, stormwater retention basins, and green space (i.e., local parks). These habitat types are summarized below in **Table 3-5** and further discussed in **Appendix E**.

Table 3-5. Summary of Habitat Types

Improvement Location	Habitat Type
SEWER LINE IMPROVEMENT LOCATION	
S3	Developed, pavement
S4	Developed, residential
S10	Developed, pavement and green space
S15	Developed, pavement and stormwater basin
S23	Developed, pavement
S28	Developed, pavement
S29	Developed, green space and residential
WATER LINE IMPROVEMENT LOCATION	
W12	Developed, pavement and railroad
W13	Developed, pavement and residential
W14	Developed, pavement and green space

Special-Status Species

The Biological Memorandum, included as **Appendix E**, summarizes the regionally occurring special-status species identified in the USFWS, CNPS, and the CNDDB lists (Attachment 1 of **Appendix E**) and provides an analysis of the potential for these species based on the presence or absence of suitable habitat within the 10 improvement locations selected for biological surveys.

Data review and special-status species searches list 27 special-status plant species and 35 special-status wildlife species with the potential to occur in the region (Attachment 1 of **Appendix E**). Based on habitats observed within the 10 improvement locations and special-status species habitat requirements, the improvement locations contain suitable habitat to potentially support one special-status animal species: western bumblebee (*Bombus occidentalis*). Species with no potential to occur in the vicinity of the improvement locations were excluded based on lack of suitable habitat, soils, and elevation.

Critical Habitat

No USFWS designated or proposed Critical Habitat occurs within the survey area (Attachment 3 of **Appendix E**).

3.5.3 DISCUSSION OF IMPACTS

Question A

Would the project: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Nesting Migratory Birds

Less than Significant with Mitigation. Suitable habitat for nesting birds protected under California Fish and Game Code, as well as the MBTA occurs on and within 500 feet of the development footprint at the surveyed improvement locations. Nesting migratory birds and raptors could be affected if vegetation removal or loud noise-producing activities associated with construction commence during the general nesting season (February 15 through September 15). Disturbance of an active nest would constitute a significant impact. **Mitigation Measure BIO-1** includes a pre-construction nesting bird survey to identify active nests should construction commence during the general nesting season, and a disturbance-free buffer around active nests during construction until a qualified biologist determines that the nest is no longer active. With implementation of **Mitigation Measure BIO-1**, impacts to nesting birds would be reduced to less than significant.

Western Bumblebee

Less than Significant. The surveyed improvement locations do not offer habitat suitable to support special-status plants and would therefore not contribute to cumulative impacts related to special-status plants. Improvement location W14 has low quality habitat to potentially support one special-status wildlife species, western bumblebee, in a foraging capacity. No signs of underground burrows or nesting cavities were observed at the time of survey. Foraging habitat is low quality, and minimal amounts of potential foraging habitat would be impacted. There would be a less than significant impact.

Question B

Would the project: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less than Significant. No, the Proposed Project would not have a substantial adverse effect on any riparian habitat or sensitive natural community because the developed habitats within the impact area of the improvement locations are not considered sensitive. Improvement location S10 has approximately 0.5 acres of riparian habitat adjacent to, but not within, the impact area of the sewer line replacement (Figure 5 of **Appendix E**). Riparian habitat in the vicinity of the improvement location S10 impact area is considered sensitive, but would be avoided through project design. The location of the proposed sewer line improvements at improvement location S10 is approximately 50 feet from the riparian area. Impacts to sensitive habitats would be less than significant.

Question C

Would the project: 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?

Less than Significant with Mitigation. There are no wetlands on or adjacent to the proposed improvement locations. Improvement location S10 has a stream drainage, Ward Creek, approximately 75 feet from where sewer lines are to be improved, but is avoided through project design. A concrete stormwater catchment is adjacent to line improvements at location S15. Line improvements at S15

require trenchless methods for the installation of a steel casing and would not impact the stormwater catchment. However, construction activities, including staging and potential chemical/gasoline leakage from construction vehicles, could potentially lead to the discharge of sediment and other pollutants to nearby water bodies. This would be a potentially significant impact. **Mitigation Measures HYD-1** provides erosion and sediment control measures that would reduce potential impacts to watercourses to less than significant.

Question D

Would the project: 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?

No impact. The surveyed improvement locations are developed and in a disturbed urban setting. The area surrounding the improvement locations consists of urban development, including roadways, commercial land use, residences, and greenspaces. Wildlife access to surveyed improvement locations is extremely limited. No wildlife corridors were identified within surveyed areas. Additionally, improvement locations do not support wildlife nurseries or access to wildlife nurseries. There would be no impact.

Question E

Would the project: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No impact. The Proposed Project does not conflict with biological resource elements identified in the City's General Plan. No other ordinances for protecting biological resources were identified. There would be no impact.

Question F

Would the project: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. Improvement locations are not within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plan. The East Bay Regional Park District is currently developing a Habitat Conservation Plan and Natural Community Conservation Plan (EBRPD, 2021); however, the improvement locations are not within the boundaries of the planning area. The City's General Plan states that the City shall adopt a Habitat Conservation Plan for areas within and surrounding Hayward, but the program has not been started (City of Hayward, 2014b). The Proposed Project does not conflict with any existing conservation plans. There would be no impact.

Cumulative Impacts

Less than Significant with Mitigation. The context for determining cumulative impacts considers past, present, and reasonably foreseeable projects in the vicinity of the Proposed Project. Past development in the vicinity of the improvement locations is associated with the larger City, including residential development, transportation infrastructure, commercial and industrial uses, and greenspace. Future development is guided by the City's General Plan, which accounts for utility upgrades associated with the

Proposed Project. The improvement locations lack wildlife corridors and nursery sites and would therefore not contribute to cumulative impacts to these resources. The improvement locations do not offer habitat suitable to support special-status plants and would therefore not contribute to cumulative impacts related to special-status plants. Improvement location W14 has low quality habitat to potentially support western bumblebee in a foraging capacity. No signs of underground burrows or nesting cavities were observed at the time of survey. Foraging habitat is low quality, and minimal amounts of potential foraging habitat would be impacted. There would be a less than significant impact.

With implementation of **Mitigation Measure BIO-1**, the Proposed Project would avoid potential impacts to nesting migratory bird species. Because potential impacts would be avoided, the Proposed Project would not cumulatively contribute to impacts to nesting migratory birds and raptors. Additionally, the Proposed Project would not contribute to cumulative impacts to wetlands or waters of the U.S. or state, as those habitat types do not occur within the development footprint of the improvement locations. Two watercourses were identified in the vicinity of line replacements, but any potential impacts would be less than significant with implementation of **Mitigation Measure HYD-1.**

Overall, the Proposed Project would not contribute a significant level of cumulative, direct, or indirect impacts to sensitive habitats, special-status species and their habitat, or migratory birds. Additionally, the Proposed Project would not conflict with local plans or policies protecting biological resources. Other cumulatively considerable projects would be required to implement measures to project biological resources consistent with federal, state, and local policies. Therefore, the Proposed Project's contribution to cumulative regional impacts associated with biological resources would be less than significant with implementation of **Mitigation Measures BIO-1** and **HYD-1**.

3.5.4 MITIGATION MEASURES

BIO-1 Nesting Migratory Birds and Other Special-Status Bird Species Protected Under the MBTA

- If construction activities (e.g., building, grading, ground disturbance, removal of vegetation) are scheduled to occur during the general nesting season (February 15 - September 15), a preconstruction nesting bird survey shall be conducted by a qualified biologist throughout accessible areas of suitable habitat within 500 feet of proposed construction activity. The survey shall occur no more than 7 days prior to the scheduled onset of construction. If construction is delayed or halted for more than 7 days, another preconstruction survey for nesting bird species shall be conducted. If no nesting birds are detected during the preconstruction survey, no additional surveys or mitigation measures are required.

- If nesting bird species are observed within 500 feet of construction areas during the survey, appropriate "no construction" buffers shall be established. The size and scale of nesting bird buffers shall be determined by a qualified biologist and shall be dependent upon the species observed and the location of the nest. Buffers shall be established around active nest locations. The nesting bird buffers shall be completely avoided during construction activities. The buffers may be removed when the qualified wildlife biologist confirms that the nest(s) is no longer occupied and all birds have fledged.

3.6 CULTURAL RESOURCES

Information in this section is summarized from a Cultural Resources Survey Report prepared for the Proposed Project (**Confidential Appendix F**).

3.6.1 ENVIRONMENTAL CHECKLIST

CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

3.6.2 SETTING

Cultural Context

Prehistoric Setting

The Proposed Project region is known to contain numerous traces of past human activity ranging from early Native American sites and artifacts to the remains of historic-era agricultural activities, and salt production ponds. The San Francisco Bay area was densely populated during the prehistoric period; therefore, archaeological resources are commonly found following chronological periods, which have been defined based on cultural changes in the Proposed Project region: Paleo-Indian (10,000 to 6000 B.C.), Lower Archaic (6000 to 3000 B.C.), Middle Archaic (3000 to 500 B.C.), Upper Archaic (500 B.C. to A.D. 700) and the Emergent Period (A.D. 700 to 1800).

The Middle and Upper Archaic and Emergent Periods are further broken down under the Central California Taxonomic System. These three time periods are well represented in archaeological assemblages in the general vicinity of the Proposed Project. These assemblages are summarized here.

During the Windmiller Pattern (3,000 to 500 B.C.), peoples placed an increased emphasis on acorn use as well as a continuation of hunting and fishing activities. Ground and polished charmstones, twined basketry, baked-clay artifacts, and worked shell and bone were hallmarks of Windmiller culture. Widely

ranging trade patterns brought goods in from the Coast Ranges and trans-Sierran sources as well as closer trading partners. Distinctive burial practices (ventrally extended, oriented westward) identified with the Windmiller Pattern also appeared in the Sierra foothills, indicating possible seasonal migration into the Sierra. Perforated charmstones were associated with some burials, and manos and metates and small mortars were used, but rare.

The Berkeley Pattern (200 B.C. to A.D. 700) exhibited an increase in the use of acorns as a food source than was seen previously in the archaeological record. Distinctive stone and shell artifacts differentiated it from earlier or later cultural expressions. Burials were predominantly placed in a tightly flexed position, and frequently included red ochre. Minimally shaped mortars and pestles were much more prevalent than manos and metates and non-stemmed projectile points became more common. Dating of the Berkeley Pattern varies across central California; in the Stockton region, the Windmiller Pattern continued longer than in other areas, gradually giving way to the changes that marked the Berkeley Pattern. These people combined Windmiller and Berkeley pattern traits, as seen in mortuary practices and the stone tool industry.

The Augustine Pattern (A.D. 700 to 1800) reflected increasing populations resulting from more intensive food procurement strategies, as well as a marked change in burial practices and increased trade activities. Intensive fishing, hunting and gathering, complex exchange systems and a wider variety in mortuary patterns were all hallmarks of this period. Mortars and pestles were more carefully shaped; bow and arrow technology was present. Fishing implements became more common, trade increased and cremation was used for some higher status individuals.

Ethnographic Setting

The Proposed Project area and its vicinity were most recently occupied by Costanoan Indians, a member of the Penutian linguistic family. The word “Costanoan” was derived from a Spanish word meaning coast people or coastal dwellers, who occupied the area roughly from Carquinez Strait and the northern tip of the San Francisco peninsula to the region south of Monterey Bay and east to the Diablo Range. The Costanoans, also known as the Ohlone, entered the Bay Area approximately 1,500 years ago, coming in from the Delta region and displacing earlier Hokan speakers living there. Archaeologically, this coincides with the Lower Emergent period.

At the time of European contact, the project area was within the territory of the Yrgin, a group of 300 to 400 people who held a portion of the East Bay plain in the vicinity of Hayward and San Leandro, east of the interior Diablo Ranges, encompassing the entire San Lorenzo Creek watershed. There is some confusion about whether or not the Yrgin were one of several linguistically-related groups known as the Ohlone, which occupied the bayshore to the south, or were part of the Bay Miwok language family which controlled the northern portion of the bay (Milliken, 1995). The Yrgin and their neighbors were organized as independent triblets; each had one to five semi-permanent villages and numerous temporary camping spots within a territory, some six to ten miles in diameter (Levy, 1978; Milliken, 1995). According to Levy (1978), territorial boundaries among the Ohlone and Bay Miwok were firmly fixed.

The Ohlone were organized as clans, divided into deer and bear moieties. Households consisted of patrilineally extended families ranging from 10 to 15 members. The most common type of house described ethnographically was a dome-shaped structure constructed of willow poles and thatched with

tule, grasses, ferns, or wild alfalfa (Kroeber, 1925; Levy, 1978). Tule was also employed in making clothing and to construct the balsas used to cross San Francisco Bay and maneuver among the marshes and streams surrounding the bay. The balsas were propelled by a double-bladed paddle and were used as transportation and for hunting water fowl and perhaps sea mammals. Sinew-backed bows were made by the Ohlone, and used with arrows tipped by either stone or bone points. Nets were employed to hunt a variety of ducks, quail, rabbits, and, along with basketry traps, to capture the small schooling fish common to the bay-estuary.

Like most California groups, acorns were probably an important part of the Ohlone diet, as were numerous other nut and seed crops which occur on the bay plain and surrounding foothills and canyons. Seasonal burning of the grassland helped to promote the growth of annual seeds and forbs and increased the grazing area for deer, elk, and pronghorn. These large animals were hunted communally or in small groups. Waterfowl were an important part of the diet, often attracted by the use of tule or feather-clad decoys.

Historic Setting

Following the settlement of San Diego in 1769, the Spanish made steady progress in the exploration and settlement of the coastal regions of Alta (Northern) California. By 1776, the Spaniards established the Presidio of San Francisco and by 1798 Mission San Jose. However, the Central Valley would remain largely uncharted in the first decades of Spanish settlement, until the early 19th Century. Between 1804 and 1823 the Spanish made numerous trips into the Central Valley prospecting for new mission sites, attempting to recover stolen horses and cattle, or making punitive raids against natives believed responsible for the theft of livestock.

In 1821, Mexican forces prevailed in their struggle for independence and declared California part of the Mexican empire. This event marked the beginning of the short-lived Mexican Period in California history. In 1833, the formal process of secularizing the missions began and mission lands were divided among the Californios. The grants, known as ranchos, enriched those individuals fortunate enough to receive one, while effectively subjugating the native tribes as an indentured labor force.

James Marshall's gold discovery in Coloma in 1848 led to an influx of miners, prospectors, and settlers looking for their fortunes. Though the Gold Rush was concentrated in the Sierra Nevada foothills, the Bay Area attracted merchants and settlers looking to capitalize upon California's emerging maritime and agricultural economies. The Gold Rush had a large impact on San Francisco as the city became the main port, transportation hub, and commercial center for the new settlers coming to work in the mines. As the city grew, the transportation network throughout the region also improved and expanded.

Before Europeans arrived in the San Francisco Bay, Native Americans harvested salt from natural salt ponds in the South Bay in the vicinity of Hayward and in the marshlands scattered along the shoreline. The Spanish missionaries adopted the native salt harvest practice and used the Ohlone to harvest the salt. Beginning in the 1850s, the Mount Eden Company began settling the Baumberg area, located west of Rancho Arroyo de la Alameda. The Mount Eden area along the Alameda County coast (from San Leandro Creek to Union City) was developed into several small salt producing operations. In 1855 Captain Richard Barron constructed several warehouses along Eden Landing and by the end of the 19th

century had built Barron Salt Works. In 1882-83 approximately a thousand tons of salt were manufactured by the company (Sandoval, 1988).

By the late 19th century, most of the East Bay shoreline south of San Lorenzo Creek had been converted to salt ponds. By 1896, there were numerous salt works in the Baumberg area including Oliver Salt Works, Peterman Salt Works, Barron Salt Works, F. F. Lund Salt Works, and Liquori's Salt Works. By the mid-1920s, Oliver Salt Works had acquired most of the smaller salt works operations. In 1901 the Leslie Salt Refining Company was established; later it would grow to become the largest salt producing company in San Francisco. By 1931, Leslie had absorbed Oliver Salt Works and controlled the salt operations in the Baumberg area.

Record Search

A records search was conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System by NWIC staff in February 2021 (NWIC File No.: 20-1284); a second record search (NWIC File No.: 20-1800) was completed when a new segment (S31) was added. The NWIC, an affiliate of the State of California Office of Historic Preservation, is the official state repository of archaeological and historic records and reports for a 15-county area that includes Alameda County, and is housed at Sonoma State University. Additional research was conducted using the files and literature maintained at Analytical Environmental Services (AES).

The NWIC search included each specific water or sewer improvement location plus a 1/8-mile buffer zone. The results indicated that a large number of historic resources were located within the buffer area (i.e. residences, commercial, and public buildings greater than 50 years old). Because none of these resources will be affected by Proposed Project construction or operation, they are not discussed in this report. The only resource of concern consists of archaeological site P-01-12132, a Native American burial discovered during excavation of a utility trench in 2019. This is located within the improvement location areas of S5 and W16; both of these proposed pipeline improvement locations intersect the archaeological site P-01-12132 (**Appendix F**).

Native American Contacts

AES sent a search request to the Native American Heritage Commission (NAHC) on January 7, 2021 and received a reply dated February 1, 2021. In their reply, the NAHC stated that the Sacred Lands File results were positive and recommended contacting Andrew Galvan of the Ohlone Indian Tribe; the NAHC response also included contact information for nine other individuals. The City contacted these ten individuals under the requirements of AB 52 on April 29, 2021 (see **Section 3.19**). Furthermore, the City contacted the Ione Band of Miwok Indians on April 2, 2021, the only Native American tribe which has requested placement on the City's AB 52 notice list. As of this writing, no responses have been received.

Field Survey

Seven improvement locations were identified to be surveyed: S3, S4, S10, S29, W10, W13, and W14. These corresponded to locations where potential open ground might be available for visual inspection, and locations that had not been included in previous archaeological surveys. In addition, areas S5 and W16, where sewer and water line improvements would overlap, were added to the field investigation.

AES Senior Archaeologist Charlane Gross, M.A., RPA completed the archaeological survey on February 25, 2021. The landscape was generally developed with possible exceptions including the locations described here. No new cultural or paleontological resources were identified in any area included in the survey.

Improvement location S3: Improvements will require open cut construction. A large portion of this proposed improvement area was inaccessible as it ran along the side of the Harder Elementary School property, which was completely enclosed by fencing. Those areas along Lander Avenue and Wyeth Road behind the school were entirely hardscaped with roads, sidewalks, and raised median landscaping. The general location, far from an apparent water source, indicates a generally low potential for archaeological resources.

Improvement location S4: Improvements would consist of rehabilitation of an existing line. The entire area was inaccessible as it ran across a series of fenced back yards. The general location, on a moderately steep slope, indicates a low potential for archaeological resources.

Improvement location S10: Improvements would require open cut construction. Improvement location S10 lies along a roadway between a trail head and creek, in an area combining steep slopes (on the creek side of the road) and more level areas near the trail head. There was open ground available for examination, using a single transect on either side of the road, and ground surface visibility was generally very good. No resources were identified, but because part of the pipeline would lie in level ground above a water source, the potential for archaeological resources is moderate.

Improvement location S29: Improvements would include replacement of a wooden retaining wall, regrading a gravel access road cut into a steep hillside, and trenching to replace an existing sewer pipe. Portions of the route were inaccessible as it ran between fenced residential yards. The retaining wall and access road are located in a small park and were examined with a single transect. The remaining area crossed very steep, grass-covered hillsides through residential yards. Ground surface visibility was excellent in the park area but very poor in the grassy areas. Because of the slopes, there is a low potential for archaeological resources.

Improvement location W10: This is the location of a new fire hydrant located next to the Spanish Ranch Mobile Home Park. The entire area is hardscaped, with no natural ground surface visibility. The general location, far from an apparent water source, indicates a generally low potential for archaeological resources.

Improvement location W13: Improvements would require open cut construction. The entire improvement location is within a PG&E utility corridor and is fenced, with no access. From the edges it was apparent that the upper layer of soils has been disturbed, but no examination could be made. The location is moderately close to the edge of San Francisco Bay, indicating a moderate potential for archaeological resources.

Improvement location W14: Improvements would require open cut construction through College Heights Park. The northern and southern ends of the improvement location cross steeply sloped areas, but the central portion of the pipeline upgrade would require trenching through the grassy park. The area was investigated using two transects. Ground surface visibility was approximately five percent on average.

Because of the high slopes and the general distance from a water source, the potential for archaeological resources is low.

Improvement locations S5 and W16: Sewer and water line improvements would overlap in this area. The area is completely hardscaped except for an adjacent graveled parking lot serving the Green Shutter Hotel. The gravel and a wooden fence near the burial area prevented any ground surface visibility. The discovery of a burial with grave goods during utility trenching in 2019 indicates an extremely high potential for similar finds during any construction activities with the added potential for associated archaeological (non-burial) features (**Appendix F**).

Regulatory Context

California Environmental Quality Act

CEQA requires that the effects that a project has on historical and unique archaeological resources be considered (Public Resources Code [PRC] Section 21083.2) for projects financed by or requiring the discretionary approval of public agencies in California. Historical resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, or scientific importance (PRC Section 5020.1). The CEQA Guidelines (Section 15064.5) define three cases in which a property may qualify as a historical resource for the purpose of CEQA review:

- The resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR).
- The resource is included in a local register of historic resources, as defined in PRC Section 5020.1(k), or is identified as significant in a historical resources survey that meets the requirements of PRC Section 5024.1(g) (unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant).

The Lead Agency determines that the resource may be a historical resource as defined in PRC Section 5020.1(j), 5024.1, or significant as supported by substantial evidence in light of the whole record. Section 5024.1 defines eligibility requirements and states that a resource may be eligible for inclusion in the CRHR if it:

1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2) Is associated with the lives of persons important in our past;
3) Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4) Has yielded, or may be likely to yield, information important in prehistory or history.

Resources must retain integrity to be eligible for listing on the CRHR. Resources that are listed in or eligible for listing in the National Register of Historic Places (NRHP) are considered eligible for listing in

the CRHR, and thus are significant historical resources for the purposes of CEQA (PRC Section 5024.1(d)(1)).

PRC Section 21083.2 governs the treatment of a unique archaeological resource, which is defined as "an archaeological artifact, object, or site about which it can be clearly demonstrated" that it meets any of the following criteria:

- It contains information needed to answer important scientific research questions, and there is a demonstrable public interest in that information.
- It has a special and particular quality such as being the oldest of its type or the best example of its type.
- It is directly associated with a scientifically recognized important prehistoric or historic event or person.

3.6.3 DISCUSSION OF IMPACTS

Question A

Would the project: Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Less than Significant with Mitigation. Archaeological site P-01-12132, located within the improvement location areas of S5 and W16, a Native American burial with associated artifacts, is located immediately adjacent to the proposed improvement location S5/W16 utility trench. No other known archaeological resources have been identified which would be impacted by construction. The presence of one burial indicates a high likelihood for both other burials and other non-burial features related to a larger archaeological site. Elements of this larger site or other burials could be impacted by construction of the Proposed Project in the S5/W16 utility trench area; resources that could be impacted by the Proposed Project in this area may potentially be eligible for listing on the CRHR under Criterion 4, and therefore this is a potentially significant impact. Implementation of **Mitigation Measure CR-1** presented in **Section 3.6.4** would ensure that monitoring occurs in the vicinity of archaeological site P-01-12131, that any discoveries are treated in the appropriate manner, that a program to determine the eligibility of archaeological site P-01-12131 is completed, and that results are documented. Implementation of **Mitigation Measure CR-1** would reduce potential impacts to archeological site P-01-12132 to a less-than-significant level.

Question B

Would the project: Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less than Significant with Mitigation. Based on the results of the records search, literature review, Native American consultation, and field survey, there are no known cultural resources within the Proposed Project Site except for archaeological site P-01-12131; the potential for unknown CRHR-eligible resources within the Proposed Project Area is considered to vary from moderate to low. Of the Proposed Project improvement locations examined, S3, S4, S29, W10, and W14 have a low potential for

archaeological resources that could be uncovered during project construction due to terrain or distance from a water source, while improvement location S10 and W13 have a moderate potential for archaeological resources that could be uncovered during Project construction. Similarly, the remaining proposed improvement locations are located some distance from a water source, a key indicator of archaeological probability, and therefore are considered to have low potential for discoveries made during construction. However, disturbance of unidentified archeological resources would constitute a significant impact. Implementation of **Mitigation Measure CR-2** presented in **Section 3.6.4** would ensure that inadvertently discovered resources that may be eligible for the CRHR would be investigated and evaluated for eligibility to the CRHR. **Mitigation Measure CR-2** would reduce potential impacts to previously unidentified archaeological resources to a less-than-significant level.

Question C

Would the project: Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant with Mitigation. There is a high probability that additional human remains associated with archeological site P-01-12131 would be encountered during construction of the Proposed Project at improvement locations S5 and W16, with a lower potential to encounter human remains at the other improvement locations during ground-disturbing activities. The disturbance of human remains would constitute a potentially significant impact. Implementation of **Mitigation Measure CR-1** presented in **Section 3.6.4** would ensure the appropriate treatment of human remains and reduce potential impacts to human remains to a less-than-significant level.

Cumulative Impacts

Less than Significant with Mitigation. Potential cumulative projects in the vicinity of the project area have the potential to impact cultural resources. Archaeological and historic resources are afforded special legal protections designed to reduce the cumulative effects of development. Potential cumulative projects and the Proposed Project would be subject to the protection of cultural resources afforded by the CEQA *Guidelines* Section 15064.5 and related provisions of the PRC. Given the non-renewable nature of cultural resources, any impact to archaeological sites could be considered cumulatively considerable. As discussed above, no known protected archaeological or historic resources were identified within the Proposed Project's Development Footprint. **Mitigation Measures CR-1** and **CR-2** provide for the protection of reasonably predictable as well as unanticipated finds made during ground disturbing activities. With the implementation of these mitigation measures, the Proposed Project's incremental contribution to cumulative impacts to cultural resources is considered to be less than significant.

3.6.4 MITIGATION MEASURES

CR-1 Archaeological Site P-01-12131

All trenching, excavation, pavement or concrete removal, and any other kind of ground disturbing activity within the improvement location S5 and W16 footprint shall be monitored by a qualified professional archaeologist with an expertise in human osteology. Additionally, a representative of the Native American community shall be retained as a cultural monitor. If human remains are uncovered, all project-related ground disturbances within 100 feet of the find shall halt until the county coroner and City have been notified and compliance with Section 15064.5 (e) (1) of the CEQA Guidelines and Health and Safety Code Section 7050.5 shall be required. The coroner shall ask the NAHC to identify a Most Likely

Descendant (MLD), who will work with the construction contractor, City, and the archaeologist to determine an appropriate avoidance or recovery methods or other treatment plan. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in CEQA Guidelines Section 15064.5 (e) has been completed.

The City, MLD, and archaeologist shall review the field situation and determine whether further exploration using hand or mechanical excavation is practicable or likely to uncover additional remains or components of an archaeological site; excavations shall be used to determine the CRHR eligibility of archeological site P-01-12131 and mitigate construction impacts; the results shall be documented in a report that meets current professional standards. In the event that human remains are encountered during construction activities at other improvement locations associated with the Proposed Project, as above, the City shall comply with Section 15064.5 (e) (1) of the CEQA Guidelines and Health and Safety Code Section 7050.5. All project-related ground disturbance within 100 feet of the find shall be halted until the county coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the NAHC and/or the previously identified MLD, who will consult with the City and an archaeologist to design a program of avoidance, evaluation, and recovery which shall be implemented prior to resuming construction activities in the vicinity of the find.

CR-2 Inadvertent Resource Discovery

In the event of any inadvertent discovery of archaeological, all such finds shall be subject to 36 CFR 60.4, PRC 21083.2, and CEQA *Guidelines* § 15064.5. Procedures for inadvertent discovery include the following:

- All work within a 100-foot radius of the find shall be halted, and the City shall be notified. Workers should avoid altering the materials until a professional archaeologist can evaluate the significance of the find in accordance with CRHR criteria. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement.
- The qualified archeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, culturally appropriate temporary and permanent treatment, which may include avoidance of cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.
- If the find represents a prehistoric resource, representatives of the Native American community shall be consulted as well under the provisions of AB 52 (**Section 3.19**). Construction shall not resume in the vicinity of the find until consultation is concluded or until a reasonable good-faith effort has failed to provide a resolution to further impacts that is acceptable to the consulting parties.

3.7 ENERGY

3.7.1 ENVIRONMENTAL CHECKLIST

ENERGY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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?	☐	☐	☐	☒

3.7.2 SETTING

Regulatory Context

Warren-Alquist Act

The 1974 Warren-Alquist Act (PRC § 25000 et seq.) established the California Energy Commission (CEC) and created a State policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures. The California Legislature continues to amend the Act to address pressing energy needs and issues, and the CEC publishes an updated version of the Act each year. The 2019 edition of the Warren-Alquist Act was published in February of 2019.

State of California Integrated Energy Policy Report

Senate Bill (SB) 1389 requires the CEC to adopt an Integrated Energy Policy Report (IEPR) every two years. The IEPR contains an assessment of major energy trends and issues facing the electricity, natural gas, and transportation fuel sectors within California. The Report provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the economy of California; and protect public health and safety.

The IEPR 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 IEPR identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for Zero Emission Vehicles and their infrastructure needs, and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

The Draft 2019 IEPR was submitted for public comment on November 8, 2019 and covers a broad range of topics including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, electricity reliability, climate adaptation activities for the energy sector, a natural gas assessment, a transportation energy demand forecast, and the California Energy Demand Forecast. The 2019 IEPR provides the results of the CEC assessments on a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, clean energy, air quality, and other environmental goals while maintaining reliability and controlling costs.

Assembly Bill 1007 (Pavley)-Alternative Fuel Standards

AB 1007, (Pavley, Chapter 371, Statutes of 2005) required the CEC to prepare a State plan to increase the use of alternative fuels in California; therefore, the CEC prepared the State Alternative Fuels Plan in partnership with CARB and in consultation with other local, State, and federal agencies. The final State Alternative Fuels Plan, published in December 2007, attempts to achieve an 80 percent reduction in GHG emissions associated with personal transportation, even as the population of California increases.

3.7.3 DISCUSSION OF IMPACTS

Question A

Would the project: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction

Less than Significant. The Proposed Project involves replacing and upgrading pipeline segments and is not anticipated to use significant amounts of electricity during the construction or operational phase. Construction of the Proposed Project would consume energy primarily from fuel consumed by construction vehicles and equipment. Fossil fuels used for construction vehicles and other equipment would be used during site clearing, grading, and paving. Fuel consumed during construction would be temporary in nature and would not represent a significant demand on available fuel. There are no unusual characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or State.

Additionally, Project-related design features and mitigation measures would provide fuel reduction during construction. Overall, fuel reductions are difficult to quantify; however, certain air quality emission reduction measures would also reduce fuel use during construction of the Proposed Project. **Mitigation Measure AQ-2** would reduce fuel consumption by requiring the contractor to minimize equipment idling time. Additionally, all diesel-fueled construction vehicles would be required to meet the latest emissions standards. These measures would further reduce fuel use during all stages of construction and avoid the wasteful, inefficient, or unnecessary consumption of fuel energy. Therefore, construction of the Proposed Project would not result in inefficient, wasteful, or unnecessary consumption of fuel energy as it would comply with relevant standards.

Operation

Less than Significant. As described in **Section 2.4.6**, the Proposed Project would be designed and constructed to comply with the City Department of Public Works Standards. Additionally, the Proposed Project does not include any operational components that would increase energy use above existing

conditions. Accordingly, the Proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, this impact would be less than significant.

Question B

Would the project: Would the project: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. As described above, the Proposed Project would not require significant amounts of energy and would comply with applicable state and local energy standards, such as the City Municipal Code. Therefore, the Proposed Project would not conflict with a State or local plan for renewable energy or energy efficiency. No impact would occur.

Cumulative Impacts

Less than Significant. As discussed above, several aspects of the Proposed Project would help manage the amount and efficiency of fuel energy consumption and would ensure that the related consumption is not inefficient, wasteful or unnecessary, or place a significant demand on regional energy supplies. Therefore, impacts to energy resources resulting from the Proposed Project, combined with other past, present, or reasonably foreseeable future projects, would not result in a cumulative impact to which the proposed project would have a cumulatively considerable contribution.

3.7.4 MITIGATION MEASURES

None required.

3.8 GEOLOGY/SOILS

3.8.1 ENVIRONMENTAL CHECKLIST

GEOLOGY/SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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 substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

3.8.2 SETTING

Regulatory Context

Federal Earthquake Hazards Reduction Act

In October 1997, the U.S. Congress passed the National Earthquake Hazards Reduction (NEHR) Act to "reduce the risks to life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards and reduction program." To accomplish this, the act established the National Earthquake Hazards Reduction Program (NEHRP). This program was significantly amended in November 1990 by the NEHR Act, which refined the description of agency responsibilities, program goals, and objectives.

NEHRP's mission includes improved understanding, characterization, and prediction of hazards and vulnerabilities, improvement of building codes and land use practices, risk reduction through post-earthquake investigations and education, development and improvement of design and construction techniques, improvement of mitigation capacity, and accelerated application of research results. The NEHR Act designates Federal Emergency Management Agency (FEMA) as the lead agency of the program and assigns it several planning, coordinating, and reporting responsibilities. Other NEHR Act agencies include the National Institute of Standards and Technology, National Science Foundation, and the U.S. Geological Survey (USGS).

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed by the California Legislature to mitigate the hazard of surface faulting to structures. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act addresses only the hazard of surface fault rupture and is not directed toward other earthquake hazards. Local agencies must regulate most development in fault zones established by the State Geologist. Before a project can be permitted in a designated Alquist-Priolo Fault Study Zone, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults.

California Seismic Hazards Mapping Act

The California Seismic Hazards Mapping Act of 1990 (PRC §§ 2690–2699.6) addresses seismic hazards other than surface rupture, such as liquefaction and induced landslides. The Seismic Hazards Mapping Act specifies that the lead agency for a project may withhold development permits until geologic or soils investigations are conducted for specific sites and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils.

National Pollutant Discharge Elimination System Permit

The SWRCB administers regulations and permitting for the USEPA (55 CFR 47990) for pollution generated from stormwater under the NPDES. There are nine RWQCBs that implement the SWRCB's jurisdiction and require that an operator of any construction activities with ground disturbances of 1.0 acre or more obtain a General Permit through the NPDES Stormwater Program. The Project Area is within the jurisdiction of the SFBRWQCB. The Construction General Permit requires that the implementation of BMPs be employed to reduce sedimentation into surface waters and control erosion. The preparation of a SWPPP addresses control of water pollution that includes the effects of sediments in the water during

construction activities. These elements are further explained within **Section 3.11**, **Hydrology and Water Quality**.

City of Hayward Municipal Code

Section 10-8.10 of the City of Hayward's Municipal Code provides provisions for acquiring grading and clearing permits for any activities that involve the excavation of soil for the installation, removal, or repair of any underground infrastructure.

Environmental Setting

Regional Geology

The Project Area is located near the eastern boundary of the Coast Ranges geomorphic province (Province) of California, near the margin of the Great Valley Province (CGS, 2002). The Province lies between the Pacific Ocean and the Great Valley of California and stretches from the Oregon border to the north and continues south to the Santa Ynez River near Santa Barbara. The northern and southern portions of the Province are divided by a depression containing the Bay. Much of the Province is characterized by northwest trending mountain ranges, ridges, and valleys composed of the Franciscan Complex.

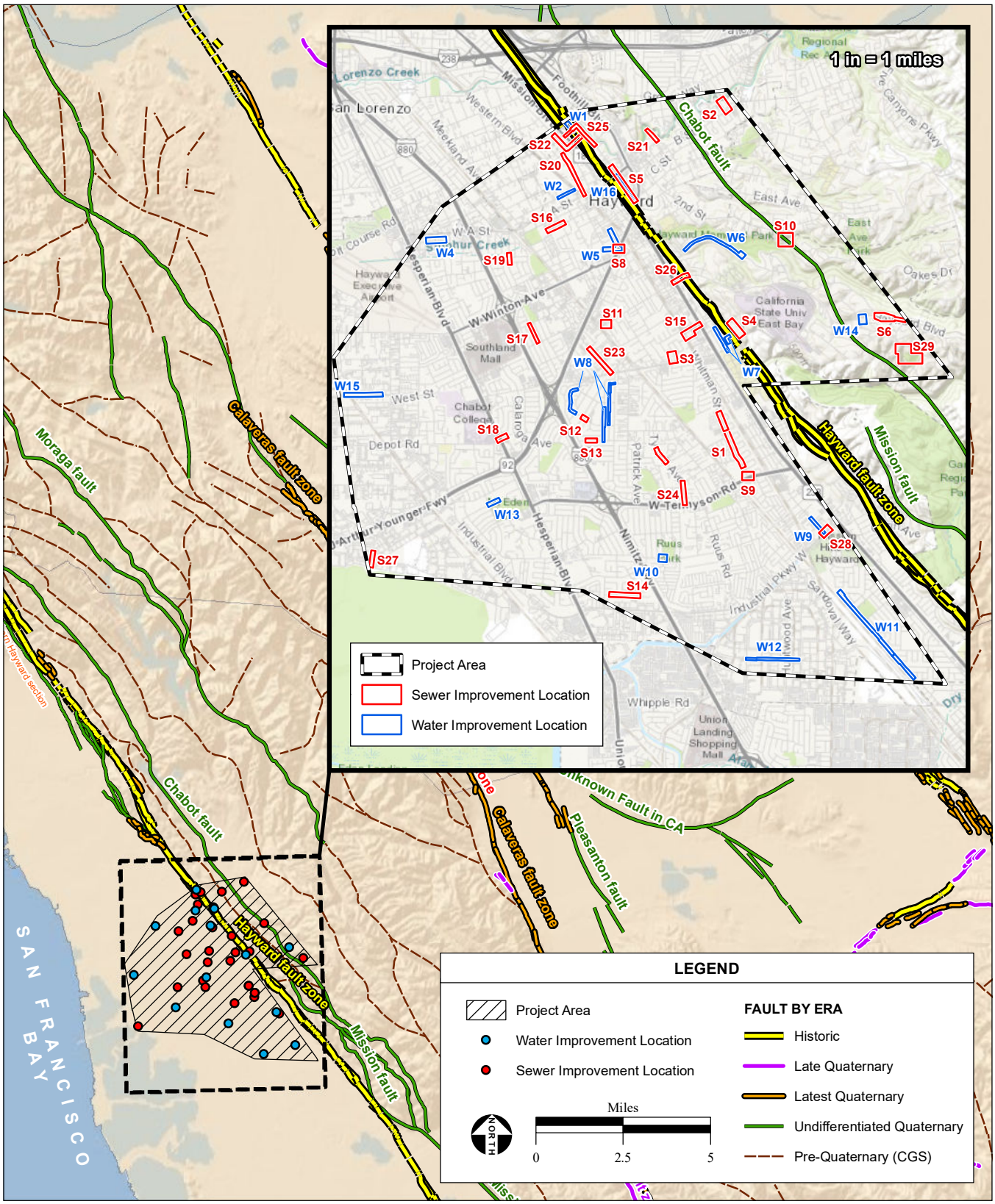
Site Topography

The topography of the Project Area exhibits the characteristics of both the uplands in the coastal range and the tidal flats of the Bay. Elevations in the Project Area range from approximately 10 feet above mean sea level along the western border of the Project Area, to approximately 910 feet above mean sea level along the uplands which form the eastern border of the Project Area. Slopes range from relatively flat in the eastern portion of the Project Area to over 30 percent along the steep hillsides of the western portion of the Project Area.

Regional Seismicity and Fault Zones

The City is located in a relatively high seismic hazard area (USGS, 2018). The San Francisco Bay Area is recognized as one of the more seismically active regions of California and the Project Area will likely experience ground shaking due to large earthquakes in the future. The combined probability of a major quake in the Bay Area is 72 percent over the next 30 years (USGS, 2021a). Ground shaking severity in the Project Area would depend on the distance from the fault rupture, the magnitude of the earthquake, and the site-specific soil conditions.

The Alquist-Priolo Act defines active faults as those that have shown seismic activity during the Holocene period, approximately the past 11,000 years, while potentially active faults are those that have shown activity within the Quaternary period, or the past 1.8 million years (CGS, 2019). As shown in **Figure 3-1**, the Project Area is intersected by two faults: the Hayward Fault Zone (Historic, past 200 years) and the Chabot Fault (Undifferentiated Quaternary, past 1.8 million years).



SOURCE: USGS Quaternary Fault and Fold Database of the U.S., 2018; California Geologic Survey, 2010; AES, 6/21/2021

Figure 3-1
Regional Fault Locations

Soils

A custom soil resource report was queried for the Project Area through the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS, 2021). Furthermore, the Geotechnical Desktop Study (**Appendix C**) provides an analysis of the soils and related geohazard mapping of the Project Area. Results indicated that the Project Area includes multiple soil types, including well-drained Botella loam, poorly drained Clear Lake clay, well-drained Danville silty clap loam, and well-drained Rincon clay loam. The Project Area is underlain by late Holocene alluvial deposits and estuarine mud deposits (Young Bay Mud), which are found in area closer to the San Francisco Bay and are characterized by highly expansive clay soils with relatively low shear strength. Other clay soils within the Project Area, other than Bay Mud, are typically over-consolidated and have a higher undrained shear strength and are less susceptible to settlement.

A soil's rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil, while a soil's rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. All of the soil types in the Project Area have low-to-high steel and concrete corrosion ratings (NRCS, 2021; NRCS, 2021b). The Proposed Project would utilize asphaltic coatings and polyethylene encasement of metallic DIP for corrosion protection.

Liquefaction is the sudden loss of soil strength caused by seismic forces acting on water-saturated, granular soil, leading to a "quicksand" condition generating various types of ground failure. Soils comprised of sand and sandy loams that are in areas with high groundwater tables or high rainfall are subject to liquefaction. The majority of the soils existing at each improvement location are well drained and the groundwater table is relatively deep, which suggests a low risk of liquefaction in these areas. The Geotechnical Desktop Study (**Appendix C**) noted that improvement locations were located in areas of very low to moderate susceptibility to liquefaction. **Appendix C** includes a NRCS soil map, as well as a liquefaction susceptibility map. Areas that are poorly drained are associated with a shallower groundwater table. Groundwater depths vary across the City (as shallow as less than five feet to more than 50 feet) and should be expected to be shallower for the improvement locations closer to the San Francisco Bay; groundwater levels likely vary due to seasonal rainfall and tidal fluctuations (**Appendix C**).

The soils associated with the various improvement locations have a plasticity index between five and thirty-eight percent. Those soils with a plasticity index above fifteen percent have the potential to be expansive. Bay Mud, most likely affecting improvement location S27, is characterized by highly expansive clay soil with low shear strength (**Appendix C**).

Question A

Would the project: 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?

Less than Significant. As shown in **Figure 3-1**, the Project Area is intersected by two potentially active faults: the Hayward Fault Zone (Historic, past 200 years) and the Chabot Fault (Undifferentiated Quaternary, past 1.8 million years). Several improvement locations are located on or in the vicinity of these faults, as shown on **Figure 3-1** and described in **Table 2-1**. Improvement locations are located in very low to moderate susceptibility to liquefaction (**Appendix C**; CGS, 2021). In the event of an earthquake or fault rupture, pipelines could potentially be affected or rupture in severe scenarios. However, as described in **Section 2.4.6**, for any pipeline improvement located directly on or adjacent to a potentially active fault, ERDIP and/or HDPE would be utilized to provide resistance to breakage in the event of an earthquake, lateral spreading, or fault rupture. Polyethylene pipe is known to perform well in shifting soils and in earthquake-prone areas, and allows bending without the need for excessive fittings. Furthermore, all pipelines would be upgraded and/or installed in compliance with City standards and design criteria. Incorporation of design elements as part of the Proposed Project would reduce potential impacts to less than significant.

Question B

Would the project: Result in substantial soil erosion or the loss of topsoil?

Less than Significant with Mitigation. Construction of the Proposed Project would involve minor grading and earth moving activities, as well as construction of project components. As described in **Section 2.4.7**, both trenchless and open trench methods would be employed. Construction would be linear in nature and would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation. Construction activities could exacerbate soil erosion and result in the loss of topsoil; this is a potentially significant impact. Implementation of **Mitigation Measure HYD-1** would require construction activities to employ erosion and sediment control BMPs, as discussed in **Section 3.11**. This includes limiting ground disturbance areas, restoring disturbed areas to pre-construction contours, erosion control measures, and revegetation, as necessary. Implementation of **Mitigation Measure HYD-1** would ensure that potential impacts resulting from soil erosion or the loss of topsoil would be reduced to a less-than-significant level.

Question C

Would the project: 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?

Less than Significant. As described above, because the Project Area is intersected by two potentially active faults, the soil in which the pipeline improvements would be installed, could potentially become unstable in the event of an earthquake. The improvement locations within the Project Area primarily consist of soils that are well drained and the groundwater table is relatively deep, which suggests a low risk of liquefaction in these areas. Location S27 is the closest location to the San Francisco Bay and may be affected by a higher groundwater table and potentially expansive clay soil with low shear strength. However, as described in **Section 2.4.4**, pipelines would be installed and improved with geotechnical limitations in mind, such as the use of dewatering in areas with higher groundwater tables. Although some of the soils within the Project Area may become unstable, for any pipeline improvement located directly on or adjacent to a potentially active fault, ERDIP and/or HDPE would be utilized to provide

resistance to breakage in the event of an earthquake, lateral spreading, or fault rupture. Furthermore, all pipelines would be upgraded and/or installed in compliance with City standards and design criteria. Because pipelines would be located underground, the Proposed Project is not likely to result in or be affected by on- or off-site landslides, lateral spreading, of collapse. Incorporation of design elements as part of the Proposed Project would reduce potential impacts to less than significant.

Question D

Would the project: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less than Significant. As described above, the improvement locations within the Project Area consist of soils that are potentially expansive and susceptible to liquefaction. However, as described in **Section 2.4.6**, for any pipeline improvement located directly on or adjacent to a potentially active fault, ERDIP and/or HDPE would be utilized to provide resistance to breakage in the event of an earthquake, lateral spreading, or fault rupture. Furthermore, all pipelines would be upgraded and/or installed in compliance with City standards and design criteria. Therefore, pipeline segments would be designed specifically to withstand potential unstable or expansive soils. Incorporation of design elements as part of the Proposed Project would reduce potential impacts to less than significant.

Question E

Would the project: 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?

No Impact. The Project Area consists of various soil types, the majority of which are suitable for on-site wastewater disposal systems. However, no new onsite wastewater disposal system is being proposed. No impact would occur.

Question F

Would the project: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation. As described in **Section 3.6.2**, no paleontological resources were observed within the Project Area. However, there is always the potential, however remote, that previously unknown unique paleontological resources or sites could be encountered during subsurface construction activities. This is a potentially significant impact. In the event that paleontological resources or sites are found, **Mitigation Measure GEO-1** would ensure that the Proposed Project would not directly or indirectly destroy a unique paleontological resource. Furthermore, no unique geological features are known to exist within the vicinity of the improvement locations. After implementation of **Mitigation Measures GEO-1**, impacts to paleontological resources would be less than significant.

Cumulative Impacts

Less than Significant with Mitigation. Implementation of the Proposed Project and other potential cumulative projects in the region, including growth resulting from build-out of the City and County General Plans could result in increased erosion and soil hazards, expose additional structures and people to

seismic hazards, and potentially damage unique paleontological resources or sites. These impacts are mitigable with implementation of construction-period erosion control programs, standard seismic safety measures incorporated in building design, and procedures for inadvertent paleontological discoveries. The Proposed Project would incorporate **Mitigation Measures HYD-1** and **GEO-1** to ensure a less than significant effect; therefore, the Proposed Project's contribution to potential cumulative impacts be less than significant.

3.8.3 MITIGATION MEASURES

GEO-1 Paleontological Resources

In the event of any inadvertent discovery of paleontological resources, all work within a 50-foot radius of the find shall be halted and the City shall be notified. Workers shall avoid altering the materials until a professional paleontologist can evaluate the significance of the find and make recommendations to the County on the measures that shall be implemented to protect the discovered resources.

3.9 GREENHOUSE GAS EMISSIONS

3.9.1 ENVIRONMENTAL CHECKLIST

Greenhouse Gas Emissions	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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?	☐	☐	☒	☐

3.9.2 SETTING

Regulatory Setting

The following regulatory background gives context to the issues of climate change and importance to reducing GHGs in California.

State and Local

Assembly Bill 1493

Signed by the California Governor in 2002, AB 1493 requires that CARB adopt regulations requiring a reduction in GHG emissions emitted by cars in the State. AB 1493 is intended to apply to 2009 and newer vehicles. On June 30, 2009, the USEPA granted a necessary CAA waiver for California to implement AB 1493.

Executive Order S-3-05

Executive Order (EO) S-3-05 was signed by the California Governor on June 1, 2005 and established the following statewide emission reduction targets:

- Reduce GHG emissions to 2000 levels by 2010,
- Reduce GHG emissions to 1990 levels by 2020, and
- Reduce GHG emissions to 80 percent below 1990 levels by 2050.

EO S-3-05 created a Climate Action Team (CAT) headed by the California Environmental Protection Agency that included several other State agencies. The CAT is tasked by EO S-3-05 with outlining the

effects of climate change on California and recommending an adaptation plan, as well as creating a strategy to meet the emission reduction targets.

California Global Warming Solutions Act of 2006 (AB-32)

Signed by the California Governor on September 27, 2006, AB 32 codifies a key requirement of EO S-3-05, specifically the requirement to reduce GHG emissions in California to 1990 levels by 2020. AB 32 tasks CARB with monitoring State sources of GHGs and designing emission reduction measures to comply with emission reduction requirements. However, AB 32 also continues the efforts of the CAT to meet the requirements of EO S-3-05 and states that the CAT should coordinate overall State climate policy.

To accelerate the implementation of emission reduction strategies, AB 32 requires that CARB identify a list of discrete early action measures that can be implemented relatively quickly. In October 2007, CARB published a list of early action measures that it estimated could be implemented and would serve to meet about 25 percent of the required 2020 emissions reductions (CARB, 2007). To assist CARB in identifying early action measures, the CAT published a report in April 2007 that updated their 2006 report and identified strategies for reducing GHG emissions (USEPA, 2007). In its October 2007 report, CARB cited the CAT strategies and other existing strategies that can be utilized to achieve the remainder of the emissions reductions (CARB, 2007). AB 32 requires that CARB prepare a comprehensive “scoping plan” that identifies all strategies necessary to fully achieve the required 2020 emissions reductions. Consequently, in December 2008, CARB released its scoping plan to the public; the plan was approved by CARB on December 12, 2008. An update to the Climate Change Scoping Plan occurred on May 22, 2014, and included new strategies and recommendations to ensure reduction goals of near-term 2020 are met with consideration of current climate science.

A second update to the Climate Change Scoping Plan was adopted on December 14, 2017. The 2017 Scoping Plan Update addresses the 2030 target established by SB 32, as discussed below, and establishes a proposed framework of action for California to meet a 40 percent reduction in GHG by 2030 compared to 1990 levels. The key programs that the 2017 Scoping Plan Update builds on include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard, an increase in the use of renewable energy in the State, and a reduction of methane emissions from agricultural and other wastes (CARB, 2017).

Executive Order S-01-07

EO S-01-07 was signed by the California Governor on January 18, 2007. It mandates a State-wide goal to reduce the carbon intensity of transportation fuels by at least 10 percent by 2020. This target reduction was identified by CARB as one of the AB 32 early action measures in the October 2007 report (CARB, 2007).

Senate Bill 375

SB 375 was approved by the California Governor on September 30, 2008. SB 375 provides for the creation of a new regional planning document called a “Sustainable Communities Strategy” (SCS). An SCS is a blueprint for regional transportation infrastructure and development that is designed to reduce GHG emissions from cars and light trucks to target levels set by CARB for 18 regions throughout California. Each of the various metropolitan planning organizations must prepare an SCS that is included

in their respective regional transportation plan. An SCS influences transportation, housing, and land use planning. CARB then determines whether the SCS will achieve regional GHG emissions reduction goals.

Senate Bill 605

On September 21, 2014, the California Governor signed SB 605 that requires CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the State no later than January 1, 2016. As defined in the statute, short-lived climate pollutant means "an agent that has a relatively short lifetime in the atmosphere, from a few days to a few decades, and a warming influence on the climate that is more potent than that of carbon dioxide." SB 605, however, does not prescribe specific compounds as short-lived climate pollutants or add to the list of GHGs regulated under AB 32. In developing the strategy, CARB completed an inventory of sources and emissions of short-lived climate pollutants in the State based on available data, identified research needs to address any data gaps, identified existing and potential new control measures to reduce emissions, and prioritized the development of new measures for short-lived climate pollutants that offer co-benefits by improving water quality or reducing other air pollutants that impact community health and benefit disadvantaged communities.

The final strategy released by CARB in March 2017 focuses on methane (CH_4), black carbon, and fluorinated gases, particularly hydrofluorocarbons (HFC), as important short-lived climate pollutants. The final strategy recognizes emission reduction efforts implemented under AB 32 (e.g., refrigerant management programs) and other regulatory programs (e.g., in-use diesel engines, solid waste diversion). The measures identified in the final strategy and their expected emission reductions will feed into the update to the CARB Scoping Plan.

Executive Order B-30-15

EO B-30-15 was signed by the California Governor on April 29, 2015. It sets interim GHG targets of 40 percent below 1990 by 2030, to ensure California will meet its 2050 targets set by EO S-3-05. It also directs the CARB to update the Climate Change Scoping Plan. The 2030 Target Scoping Plan Concept Paper was released on June 17, 2016.

Senate Bill 350

SB 350 codifies the GHG targets for 2030 set by EO B-30-15. To meet these goals, SB 350 also raises the California RPS from 33 percent renewable generation by 2020 to 50 percent renewable generation by December 31, 2030.

Senate Bill 32

Additionally, SB 32, signed in 2016, further strengthens AB 32 with goals of reducing GHG emissions to 40 percent below 1990 levels by 2030. Based on GHG emissions inventory data compiled by CARB through 2017 and the emission limit of 431 million metric tons (MT) of carbon dioxide equivalents (CO_2e) established in the Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report, California emission reduction goals for near-term 2020 will be met.

California Renewable Portfolio Standards - SB 1078, SB 350, and SB 100

The California RPS program was established in 2002 by SB 1078 and requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide a certain percentage of

their supply from renewable sources. The initial requirement was for at least 20 percent of electricity retail sales to be served by renewable resources by 2017. The RPS program was accelerated in 2015 with SB 350 which mandated a 50 percent RPS by 2030. In 2018, SB 100 was signed into law, which again increased the RPS to 60 percent by 2030 and requires all electricity in the State to come from carbon-free resources by 2045.

California Green Building Standards Code

CALGreen requires that at least 50 percent of the weight of non-hazardous job site debris generated by new construction be recycled, reused, or otherwise diverted from landfill disposal. CALGreen requires submission of plans and verifiable post-project documentation to demonstrate compliance.

CEQA Guidelines

Under CEQA, GHG impacts are exclusively cumulative impacts because no single project could, by itself, result in a substantial change in climate (CEQA *Guidelines* § 15064.4(b)). Therefore, the evaluation of cumulative GHG impacts presented below evaluates whether the Proposed Project would make a considerable contribution to cumulative climate change effects. Additionally, BAAQMD has not established quantitative thresholds relative to GHG emissions.

Plan Bay Area 2040

The ABAG and the MTC are jointly responsible for regional planning for the nine county, 101 city, Bay Area. ABAG/MTC jointly adopted a second Regional Transportation Plan/SCS in 2017 known as Plan Bay Area 2040, which serves as a limited and focused update to the previous SCS issued by ABAG/MTC and maintains a similar set of land use and transportation strategies. The regional GHG reduction targets for the ABAG/MTC region beginning on October 1, 2018, are 10 percent per capita passenger vehicle GHG emission reductions by 2020 and 19 percent per capita passenger vehicle GHG emission reductions by 2035 from 2005 levels.

City of Hayward Climate Action Plan

Hayward's CAP was adopted by the Hayward City Council on July 28, 2009 and incorporated into the City's General Plan in 2014. The purpose of the CAP is to make Hayward a more environmentally and socially sustainable community. The overall objective of the CAP is to reduce Hayward's GHG emissions by:

- 20 percent below 2005 baseline levels by 2020,
- 62.7 percent below 2005 baseline levels by 2040, and
- 82.5 percent below 2005 baseline levels by 2050.

In June 2020, these goals were revised to reflect California's goal of achieving economy-wide carbon neutrality by 2045. The City's current goals are to reduce GHG emissions by:

- 30 percent below 2005 levels by 2025,
- 55 percent below 2005 levels by 2030, and
- 100 percent below 2005 levels (i.e., carbon neutrality) by 2045.

The CAP includes GHG reduction strategies and actions relating to transportation, land use, energy, solid waste, carbon sequestration, climate change adaptation, and community engagement. CAP policies applicable to the Proposed Project include:

- PFS-7.12, *Construction and Demolition Waste Recycling*, requires new development to salvage or recycle asphalt and concrete and all other non-hazardous construction and demolition materials to the maximum extent practicable.

Environmental Setting

"Global warming" and "climate change" are common terms used to describe the increase in the average temperature of the earth's near-surface air and oceans since the mid-20th century. Natural processes and human actions have been identified as impacting climate. The IPCC has concluded that variations in natural phenomena such as solar radiation and volcanoes produced most of the warming from pre-industrial times to 1950 and had a small cooling effect afterward. Since the 19th century however, increasing GHG concentrations resulting from human activity such as fossil fuel combustion, deforestation, and other activities are believed to be a major factor in climate change. GHGs in the atmosphere naturally trap heat by impeding the exit of solar radiation that has hit the earth and is reflected back into space—a phenomenon sometimes referred to as the "greenhouse effect." Some GHGs occur naturally and are necessary to keep the earth's surface inhabitable. However, increases in the concentrations of these gases in the atmosphere during the last 100 years have trapped solar radiation and decreased the amount that is reflected back into space, intensifying the natural greenhouse effect and resulting in the increase of global average temperature.

Carbon dioxide (CO_2), CH_4, nitrous oxide (N_2O), HFC, perfluorocarbons (PFC), and sulfur hexafluoride (SF_6) are the principal GHGs. When concentrations of these gases exceed historical concentrations in the atmosphere, the greenhouse effect is intensified. CO_2, CH_4, and N_2O occur naturally and are also generated through human activity. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing, natural gas leaks from pipelines and industrial processes, and incomplete combustion associated with agricultural practices, landfills, energy providers and other industrial facilities. Other human-generated GHGs include fluorinated gases such as HFCs, PFCs, and SF_6, which have much higher heat-absorption potential than CO_2, and are byproducts of certain industrial processes.

CO_2 is the reference gas for climate change, and is the GHG emitted in the highest volume. The effect that each GHG has on global warming is the product of the mass of their emissions and their GWP. GWP indicates how much a gas is predicted to contribute to global warming relative to how much warming would be predicted to be caused by the same mass of CO_2. For example, CH_4 and N_2O are substantially more potent GHGs than CO_2, with GWPs of approximately 30 and approximately 275 times that of CO_2, which has a GWP of 1.

In emissions inventories, GHG emissions are typically reported as MT of CO_2e. CO_2e is calculated as the product of the mass emitted by a given GHG and its specific GWP. While CH_4 and N_2O have much higher GWPs than CO_2, CO_2 is emitted in higher quantities and accounts for the majority of GHG emissions in CO_2e, both from commercial developments and human activity.

3.9.3 DISCUSSION OF IMPACTS

Given the global nature of climate change impacts, individual project impacts are most appropriately addressed in terms of the incremental contribution to global cumulative impacts. This approach is consistent with the view articulated by the IPCC *Change Fifth Assessment Report* (IPCC, 2014). Therefore, this analysis is of the cumulative impacts related to climate change.

Methodology

The Proposed Project's short-term construction-related GHG emissions were estimated using the RCEM. The model quantifies GHG emissions from construction (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid waste, vegetation planting and/or removal, and water use. The site-specific inputs and assumptions used for the purposes of GHG emissions modeling are listed in **Section 3.4.3**.

The BAAQMD has not developed quantitative GHG thresholds for project level analysis. For this analysis, predicted project-related GHG emissions were compared to the BAAQMD's operational GHG threshold of 1,100 MT of CO_2e (BAAQMD, 2017b). The quantitative thresholds developed by BAAQMD were formulated based on AB 32 and California Climate Change Scoping Plan reduction targets. Thus, a project cannot exceed a numeric BAAQMD threshold without also conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (the state Climate Change Scoping Plan). Therefore, if a project exceeds a numeric threshold and results in a significant cumulative impact, it would also result in a significant cumulative impact with respect to plan, policy, or regulation consistency, even though the project may incorporate measures and have features that would reduce its contribution to cumulative GHG emissions.

Questions A and B

Would the project: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Construction

Construction of the Proposed Project would emit GHG emissions from the combustion of diesel fuel in heavy equipment. The BAAQMD has not established a quantitative significance threshold for evaluating construction-related emissions; however, the BAAQMD does recommend quantifying and disclosing construction-related GHG emissions. Therefore, construction-related GHG emissions were quantified for informational purposes. As shown in **Table 3-6**, emissions generated by construction of the Proposed Project would be approximately 2,312 MT of CO2e, or approximately 77 MT of CO2e per year when amortized over a 30-year period (i.e., the lifetime of the project).

Table 3-6. Construction GHG Emissions

Source	GHG
	MT of CO_2e
Water Line Improvements	1,049
Sewer Line Improvements	1,263
Construction-Related GHG Emission	**2,312**
Amortized over Life of the Project[1]	***77***

[1] Life of the project is estimated to be 30 years based on air district recommendations (SCAQMD, 2008).
Source: **Appendix D**

Operation

As described above in **Section 3.4.3**, operation of the Proposed Project would require maintenance of water and sewer pipelines and appurtenant structures. However, maintenance activities would result in a negligible increase in additional traffic, and the resulting additional trips added to the roadway network would not cause an exceedance of the BAAQMD GHG thresholds.

Findings

Less than Significant. As shown in **Table 3-6**, the combined amortized construction GHG emissions would be 77 MT per year for the life of the project, which is substantially less than the BAAQMD GHG threshold of 1,100 MT. Additionally, the City's CAP Policy PFS-7.12, Construction and Demolition Waste Recycling, requires new development to salvage or recycle asphalt and concrete and all other non-hazardous construction and demolition materials to the maximum extent practicable. In accordance with CALGreen standards, the Proposed Project would be required to divert at least 65 percent of its construction waste. Therefore, because the Proposed Project would not exceed numeric GHG thresholds and is consistent with applicable policies of the City's CAP, the Proposed Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. The Proposed Project's contribution to cumulative effects associated with climate change is considered less than significant.

Cumulative Impacts

Under CEQA, GHG impacts are exclusively cumulative impacts because no single project could, by itself, result in a substantial change in climate (CEQA Guidelines § 15064.4(b). Therefore, the evaluation of GHG impacts presented above evaluates whether the Proposed Project would make a considerable contribution to cumulative climate change effects.

3.9.4 MITIGATION MEASURES

None required.

3.10 HAZARDS AND HAZARDOUS MATERIALS

3.10.1 ENVIRONMENTAL CHECKLIST

HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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 § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

3.10.2 SETTING

Regulatory Context

Definition of Hazardous Material

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, State, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the CCR as:

> *A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed" (CCR, Title 22, Section 66260.10).*

U.S. Environmental Protection Agency

The USEPA administers numerous statutes pertaining to human health and the environment. The USEPA regulates toxic air contaminants through its implementation of the CAA. Although the CAA covers a range of air pollutants, Section 112(r) specifically covers "extremely hazardous materials" which include acutely toxic, extremely flammable, and highly explosive substances. Section 112(r) (referred to as the USEPA's Risk Management Plan) requires facilities involved in the use or storage of extremely hazardous materials to implement a Risk Management Plan (RMP). A RMP requires a detailed analysis of potential accident factors present at a facility and requires the implementation of mitigation measures designed to reduce the identified accident potential.

The USEPA also regulates the land disposal of hazardous materials through the Resource Conservation and Recovery Act (RCRA). Under RCRA, the USEPA regulates the activities of waste generators, transporters, and handlers (any individual who treats, stores, and/or disposes of a designated hazardous waste). RCRA further requires the tracking of hazardous waste from its generation to its final disposal through a process often referred to as the "cradle-to-grave" regulation. The "cradle-to-grave" regulation requires detailed documentation and record keeping for hazardous materials generators, transporters, and/or handlers in order to ensure proper accountability for violations (USEPA, 2020).

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act provides a federal fund to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through various enforcement mechanisms, the USEPA obtains private party cleanup orders and recovers costs from financially viable individuals and companies once a response action has been completed. Uncontrolled or abandoned hazardous waste site identification, monitoring, and response activities in states are coordinated though the state environmental protection or waste management agencies.

Federal Occupational Safety and Health Administration

The Occupational Safety and Health Administration (OSHA) regulates the preparation and enforcement of occupational health and safety regulations with the goal of providing employees a safe working environment. OSHA regulations apply to the work place and cover activities ranging from confined space entry to toxic chemical exposure. OSHA regulates workplace exposure to hazardous chemicals and activities through regulations governing work place procedures and equipment.

U.S. Department of Transportation

The U.S. Department of Transportation regulates the interstate transport of hazardous materials and wastes through implementation of the Hazardous Materials Transportation Act. This act specifies driver-training requirements, load labeling procedures, and container design and safety specifications. Transporters of hazardous wastes must also meet the requirements of additional statutes such as RCRA, discussed previously.

Department of Toxic Substances Control

The California Department of Toxic Substances Control (DTSC) regulates the generation, transportation, treatment, storage, and disposal of hazardous waste under the RCRA and the State Hazardous Waste Control Law. Both laws impose “cradle-to-grave” regulatory systems for handling hazardous waste in a manner that protects human health and the environment.

California Occupational Safety and Health Administration

California Occupational Safety and Health Administration (Cal/OSHA) assumes primary responsibility for developing and enforcing state workplace safety regulations. Cal/OSHA regulations concerning the use of hazardous materials in the workplace, as detailed in Title 8 of the CCR, include requirements for safety training, availability of safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation.

Cal/OSHA enforces hazard communication program regulations that contain training and information requirements, including procedures for identifying and labeling hazardous substances, communicating hazard information related to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees at hazardous waste sites. The hazard communication program requires that Safety Data Sheets be available to employees and that employee information and training programs be documented.

Regional Water Quality Control Board

The SWRCB and RWQCBs also regulate hazardous substances, materials and wastes through a variety of state statutes including, for example, the Porter Cologne Water Quality Control Act, Cal. Water Code § 13000 et seq., and the underground storage tank cleanup laws (Cal. Health and Safety Code §§ 25280-25299.8). RWQCBs regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. Any person proposing to discharge waste within any region must file a report of waste discharge with the appropriate regional board. The Proposed Area is located within the jurisdiction of the SFBRWQCB.

Certified Unified Program Agency

Hazardous materials management in the City is administered through the Department of Environmental Health, Hazardous Materials Division, which is the Certified Unified Program Agency (CUPA) for all cities and unincorporated areas within the County (Alameda County, 2021a). The legislation that developed the CUPA was created by the State Legislature to minimize the number of inspections and different fees for businesses that use hazardous materials and dispose of hazardous wastes.

California Accidental Release Prevention Program, Risk Management Plan

The County has implemented a California Accidental Release Prevention Program in compliance with the CCR Title 19, Division 2, Chapter 4 and 4.5 (California Accidental Release Prevention), and OSHA Process Safety Management standards (Section 5189 of Title 8 of CCR, or CFR, Title 29, Section 1910.119) (Alameda County, 2021b). This program requires any business that handles more than threshold quantities of a Regulated Substance to develop a RMP. The RMP is implemented by the business to prevent or mitigate releases of regulated substances that could have off-site consequences.

3.10.3 DISCUSSION OF IMPACTS

Question A

Would the project: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant with Mitigation. The Proposed Project involves improvements to water and sewer pipeline segments throughout the City. Construction of the Proposed Project would require site preparation activities, such as excavation at the pipeline locations and minor grading at improvement location S29 for regrading and recompaction of the existing road. During construction, oil, diesel fuel, gasoline, hydraulic fluid, and other liquid hazardous materials could be used. If spilled, these substances could pose a risk to the environment or human health. This is a potentially significant impact. **Mitigation Measure HYD-1** would require implementation of erosion and sedimentation BMPs, which address potential leaks and spills from vehicles and construction equipment. With implementation of **Mitigation Measure HYD-1** and adherence to regulatory requirements, potential impacts associated with hazardous materials during construction activities would be less than significant.

Once constructed, the Proposed Project would transport water and sewage through the various improved pipelines. Although sewer pipelines would convey potentially hazardous sewage waste, sewage would be contained within the pipe and therefore would not create a significant hazard to the public or the environment. As described in **Section 2.4** and **Section 3.8** above, the pipelines are specifically being replaced to improve the condition and safety of the pipes and have been designed to withstand potential disruption or corrosion. With Implementation of **Mitigation Measure HYD-1** and incorporation of design elements as part of the Proposed Project, impacts would be reduced to less than significant.

Question B

Would the project: 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?

Less than Significant with Mitigation. As discussed above, construction and operation of the Proposed Project could potentially create a hazard to the public or the environment in the event of an accidental release of hazardous materials into the environment. This is a potentially significant impact. However, **Mitigation Measure HYD-1** and incorporation of earthquake-resistant design elements as part of the Proposed Project, would reduce impacts to less than significant.

Question C

Would the project: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less than Significant with Mitigation. There are several schools within the boundaries of the Project Area. Improvement location S3 is located within the western boundary of Harder Elementary School, along the fence line of the school's field. During construction, oil, diesel fuel, gasoline, hydraulic fluid, and other liquid hazardous materials could be used. If spilled, these substances could pose a risk to the environment or human health. This is a potentially significant impact. **Mitigation Measure HYD-1** would require implementation of erosion and sedimentation BMPs, which address potential leaks and spills from vehicles and construction equipment. Once construction is complete, components of the Proposed Project would be located underground and there would be no operational risks related to hazardous materials. Therefore, impacts related to the handling of hazardous materials within one-quarter mile of a school would be less than significant with mitigation.

Question D

Would the project: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The Hazardous Waste and Substances Sites (Cortese) List is a planning tool used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. The Cortese list is prepared in accordance with California Government Code Section 65962.5. The List of Hazardous Waste and Substances sites from DTSC EnviroStor and the SWRCB GeoTracker databases were reviewed to locate "Cortese List" sites. This search showed that several sites of Potential Environmental Concern and Clean Up sites occur in the vicinity of the Project Area (EnviroStor, 2021; GeoTracker, 2021). However, the specific improvement locations do not conflict with the locations of any active sites of Potential Environmental Concern or Clean Up sites. Therefore, the Proposed Project would not create a significant hazard to the public or the environment. No Impact would occur.

Question E

For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less than Significant. The Project Area intersects the Airport Influence Areas for the Hayward Executive Airport and the Metropolitan Oakland International Airport (Alameda County, 2012). Industrial and utility

land uses are allowed within the Airport Influence Areas as long as their exterior noise exposure does not exceed 69 decibel (dB) Community Noise Equivalent Level (CNEL) exposure. Construction sites under the Proposed Project are located outside of the noise compatibility zones of both influence areas, except for Site W15, which is located within the 60 decibel CNEL zone of the Metropolitan Oakland International Airport Influence Area. Because the 60 decibel CNEL zone does not exceed the allowable exposure of 69 decibel CNEL, neither temporary construction activities nor operations of the Proposed Project would affect the safe operations of any local airport. The Proposed Project would not result in a safety hazard or excessive noise for people residing or working in the vicinity of a private airstrip. This is a less-than-significant impact.

Question F

Would the project: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant with Mitigation. Construction of the Proposed Project would result in temporary lane closures. Lane closures, if not properly regulated, could potentially interfere with an adopted emergency response or evacuation plan. This would be a potentially significant impact. However, as described in **Section 3.18.4**, **Mitigation Measures T-1** requires that a Traffic Control Plan (TCP) be developed prior to the start of construction activities. The TCP would require that adequate emergency access is provided to all adjacent land use during construction activities. Therefore, with implementation of **Mitigation Measures T-1**, the Proposed Project would not interfere with an adopted emergency response plan or emergency evacuation plan in place through the State, County, or City. Impacts would be less than significant with mitigation.

Question G

Would the project: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less than Significant. The City is urban in nature and largely developed. As explained in **Section 3.21**, the Proposed Project would occur within tight and defined boundaries of each pipeline location point. The City, including the Project Area, is not located in a SRA, but is rather located in an Incorporated LRA (CalFire, 2008). The Project Area is located within a FHSZ classification of “Non-Very High FHSZ”. The closest land designated as a moderate/high FHSZ, is the rural and mountainous areas east, north, and southeast of the of the City of Fairview, approximately 3 miles east of the Project Area. Furthermore, the Project Area does not involve unique slopes or other factors that would exacerbate wildfire risks. The Proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

Cumulative Impacts

Less than Significant with Mitigation. Hazard-related impacts are site specific (i.e., have the potential to affect only a limited area). Various existing and proposed development infrastructure, including residential, industrial, and public facilities in the vicinity of the Project Area would all involve the storage, use, disposal, and transport of hazardous materials to varying degrees during construction and

operations; hazardous materials utilized during construction and operations of the Proposed Project would be limited to the individual improvement locations.

Construction of the Proposed Project could potentially have adverse impacts associated with hazards and hazardous materials. **Mitigation Measure HYD-1** and incorporation of design elements as part of the Proposed Project would mitigate potential impacts from accidental release of hazardous materials to a less-than-significant level. Reduction of on-site hazardous related impacts, as discussed above, would ensure that construction activities would not result in impacts that would be cumulatively considerable. Operation of the Proposed Project and cumulative projects could result in a cumulative impact if these projects were to result in potential exposure of hazardous materials to sensitive individuals or the general public-at-large, or if additional projects in the vicinity were to include the use or storage of hazardous materials. Because any hazardous materials use would be properly contained on-site, operation of the Proposed Project would not contribute to cumulatively considerable hazardous impacts.

3.10.4 MITIGATION MEASURES

Implement **Mitigation Measure HYD-1** and **T-1**.

3.11 HYDROLOGY/WATER QUALITY

3.11.1 ENVIRONMENTAL CHECKLIST

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

3.11.2 SETTING

Regulatory Context

Clean Water Act

The CWA (33 USC §§ 1251-1376), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Important sections of the Act are as follows:

- Sections 303 and 304 provide for water quality standards, criteria, and guidelines. Under Section 303(d) of the CWA, the USEPA publishes a list every two years of impaired bodies of water for which water quality objectives are not attained. Total Maximum Daily Loads are established for contaminants of concern in order to ensure contamination levels decrease over time.
- Section 401 (Water Quality Certification) requires an applicant for any federal permit that proposes an activity, which may result in a discharge to waters of the United States to obtain certification from the state that the discharge will comply with other provisions of the Act.
- Section 402 establishes the NPDES, a permitting system for the discharge of any pollutant (except for dredged or fill material) into waters of the United States. This permit program is administered by the SWRCB and is discussed in detail below.
- Section 404 establishes a permit program for the discharge of dredged or fill material into waters of the United States. This permit program is jointly administered by USACE and the USEPA.

Federal Anti-Degradation Policy

The federal Anti-Degradation Policy is part of the CWA (Section 303(d)) and is designed to protect water quality and water resources. The policy directs states to adopt a statewide policy that includes the following primary provisions: (1) existing instream uses and the water quality necessary to protect those uses shall be maintained and protected; (2) where existing water quality is better than necessary to support fishing and swimming conditions, that quality shall be maintained and protected unless the state finds that allowing lower water quality is necessary for important local economic or social development; and (3) where high-quality waters constitute an outstanding national resource, such as waters of national and state parks, wildlife refuges, and waters of exceptional recreational or ecological significance, that water quality shall be maintained and protected.

Safe Drinking Water Act

Under the Safe Drinking Water Act (SDWA) (Public Law 93-523), passed in 1974, USEPA regulates contaminants of concern to domestic water supply. Contaminants of concern relevant to domestic water supply are defined as those that pose a public health threat or that alter the aesthetic acceptability of the water. These types of contaminants are regulated by USEPA primary and secondary Maximum Contaminant Levels (MCL). MCLs and the process for setting these standards are reviewed triennially. Amendments to the SDWA enacted in 1986 established an accelerated schedule for setting drinking water MCLs.

National Pollution Discharge Elimination System

Under Section 402(p) of the CWA, the USEPA established the NPDES to enforce discharge standards from a variety of sources. Both point source and non-point-source pollution is covered under the NPDES. Dischargers in both categories can apply for individual discharge permits, or apply for coverage under the General Permits that cover certain qualified dischargers. Point source discharges come from "any discernible, confined, and discrete conveyance," including municipal and industrial wastewater, stormwater runoff, combined sewer overflows, sanitary sewer overflows, and municipal separated storm sewer systems. NPDES permits impose limits on the pollutants discharged based on minimum performance standards or the quality of the receiving water, whichever type is more stringent in a given situation.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) provides the basis for water quality regulation within California. The Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or otherwise) to land or surface waters that may impair a beneficial use of surface or groundwater of the State. The RWQCB implements waste discharge requirements identified in the Report.

State Non-Degradation Policy

In 1968, as required under the federal Anti-Degradation Policy described previously, the SWRCB adopted a Non-Degradation Policy aimed at maintaining high quality for waters in California. The Non-degradation Policy states that the disposal of wastes into state waters shall be regulated to achieve the highest water quality consistent with maximum benefit to the people of the state and to promote the peace, health, safety, and welfare of the people of the state. The policy provides as follows:

1. Where the existing quality of water is better than required under existing water quality control plans, such quality would be maintained until it has been demonstrated that any change would be consistent with maximum benefit to the people of the state and would not unreasonably affect present and anticipated beneficial uses of such water.
2. Any activity which produces waste or increases the volume or concentration of waste and which discharges to existing high-quality waters would be required to meet WDRs that would ensure (1) pollution or nuisance would not occur and (2) the highest water quality consistent with the maximum benefit to the people of the state would be maintained.

Hayward 2040 General Plan

Applicable City General Plan goals, policies, and objectives include:

Policy Document Part 3: Natural Resources Element

Goal NR-6	Improve overall water quality by protecting surface and groundwater sources, restoring creeks and rivers to their natural state, and conserving water resources.

Environmental Setting

The Project Area is within several watersheds, including Old Alameda Creek, Hayward Landing, Lower Sulphur Creek, and San Lorenzo Creek (Alameda County, 2021c). The City is located within the Castro Valley and Santa Clara Valley East Bay Plain Groundwater Sub-basins (CDWR, 2020). This sub-basin drains an area of 3 square miles. FEMA oversees the delineation of flood zones and the provision of federal disaster assistance. FEMA manages the National Flood Insurance Program and publishes the Flood Insurance Rate Maps (FIRM), that show the expected frequency and severity of flooding by area, typically for the existing land use and type of drainage/flood control facilities present. The majority of the improvement locations are located outside of a designated flood zone. Improvement locations that overlap 1.0 percent and 0.2 percent annual chance flood hazard zones are depicted on **Figure 3-2** (FEMA, 2020). The majority of Improvement locations are located in paved roadways. However, Improvement location S10 has a stream drainage, Ward Creek, approximately 75 feet from where sewer lines are to be improved, but is avoided through project design.

3.11.3 DISCUSSION OF IMPACTS

Question A

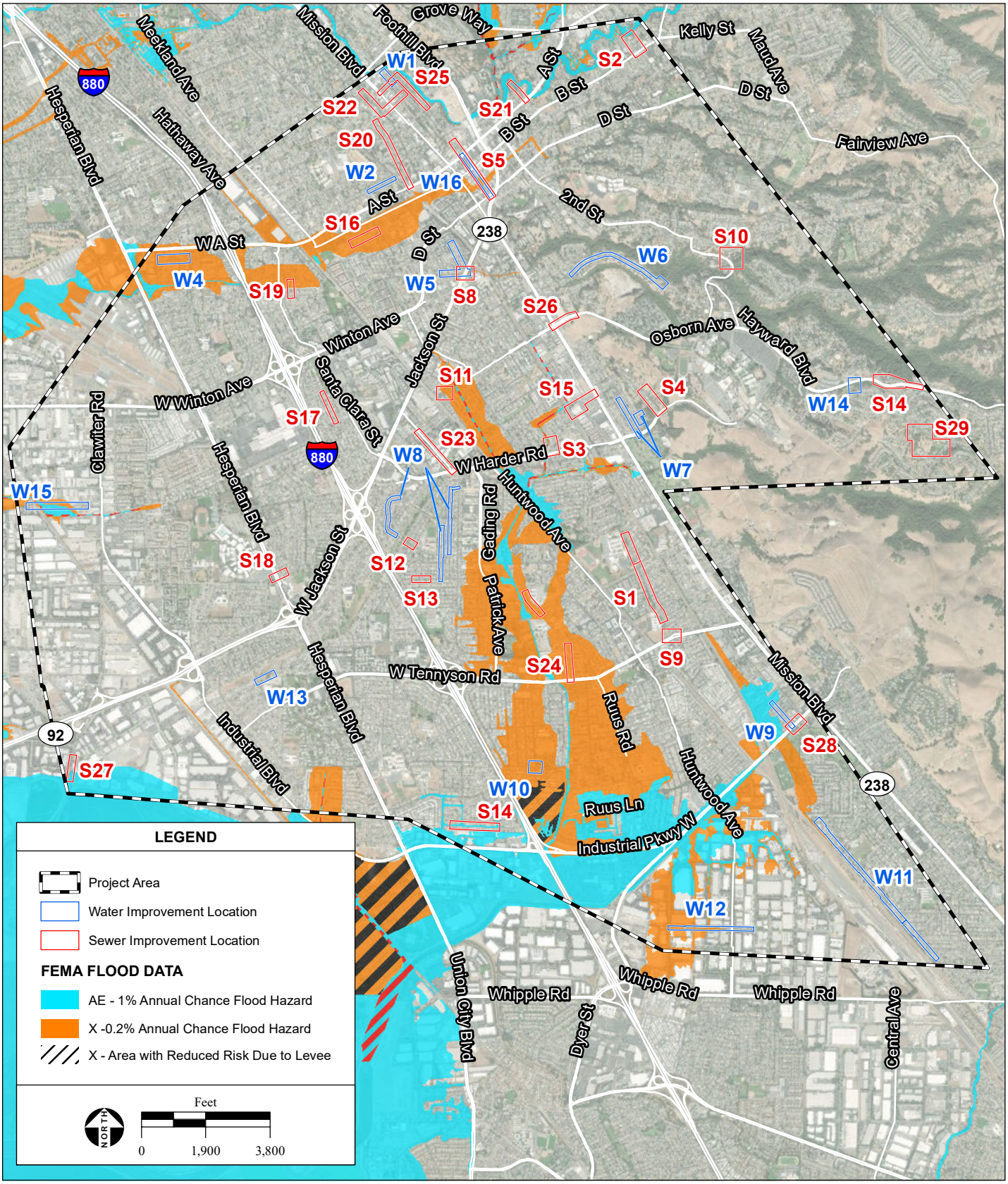
Would the project: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant with Mitigation. Construction of the Proposed Project could potentially violate water quality standards or waste discharge requirements, as construction equipment and materials have the potential to result in accidental discharge of pollutants into water resources. This would be a potentially significant impact. Potential pollutants include particulate matter, sediment, oils and greases, concrete, and adhesives. **Mitigation Measure HYD-1** would require construction activities to employ erosion and sediment control BMPs and/or obtain coverage under the NPDES Construction General Permit for construction activities, as necessary. Disturbed areas would be restored to pre-construction conditions and once operational, the Proposed Project would not generate potential pollutants that could affect water quality. With implementation of **Mitigation Measure HYD-1**, impacts related to water quality standards would be less than significant.

Question B

Would the project: Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact. The Proposed Project would not require groundwater supplies and disturbed areas would be restored to pre-construction conditions, with no additional impervious surfaces added which could inhibit groundwater recharge. No impact to groundwater resources would occur.



SOURCE: FEMA FIRM, effective 8/2009; HydroScience Engineering, 12/2020; Vivid/Maxar aerial photograph, 11/4/2019; Caltrans, 2020; AES, 6/22/2021

Figure 3-2
FEMA Flood Zones

Question C

Would the project: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in a substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?

Less than Significant with Mitigation. The Proposed Project would not substantially alter the existing drainage pattern of the area around the improvement locations, as no major grading is proposed and disturbed areas would be restored to pre-construction conditions. However, construction of the Proposed Project has the potential to result in erosion, siltation, temporary changes to drainage patterns, and contamination of stormwater. This would be a potentially significant impact. **Mitigation Measure HYD-1** would require construction activities to employ erosion and sediment control BMPs and/or obtain coverage under the NPDES Construction General Permit for construction activities, as necessary. This would include implementation of BMPs during construction to reduce the potential for impacts associated with erosion and exceeding water quality thresholds. Implementation of BMPs such as fiber rolls, hay bales, and silt fencing, would reduce the potential for sediment and stormwater runoff containing pollutants from entering receiving waters. With implementation of **Mitigation Measure HYD-1**, impacts related to alterations in drainage patterns and impervious surfaces would be less than significant.

Question D

Would the project: In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than Significant. As described above, the majority of the improvement locations are located outside of a designated flood zone. Approximately 10 improvement locations partially overlap areas designated as a 1.0 percent (100-year floodplain) and 0.2 percent (500-year floodplain) annual chance flood hazard zone, and are depicted on **Figure 3-2**. Construction of the Proposed Project would be temporary, with exposed pipeline covered and returned to pre-construction conditions as work progressed along the length of the pipeline. Construction activities would not significantly re-direct the flow of stormwater runoff or inhibit stormwater from absorbing into the ground, and runoff would continue to be collected by the City's stormwater drainage system, when applicable. None of the improvement locations are within a tsunami zone (DOC, 2009). Once construction is complete, all improved pipelines would be located underground and would not be affected in the case of a flood hazard. Impacts would be less than significant.

Question E

Would the project: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant with Mitigation. Water quality in stormwater runoff is regulated by the Alameda County Clean Water Program, which facilitates local compliance with the CWA. As described in Question A above, construction of the Proposed Project could potentially violate water quality standards or waste

discharge requirements, as construction equipment and materials have the potential to result in accidental discharge of pollutants into water resources. This would be a potentially significant impact. **Mitigation Measure HYD 1** would require construction activities to employ erosion and sediment control BMPs and/or obtain coverage under the NPDES Construction General Permit for construction activities, as necessary. Furthermore, the Proposed Project would not use groundwater supplies or obstruct groundwater recharge. With implementation of **Mitigation Measure HYD 1**, Impacts would be less than significant.

Cumulative Impacts

Less than Significant with Mitigation. The Proposed Project and potential cumulative projects in the vicinity of the Project Area would be required to employ erosion and sediment BMPs and/or obtain coverage under the NPDES Construction General Permit, which is intended to reduce the potential for cumulative impacts to water quality during construction (refer to **Mitigation Measure HYD-1**). Therefore, impacts on cumulative construction-related water quality effects would be less than significant after compliance with relevant BMPs and/or the NPDES Construction General Permit. Additionally, the Proposed Project would not result in new hardscape that would not be cumulatively considerable.

The Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and is accounted for in the City's 2014 WSMP and 2015 CSMP, as well as the City's General Plan. Cumulative development projects and the Proposed Project would be subject to local, State, and federal regulations designed to minimize cumulative impacts to hydrology and water resources. Mitigation measures for the Proposed Project in combination with compliance with City, State, and federal regulations, are expected to reduce cumulatively considerable impacts to a less-than-significant level.

3.11.4 MITIGATION MEASURES

HYD-1 Erosion and Sediment Control BMPs

Construction of pipeline improvements would take place at varying locations and within individual construction timelines. If it's determined that a specific improvement location requires coverage under the NPDES Construction General Permit, the Applicant shall obtain coverage prior to initiation of construction activities. The SWRCB requires that construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the CWA. To comply with the NPDES permit, a Notice of Intent shall be filed with the SWRCB and a SWPPP shall be approved prior to construction. The SWPPP shall include a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) including a description of the type and location of erosion and sediment control BMPs to be implemented at the Project Site; and a BMP monitoring and maintenance schedule to determine the amount of pollutants leaving the Project Site. A copy of the SWPPP shall be kept on the Project Site.

If it's determined that coverage under the NPDES Construction General Permit is not required, the following water quality BMPs recommended by the Construction General Permit shall nonetheless be employed:

- Areas where ground disturbance occurs shall be identified in advance of construction and limited to approved areas.
- Vehicular construction traffic shall be confined to the designated access routes and staging areas.
- Equipment maintenance and cleaning shall be confined to staging areas. No vehicle maintenance shall occur on-site during construction.
- Disturbed areas shall be restored to pre-construction contours to the extent possible.
- Hay/straw bales and silt fences shall be used to control erosion during stormwater runoff events.
- The highest quality soil shall be salvaged, stored, and used for native re-vegetation/seeding.
- Drainage gaps shall be implemented in topsoil and spoil piles to accommodate/reduce surface water runoff.
- Sediment control measures shall be in place prior to the onset of the rainy season and will be maintained until disturbed areas have been re-vegetated. Erosion control structures shall be in place and operational at the end of each day if work activities occur during the rainy season.
- Fiber rolls shall be placed along the perimeter of disturbed areas to ensure sediment and other potential contaminants of concern are not transported off-site or to open trenches. Locations of fiber rolls will be field adjusted as needed.
- Vehicles and equipment stored in the construction staging area shall be inspected regularly for signs of leakage. Leak-prone equipment will be staged over an impervious surface or other suitable means will be provided to ensure containment of any leaks. Vehicle/equipment wash waters or solvents will not be discharged to surface waters or drainage areas.
- During the rainy season, soil stockpiles and material stockpiles will be covered and protected from the wind and precipitation. Plastic sheeting will be used to cover the stockpiles and straw wattles will be placed at the base for perimeter control.
- Contractors shall immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. Leaks and spills shall be reported to the designated representative of the lead contractor. Contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.

3.12 LAND USE/PLANNING

3.12.1 ENVIRONMENTAL CHECKLIST

LAND USE/PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

3.12.2 SETTING

Regulatory Context

Hayward 2040 General Plan

Applicable City General Plan goals, policies, and objectives include:

Policy Document Part 3: Land Use and Community Character Element

Goal LU-1.10 The City shall ensure that adequate infrastructure capacities are available to accommodate planned growth throughout the City.

Environmental Setting

The Project Area consists of 44 distinct pipeline improvement locations throughout the City and is within City limits. The 44 pipeline locations fall under various City zoning classifications (City of Hayward, 2019). The Proposed Project involves improving various water and wastewater pipeline segments across the City, as well as repairing an existing access road and retaining wall at location S29; zoning conflicts are not anticipated.

3.12.3 DISCUSSION OF IMPACTS

Question A

Would the project: Physically divide an established community?

No Impact. Projects that have the potential to physically divide an established community typically include new freeways and highways, major arterials streets, and railroad lines. The Proposed Project would not physically divide an established community. No impact would occur.

Question B

Would the project: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and selected line upgrades are based on recommendations from the City's 2014 WSMP and 2015 CSMP. Implementation of the Proposed Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environment effect. No impact would occur.

Cumulative Impacts

Less than Significant. Potential cumulative projects in the vicinity of the Project Area, including population growth resulting from build-out of the City's General Plan, would be developed in accordance with local and regional planning documents. As described above, the Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and is accounted for in the City's 2014 WSMP and 2015 CSMP, as well as the City's General Plan. Thus, cumulative impacts associated with land use compatibility are expected to be less than significant. Additionally, as discussed above, the Proposed Project is consistent with the General Plan land use designations, goals, and policies, and thus would not contribute to the potential for adverse cumulative land use effects.

3.12.4 MITIGATION MEASURES

None required.

3.13 MINERAL RESOURCES

3.13.1 ENVIRONMENTAL CHECKLIST

Mineral Resources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a 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?	☐	☐	☐	☒

3.13.2 SETTING

Regulatory Setting

Pursuant to the mandate of the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board (SMGB) designates mineral deposits that have regional, multi-community, or statewide economic significance. SMARA allows the SMGB to designate and classify lands containing mineral deposits of regional or statewide significance. Classification of minerals is completed by the State Geologist in accordance with the SMGB's priority list, into four Mineral Resource Zones (MRZ). Lands classified as MRZ-1 are areas where geologic information indicates no signification mineral deposits are present; MRZ-2 indicates areas that contain identified mineral resources; MRZ-3 indicates areas of undetermined mineral resources significance; MRZ-4 indicates areas of unknown mineral resource potential (DOC, 2019).

Environmental Setting

There are no known mineral resources in the Project Area. According to the California Division of Mines and Geology land classification map prepared for the South San Francisco Bay Production-Consumption Region, which includes the City, there are no areas designated as MRZ-2 (DOC, 1996). According to the USGS Mineral Resources Data System, there are no known mineral resources located in the Project Area (USGS, 2021b). No mining is known to occur in the area. In addition, the Alameda County General Plan does not identify mineral resources in the program area.

3.13.3 DISCUSSION OF IMPACTS

Question A

Would the project: Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

No impact. According to the USGS Mineral Resources Data System, there are no known mineral resources located in the Project Area (USGS, 2021b). Therefore, the Proposed Project would not result in the loss of availability of any mineral resources that could be of value to the region. No impacts would occur to mineral resources.

Question B

Would the project: 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?

No impact. There are no locally important mineral resource recovery sites in the area (USGS, 2021b). No impacts would occur to mineral resources.

3.13.4 MITIGATION MEASURES

None required.

3.14 NOISE

3.14.1 ENVIRONMENTAL CHECKLIST

NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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 or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.14.2 SETTING

Background Information on Noise

Fundamentals of Acoustics

Acoustics is the science of sound. Sound may be thought of as mechanical energy of a vibrating object transmitted by pressure waves through a medium to human (or animal) ears. If the pressure variations occur frequently enough (at least 20 times per second), then they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound and is expressed as cycles per second or Hertz.

Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale uses the hearing threshold (20

micropascals), as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels (dB) correspond closely to human perception of relative loudness.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by A-weighted sound levels. There is a strong correlation between A-weighted sound levels (expressed as dBA) and the way the human ear perceives sound. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment.

The decibel scale is logarithmic, not linear. In other words, two sound levels 10-dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic decibel is A-weighted, an increase of 10-dBA is generally perceived as a doubling in loudness. For example, a 70-dBA sound is half as loud as an 80-dBA sound, and twice as loud as a 60-dBA sound.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool is the average, or equivalent, sound level (L_{eq}), which corresponds to a steady-state A weighted sound level containing the same total energy as a time varying signal over a given time period (usually one hour). The L_{eq} is the foundation of the composite noise descriptor, L_{dn}, and shows very good correlation with community response to noise.

The day/night average level (also referred to as L_{dn}) is based upon the average noise level over a 24-hour day, with a +10-dB weighing applied to noise occurring during nighttime (10:00 P.M. to 7:00 A.M.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

Table 3-7 lists several examples of the noise levels associated with common situations.

Effects of Noise on People

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction
- Interference with activities such as speech, sleep, and learning
- Physiological effects such as hearing loss or sudden startling

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise.

Table 3-7. Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	--110--	Rock Band
Jet Fly-over at 300 meters (1,000 ft.)	--100--	
Gas Lawn Mower at 1 meter (3 ft.)	--90--	
Diesel Truck at 15 meters (50 ft.), at 80 km/hour (50 mph)	--80--	Food Blender at 1 meter (3 ft.) Garbage Disposal at 1 meter (3 ft.)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft.)	--70--	Vacuum Cleaner at 3 meters (10 ft.)
Commercial Area Heavy Traffic at 90 meters (300 ft.)	--60--	Normal Speech at 1 meter (3 ft.)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing
Source: Caltrans, 2013		

Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the so-called ambient noise level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it.

With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived;
- Outside of the laboratory, a 3-dBA change is considered a just-perceivable difference;
- A change in level of at least 5dBA is required before any noticeable change in human response would be expected; and
- A 10-dBA change is subjectively heard as approximately a doubling in loudness, and can cause an adverse response.

Stationary point sources of noise – including stationary mobile sources such as idling vehicles – attenuate (lessen) at a rate of approximately 6 dB per doubling of distance from the source, depending on environmental conditions (e.g., atmospheric conditions and either vegetative or manufactured noise barriers, etc.). Widely distributed noises, such as a large industrial facility spread over many acres, or a street with moving vehicles, would typically attenuate at a lower rate.

Existing Noise and Vibration Environments

Existing Sensitive Receptors

Some land uses are considered more sensitive to noise than others. Land uses often associated with sensitive receptors generally include residences, schools, libraries, hospitals, and passive recreational areas. Sensitive noise receptors may also include threatened or endangered noise sensitive biological species, although many jurisdictions have not adopted noise standards for wildlife areas. Noise sensitive land uses are typically given special attention in order to achieve protection from excessive noise.

As described in **Section 2.2**, the pipeline improvements would take place primarily within paved and disturbed right of ways in commercial and residential areas. However, some locations occur within unpaved areas such as residential backyards, parks, or utility easements.

Regulatory Setting

City of Hayward General Plan

The goals and policies contained in the Hayward 2040 General Plan Hazards Element focus on minimizing human exposure to excessive noise by evaluating noise exposure risks and incorporating appropriate mitigation measures. In support of these goals, the General Plan contains a table of exterior noise compatibility standards for various land uses (shown in **Table 3-8**) to determine potential noise exposure impacts. The following policies of the City General Plan Hazards Element are applicable to the Proposed Project.

Goal HAZ-8 Minimize human exposure to excessive noise and ground vibration.

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.

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 (7:00am to 7:00pm Monday through Saturday and 10:00am to 6:00 pm on Sundays and holidays)

City of Hayward Municipal Code

Section 4-1 of the Hayward Municipal Code contains the City's noise regulations as amended by Ordinance 11-03, adopted March 22, 2011. Section 4-1.03-1 establishes residential property noise limits such that noise above 70 dBA between the hours of 7:00 a.m. and 9:00 p.m. is prohibited and a noise level of 60 dBA between the hours of 9:00 p.m. and 7:00 a.m. is prohibited. The noise limit for industrial and commercial properties is 70 dBA for all hours of the day.

Section 4-1.03.4 of the Hayward Municipal Code states that during construction no piece of equipment shall produce a noise level exceeding 83 dBA at 25 feet from the source or 86 dBA at any point outside the property. This section, consistent with General Plan policy HAZ-8.21, also limits construction, alteration, or repair of structures and any landscaping activities to the hours below:

1. Sundays and holidays between 10:00 a.m. and 6:00 p.m. (contingent on City approval)

2. Monday through Saturday between 7:00 a.m. and 7:00 p.m.

If construction occurs outside of the listed hours, the limits under Section 4-1.03-1 would apply.

Table 3-8. City of Hayward Exterior Noise Compatibility Standards

Land Use Type	Highest Level of Exterior Noise Exposure that is Regarded as "Normally Acceptable"[1] (CNEL)
Residential: Single-Family Homes, Duplex, Mobile Home	60
Residential: Townhomes and Multi-Family Apartments and Condominiums	65
Urban Residential Infill[2] and Mixed-Use Projects[3]	70
Lodging: Motels and Hotels	65
Schools, Libraries, Churches, Hospitals, Nursing Homes	70
Auditoriums, Concert Hall, Amphitheaters	Mitigation based on site-specific study
Sports Arena, Outdoor Spectator Sports	Mitigation based on site-specific study
Playgrounds, Neighborhood Parks	70
Golf Courses, Riding Stables, Water Recreation, Cemeteries	75
Office Buildings: Business, Commercial, and Professional	70
Industrial Manufacturing, Utilities, Agriculture	75

[1] "Normally Acceptable" means that the specified land uses is satisfactory, based upon the assumption that any building involved is ofnormal conventional construction, without any special noise mitigation.
[2] 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).
[3] Mixed-Use Projects would include all mixed-use developments throughout the City of Hayward.
Source: City of Hayward General Plan

3.14.3 DISCUSSION OF IMPACTS

Question A

Would the project result in: 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?

Construction

Less than Significant. During the construction of the Proposed Project, noise from construction activities would temporarily add to the noise environment in the vicinity of the improvement locations. As shown in Error! Reference source not found.**-9**, activities involved in construction would generate maximum noise levels ranging from 76 to 83 dB at a distance of 50 feet.

Table 3-9. Construction Equipment Noise

Type of Equipment	Maximum Level, dBA at 50 feet
Backhoe	78
Compactor	83
Compressor (air)	78
Dozer	82
Dump Truck	76
Excavator	81
Generator	81
Source: Federal Highway Administration, 2006	

Construction would occur over a period of 38 months for water line improvements and 45 months for sewer line improvements, starting in 2021. Equipment associated with construction activities generally includes dozers, tractors/loaders/backhoes, cranes, forklifts, welders, pavers and paver equipment, rollers, and air compressors. Construction activities would also be temporary in nature and are anticipated to occur during normal daytime working hours.

Existing sensitive receptors located within approximately 50 feet of construction activity could experience maximum instantaneous noise levels of up to 83 dBA L_{max}. Average noise levels are expected to be 5-10 dBA less than maximum noise levels, or 73-78 dBA L_{eq}. Because construction activity could intermittently occur less than 50 feet from sensitive receptors, the City's construction noise threshold of 86 dBA may be exceed. However, Section 4-1.03.4 of the City's Municipal Code prohibits construction outside of the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays, and 7:00 a.m. and 7:00 p.m. on other days. Accordingly, no construction activities associated with the Proposed Project would occur outside of these hours, minimizing the potential for noise-related sleep disruption. Given the temporary nature of construction activities, and restrictions on construction times required by the City's Municipal Code, impacts relating to construction noise levels associated with the Proposed Project would be considered less than significant.

Operation

Less than Significant. As described above in **Section 3.4.3**, operation of the Proposed Project would require routine maintenance of water and sewer pipelines and appurtenant structures. However, maintenance activities would result in a negligible increase in additional traffic, and associated noise. Such noises would not result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Site in excess of standards established in the local general plan or noise ordinance. Therefore, impacts relating to noise levels due to operation of the Proposed Project would be considered less than significant.

Question B

Would the project result in: Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant. The primary vibration-generating activities associated with the Proposed Project would occur during construction when activities such as trenching, drilling, and paving occur. For

structural damage, Caltrans uses a vibration limit of 0.5 inches/second, peak particle velocity (in/sec, PPV), for buildings structurally sound and designed to modern engineering standards; 0.2 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern; and a conservative limit of 0.08 in/sec PPV for historic buildings or buildings that are documented to be structurally weakened. All surrounding structures are assumed to be structurally sound, but damage would be a concern, therefore the 0.2 in/sec PPV will be used as a threshold of significance for structural damage. The threshold of 0.2 in/sec PPV is also used by Caltrans as the threshold for human annoyance caused by vibration. Therefore, activities creating vibrations exceeding 0.2 in/sec PPV would impact sensitive receptors in nearby residences (Caltrans, 2013). **Table 3-10** shows the typical vibration levels produced by construction equipment.

Table 3-10. Vibration Levels for Various Construction Equipment

Type of Equipment	Peak Particle Velocity at 25 feet (inches/second)	Peak Particle Velocity at 50 feet (inches/second)
Loaded Trucks	0.076	0.027
Small Bulldozer	0.003	0.001
Auger/drill Rigs	0.089	0.031
Jackhammer	0.035	0.012
Vibratory Hammer	0.070	0.025
Source: Caltrans, 2013		

The **Table 3-10** data indicate that construction vibration levels anticipated for the Proposed Project are less than the 0.2 inches per second threshold at distances of 25 feet. Sensitive receptors located less than 25 feet from construction activities could be impacted by construction related vibrations, especially drill rigs and vibratory hammers. However, as described above, the City's Municipal Code prohibits construction outside of the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays, and 7:00 a.m. and 7:00 p.m. on other days. Accordingly, no construction activities associated with the Proposed Project would occur outside of these hours, minimizing the potential for vibration-related disruption. Given the temporary nature of construction activities, and restrictions on construction times required by the City's Municipal Code, impacts relating to construction vibration levels associated with the Proposed Project would be considered less than significant.

Question C

For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project Area intersects the Airport Influence Areas for the Hayward Executive Airport and the Metropolitan Oakland International Airport (Alameda County, 2012). Industrial and utility land uses are allowed within the Airport Influence Areas as long as their exterior noise exposure does not exceed 69 decibel CNEL exposure. Construction sites under the Proposed Project are located outside of the noise compatibility zones of both influence areas, except for Site W15, which is located within the 60 decibel CNEL zone of the Metropolitan Oakland International Airport Influence Area. Because the 60 decibel

CNEL zone does not exceed the allowable exposure of 69 decibel CNEL, construction workers or users of the project site would not be exposed to substantial aircraft noise, and no impacts would occur.

Cumulative Impacts

Less than Significant. As stated above, operation of the Proposed Project would not increase existing ambient noise levels above the applicable thresholds at sensitive receptors. Therefore, the Proposed Project would not result in cumulatively considerable impacts. This impact is considered less than significant.

3.14.4 MITIGATION MEASURES

None required.

3.15 POPULATION AND HOUSING

3.15.1 ENVIRONMENTAL CHECKLIST

POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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?	☐	☐	☐	☒

3.15.2 SETTING

Regulatory Setting

Hayward 2040 General Plan

Applicable City General Plan goals, policies, and objectives include:

Policy Document part 3: Land Use and Community Character Element

Goal LU-1 Promote local growth patterns and sustainable development practices that improve quality of life, protect open space and natural resources, and reduce resource consumption, traffic congestion, and related greenhouse gas emissions.

Environmental Setting

The City provides water and sewer services to its approximately 160,000 residents. The Housing Element of the City General Plan projects the total population in the City will increase to approximately 183,533 by 2040, with an additional 59,919 housing units added.

3.15.3 DISCUSSION OF IMPACTS

Question A

Would the project: 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)?

Less than Significant. The Proposed Project involves improving various water and wastewater pipeline segments across the City, as well as repairing an existing access road and retaining wall at location S29. In some cases, this involves the upsizing of pipeline segments. Upsizing of water and/or sewer lines could potentially indirectly induce population growth through increasing capacity. However, the Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and is accounted for in the City's 2014 WSMP and 2015 CSMP, as well as the City's General Plan. Thus, improvements to pipeline segments as part of the Proposed Project, are accounted for and anticipated within City planning documents, and are specifically required to meet current and future capacity demands within the City. Therefore, impacts associated with population growth and the expansion of sewer/water infrastructure would be less than significant.

Question B

Would the Project: Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Proposed Project would not displace existing housing or people that would necessitate the construction of replacement housing. No impact would occur.

Cumulative Impacts

Less than Significant. The Proposed Project is not expected to increase unplanned growth, and therefore would not contribute to cumulative impacts associated with growth. No impact would occur.

3.15.4 MITIGATION MEASURES

None required.

3.16 PUBLIC SERVICES

3.16.1 ENVIRONMENTAL CHECKLIST

PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project:				
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire Protection?	☐	☒	☐	☐
b) Police Protection?	☐	☒	☐	☐
c) Schools?	☐	☒	☐	☐
d) Parks?	☐	☒	☐	☐
e) Other public facilities?	☐	☒	☐	☐

3.16.2 SETTING

The City provides public services for its residents, including fire and police protection, schools, parks, and other various public facilities. The Proposed Project involves improving various water and wastewater pipeline segments across the City, as well as repairing an existing access road and retaining wall at location S29; the provision of additional public services is not anticipated.

3.16.3 DISCUSSION OF IMPACTS

Questions A through E

Would the project: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: fire protection; police protection; schools; parks; other public facilities?

Less than Significant with Mitigation. The Proposed Project involves the replacement, relocation, and/or installation of sewer and water pipeline segments and would not introduce housing or residents that could lead to an increase demand for public services. The Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and is accounted for in the City's 2014 WSMP and 2015 CSMP, as well as the City's General Plan. Thus, improvements to pipeline segments as part of the Proposed Project, are accounted for and anticipated within City planning documents, and are specifically required to meet current and future capacity demands within the City. Therefore, the Proposed Project would not lead to unanticipated growth or expanded facilities, or affect the performance objectives of public facilities.

During construction, the time that water service is out would be minimized. It is expected that new water pipelines would be constructed parallel to existing water services. Once the new pipeline is ready to be operated, services would be switched from the existing pipeline to the new pipeline. This switchover would require water service to residents to be shut off for a short period.

Construction of the Proposed Project would result in temporary lane closures. Lane closures, if not properly regulated, could potentially interfere with fire and police emergency response times. This would be a potentially significant impact. However, as described in **Section 3.18.4**, **Mitigation Measure T-1** requires that a TCP be developed prior to the start of construction activities. The TCP would require that adequate emergency access is provided to all adjacent land use during construction activities. Therefore, with implementation of **Mitigation Measures T-1**, the Proposed Project would not interfere with acceptable emergency response time. Impacts would be less than significant with mitigation.

Cumulative Impacts

Less than Significant with Mitigation. As described above, the Proposed Project would not increase the demand for fire, police, schools, parks, or other public facilities. However, Construction of the Proposed Project would result in temporary lane closures. Because **Mitigation Measure T-1** requires that a TCP be developed prior to the start of construction activities, and other developments within the City requiring lane closures would also be required to provide adequate emergency access and regulate traffic flow, cumulative impacts would be less than significant after mitigation.

3.16.4 MITIGATION MEASURES

Implementation of **Mitigation Measure T-1**.

3.17 RECREATION

3.17.1 ENVIRONMENTAL CHECKLIST

RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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?	☐	☐	☐	☒

3.17.2 SETTING

The Hayward Area Recreation and Park District is responsible for maintenance and management of parks and recreational facilities in the City. The Proposed Project does not involve introducing housing or residents to the City, who would potentially utilize the parks and recreational facilities.

3.17.3 DISCUSSION OF IMPACTS

Question 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?

No Impact. The Proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities, as the Proposed Project does not involve introducing housing or residents to the City, who could potentially utilize these facilities. No impact would occur.

Question 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?

No Impact. The Proposed Project does not involve or require the construction or expansion of recreational facilities. No impact would occur.

Cumulative Impacts

No Impact. The Proposed Project would have no cumulative impact on existing recreational facilities.

3.17.4 MITIGATION MEASURES

None required.

3.18 TRANSPORTATION

3.18.1 ENVIRONMENTAL CHECKLIST

TRANSPORTATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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?	☐	☒	☐	☐

3.18.2 SETTING

Transportation Network

The City is located in central Alameda County at the crossroads of several regional transportation routes. The Project Area would be accessed by major regional roadways including Interstate 238, Interstate 580, Interstate 880, State Route 92, and State Route 185. Additionally, major City roadways that would be used to access the Project Area include Hesperia Boulevard, Mission Boulevard, and Jackson Street.

Bikeways, Pedestrian Facilities, Public Transportation System

The City is served by a number of transit services through a network of local, regional and intercity bus services, paratransit services, and rapid transit and regional rail services These services are provided by a number of public and private transportation agencies and companies including BART, Alameda-Contra Costa Transit District (AC Transit), Amtrak, and Greyhound Lines. The City is served by a network of designated bicycle facilities including on-street facilities and regional recreational trails. The Hayward Bicycle Master Plan sets forth detailed goals and objectives and identifies existing and recommended facilities for providing the opportunity to travel by bicycle as an alternative mode of transportation and recreation for physical, environmental and social benefits. The City is also served by a network of pedestrian facilities that include sidewalks, paths, and recreational trails.

3.18.3 DISCUSSION OF IMPACTS

Question A

Would the project: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant with Mitigation. The Proposed Project is not considered a trip generating project. Operation of the Proposed Project is not anticipated to increase traffic. While periodic maintenance of water and sewer pipelines would be required, maintenance activities would result in a negligible increase in additional traffic.

Construction would result in a short-term increase in traffic levels on roadways in the improvement location areas. Construction vehicles and equipment expected to be used include, but are not limited to, legally loaded trucks, delivery and service trucks, and construction worker vehicles. At estimated peak day levels, up to approximately 40 one-way construction worker vehicle trips could occur (**Appendix D**). Therefore, construction-related traffic would result in a negligible increase in traffic volumes throughout the City. Construction of the Proposed Project could result in temporary detours to roadways and pedestrian and bicycle routes, however all facilities including sidewalks and pavement would be returned to normal operating conditions after construction. Therefore, no long-term impacts to transit, bicycle, or pedestrian facilities would occur.

Construction of the Proposed Project would result in temporary lane closures. Lane closures, if not properly regulated, could potentially conflict with a program, plan, ordinance or policy addressing the circulation system. This would be a potentially significant impact. However, implementation of **Mitigation Measure T-1** would require the preparation and approval of a TCP prior to the start of construction activities. The TCP would describe the locations and duration of anticipated lane closures, and would ensure that adequate emergency access is provided to all land uses adjacent to construction activities. Therefore, based on the above, the Proposed Project would not conflict with an applicable plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and after mitigation, a less-than-significant impact would occur.

Question B

Would the project: Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

Less than Significant. Section 15064.3 was recently added to the CEQA Guidelines and describes specific considerations for evaluating a project's transportation impacts. Section 15064.3(b) establishes VMT as the most appropriate measure of transportation impacts, shifting away from the use of LOS analysis that evaluates a project's impacts on traffic conditions at nearby roadways and intersections.

The Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA contains screening thresholds for land use projects and suggests lead agencies may screen out VMT impacts using project size, maps, and transit availability (OPR, 2018). For small projects, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, and projects that generate or attract fewer than 110 trips per day generally, may be assumed to cause a less-than significant impact.

As described above, construction of the Proposed Project would generate a maximum of 40 trips per day. Therefore, as the number of additional trips generated by the Proposed Project is below the 110-trip screening threshold for VMT impacts contained in the OPR Technical Advisory, the Proposed Project can be assumed to cause a less-than-significant transportation impact related to VMT.

Question C

Would the project: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Proposed Project does not include modification to the existing roadways or design features that would increase hazards. As described above, construction of the Proposed Project could result in temporary roadway detours, however all facilities would be returned to normal operating conditions after construction. Therefore, the Proposed Project would not substantially increase hazards due to a geometric design feature or incompatible uses. No impact would occur.

Question D

Would the project: Result in inadequate emergency access?

Less than Significant with Mitigation. Construction of the Proposed Project would result in temporary lane closures. Lane closures, if not properly regulated, could potentially result in inadequate emergency access. This would be a potentially significant impact. However, implementation of **Mitigation Measure T-1** would require the preparation and approval of a TCP prior to the start of construction activities. The TCP would describe the locations and duration of anticipated lane closures, and would ensure that adequate emergency access is provided to all land uses adjacent to construction activities. Therefore, the Proposed Project would not result in inadequate emergency access. After mitigation, a less-than-significant impact would occur.

Cumulative Impacts

Less than Significant with Mitigation. Transportation impacts from the Proposed Project would be limited to short-term construction effects on roadways providing access to the improvement areas. **Mitigation Measure T-1**, which requires a TCP, would ensure that no transportation impacts would occur. Therefore, the Proposed Project would not contribute to cumulative impacts. No concurrent construction activities near the improvement locations are anticipated. However, if construction activities from other projects do occur within the vicinity of the improvement locations, it is assumed that each project would be responsible for mitigating traffic impacts and obtaining a TCP, if applicable. Impacts would be less than significant after mitigation.

3.18.4 MITIGATION MEASURES

T-1 Traffic Control Plan

Prior to the start of construction activities, a Traffic Control Plan (TCP) shall be developed detailing the locations and duration of anticipated lane closures. The TCP shall require that adequate emergency access is provided to all adjacent land use during construction activities. The TCP shall be review and approved by the City prior to the start of construction activities.

3.19 Tribal Cultural Resources

3.19.1 ENVIRONMENTAL CHECKLIST

TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

3.19.2 SETTING

California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities. Because CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources (TCRs) at issue are included in environmental assessments for projects that may have a significant impact on such TCRs. TCRs can only be identified by members of the Native American community, thus requiring consultation under CEQA.

Regulatory Context

Assembly Bill 52 (AB 52), signed into law in 2014, established a new category of resources in CEQA called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation. Pursuant to PRC, Division 13, Section 21074, TCRs can be either:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either:

    a. Included or determined to be eligible for inclusion in the CRHR; or

    b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the eligibility criteria for the CRHR (PRC § 5024.1(c)). In applying these criteria, the lead agency must consider the significance of the resource to a California Native American Tribe.

Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources. In light of this, AB 52 requires that, within 14 days of a decision to undertake a project or determination that a project application is complete, a lead agency shall provide written notification to California Native American tribes that have previously requested placement on the agency's notice list. Notice to tribes shall include a brief project description, location, lead agency contact information, and the statement that the tribe has 30 days to request consultation. The lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a tribe.

Consultation

The City contacted the Ione Band of Miwok Indians on April 2, 2021, the only Native American tribe which has requested placement on the City's AB 52 notice list. Furthermore, the City sent AB52 consultation letters to ten tribal contacts recommended by the NAHC on April 29, 2021 (see **Section 3.6**). As of this writing, no responses have been received.

3.19.3 DISCUSSION OF IMPACTS

Question A

Would the project: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: 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)?

Less than Significant with Mitigation. As discussed above in **Section 3.6**, no TCRs were identified during cultural resources investigations or consultation with Native American tribes. However, there is the

possibility that unanticipated discoveries of subsurface archaeological deposits or human remains may occur. This is a potentially significant impact. **Mitigation Measures CR-1** and **CR-2,** which provide for the protection of unanticipated finds made during ground disturbing activities, would reduce impacts to TCRs to a less-than-significant level.

Question B

Would the project: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant with Mitigation. As discussed above in **Section 3.6**, no TCRs were identified during cultural resources investigations or consultation with Native American tribes. Furthermore, no resources have been determined by the lead agency to be considered significant to a California Native American tribe. However, there is the possibility that unanticipated discoveries of subsurface archaeological deposits or human remains may occur. This is a potentially significant impact. **Mitigation Measures CR-1** and **CR-2**, which provide for the protection of unanticipated finds made during ground disturbing activities, would reduce impacts to TCRs to a less-than-significant level.

Cumulative Impacts

Less than Significant with Mitigation. Development of the Proposed Project may impact TCRs, adding to cumulative impacts from other projects in the region. TCRs that could be affected by the Proposed Project as well as others in the region are subject to protections under PRC Sections 5024.1, 21083.2 and 21084.1, and CEQA Guidelines Section 15064.5. In addition, projects with federal involvement would be subject to Section 106 of the NHPA. Given the non-renewable nature of TCRs, any impact to TCRs is potentially cumulatively considerable. However, as discussed above, no TCRs were identified during cultural resources investigations or consultation with Native American tribes. If resources are uncovered during construction, application of the consultation process under **Mitigation Measures CR-1** and **CR-2** would reduce impacts to TCRs to a less than significant level, Application of similar measures to TCRs located within the region would similarly reduce the Proposed Project's incremental contribution to cumulative impacts to TCRs to a less than significant level.

3.19.4 MITIGATION MEASURES

Implement **Mitigation Measures CR-1** and **CR-2**.

3.20 UTILITIES/SERVICE SYSTEMS

3.20.1 ENVIRONMENTAL CHECKLIST

UTILITIES/SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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 waste water 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?	☐	☐	☐	☒

3.20.2 SETTING

Regulatory Context

Hayward 2040 General Plan

Applicable City General Plan goals, policies, and objectives include:

Policy Document part 3: 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.
Goal 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.
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.
Policy PFS-4.1	The City shall maintain and implement the Sewer Collection System Master Plan.

Hayward Municipal Code

Applicable City Public Utilities Code (Chapter 11) include:

Articles 2 and 3	Various regulations regarding the City's municipal water system (Article 2) and sanitary sewer system (Article 3). This includes requirements for construction work on these utilities, such as permits required, notice periods, sanitary conditions, and minimum main diameters. See Sections 11-2.22, 11-2.23, 11-2.25, 11-2.27, 11-3.102, and 11-3.103.

Environmental Setting

Water and Sewer Service Area

The City's approximately 160,000 residents are serviced by roughly 375 miles of water distribution pipelines. The City is supplied water from the SFPUC. The City provides water service to approximately 33,000 residential, commercial industrial, and governmental service connections (City of Hayward, 2014a). The City distribution system consists of 8 pressure zones, 16 water storage tanks, 7 pump stations, and 375 miles of water distribution pipelines servicing 37,500 water service connections. According to City records, approximately 67 percent of the City's water distribution pipelines are ACP and most of the existing water pipelines are 6-inches in diameter. The City owns and operates the wastewater collection and treatment system for residential, commercial, and industrial users. The City's residents are serviced by approximately 325 miles of sewer mains and nine sewage lift stations. The collection system conveys the wastewater flow to the City's WPCF, which treats an average of 11.3 million gallons per day of wastewater generated by the City's residents and businesses (**Appendix B**).

The City Council adopted a Strategic Roadmap, that identified improvements to its infrastructure, including water and sewer utilities, as a core priority (City of Hayward, 2020a). With this plan, the City aims to annually upgrade four to six miles of its water distribution and sanitary sewer collection system infrastructure to meet the City's level of service goals. These replacements will improve the City's water distribution system and sewer collection system, maintain the operability and capacity of the systems,

provide adequate fire flows, and prevent sanitary sewer overflows. Pipeline locations to be replaced/improved as part of the Proposed Project were based on recommendations within the WSMP and CSMP.

Solid Waste Disposal

As described in **Section 2.4.7**, the majority of existing pipeline segments to be upgraded will be abandoned in place and would not require disposal. Significant amounts of solid waste are not anticipated. In circumstances where pipe needs to be cut into and disposed of, disposal of ACP would be performed in accordance with BAAQMD and all applicable standards.

3.20.3 DISCUSSION OF IMPACTS

Question A

Would the project: 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?

Less than Significant. The Proposed Project involves the replacement, relocation, and/or installation of sewer and water pipeline segments. In some cases, this involves the upsizing of sewer and/or water pipeline segments. The Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and is accounted for in the City's 2014 WSMP and 2015 CSMP, as well as the City's General Plan. Thus, improvements to pipeline segments as part of the Proposed Project are accounted for an anticipated within City planning documents. Potential impacts relating to upgrades of these utilities are accessed throughout this IS and where appropriate, mitigation measures have been introduced to reduce potentially significant impacts to less than significant. The Proposed Project would not require new or expanded stormwater drainage, electrical power, natural gas, or telecommunications facilities. Therefore, impacts associated with the construction or relocation of utilities would be less than significant.

Question B

Would the project: Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant. The Proposed Project would not require water supplies once operational. Construction of the Proposed Project would require minimal amounts of water for activities such as washing aggregates, dust suppression, and washing surfaces. However, water would be limited during the construction phase and quantities are not anticipated to be significant. Water would be used from nearby fire hydrants as required and the contractor would obtain all necessary permits and a fire service meter from the City. Impacts to water supplies would be less than significant.

Question C

Would the project: Result in a determination by the waste water 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?

Less than Significant. As described above, the Proposed Project involves the replacement, relocation, and/or installation of sewer and water pipeline segments. In some cases, this involves the upsizing of sewer and/or water pipeline segments. The Proposed Project itself does not directly generate wastewater; however, the improved sewer lines would continue to transport wastewater to the wastewater treatment provider (the City). Because the Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and is accounted for in the City's 2015 CSMP and the City's General Plan, potential capacity increases due to upsizing of sewer lines are already anticipated and accounted for, and are necessary to continue serving residents of the City. Impacts would be less than significant.

Question D

Would the project: 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?

Less than Significant. The Proposed Project would generate solid waste only during the construction phase, as existing pipeline is removed and replaced. However, the majority of pipeline to be replaced would be abandoned in place and significant amounts of solid waste are not anticipated. Because solid waste generated from the Proposed Project is expected to be minimal and temporary, impacts would be less than significant.

Question E

Would the project: Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. As mentioned above, the Proposed Project would only generate solid waste during the construction phase. Disposal of replaced pipeline would comply with federal, state, and local management and reduction statues and regulations related to solid waste. No impact would occur.

Cumulative Impacts

Less than Significant. Water and sewer utilities would be replaced, relocated, or installed as part of the Proposed Project. However, potential cumulative projects in the vicinity of the Project Site would be developed in accordance with local and regional planning documents. The Proposed Project is part of the City Council Adopted Strategic Roadmap to improve utilities infrastructure and is accounted for in the City's 2014 WSMP and 2015 CSMP, as well as the City's General Plan. Thus, cumulative impacts associated utilities are expected to be less than significant. Additionally, as discussed above, the Proposed Project is consistent with the General Plan Public Facilities and Services goals and policies, and thus would not contribute to cumulative impacts of utility and service systems.

3.20.4 MITIGATION MEASURES

None required.

3.21 Wildfire

3.21.1 ENVIRONMENTAL CHECKLIST

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

3.21.2 SETTING

Regulatory Context

State Responsibility Areas

State Responsibility Areas (SRA) are lands in California where the California Department of Forestry and Fire Protection (CalFire) has legal and financial responsibility for wildfire protection and where CalFire administers fire hazard classifications and building standard regulations. Local Responsibility Areas (LRA) include land in cities, cultivated agricultural lands, unincorporated non-flammable areas, and lands that do not meet the criteria for SRA of Federal Responsible Areas. California PRC§§ 4201 through 4204 and California Government Code 51175-89 direct CalFire to map fire hazard zones within state SRAs and LRAs, respectively, based on relevant factors such as fuels, terrain, and weather. These zones, referred

to as FHSZs, are based on the physical conditions that give a likelihood that an area will burn over a 30 to 50-year period without considering modifications such as fuel reduction efforts. The zones also relate to the requirements for building codes designed to reduce the ignition potential to buildings in the wildland-urban interface zones.

Hayward 2040 General Plan

Applicable City General Plan goals, policies, and objectives include:

Policy Document part 3: Hazards

Goal HAZ-5	Protect life and minimize potential property damage from urban wildfire hazards in hillside area.

Environmental Setting

The City is urban in nature and largely developed. The City, including the Project Area, is not located in a SRA, but is rather located in an Incorporated LRA (CalFire, 2008). The Project Area is located within a FHSZ classification of "Non-Very High FHSZ". The closest land designated as a moderate/high FHSZ, is the rural and mountainous areas east, north, and southeast of the of the City of Fairview, approximately three miles east of the Project Area.

3.21.3 DISCUSSION OF IMPACTS

Question A

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant with Mitigation. The Project Area is not located in a SRA or a very high FHSZ. Construction associated with the Proposed Project would occur within tight and defined boundaries of each pipeline location point. Construction of the Proposed Project would result in temporary lane closures. Lane closures, if not properly regulated, could potentially impair an adopted emergency response or evacuation plan. This would be a potentially significant impact. However, as described in **Section 3.18.4**, **Mitigation Measures T-1** requires that a TCP be developed prior to the start of construction activities. The TCP would require that adequate emergency access is provided to all adjacent land use during construction activities. Therefore, with implementation of **Mitigation Measures T-1**, the Proposed Project would not interfere with an adopted emergency response plan or emergency evacuation plan in place through the State, County, or City. Impacts would be less than significant with mitigation.

Question B

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: 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?

No Impact. As mentioned above, the Proposed Project is not located in a SRA or a very high FHSZ. Pipeline upgrades would take place on relatively flat areas, predominantly surrounded by urban developed land. The Proposed Project does not involve unique slopes or other factors that would exacerbate wildfire risks. No impact would occur.

Question C

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: 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?

No Impact. As mentioned above, the Proposed Project is not located in a SRA or a very high FHSZ. Construction associated with the Proposed Project would occur within tight and defined boundaries of each pipeline improvement location and is not expected to exacerbate fire risk. No impact would occur.

Question D

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: 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?

No Impact. As mentioned above, the Proposed Project is not located in a SRA or a very high FHSZ. As stated in **Section 3.11.3,** the Proposed Project would not substantially alter the existing drainage pattern of the area around the improvement locations. Pipeline segments would be buried underground and would not expose people or structures to significant risks as a result of flooding, post-fire slope instability, or drainage changes. No impact would occur.

Cumulative Impacts

No Impact. The Proposed Project would have no cumulative impacts related to wildfire.

3.21.4 MITIGATION MEASURES

Implement **Mitigation Measure T-1**.

3.22 MANDATORY FINDING OF SIGNIFICANCE

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

Question A

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

Less than Significant with Mitigation. As discussed in the previous sections, the Proposed Project could potentially have significant environmental effects with respect to Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Transportation, Tribal Cultural Resources, and Wildfire. However, the impacts of the Proposed Project would be reduced to a less-than-significant level with the implementation of the mitigation measures identified in the sections.

Question B

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

Less than Significant with Mitigation. Cumulative impacts for each resource area have been considered within the analysis of each resource area. When appropriate, mitigation measures have been provided to reduce all potential impacts to a less-than-significant level.

Question C

Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant with Mitigation. The potential direct environmental effects of the Proposed Project have been considered within the discussion of each environmental resource area in the previous sections. When appropriate, mitigation measures have been provided to reduce all potential impacts to a less-than-significant level.

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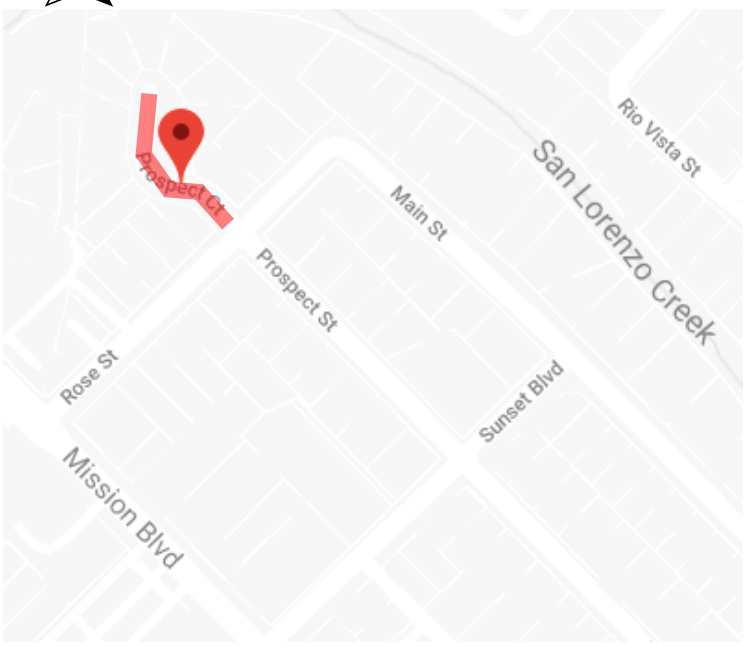
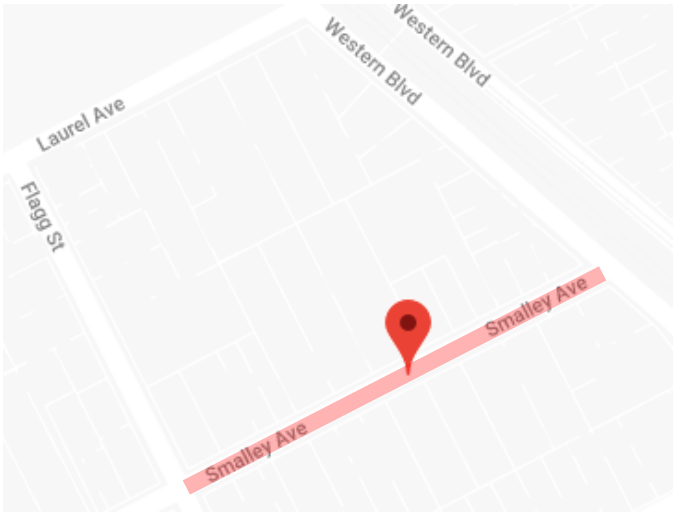
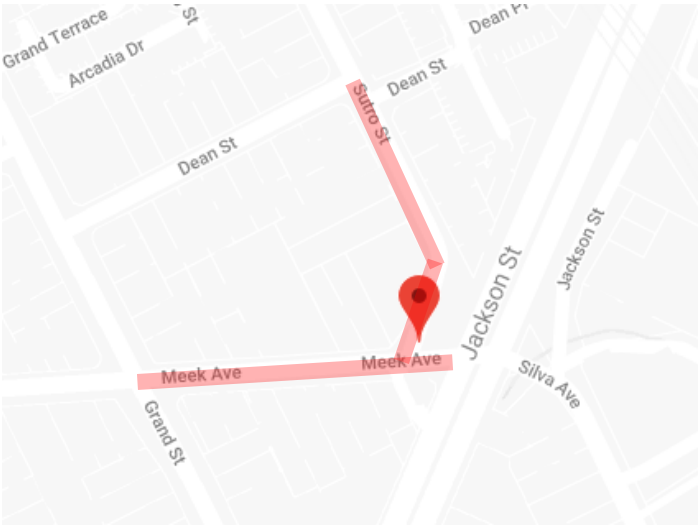


PROSPECT CT



SMALLEY AVE

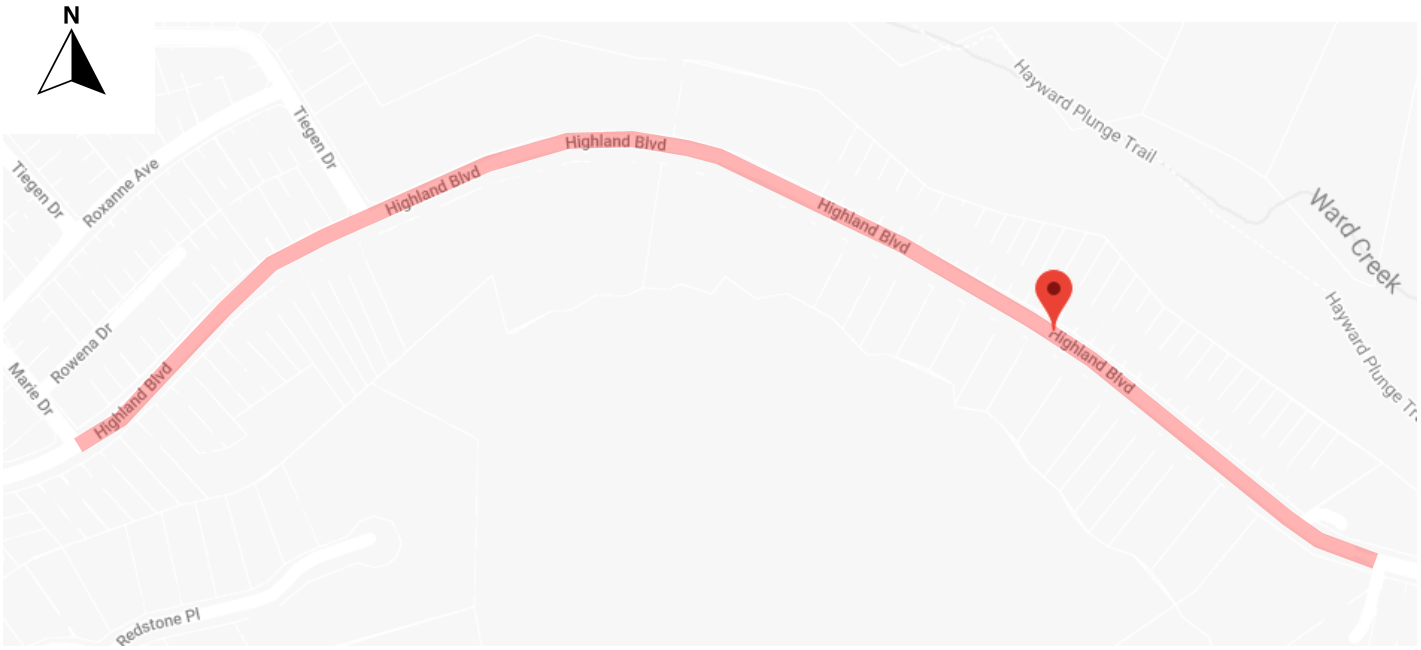
MEMORIAL WAY



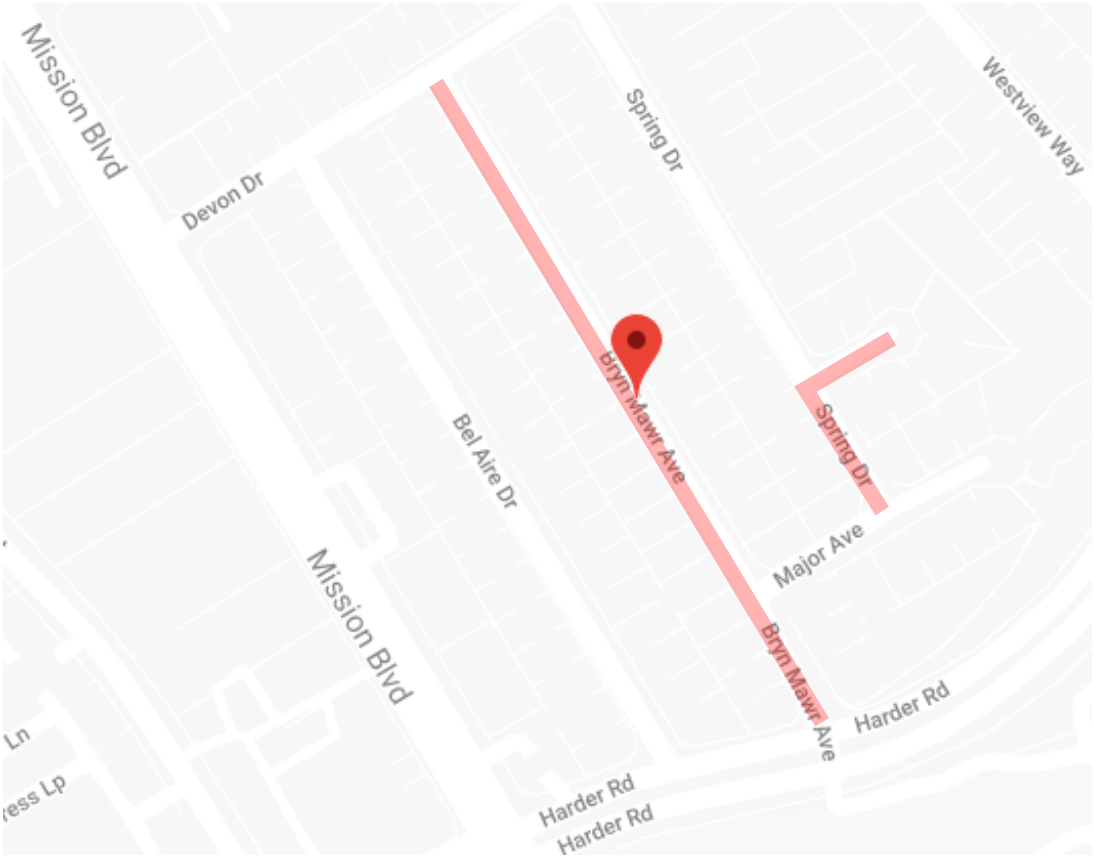
SUTRO ST, MEEK AVE

WATERLINE IMPROVEMENT PROJECT, PROJECT NO. 07093

LOCATION MAP PAGE 1 OF 6

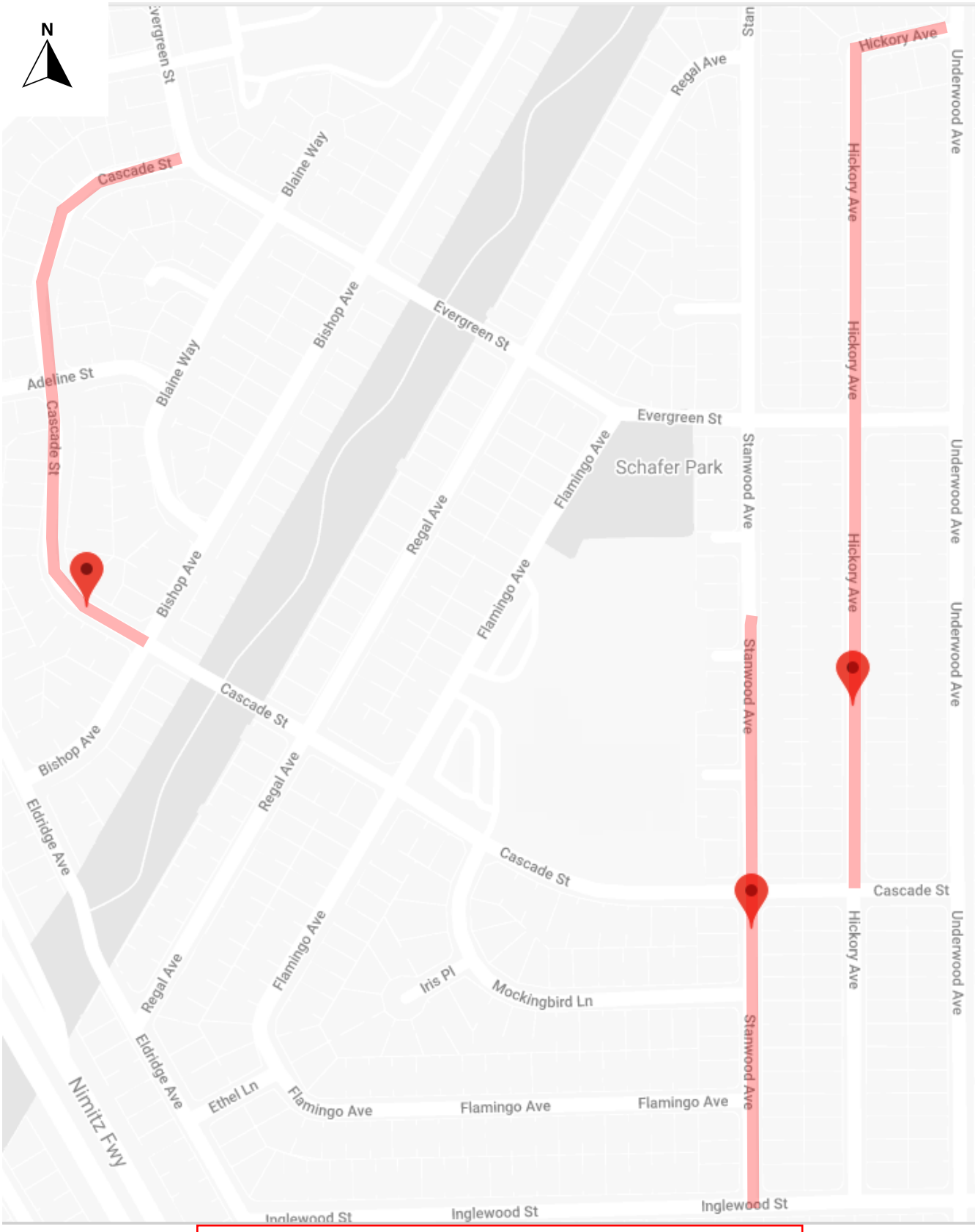


HIGHLAND BLVD



BRYN MAWR AVE, SPRING DR, SPRING CT

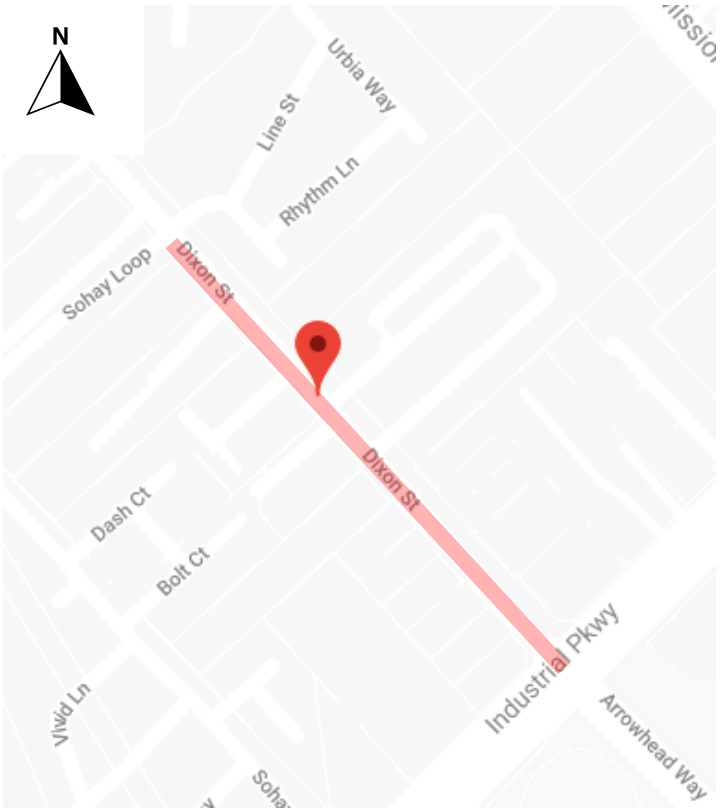
WATERLINE IMPROVEMENT PROJECT, PROJECT NO. 07093



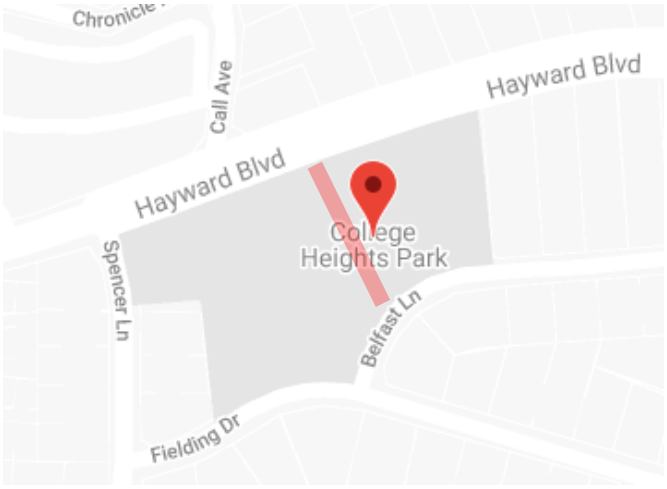
CASCADE ST, STANWOOD AVE, HICKORY AVE

WATERLINE IMPROVEMENT PROJECT, PROJECT NO. 07093

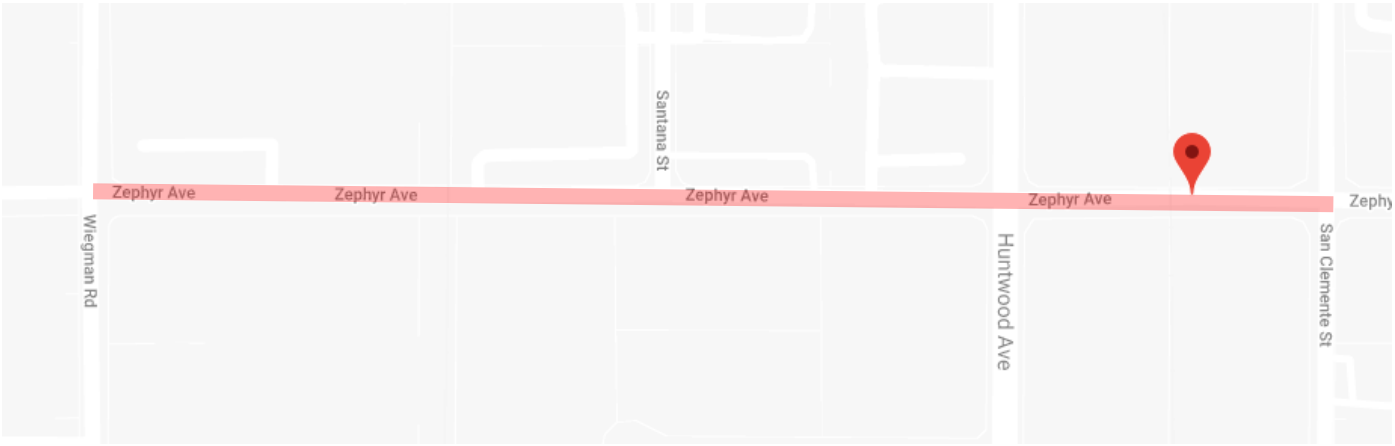
LOCATION MAP PAGE 3 OF 6



DIXON ST

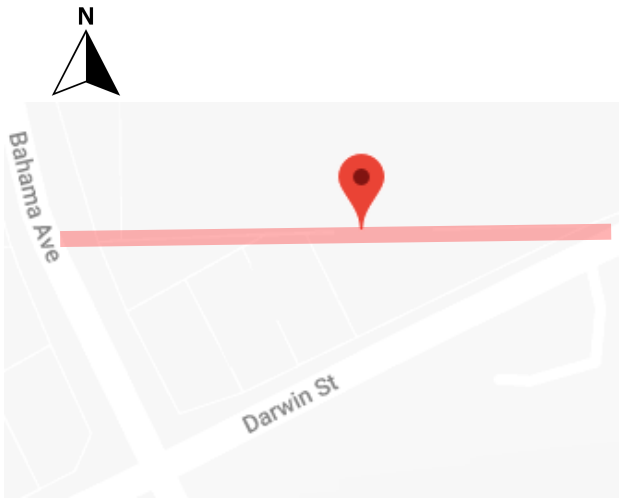


COLLEGE HEIGHTS PARK

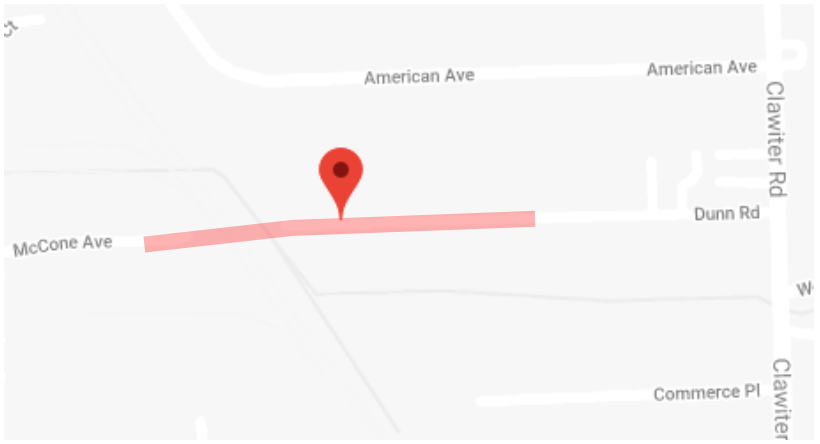


ZEPHYR AVE

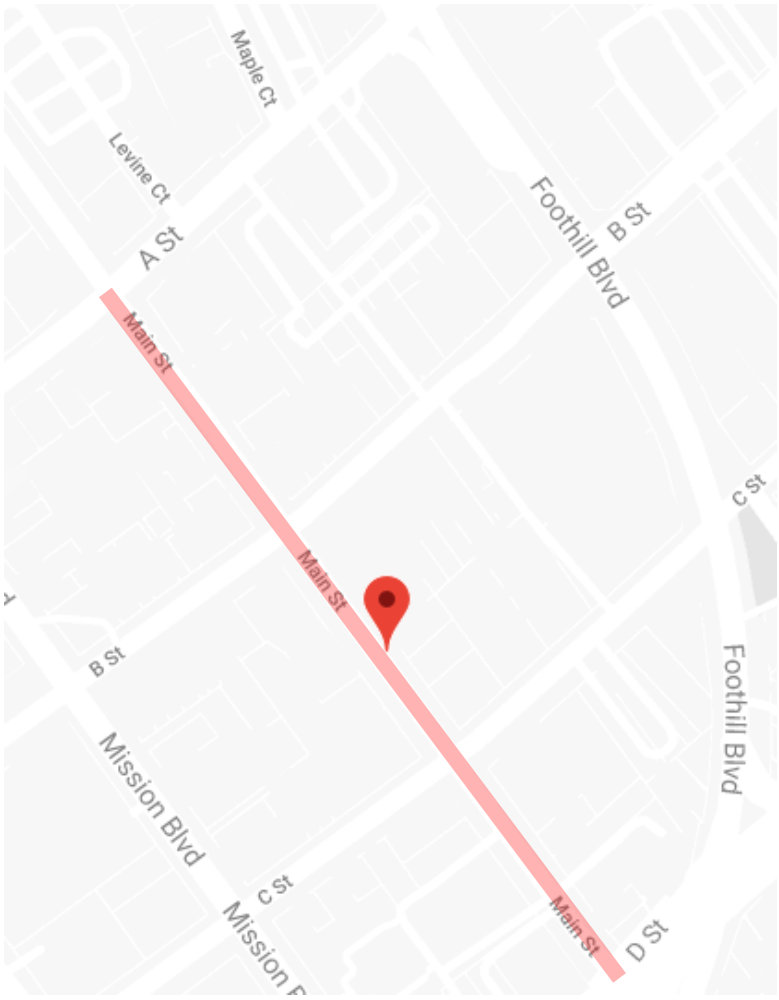
WATERLINE IMPROVEMENT PROJECT, PROJECT NO. 07093



DARWIN ST



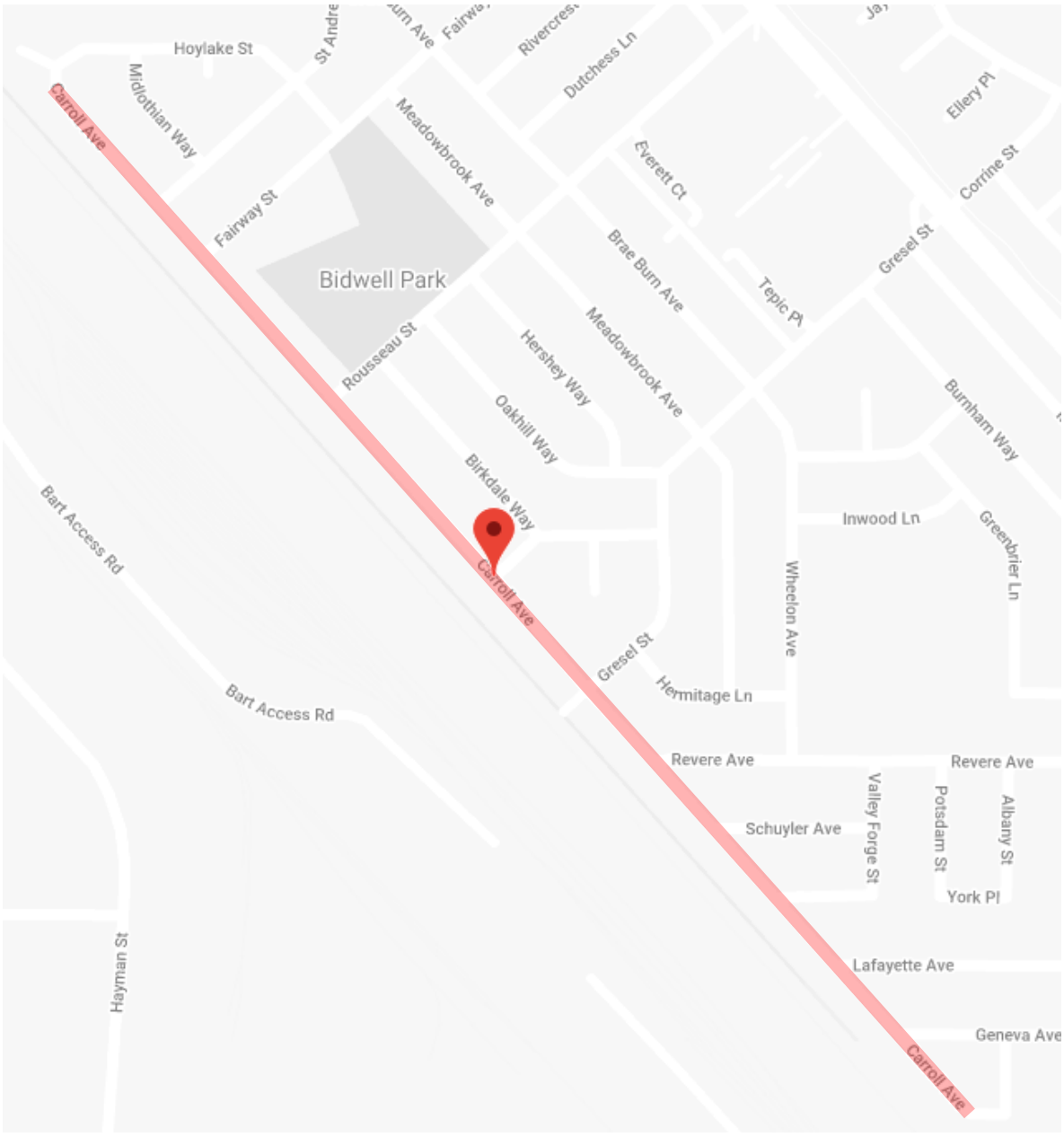
McCONE AVE, DUNN RD



MAIN ST

WATERLINE IMPROVEMENT PROJECT, PROJECT NO. 07093

LOCATION MAP PAGE 5 OF 6



CARROLL AVE

WATERLINE IMPROVEMENT PROJECT, PROJECT NO. 07093

LOCATION MAP PAGE 6 OF 6

File #: CONS 21-636

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT
Approval of Final Map of Tract 8359, a 13 Lot Subdivision at 24765 Hesperian Boulevard, Hayward to Allow the Construction of Single-Family Residences with Common Open Space Area, and Related Site Improvements; Applicant/Owner: Jason Creek Ventures, LLC., Application No. 202101368

RECOMMENDATION
That the Council adopts the attached resolution (Attachment II) to approve the Final Map for Tract 8359 (Attachment III), find it in substantial conformance with the approved Vesting Tentative Tract Map (Attachment IV), and authorize the City Manager to execute the Subdivision Agreement, related other documents and take appropriate administrative actions to effectuate the improvements required by the Conditions of Approval.

SUMMARY

The Final Map for Tract 8359 subdivides one existing parcel at 24765 Hesperian Boulevard into 13 lots consisting of 13 single family homes and six accessory dwelling units, a common open space, and related site improvements. A Vicinity Map is included as Attachment V. The Council is also requested to authorize the City Manager to execute a Subdivision Improvement Agreement to compete all required improvements.

The Final Map and Improvement Plans are based on the Vesting Tentative Map approved by Council by Resolution 18-117 on June 19, 2018. In addition to the Vesting Tentative Map, Council approved Ordinance 18-08 on June 19, 2018, rezoning the property to a Planned Development District. The City Engineer has reviewed the Final Map and Improvement Plans and has determined these documents to be in substantial compliance with the City approved Vesting Tentative map, applicable City Standards and addressing the City's conditions of map approval.

ATTACHMENTS

Attachment I	Staff Report Tract 8359
Attachment II	Resolution Tract 8359
Attachment III	Final Map Tract 8359
Attachment IV	Vesting Tentative Map Tract 8359
Attachment V	Vicinity Map

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BACKGROUND

Tentative Map - Per State law, Tentative and Final maps are required for subdivision of real property into five or more parcels. A Vesting Tentative Map Application (No. 201605551) showing the proposed subdivision of 24765 Hesperian Boulevard (Assessor Parcel Number 441-0012-062-02) into 13 lots consisting of 13 single family homes and six accessory

dwelling units, a common open space, along with preliminary plans and documents describing the proposed development was reviewed and approved by the Council on June 19, 2018 subject to certain Conditions of Approval. On June 19, 2018, Council approved the PD Rezone from Single Family Residential to Planned Development District. The City's Planning Commission recommended approval of the Vesting Tentative Map and PD Rezone for Tract 8359 to the Council on May 24, 2018.

The Council approved the Vesting Tentative Map and PD Rezone of Tract 8359 in a public meeting after considering comments from the public and public agencies. Council also considered compliance with the Subdivision Map Act, the Environmental Quality Act, Planned Development guidelines, the City Subdivision Ordinance, Zoning Code, Building Regulations, the Hayward General Plan, Specific & Neighborhood Plans, and the site-specific requirements of the Planning, Public Works, Fire, and Police Departments. The 13 single family homes and six accessory dwelling units proposed in the subdivision will fulfill several goals and objectives of the City's General Plan by providing in-fill development, increasing housing diversity and including compete streets elements.

DISCUSSION

Final Map and Improvements Plans - After Vesting Tentative Map approval, the subdivider has submitted the Final Map and Improvement Plans. The City Engineer has reviewed and determined these documents to be in substantial compliance with the City approved Vesting Tentative map, applicable City Standards and addressing the City's conditions of the map approval.

Improvement Agreement and Securities - The subdivider has requested the City's approval of the Final Map before all required improvements are completed as provided for in the State Subdivision Map Act Section 66462. The subdivider has agreed to execute an agreement with the City to complete the improvements required for the subdivision in a timely manner as per the improvement plans approved by the City Engineer and as stipulated in the Hayward Municipal Code Section 10-3.330 (a). Securities for the required improvements have been posted as per the Hayward Municipal Code Section 10-3.332(a). New improvements will include: extension of the City's sewer and water service to each new unit and fire hydrants; new private roadways within the development, site lighting and stormwater treatment basins to be maintained by the Homeowners Association (HOA); All utilities within the subdivision will be underground.

The Council's approval of the Final Maps shall not become effective until and unless the developer enters into a Subdivision Agreement with the City for the construction of improvements and other obligations required per conditions of approval of the Vesting Tentative Tract Map. Subsequently, the applicant may have the Final Map recorded, obtain building permits, and commence the construction of improvements shown on the approved Improvement Plans.

ENVIRONMENTAL REVIEW

The environmental review was completed when the Vesting Tentative Map was approved in 2018. There is no substantial change proposed in the Project or in its environmental setting, nor is there any new information, which would require additional environmental review.

ECONOMIC AND FISCAL IMPACT

The Final Map, by itself, will not have a fiscal or economic impact. The development created by approval of the final map will improve commerce, provide needed housing and employ construction workers. Property tax revenues received by the City and several other local agencies will increase once the homes are constructed and occupied. The Final Map approval is consistent with the approved project.

STRATEGIC ROADMAP

Approval of the Final Map supports the Preserve, Protect, & Produce Housing priority in the City's Strategic Roadmap, providing a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

SUSTAINABILITY FEATURES

The proposed project includes placement of solar panels on all residences as an amenity in exchange for the proposed PD District designation. In addition, each unit will be built to the Build It Green Gold Standard including installation of energy efficient appliances, windows and insulation within all residential units. The residences will also be pre-wired for electric car chargers and include tools to harvest rainwater for landscaping which are required per the Building Code and the Hayward Municipal Code.

NEXT STEPS

If the Council approves the Final Map, the applicant will have the Final Map recorded after executing the Subdivision Improvement Agreement. The applicant will then be able to secure building permits for new units and construct for sale as individual homes. Occupancy permits for the new homes will be issued only after the required improvements are completed as per the plans approved by the City and a HOA is incorporated for the maintenance and repair of the new common use improvements within the subdivision.

Prepared by: Scott Wikstrom, Development Services Engineer

Recommended by: Jennifer Ott, Assistant City Manager / Development Services Director

Approved by:

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

Introduced by Council Member _____

RESOLUTION APPROVING THE FINAL MAP OF TRACT 8359, ACCEPTING THE EASEMENTS DEDICATED THEREON FOR PUBLIC USE AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT AND RELATED OTHER DOCUMENTS

WHEREAS, Vesting Tentative Tract Map No. 8359 for Mission Village, was approved by the City Council of the City of Hayward on June 19, 2018; and

WHEREAS, the Final Map for Tract 8359 has been presented to the City Council of the City of Hayward for development of 13 lots consisting of 13 single family homes and six accessory dwelling units, a common open space, and related site improvements located on one existing parcel (Assessor Parcel Number 441-0012-062-02) at 24765 Hesperian Boulevard; and

WHEREAS, the City Engineer has determined the map substantially complying with its Vesting Tentative Map and the City Surveyor has determined the map technically correct; and

WHEREAS, the City Engineer has also determined the Tract 8359 Improvement Plans acceptable and conforming to the City's Conditions of Approval of the Vesting Tentative Map for Tract 8359; and

WHEREAS, Subdivider has requested the Council approval of Tract Map 8359 before its required improvements are completed and has agreed to complete the same within the time limits specified in an agreement with the city and post securities required therefor.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hayward does hereby find that the Final Map for Tract 8359 is in substantial compliance with its approved Vesting Tentative Tract Map and does hereby approve the said Final Map and accepts on behalf of the public all easements dedicated for public use thereon, subject to the subdivider entering into a subdivision agreement for the completion of improvements and other obligations, as required by the conditions of approval of the Vesting Tentative Tract Map for Tract 8359, and that the approval of the Final Map for Tract 8359 shall not be effective until and unless and such agreement is entered into.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to negotiate and execute, for and on behalf of the City of Hayward, a subdivision agreement in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

TRACT 8359
24765 HESPERIAN BOULEVARD

CONSISTING OF 4 SHEETS
BEING A SUBDIVISION OF THE PARCEL OF LAND DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NUMBER 2020-283212, ALAMEDA COUNTY RECORDS.
CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

cbg
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
ROSEVILLE ▪ (916)788-4456
WWW.CBANDG.COM

SEPTEMBER 2021

OWNER'S STATEMENT

THE UNDERSIGNED, JASON CREEK VENTURES, LLC, DOES HEREBY STATE THAT THEY ARE THE OWNERS OF THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINES OF THE HEREIN EMBODIED MAP ENTITLED "TRACT 8359, 24765 HESPERIAN BOULEVARD", CONSISTING OF 4 SHEETS, THIS STATEMENT BEING ON SHEET ONE (1) THEREOF; THAT SAID UNDERSIGNED ACQUIRED TITLE TO SAID LAND BY VIRTUE OF THAT GRANT DEED RECORDED OCTOBER 22, 2020, AS INSTRUMENT NUMBER 2020-283212, OFFICIAL RECORDS OF ALAMEDA COUNTY, CALIFORNIA, AND THAT SAID UNDERSIGNED HAS CAUSED SAID MAP TO BE PREPARED FOR RECORD; AND THAT SAID UNDERSIGNED CONSENTS TO THE PREPARATION AND FILING OF THIS MAP;

AND THE UNDERSIGNED DO HEREBY DEDICATE TO THE CITY OF HAYWARD, EASEMENTS WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF APPLICABLE STRUCTURES AND APPURTENANCES UNDER, UPON AND OVER ANY AREA OR STRIP OF LAND DESIGNATED AS "PUE" (PUBLIC UTILITY EASEMENT), AS DELINEATED WITHIN THE EXTERIOR BOUNDARY OF THIS MAP; AND THAT SAID AREAS OR STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS OR STRUCTURES OF ANY KIND, EXCEPT APPLICABLE UTILITY STRUCTURES, DRAINAGE FACILITIES, SEWER FACILITIES, WATER FACILITIES, IRRIGATION SYSTEMS, APPURTENANCES, AND LAWFUL FENCES;

AND THE UNDERSIGNED DO HEREBY DEDICATE EASEMENTS TO THE CITY OF HAYWARD FOR PUBLIC USE, THE AREAS DESIGNATED AS "WLE" (WATER LINE EASEMENT) FOR INGRESS AND EGRESS, CONSTRUCTION AND MAINTENANCE OF WATER SYSTEM FACILITIES INCLUDING WATER LINES AND APPURTENANCES THERETO; MAINTENANCE OF SAID WATER SYSTEM FACILITIES, WATER LINES AND APPURTENANCES THERETO SHALL BE THE RESPONSIBILITY OF THE CITY OF HAYWARD;

AND THE UNDERSIGNED DO HEREBY DEDICATE EASEMENTS TO THE CITY OF HAYWARD FOR PUBLIC USE, THE AREAS DESIGNATED "SSE" (SANITARY SEWER EASEMENT) FOR SANITARY SEWER PURPOSES, INCLUDING INGRESS AND EGRESS, CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS, STRUCTURES, AND APPURTENANCES, WHETHER COVERED OR OPEN AND FOR THE CLEARING OF OBSTRUCTIONS AND VEGETATION; MAINTENANCE OF SAID SEWER IMPROVEMENTS, STRUCTURES AND APPURTENANCES THERETO SHALL BE THE RESPONSIBILITY OF THE CITY OF HAYWARD;

AND THE UNDERSIGNED DO HEREBY DEDICATE EASEMENTS TO THE CITY OF HAYWARD FOR PUBLIC USE SOLELY FOR EMERGENCY VEHICLE ACCESS OVER, UPON AND ACROSS THOSE AREAS DESIGNATED "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT);

AND THE UNDERSIGNED DO HEREBY DEDICATE TO THE PUBLIC FOREVER, EASEMENT WITH THE RIGHT OF INGRESS AND EGRESS FOR ACCESS PURPOSES UPON AND OVER ANY AREA OR STRIP OF LAND DESIGNATED AS A "PAE" (PUBLIC ACCESS EASEMENT). SAID EASEMENT TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT UNDERGROUND UTILITY STRUCTURES WHICH DO NOT CONFLICT WITH THE PURPOSE OF THE EASEMENT.

AND THE UNDERSIGNED DO HEREBY RESERVE AN EASEMENT FOR PRIVATE USE OVER THE AREAS DESIGNATED AS "PSDE" (PRIVATE STORM DRAIN EASEMENT) FOR THE PURPOSE OF UNDERGROUND STORMWATER DRAINAGE AND THE INSTALLATION, OPERATION, USE, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION, RESTORATION AND REMOVAL OF STORM DRAIN SYSTEM SERVING THIS SUBDIVISION; SAID EASEMENTS SHALL BE OWNED AND MAINTAINED IN ACCORDANCE WITH THE COVENANTS, CONDITIONS AND RESTRICTIONS GOVERNING TRACT 8359;

AND THE UNDERSIGNED DO HEREBY RESERVE THE PARCEL LABELED PARCEL A FOR OPEN SPACE, UTILITY, DRAINAGE, WALL/FENCE MAINTENANCE, STORM WATER TREATMENT, AND, LANDSCAPING PURPOSES. SAID PARCELS SHALL BE OWNED AND MAINTAINED IN ACCORDANCE WITH COVENANTS, CONDITIONS AND RESTRICTIONS GOVERNING TRACT 8359.

AND THE UNDERSIGNED DO HEREBY RESERVE THE PARCEL LABELED PARCEL B (CALI COURT) FOR THE PURPOSES OF PRIVATE STREET, PARKING AND DRIVEWAYS; SAID PARCEL HEREBY CONSTITUTES PRIVATE INGRESS AND EGRESS EASEMENT (PIEE) AND PRIVATE STORM DRAINAGE EASEMENTS (PSDE) FOR THE BENEFIT OF ALL THE LOTS AND PARCELS WITHIN THIS MAP; MAINTENANCE OF SAID PARCEL SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION IN ACCORDANCE WITH THE RESTRICTIONS GOVERNING THIS SUBDIVISION; SAID PARCEL IS NOT OFFERED FOR DEDICATION TO THE PUBLIC.

THIS MAP SHOWS ALL EASEMENTS ON THE PREMISES, OR OF THE RECORD, UNLESS OTHERWISE NOTED.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THIS STATEMENT AND THESE DEDICATIONS TO BE EXECUTED THIS _____ DAY OF _____, 20____.

AS OWNER: JASON CREEK VENTURES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____
NGAI MING WANG, MANAGER

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____ } SS.
COUNTY OF _____ }

ON _____, BEFORE ME, _____ , A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: _____

NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

TRUSTEE'S STATEMENT

THE UNDERSIGNED CORPORATION, AS TRUSTEE UNDER THE DEED OF TRUST RECORDED ON MARCH 15, 2019, INSTRUMENT NUMBER 2019047210 OF OFFICIAL RECORDS, ALAMEDA COUNTY, CALIFORNIA; DOES HEREBY JOIN IN AND CONSENT TO THE FOREGOING OWNERS STATEMENT AND ALL DEDICATIONS SHOWN HEREIN.

BY: _____

TITLE: _____

DATE: _____

TRUSTEE'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____ } SS.
COUNTY OF _____ }

ON _____, BEFORE ME, _____ , A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____

NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I, ANIKA CAMPBELL-BELTON, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY CERTIFY, AS CHECKED BELOW THAT:

[ ] AN APPROVED BOND HAS BEEN FILED WITH THE SUPERVISORS OF THE SAID COUNTY AND STATE IN THE AMOUNT OF $_____ CONDITIONED FOR PAYMENT OF ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH ARE NOT A LIEN AGAINST SAID LAND OR ANY PART THEREOF BUT NOT YET PAYABLE AND WAS DULY APPROVED BY SAID BOARD IN SAID AMOUNT.

[ ] ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES HAVE BEEN PAID AS CERTIFIED BY THE TREASURER-TAX COLLECTOR OF THE COUNTY OF ALAMEDA.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND THIS _____ DAY OF_____, 20___.

_____
ANIKA CAMPBELL-BELTON
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF ALAMEDA, CALIFORNIA

BY: _____
DEPUTY CLERK

COUNTY RECORDER'S STATEMENT

FILED FOR RECORD, THIS_____ DAY OF_____, 20_____, AT_____ IN BOOK____

_____ OF MAPS, AT PAGE_____, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

MELISSA WILK
COUNTY RECORDER IN AND FOR THE
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

TRACT 8359
24765 HESPERIAN BOULEVARD

CONSISTING OF 4 SHEETS
BEING A SUBDIVISION OF THE PARCEL OF LAND DESCRIBED IN
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ALAMEDA COUNTY RECORDS.
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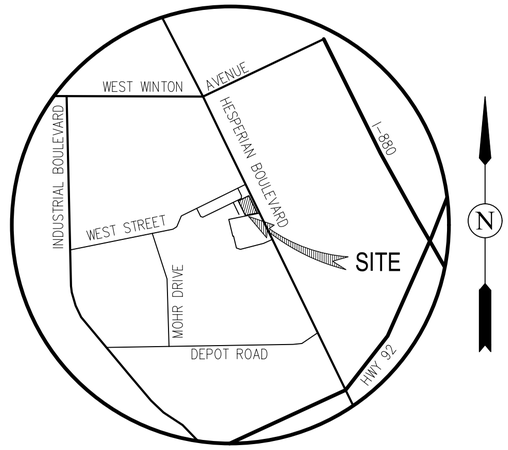
SEPTEMBER 2021



VICINITY MAP
NOT TO SCALE

CITY SURVEYOR'S STATEMENT

I, DAN S. SCOTT III, CITY SURVEYOR HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY SURVEYOR OF THE CITY OF HAYWARD, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT 8359, 24765 HESPERIAN BOULEVARD", CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA:

I AM SATISFIED THAT THE SURVEY DATA SHOWN THEREIN IS TECHNICALLY CORRECT.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND THIS _____ DAY OF_____, 20_____.

LICENSED LAND SURVEYOR
DAN S. SCOTT III
7840
STATE OF CALIFORNIA

_____
DAN S. SCOTT III, PLS 7840
CITY SURVEYOR, CITY OF HAYWARD
ALAMEDA COUNTY, STATE OF CALIFORNIA

CITY CLERK'S STATEMENT

I, MIRIAM LENS, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF HAYWARD, ALAMEDA COUNTY, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 8359, 24765 HESPERIAN BOULEVARD", CONSISTING OF 4 SHEETS, THIS STATEMENT BEING ON SHEET 2 THEREOF, WAS PRESENTED TO SAID COUNCIL, AS PROVIDED BY LAW, AT A REGULAR MEETING HELD ON THIS _____ DAY OF _____ , 20_____ , AND THAT SAID COUNCIL DID THEREUPON , BY RESOLUTION NUMBER _____, PASSED AND ADOPTED AT SAID MEETING, APPROVED SAID MAP AND ACCEPTED ON BEHALF OF THE PUBLIC, THE EASEMENTS OFFERED FOR DEDICATION AS "PAE" (PUBLIC ACCESS EASEMENT), "PUE" (PUBLIC UTILITY EASEMENT), "WLE" (WATER LINE EASEMENT), "SSE" (SANITARY SEWER EASEMENT), AND "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT).

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND THIS _____ DAY OF_____, 20_____.

_____
MIRIAM LENS, CITY CLERK AND
CLERK OF THE COUNCIL OF THE CITY OF HAYWARD,
ALAMEDA COUNTY, STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I, ALEX AMERI, CITY ENGINEER OF THE CITY OF HAYWARD, DO HEREBY STATE THAT THE HEREIN EMBODIED FINAL MAP, ENTITLED "TRACT 8359, 24765 HESPERIAN BOULEVARD", CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA, CONSISTING OF 4 SHEETS, THIS STATEMENT BEING ON SHEET 2 THEREOF; HAS BEEN EXAMINED AND THAT THE SUBDIVISION, AS SHOWN UPON SAID MAP, IS SUBSTANTIALLY THE SAME AS SAID SUBDIVISION APPEARED ON THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP AND ANY APPROVED AMENDMENTS THEREOF; AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND AMENDMENTS THERETO, AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND THIS _____ DAY OF_____, 20_____.

REGISTERED PROFESSIONAL ENGINEER
ALEX AMERI
40155
STATE OF CALIFORNIA

_____
ALEX AMERI RCE NO. 40155
CITY ENGINEER, CITY OF HAYWARD
ALAMEDA COUNTY, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

I, MARK H. WEHBER, HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AT THE REQUEST OF NUVERA HOMES, IT IS BASED UPON A FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECTION IN NOVEMBER 2020, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, AND IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP (IF ANY) AND APPROVED AMENDMENTS THEREOF, I ALSO HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2025, AND THAT THE MONUMENTS ARE, OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. THE GROSS AREA WITHIN THIS MAP IS 1.80 ACRES, MORE OR LESS.

_____
DATE

LICENSED LAND SURVEYOR
MARK H. WEHBER
7960
STATE OF CALIFORNIA

_____
MARK H. WEHBER, P.L.S.
L.S. NO. 7960

SOIL / GEOTECHNICAL REPORT NOTE

A SOILS REPORT ON THIS PROPERTY HAS BEEN PREPARED BY ENGEO, INC, PROJECT/FILE NO. 12684.000.0000 DATED JANUARY 11, 2016, WHICH HAS BEEN FILED WITH THE CITY OF HAYWARD.

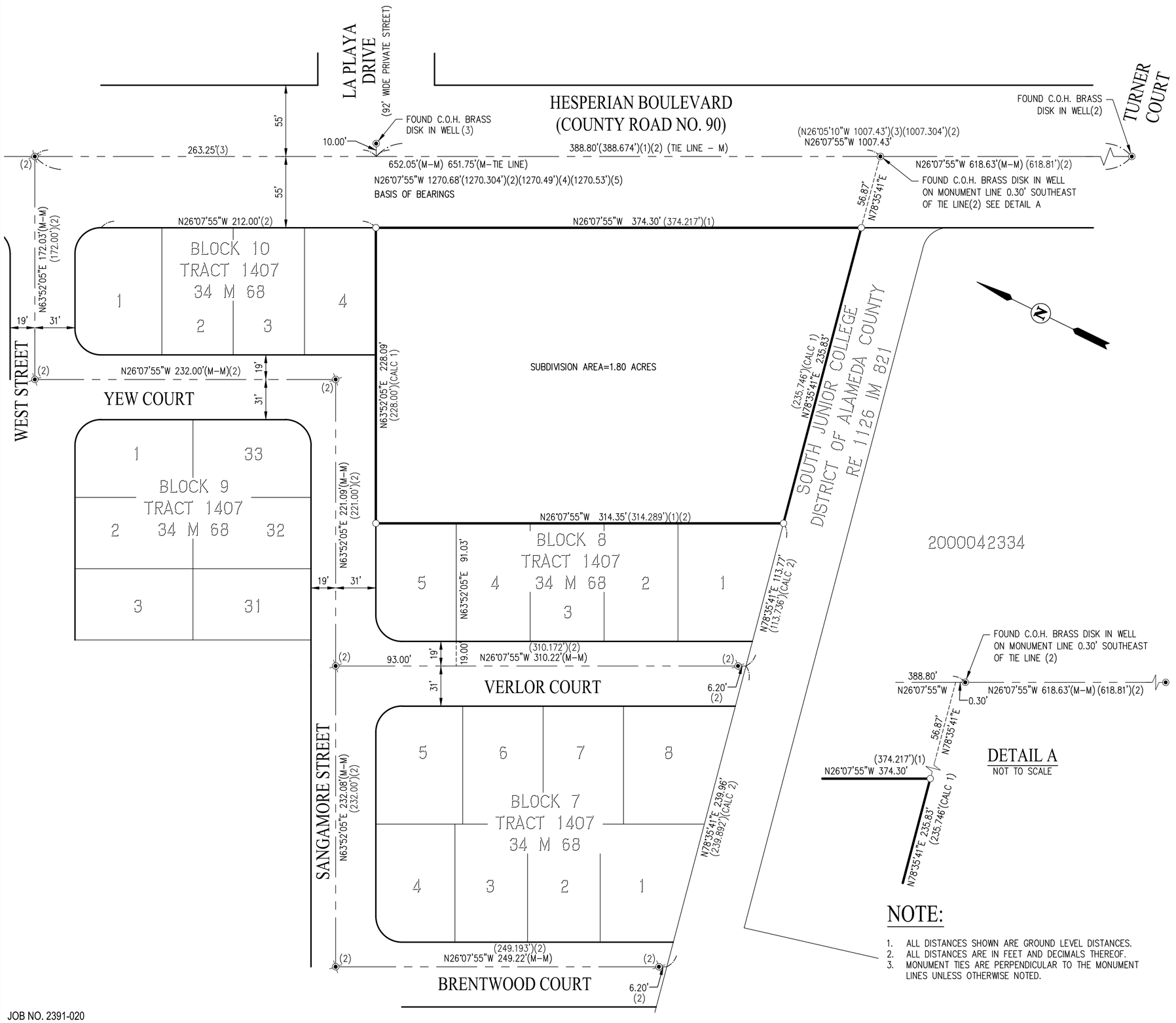
TRACT 8359
24765 HESPERIAN BOULEVARD

CONSISTING OF 4 SHEETS
BEING A SUBDIVISION OF THE PARCEL OF LAND DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NUMBER 2020-283212, ALAMEDA COUNTY RECORDS.
CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

cbg
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
ROSEVILLE ▪ (916)788-4456
WWW.CBANDG.COM

SCALE: 1" = 50' SEPTEMBER 2021

50' 0' 25' 50' 100' 200'
GRAPHIC SCALE



DETAIL A
NOT TO SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MONUMENT LINE OF HESPERIAN BOULEVARD, BEING N26°07'55"W PER TRACT 1407 (34 M 68).

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – – –	EASEMENT LINE
-----------	TIE LINE
——— – – ———	MONUMENT LINE
——— – ———	CENTERLINE
(T)	TOTAL DISTANCE
(R)	RADIAL BEARING
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(CALC #)	CALCULATED FROM REFERENCE #
◉	FOUND MONUMENT C.O.H. UNLESS OTHERWISE NOTED
⊗	FOUND BOLT IN CONCRETE W/CUT CROSS IN WELL
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET 5/8" REBAR AND CAP, OR NAIL AND TAG, LS 7960
EVAE	EMERGENCY VEHICLE ACCESS
C.O.H.	CITY OF HAYWARD
PAE	PUBLIC ACCESS EASEMENT
PIEE	PRIVATE INGRESS EGRESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
SSE	SANITARY SEWER EASEMENT
WLE	WATER LINE EASEMENT

NOTE:

1. ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES.
2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. MONUMENT TIES ARE PERPENDICULAR TO THE MONUMENT LINES UNLESS OTHERWISE NOTED.

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) GRANT DEED 2020283212
(2) TRACT 1407 (34 M 68)
(3) PARCEL MAP 6064 (196 M 83)
(4) PARCEL MAP (58 PM 51)
(5) COH SURVEY MONUMENTATION MAP 1–9 SHEET 4

TRACT 8359
24765 HESPERIAN BOULEVARD

CONSISTING OF 4 SHEETS
BEING A SUBDIVISION OF THE PARCEL OF LAND DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NUMBER 2020-283212, ALAMEDA COUNTY RECORDS.
CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

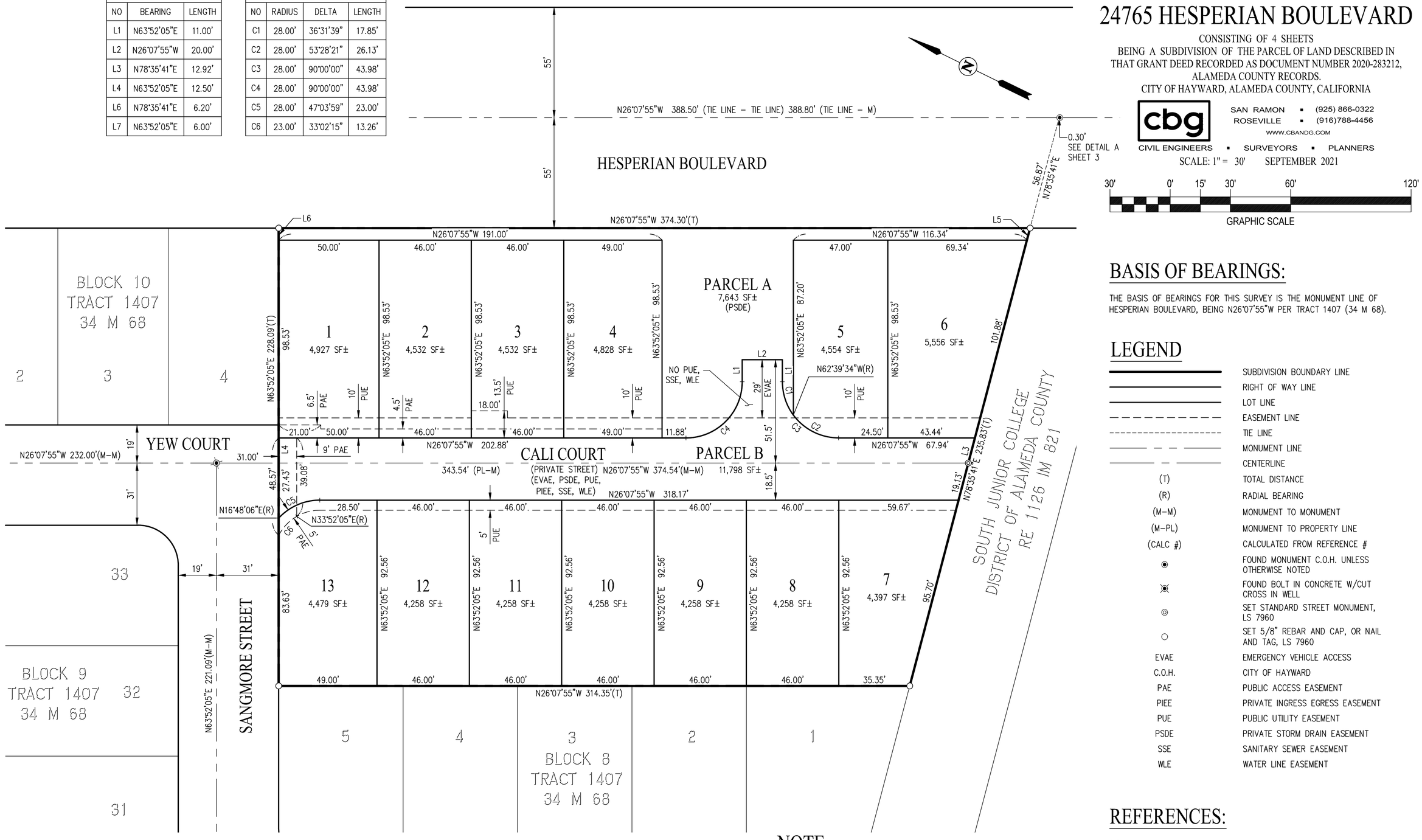
cbg CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
ROSEVILLE ▪ (916)788-4456
WWW.CBANDG.COM

SCALE: 1" = 30' SEPTEMBER 2021

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE

LINE TABLE		
NO	BEARING	LENGTH
L1	N63°52'05"E	11.00'
L2	N26°07'55"W	20.00'
L3	N78°35'41"E	12.92'
L4	N63°52'05"E	12.50'
L5	N78°35'41"E	6.20'
L6	N63°52'05"E	6.00'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	28.00'	36°31'39"	17.85'
C2	28.00'	53°28'21"	26.13'
C3	28.00'	90°00'00"	43.98'
C4	28.00'	90°00'00"	43.98'
C5	28.00'	47°03'59"	23.00'
C6	23.00'	33°02'15"	13.26'



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MONUMENT LINE OF HESPERIAN BOULEVARD, BEING N26°07'55"W PER TRACT 1407 (34 M 68).

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
-----	TIE LINE
——— – – ———	MONUMENT LINE
——— – – ———	CENTERLINE
(T)	TOTAL DISTANCE
(R)	RADIAL BEARING
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(CALC #)	CALCULATED FROM REFERENCE #
◉	FOUND MONUMENT C.O.H. UNLESS OTHERWISE NOTED
⊗	FOUND BOLT IN CONCRETE W/CUT CROSS IN WELL
◎	SET STANDARD STREET MONUMENT, LS 7960
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EVAE	EMERGENCY VEHICLE ACCESS
C.O.H.	CITY OF HAYWARD
PAE	PUBLIC ACCESS EASEMENT
PIEE	PRIVATE INGRESS EGRESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
SSE	SANITARY SEWER EASEMENT
WLE	WATER LINE EASEMENT

NOTE:

1. ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES.
2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. MONUMENT TIES ARE PERPENDICULAR TO THE MONUMENT LINES UNLESS OTHERWISE NOTED.

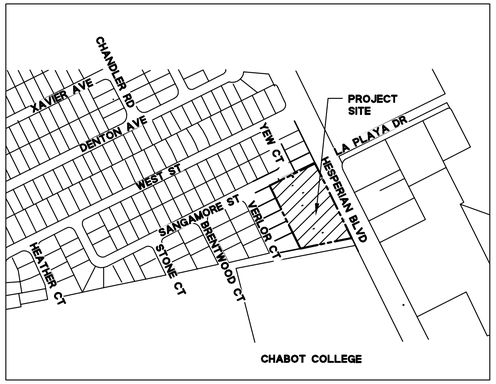
REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) GRANT DEED 2020283212
(2) TRACT 1407 (34 M 68)
(3) PARCEL MAP 6064 (196 M 83)
(4) PARCEL MAP (58 PM 51)
(5) COH SURVEY MONUMENTATION MAP 1–9 SHEET 4

24765 HESPERIAN BOULEVARD

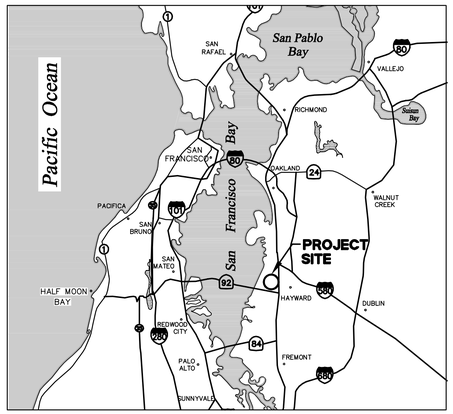
VESTING TENTATIVE TRACT MAP #8359

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA



VICINITY MAP

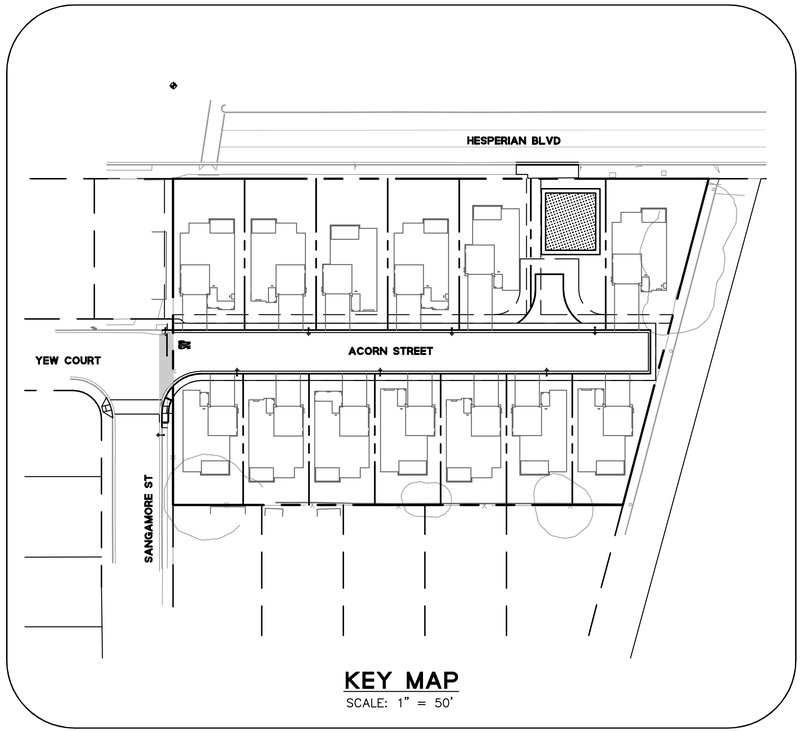
N.T.S.



LOCATION MAP

N.T.S.

SHEET INDEX	
SHEET NUMBER	**SHEET TITLE**
1	TITLE SHEET
2	EXISTING CONDITIONS AND DEMOLITION PLAN
3	PROPOSED LOT PLAN
4	PRELIMINARY SITE PLAN
5	PRELIMINARY GRADING PLAN
6	PRELIMINARY UTILITY PLAN
7	STORMWATER MANAGEMENT PLAN
8	EROSION CONTROL PLAN
8.1	EROSION CONTROL DETAILS
9	DETAILS AND SECTIONS
9.1	DETAILS AND SECTIONS
10	POLLUTION PREVENTION



KEY MAP

SCALE: 1" = 50'

APPLICANT
JOHN TREBLE
THREE CEDARS, LLC
1201 HOWARD AVENUE, SUITE 206
BURLINGAME, CA 94010
(650) 454-7854

LANDSCAPE ARCHITECT
KIRSTIN FLYNN
BORRECCE/KILLIAN & ASSOCIATES
1241 PINE STREET
MARTINEZ, CA 94553
(925) 372-5306

BASIS OF BEARINGS
THE BEARING NORTH 63°52'02" EAST BETWEEN FOUND MONUMENTS ON THE MONUMENT LINE OF SANGAMORE STREET AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 1407, CITY OF HAYWARD" FILED IN BOOK 34 OF MAPS AT PAGE 68, ALAMEDA COUNTY RECORDS IS THE BASIS OF ALL BEARINGS SHOWN UPON THIS MAP

OWNER'S STATEMENT
WE, THREE CEDARS, LLC, AGREE TO THE FILING OF SAID MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP.

AS OWNER:
THREE CEDARS, LLC

BY: _____

TITLE: _____

CIVIL ENGINEER
MIKE O'CONNELL, PE
BKF ENGINEERS
150 CALIFORNIA STREET, SUITE 650
SAN FRANCISCO, CA 94111
(415) 930-7900

ARCHITECT
BRIAN METCALF
KTYG ARCHITECTURE + PLANNING
580 SECOND STREET, SUITE 200
OAKLAND, CA 94607
(510) 463-2012

BENCHMARK
CITY OF HAYWARD BENCHMARK 3" BRASS DISK WITH PUNCH IN MONUMENT CASING LOCATED AT THE INTERSECTION OF HESPERIAN BOULEVARD AND LA PLAYA DRIVE.
ELEVATION = 42.880' (CITY OF HAYWARD DATUM)

PURPOSE
TO SUBDIVIDE SUBJECT SITE INTO THIRTEEN RESIDENTIAL LOTS WITH OPEN SPACE.

GEOTECHNICAL STATEMENT
A SOILS REPORT ON THIS PROPERTY HAS BEEN PREPARED BY, ENGEO, ENTITLED GEOTECHNICAL EXPLORATION DATED JANUARY 11 2016, WHICH HAS BEEN FILED WITH THE CITY OF HAYWARD.

GEOTECHNICAL ENGINEER:
ROBERT H. BOECHE

_____ TITLE: _____

ABBREVIATIONS

Δ	DELTA	L/C	LANDSCAPE
AB	AGGREGATE BASE	LF	LINEAR FEET
AC	ASPHALT CONCRETE	LG	LIP OF GUTTER
AD	AREA DRAIN	LID	LOW IMPACT DEVELOPMENT
B/W	BACK OF WALK	LOW	LIMIT OF WORK
BFP	BACKFLOW PREVENTER	LT	LIGHT
BLDG	BUILDING	N	NORTH
BTM	BOTTOM	OH	OVERHEAD
C&G	CURB AND GUTTER	P	PAD
CB	CATCH BASIN	PERF	PERFORATED
CCP	CONCRETE CYLINDER PIPE	PG&E	PACIFIC GAS & ELECTRIC
CL	CENTER LINE	PL	PROPERTY LINE
CONC	CONCRETE	PR	PROPOSED
CTV	CABLE TELEVISION	PVCI	POLYVINYL CHLORIDE
DCDA	DOUBLE CHECK DETECTOR ASSEMBLY	R	RADIUS
DOC	DOCUMENT	RCP	REINFORCED CONCRETE PIPE
DU	DWELLING UNITS	S	SOUTH
DW	DOMESTIC WATER	S/W	SIDEWALK
DWY	DRIVEWAY	S.A.D.	SEE ARCHITECTURAL DRAWINGS
E	EAST, ELECTRIC	SD	STORM DRAIN
EG	EXISTING GROUND	SDAD	STORM DRAIN AREA DRAIN
ELEC	ELECTRIC	SDCO	STORM DRAIN CLEANOUT
ELEV	ELEVATION	SDDI	STORM DRAIN DROP INLET
EP	EDGE OF PAVEMENT	SDMH	STORM DRAIN MANHOLE
ESMT	EASEMENT	S.L.P.	SEE LANDSCAPE PLANS
EVA	EMERGENCY VEHICLE ACCESS	SQ	SQUARE
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT	SS	SANITARY SEWER
EX	EXISTING	SSCO	SANITARY SEWER CLEANOUT
FC	FACE OF CURB	SSMH	SANITARY SEWER MANHOLE
FDC	FIRE DEPARTMENT CHECK	ST	STREET
FF	FINISHED FLOOR	STA	STATION
FG	FINISHED GRADE	SW	SIDEWALK
FH	FIRE HYDRANT	T	TOTAL
FL	FLOWLINE	TBD	TO BE DETERMINED
FNC	FENCE	TC	TOP OF CURB
FT	FEET	TCM	TREATMENT CONTROL MEASURE
FW	FIRE WATER	TEL	TELEPHONE
GFF	GROUND FINISHED FLOOR	TYP	TYPICAL
GND	GROUND	VC	VERTICAL CURVE
GR	GRATE	VERT	VERTICAL
HORZ	HORIZONTAL	W	WEST
INV	INVERT	WM	WATER METER
IRR	IRRIGATION	WV	WATER VALVE
JP	JOINT POLE		
L	LENGTH		

LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
10	10	CONTOUR LINE
		STORM DRAIN (SDR 35 PVC)
SS	SS	SANITARY SEWER (SDR 35 PVC)
W	W	WATER MAIN (C900 PVC)
	WS	WATER LATERAL (C900 PVC)
G	G	GAS LINE (PE)
FO	FO	FIBER OPTICS
JT	JT	JOINT TRENCH
	CO	SANITARY SEWER CLEANOUT
		SANITARY SEWER MANHOLE
		STORM DRAIN AREA DRAIN
		STORM DRAIN DROP INLET
		STORM DRAIN MANHOLE
		BIORETENTION
	WM	WATER METER
		WATER VALVE
		FIRE HYDRANT
		BACK FLOW PREVENTER
		FIRE DETECTOR CHECK
		DOUBLE CHECK DETECTOR ASSEMBLY
		TRANSFORMER
		ELECTRICAL BOX
		OVERHEAD LINE POLE

SYMBOL LEGEND

SYMBOL	DESCRIPTION
A C8.0	DETAIL SECTION A ON SHEET C8.0

ENGINEER'S STATEMENT
I, MICHAEL O' CONNELL, CERTIFY THAT THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT.

_____ 11/22/17

MICHAEL O'CONNELL, P.E. DATE
PROJECT MANAGER
BKF ENGINEERS

SURVEYORS'S STATEMENT
I, KEVIN STEIN, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, HEREBY STATE THAT THIS TENTATIVE MAP IS BASED UPON SURVEY UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH CITY OF HAYWARD SUBDIVISION ORDINANCE AND STATE MAP ACT.

_____

KEVIN STEIN, P.L.S DATE
BKF ENGINEERS

BKF 100 YEARS
150 CALIFORNIA ST., SUITE 650
SAN FRANCISCO, CA 94111
(415) 930-7900
www.bkf.com
ENGINEERS . SURVEYORS . PLANNERS

24765 HESPERIAN BOULEVARD-TRACT #8359
VESTING TENTATIVE TRACT MAP
TITLE SHEET
ALAMEDA COUNTY CALIFORNIA
HAYWARD

REGISTERED PROFESSIONAL ENGINEER
MICHAEL A. O'CONNELL
No. 75311
EXP. 6/30/18
CIVIL
STATE OF CALIFORNIA

No.	Revisions

Date 11/22/17
Scale AS SHOWN
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

Drawing Number:
C1.0
1 OF 12

NOT FOR CONSTRUCTION

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C1.0 TITLE SHEET.dwg
PLOT DATE: 11-20-17
PLOTTED BY: mitc

NOTES:

1. ALL TREES TO BE REMOVED UNLESS OTHERWISE NOTED.
2. EXISTING UTILITIES SHOWN ARE APPROXIMATE ONLY AND BASED ON RECORD DRAWINGS AND/OR SURVEY INFORMATION BY LEA & BRAZE ENGINEERING, INC.

LEGEND:

- APPROXIMATE SAWCUT LINE (2' OFF PROPOSED LIP OF GUTTER).
- REMOVE EXISTING UTILITIES
- REMOVE EXISTING CONCRETE OR GRAVEL
- REMOVE EXISTING BUILDING

LIMITS OF SLURRY SEAL

EX CROSSWALK TO BE RESTRIPED

HESPERIAN BOULEVARD (ROW VARIES)

EXISTING DRIVEWAY AND SIDEWALK TO BE REMOVED AND REPLACED

N26° 07' 55.00"W 374.22'

17"CEDAR

14"CEDAR

REMOVE EX JP

EX TREE TO REMAIN

17"TREE

REMOVE EXISTING HOUSE

REMOVE EXISTING ELECTRICAL LINE

8"TREE

18"TREE

S78° 35' 41.00"W 235.14'

LOT 4
BLOCK 10
TRACT 1407
34 MAPS 68

EX FENCE TO BE DEMOLISHED

16"18"TREE

CB
TC=39.27
RIM=38.57
INV=36.27
15"RCP

EX SDCB TO REMAIN

REMOVE SIDEWALK, CURB, AND GUTTER

EX SSMH TO REMAIN

YEW COURT (50' ROW)

8"VCP

SSMH
RIM=39.18
INV=32.78

6" ASBESTOS CEMENT

REMOVE EX GRAVEL

EX BUILDING TO BE DEMOLISHED

REMOVE EX JP

LANDS OF
TRAN/GARDNER
APN 441-0012-062-02
78,489 SQ.FT.
1.80 ACRES

EX SD TO REMAIN

REMOVE EXISTING WATER METER

EX FENCE TO BE DEMOLISHED

LOW

EX TREE TO REMAIN

32"OAK

21"OAK

OAK

7"OAK

10"OAK

N63° 52' 05.00"E 228.00'

N26° 07' 55.00"W 314.29'

SANGAMORE STREET (50' ROW)

8"VCP

18"RCP

CB
TC=38.62
RIM=38.02
INV=34.92

SSMH
RIM=38.63
INV=31.53

LOT 5
BLOCK 8
TRACT 1407
34 MAPS 68

LOT 4
BLOCK 8
TRACT 1407
34 MAPS 68

LOT 3
BLOCK 8
TRACT 1407
34 MAPS 68

LOT 2
BLOCK 8
TRACT 1407
34 MAPS 68

LOT 1
BLOCK 8
TRACT 1407
34 MAPS 68

LANDS OF
STATE OF CALIFORNIA &
SOUTH COUNTY COLLEGE JR

GRAPHIC SCALE
20 0 20 40

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C2.0 EXISTING CONDITIONS.dwg
PLOT DATE: 11-22-17
PLOTTED BY: mitc

BKF 100+ YEARS
150 CALIFORNIA ST., SUITE 650
SAN FRANCISCO, CA 94111
(415) 930-7900
www.bkf.com
ENGINEERS . SURVEYORS . PLANNERS

24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
EXISTING CONDITIONS AND DEMOLITION PLAN

HAYWARD CALIFORNIA
ALAMEDA COUNTY

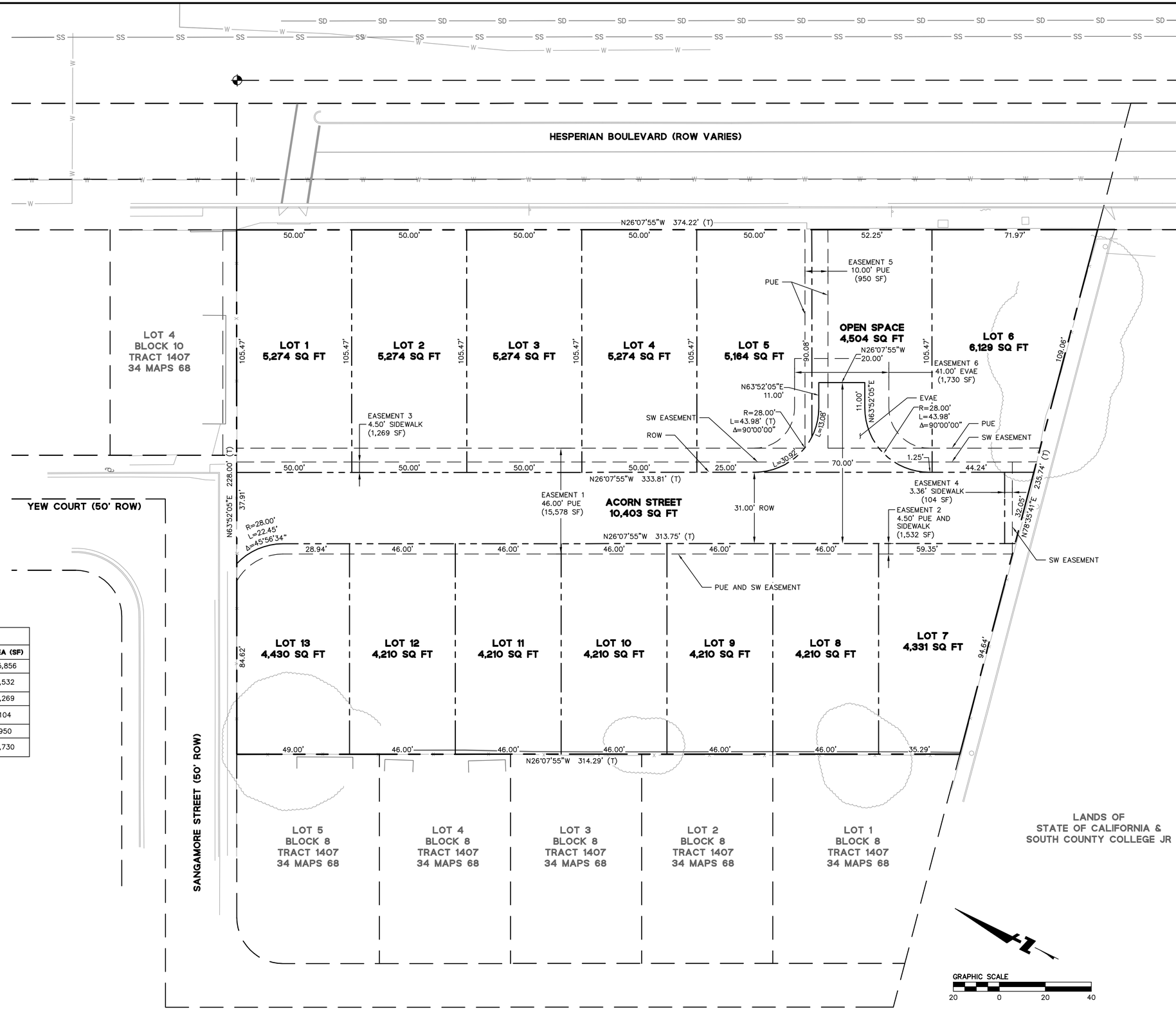
REGISTERED PROFESSIONAL ENGINEER
M. A. O'CONNOR
No. 75817
EXP. 6/30/18
CIVIL
STATE OF CALIFORNIA

No.	Revisions

Date 11/22/17
Scale 1"=20'
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

Drawing Number:
C2.0
2 OF 12

NOT FOR CONSTRUCTION



NOTES:

1. PROJECT SITE: 78,490 SF (1.8AC)
2. PRIVATE STREET: 10,403 SF (0.27AC)
3. SMALLEST LOT SIZE: 4,210 SF
   LARGEST LOT SIZE: 6,129 SF
   AVERAGE LOT SIZE: 4,784 SF
4. DENSITY: 7.2 DU/AC

EASEMENT TABLE

EASEMENT NO.	DESCRIPTION	BENEFACTOR	AREA (SF)
1	46.00' PUBLIC UTILITY EASEMENT	THE CITY	15,856
2	4.50' PUE AND SIDEWALK EASEMENT	THE CITY	1,532
3	4.50' SIDEWALK EASEMENT	THE CITY	1,269
4	3.36' SIDEWALK EASEMENT	THE CITY	104
5	10.00' PUBLIC UTILITY EASEMENT	THE CITY	950
6	41.00' EMERGENCY VEHICLE ACCESS EASEMENT	THE CITY	1,730

BKF 100+ YEARS
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ENGINEERS . SURVEYORS . PLANNERS

24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
PROPOSED LOT PLAN

HAYWARD CALIFORNIA
ALAMEDA COUNTY

REGISTERED PROFESSIONAL ENGINEER
MAEL K. O CONNOR
No. 73811
EXP. 6/30/18
CIVIL
STATE OF CALIFORNIA

Revisions	No.

Date 11/22/17
Scale 1"=20'
Design AMJ
Drawn SSM
Approved MAO
Job No 20150295

Drawing Number:
C3.0
3 OF 12

NOT FOR CONSTRUCTION

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C3.0 TENTATIVE MAP.dwg
PLOT DATE: 11-16-17 PLOTTED BY: mitc

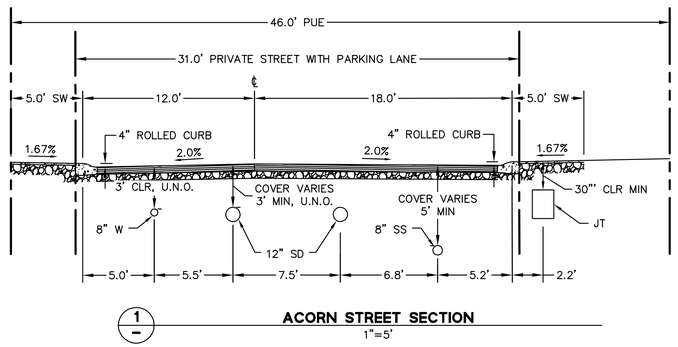
PROJECT SUMMARY

OWNER:	AILINH TRAN, A MARRIED WOMAN, AS HER SOLE AND SEPARATE PROPERTY.
SUBDIVIDER:	THREE CEDARS, LLC 1201 HOWARD AVENUE SUITE 206 BURLINGAME, CA 94010 (650) 454–7854 CONTACT: JOHN TREBLE
ENGINEER:	BKF ENGINEERS 150 CALIFORNIA STREET, SUITE 650 SAN FRANCISCO, CA 94111 (415) 930–7900 CONTACT: MIKE O'CONNELL, PE
AREA:	1.80 ACRES
ASSESSOR PARCEL NO: EXISTING ZONING:	441–0012–062–02 SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING:	SINGLE FAMILY RESIDENTIAL
EXISTING LAND USE:	SINGLE FAMILY HOME
PROPOSED LAND USE:	SUBDIVIDE SUBJECT SITE INTO THIRTEEN RESIDENTIAL LOTS.
PARKING:	
DENSITY:	8.5 UNITS/ACRE
FEMA ZONE:	FLOOD ZONE X (OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN) PER MAP NO. 06001C0288G DATED 8/3/2009.
UTILITIES:	
WATER SUPPLY:	WATER FACILITIES WITHIN PUBLIC UTILITY EASEMENTS, UP TO AND INCLUDING WATER METERS, WILL BE OWNED AND MAINTAINED BY THE CITY OF HAYWARD.
FIRE PROTECTION:	CITY OF HAYWARD
SEWAGE DISPOSAL:	SANITARY SEWER FACILITIES SHALL BE PUBLIC, OWNED AND MAINTAINED BY THE CITY OF HAYWARD. IF THE SEWER MAINS EITHER THE ENTIRE ROADWAY SHALL BE A PUBLIC UTILITY EASEMENT OR A MINIMUM OF 10' WIDE EASEMENT SHALL BE GRANTED TO THE CITY.
STORM DRAIN:	ON–SITE – PRIVATE OFF–SITE – CITY OF HAYWARD
GAS:	PACIFIC GAS & ELECTRIC
ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE TELEVISION:	COMCAST

LEGEND

SPECIAL PAVEMENT

HESPERIAN BOULEVARD (ROW VARIES)
LIMITS OF SLURRY SEAL
SLURRY SEAL
RESTRIPE EX CROSSWALK
NEW SW, CURB, AND GUTTER
NEW MASONRY SOUNDWALL AT PL
TCM 1
LOT 4 BLOCK 10 TRACT 1407 34 MAPS 68
LOT 1 PLAN 2B
LOT 2 PLAN 2A ALT
LOT 3 PLAN 1A
LOT 4 PLAN 2B
LOT 5 PLAN 1B
LOT 6 PLAN 2A
PR STOP SIGN, TYPE R1–1
CONNECT TO EX IMPROVEMENTS
EX ELEC STRUCTURE WITH STREET LIGHT
YEW COURT (50' ROW)
PR STREET LIGHT, TYP
SPECIAL PAVEMENT
PR 12" WHITE STOP LINE
30.0' FC TO FC
31.0' PRIVATE ROW
46.0' PUE
ACORN STREET (PRIVATE STREET)
PR 4" ROLLED CURB AND GUTTER
PR 6" VERTICAL CURB AND GUTTER
4.5' SW
CONNECT TO EX IMPROVEMENTS
PR STREET LIGHT, TYP
SANGAMORE STREET (50' ROW)
LOT 13 PLAN 1B
LOT 12 PLAN 2A ALT
LOT 11 PLAN 2B ALT
LOT 10 PLAN 1A
LOT 9 PLAN 2A ALT
LOT 8 PLAN 1B
LOT 7 PLAN 1A
LOT 5 BLOCK 8 TRACT 1407 34 MAPS 68
LOT 4 BLOCK 8 TRACT 1407 34 MAPS 68
LOT 3 BLOCK 8 TRACT 1407 34 MAPS 68
LOT 2 BLOCK 8 TRACT 1407 34 MAPS 68
LOT 1 BLOCK 8 TRACT 1407 34 MAPS 68
LANDS OF STATE OF CALIFORNIA & SOUTH COUNTY COLLEGE JR



1 — ACORN STREET SECTION
1"=5'

GRAPHIC SCALE
20 0 20 40

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24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
PRELIMINARY SITE PLAN
HAYWARD CALIFORNIA
ALAMEDA COUNTY

REGISTERED PROFESSIONAL ENGINEER MICHAEL K. O'CONNELL No. 73817 EXP. 6/30/18 CIVIL STATE OF CALIFORNIA

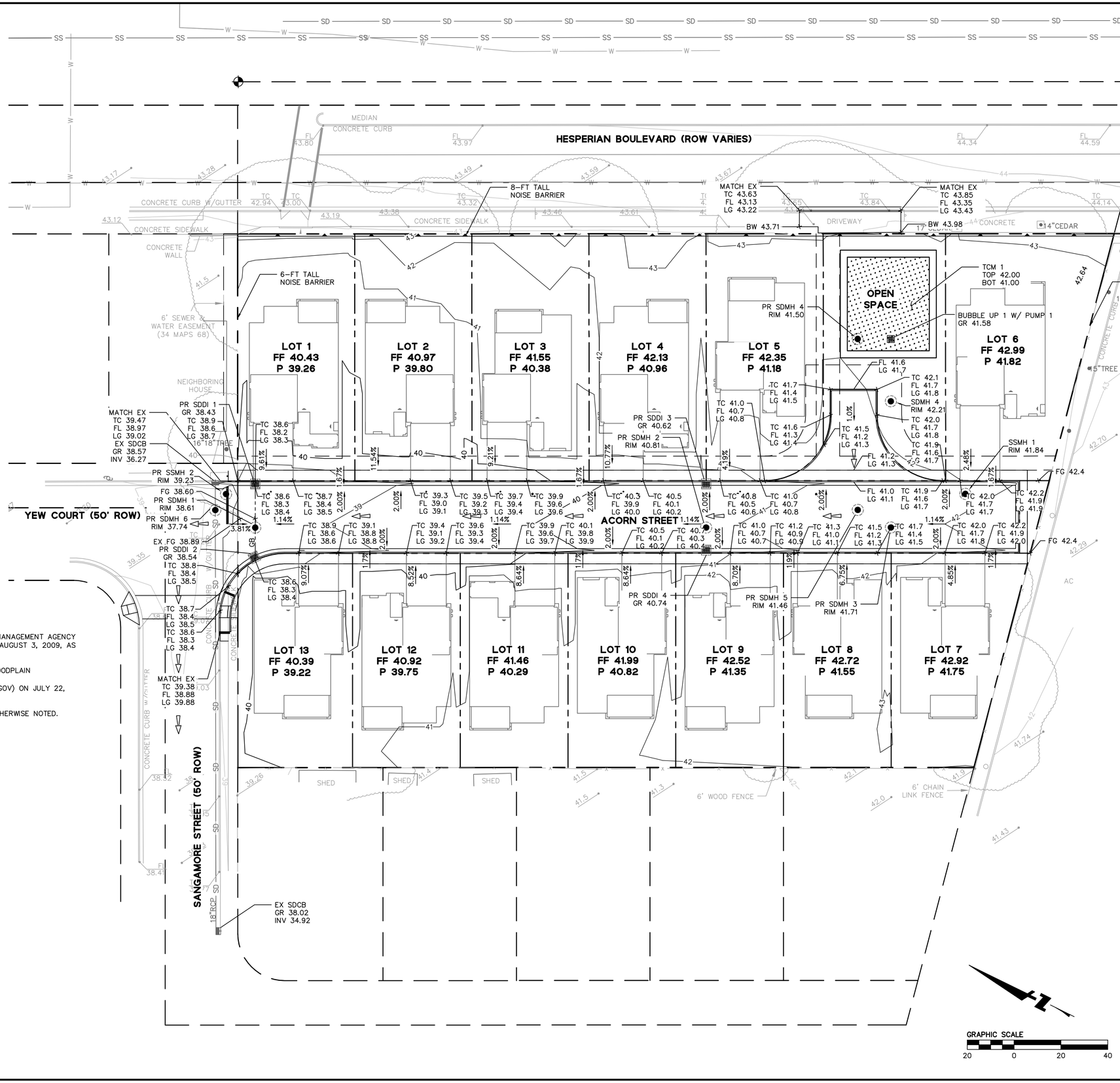
No.	Revisions

Date 11/22/17
Scale 1"=20'
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

Drawing Number:
C4.0
4 OF 12

NOT FOR CONSTRUCTION

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C4.0 SITE PLAN.dwg
PLOT DATE: 11–20–17
PLOTTED BY: mitc



LEGEND:

GRADE BREAK

OVERLAND RELEASE PATH

NOTES:

1. FLOOD ZONE NOTE:
   THE SUBJECT PROPERTY IS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 06001C0288G, DATED AUGUST 3, 2009, AS BEING LOCATED IN FLOOD ZONE X

   AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

   INFORMATION WAS OBTAINED FROM THE FEMA WEBSITE (WWW.FEMA.GOV) ON JULY 22, 2016

2. LIMITS OF GRADING ARE EQUAL TO THE PROPERTY LINE UNLESS OTHERWISE NOTED.

3. TOTAL AREA GRADED= 78,490 SF (1.80 AC)

PRELIMINARY EARTHWORK	
	CUBIC YARDS (CY)
CUT	685
FILL	1,857
NET	1,172

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C5.0 GRADING PLAN.dwg
PLOT DATE: 11-22-17
PLOTTED BY: mitc

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24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
PRELIMINARY GRADING PLAN

HAYWARD CALIFORNIA
ALAMEDA COUNTY

REGISTERED PROFESSIONAL ENGINEER ANDREW M. JOHNSON No. 75817 EXP. 6/30/18 CIVIL STATE OF CALIFORNIA

No.	Revisions

Date 11/22/17
Scale 1"=20'
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

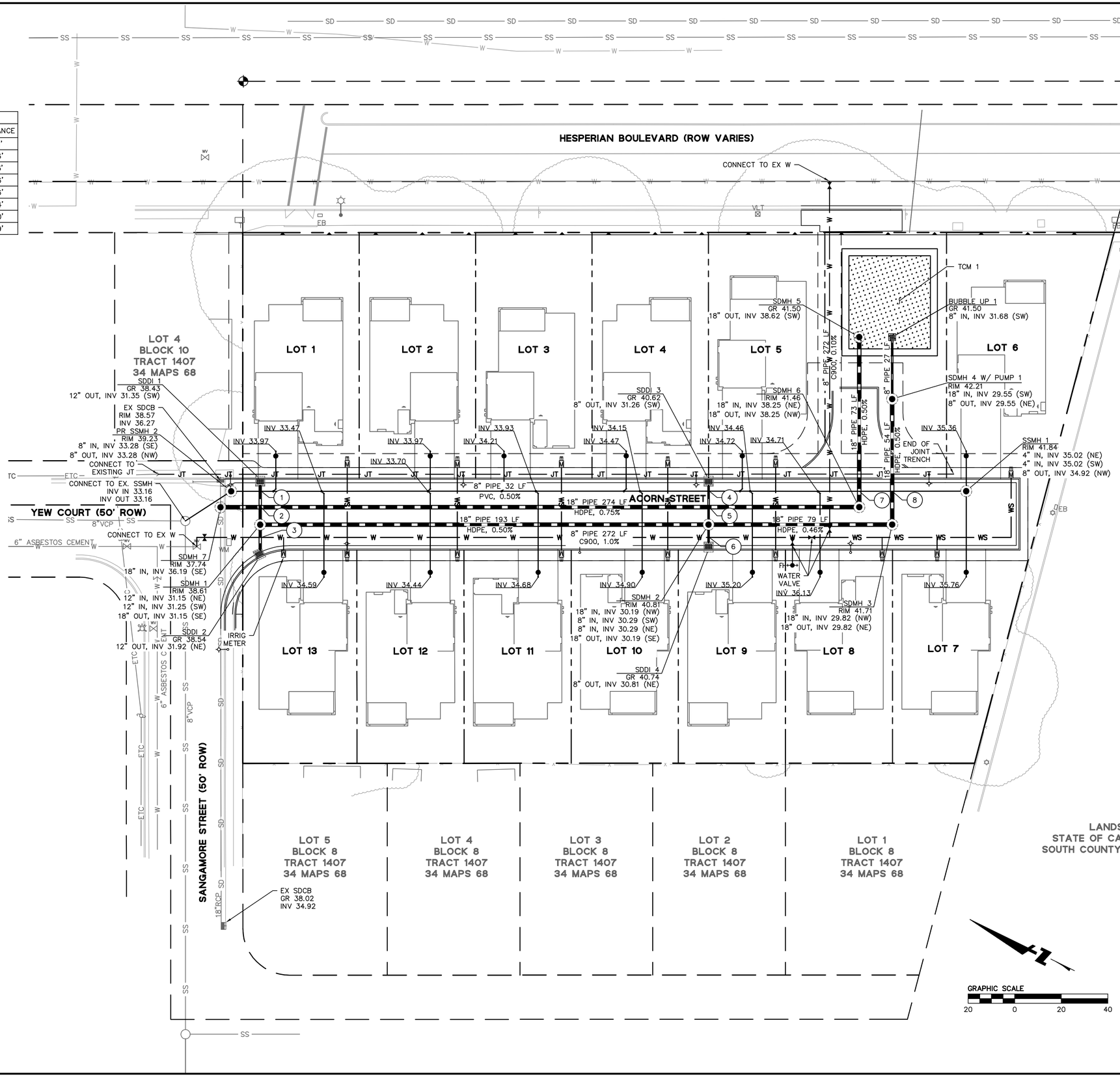
Drawing Number:
C5.0
5 OF 12

NOT FOR CONSTRUCTION

PIPE CROSSING TABLE					
NUMBER	PIPE	TOP/BOTTOM	CROSSING PIPE	TOP/BOTTOM	CLEARANCE
1	SEWER	33.31	STORM DRAIN	32.30	1.01'
2	STORM DRAIN	36.22	STORM DRAIN	32.26	3.96'
3	WATER	34.79	STORM DRAIN	32.86	1.93'
4	SEWER	34.29	STORM DRAIN	31.44	2.86'
5	STORM DRAIN	37.66	STORM DRAIN	31.40	6.26'
6	WATER	36.99	STORM DRAIN	31.55	5.44'
7	SEWER	35.39	STORM DRAIN	38.19	2.80'
8	SEWER	34.66	STORM DRAIN	31.77	2.89'

NOTES:

1) WATER SERVICE LATERALS WILL HAVE 3' MIN COVER, U.N.O.
2) JOINT TRENCH WILL MAINTAIN 30" MINIMUM COVER UNDER PAVEMENT AND 24" MINIMUM COVER UNDER LANDSCAPE
3) ALL SEWER LATERAL SLOPES ARE 2%, U.N.O.



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24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
PRELIMINARY UTILITY PLAN

HAYWARD CALIFORNIA
ALAMEDA COUNTY

REGISTERED PROFESSIONAL ENGINEER MARK A. O'CONNOR No. 75817 EXP. 6/30/18 CIVIL STATE OF CALIFORNIA

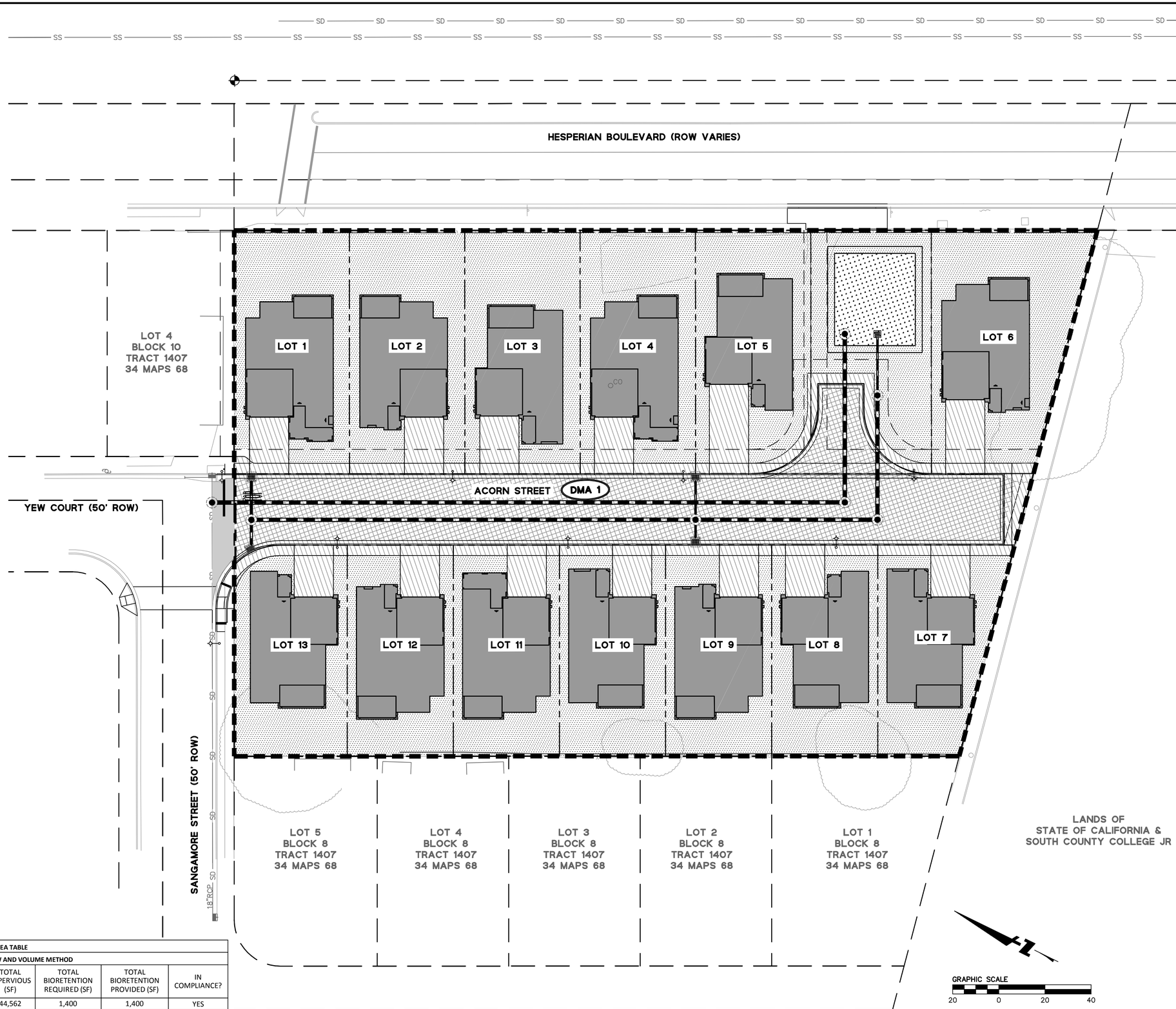
No.	Revisions

Date 11/22/17
Scale 1"=20'
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

Drawing Number:
C6.0
6 OF 12

NOT FOR CONSTRUCTION

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C6.0 UTILITY PLAN.dwg
PLOT DATE: 11-22-17 PLOTTED BY: mitc



LEGEND:

- IMPERVIOUS ROOF AREA
- IMPERVIOUS PAVEMENT AREA
- IMPERVIOUS CONCRETE AREA
- PERVIOUS LANDSCAPE AREA
- BIORETENTION AREA
- DRAINAGE MANAGEMENT AREA (DMA)

DRAINAGE MANAGEMENT AREA TABLE

BIORETENTION SIZING -COMBINATION FLOW AND VOLUME METHOD

DRAINAGE MANAGEMENT AREA	TOTAL AREA (SF)	ROOFS (SF)	CONCRETE (SF)	PAVEMENT (SF)	LANDSCAPE* (SF)	TOTAL IMPERVIOUS (SF)	TOTAL BIORETENTION REQUIRED (SF)	TOTAL BIORETENTION PROVIDED (SF)	IN COMPLIANCE?
1	78,490	25,513	9,952	9,097	32,528	44,562	1,400	1,400	YES
TOTAL	**78,490**	**25,513**	**9,952**	**9,097**	**32,528**	**44,562**			

* LANDSCAPE VALUES EXCLUDE PROPOSED BIORETENTION AREAS

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C7.0 STORMWATER MANAGEMENT PLAN.dwg
PLOT DATE: 11-20-17 PLOTTED BY: mitc

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24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
STORMWATER MANAGEMENT PLAN

HAYWARD CALIFORNIA
ALAMEDA COUNTY

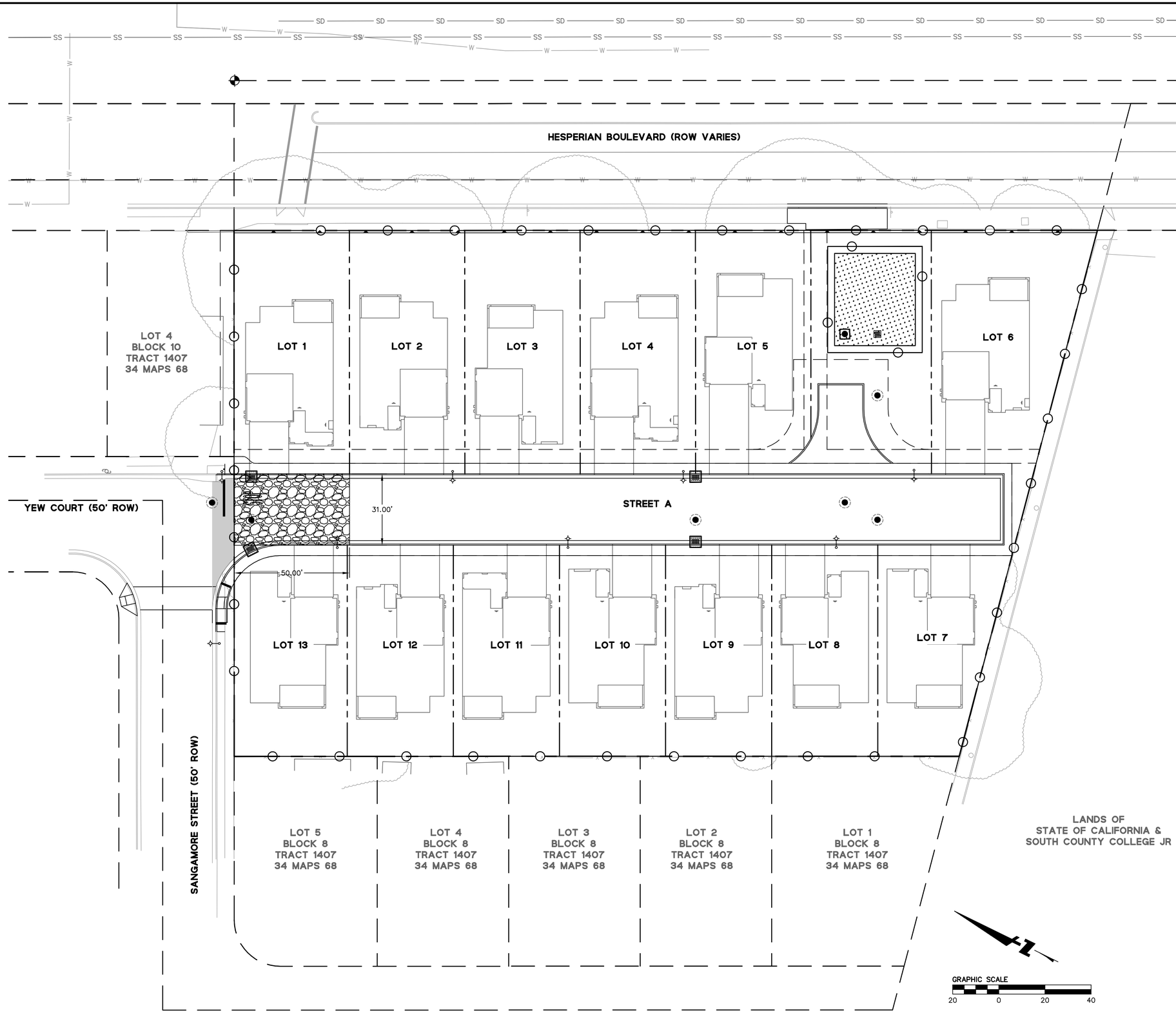
REGISTERED PROFESSIONAL ENGINEER
MATT K. O'CONNOR
No. 75811
EXP. 6/30/18
CIVIL
STATE OF CALIFORNIA

No.	Revisions

Date 11/22/17
Scale AS SHOWN
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

Drawing Number:
C7.0
7 OF 12

NOT FOR CONSTRUCTION



LEGEND:

- STORM DRAIN MANHOLE
- FIBER ROLL (4 / C8.1)
- STABILIZED CONSTRUCTION ENTRANCE (2 / C8.1)
- INLET PROTECTION (1 / C8.1) (3 / C8.1)

NOTES:

1. TOTAL AREA OF LAND DISTURBANCE: 1.80 AC

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24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
EROSION CONTROL PLAN

HAYWARD ALAMEDA COUNTY CALIFORNIA

MOLM

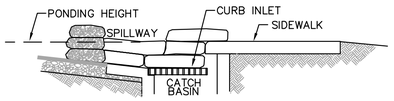
No.	Revisions

Date 11/22/17
Scale AS SHOWN
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

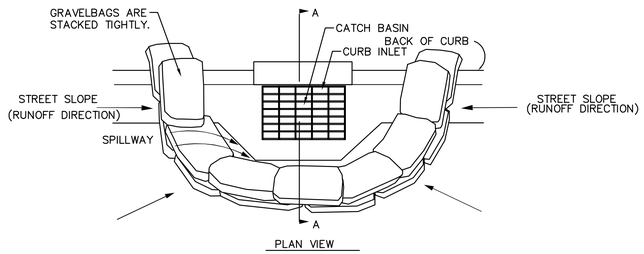
Drawing Number:
C8.0
8 OF 12

NOT FOR CONSTRUCTION

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C8.0 EROSION CONTROL PLAN.dwg
PLOT DATE: 11-16-17 PLOTTED BY: mitc



SECTION A–A

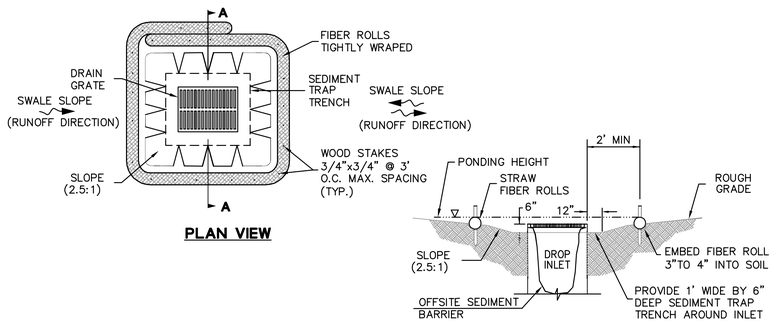


PLAN VIEW

NOTES:

1. PLACE CURB TYPE SEDIMENT BARRIERS ON GENTLY SLOPING STREETS, WHERE WATER CAN POND AND ALLOW SEDIMENT TO SEPARATE FROM RUNOFF.
2. BAGS OF EITHER BURLAP OR WOVEN GEOTEXTILE FABRIC ARE FILLED WITH GRAVEL, LAYERED AND PACKED TIGHTLY.
3. LEAVE ONE GRAVELBAG GAP IN THE TOP ROW TO PROVIDE A SPILLWAY OVERFLOW. TOP OF SPILLWAY SHALL BE LOWER THAN TOP OF CURB.
4. INSPECT BARRIERS AND REMOVE SEDIMENT AFTER EACH STORM EVENT, SEDIMENT AND GRAVEL MUST BE REMOVED FROM THE TRAVELED WAY IMMEDIATELY.

1 — INLET PROTECTION
NTS



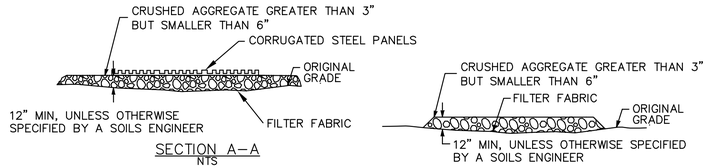
PLAN VIEW

SECTION A–A (DROP INLET/SWALE LOW POINT)

NOTES:

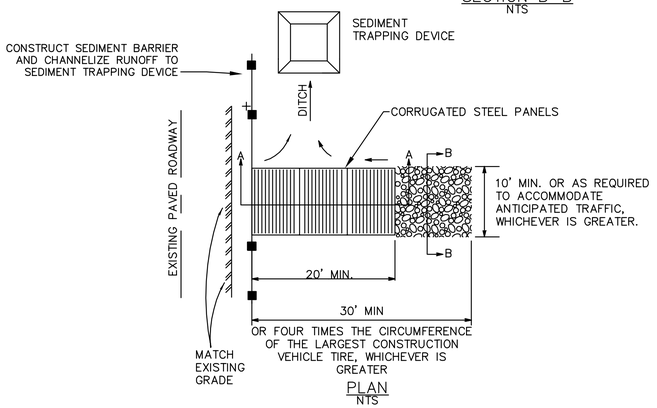
1. PLACE FIBER ROLLS AROUND THE INLET CONSISTENT WITH DROP INLET GRAVEL BAG PROTECTION AND CURB INLET GRAVEL BAG PROTECTION DETAILS SHOWN ON THIS SHEET. ROLLS ARE TUBES MADE FROM STRAW BOUND W/ PLASTIC NETTING, APPROX. 8" DIAMETER AND 20 TO 30 FEET LONG.
2. FIBER ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE FIBER ROLL IN A TRENCH, 3" – 4" DEEP, DUG ON CONTOUR. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND FIBER ROLL.
3. THE TOP OF THE STRUCTURE (PONDING HEIGHT) MUST BE WELL BELOW THE GROUND ELEVATION DOWNSLOPE TO PREVENT RUNOFF FROM BY–PASSING THE INLET. EXCAVATION OF A BASIN ADJACENT TO THE DROP INLET OR A TEMPORARY DIKE ON THE DOWNSLOPE OF THE STRUCTURE MAY BE NECESSARY.
4. TEMPORARY REMOVABLE TRASH RACK: IF SITE CONDITIONS WARRANT, PROVIDE AND INSTALL TRASH RACK MADE FROM GALVANIZED WELDED WIRE FABRIC WITH OPENING SIZE 2" BY 2" FORMED AND ATTACHED TO THE INLET TOP GRATE WITH STEEL WIRE TIES AND BURRY WELDED WIRE FABRIC 4" MINIMUM BELOW TEMPORARY ROUGH GRADE GROUND ELEVATION.

3 — INLET PROTECTION / SEDIMENT BARRIER
NTS



SECTION A–A
NTS

SECTION B–B
NTS

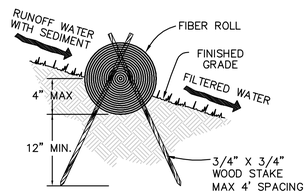


PLAN
NTS

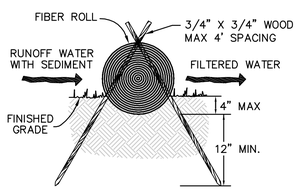
NOTES:

1. THE LOCATIONS SHOWN ARE FOR INFORMATION ONLY. CONSTRUCTION ENTRANCES SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT–OF–WAYS. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL ROCK AS CONDITIONS DEMAND, AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USE TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT–OF–WAYS SHALL BE REMOVED IMMEDIATELY.
2. WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT–OF–WAYS. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED ROCK THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN. SEDIMENT SHALL BE PREVENTED FROM ENTERING THE STORM DRAIN, DITCH OR WATERCOURSE THROUGH USE OF INLET PROTECTION (E.G. GRAVELBAGS OR OTHER APPROVED METHODS).
3. THE THICKNESS OF THE PAD SHALL NOT BE LESS THAN 12".
4. THE WIDTH OF THE PAD SHALL NOT BE LESS THAN THE FULL WIDTH OF ALL POINTS OF INGRESS OR EGRESS, OR 10', WHICHEVER IS LESS.

2 — STABILIZED CONSTRUCTION ENTRANCE
NTS



ENTRENCHMENT DETAIL IN SLOPE AREA



ENTRENCHMENT DETAIL IN FLAT AREA

NOTES:

1. PREPARE SLOPE BEFORE THE FIBER ROLL PROCEDURE IS STARTED.
2. FIBER ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN A TRENCH, 3" TO 4" DEEP, RUN PARALLEL TO THE CONTOUR. INSTALL FIBER ROLL FROM THE BOTTOM OF THE SLOPE AND WORK UP.
3. USE A STRAIGHT BAR TO DRIVE HOLES THROUGH THE FIBER ROLL AND INTO THE SOIL FOR WOODEN STAKES.
4. DRIVE THE STAKE THROUGH THE PREPARED HOLE INTO THE SOIL. LEAVE ONLY ONE OR TWO INCHES OF STAKE EXPOSED ABOVE FIBER ROLL.
5. INSTALL STAKES AT LEAST EVERY THREE FEET APART THROUGH THE FIBER ROLL.
6. ADJACENT FIBER ROLLS SHALL TIGHTLY ABUT.
7. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND FIBER ROLL.
8. INSTALL AT LOCATIONS SHOWN ON PLANS. IN SLOPE AREAS SPACE FIBER ROLLS EVERY 5 VERTICAL FEET ON SLOPE.

4 — FIBER ROLL
NTS

EROSION AND SEDIMENT CONTROL NOTES:

1. DEVELOPER: JOHN TREBLE, THREE CEDARS, LLC
   1440 CHAPIN AVENUE, SUITE 370
   BURLINGAME, CA 94010
   (650) 454–7854

   IT SHALL BE THE OWNER'S RESPONSIBILITY TO MAINTAIN CONTROL OF THE ENTIRE CONSTRUCTION OPERATION AND TO KEEP THE ENTIRE SITE IN COMPLIANCE WITH THE SOIL EROSION CONTROL PLAN.
2. CIVIL ENGINEER: BKF ENGINEERS
   150 CALIFORNIA STREET, SUITE 650
   SAN FRANCISCO, CA 94111
   (415) 930–7900
3. THIS PLAN IS INTENDED TO BE USED FOR INTERIM EROSION AND SEDIMENT CONTROL ONLY AND IS NOT TO BE USED FOR FINAL ELEVATIONS OR PERMANENT IMPROVEMENTS.
4. DEVELOPER WILL SUBMIT TO THE CITY MONTHLY (AT THE FIRST OF EACH MONTH BETWEEN OCTOBER 15TH AND APRIL 15TH) CERTIFICATIONS THAT ALL EROSION/SEDIMENT MEASURES IDENTIFIED ON THE APPROVED EROSION CONTROL PLAN ARE IN PLACE. IF MEASURES ARE NOT IN PLACE, DEVELOPER SHALL PROVIDE THE CITY WITH A WRITTEN EXPLANATION OF WHY THE MEASURE IS NOT PLACE AND WHAT WILL BE DONE TO REMEDY THIS SITUATION.
5. OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING EROSION AND SEDIMENT CONTROL MEASURES PRIOR, DURING AND AFTER STORM EVENTS.
6. REASONABLE CARE SHALL BE TAKEN WHEN HAULING ANY EARTH, SAND, GRAVEL, STONE, DEBRIS, PAPER OR OTHER SUBSTANCE OVER A PUBLIC STREET, ALLEY, OR OTHER PUBLIC PLACE. SHOULD THE HAUL MATERIAL BLOW, SPILL, OR TRACK OVER UPON SAID PUBLIC OR AND ADJACENT PRIVATE PROPERTY, IMMEDIATE REMEDY SHALL OCCUR.
7. SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE.
8. DURING THE RAINY SEASON, PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIALS AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LADEN RUNOFF TO THE STORM DRAINAGE SYSTEM, INCLUDING EXISTING DRAINAGE SWALES AND WATER COURSES.
9. CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION WILL BE MINIMIZED. STATE AND LOCAL LAWS CONCERNING THE POLLUTION ABATEMENT SHALL BE COMPLIED WITH.
10. CONTRACTOR SHALL PROVIDE DUST CONTROL AS REQUIRED BY THE APPROPRIATE FEDERAL, STATE, AND LOCAL AGENCY REQUIREMENTS.
11. THE CONTRACTOR SHALL UPDATE THE PLANS TO REFLECT CHANGING SITE CONDITIONS. PLAN UPDATES SHALL BE BASED UPON GENERAL SURVEY DATA. EROSION CONTROL EFFECTIVENESS SHALL ALSO BE MONITORED AND THE PLANS UPGRADED AS REQUIRED TO PREVENT SIGNIFICANT QUANTITIES OF SEDIMENT FROM ENTERING THE DOWNSTREAM DRAINAGE SYSTEM.
12. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. IN GENERAL, THE CONTRACTOR IS RESPONSIBLE FOR KEEPING THE STORM RUN OFF FROM LEAVING THE SITE. GRAVELBAGS, SILT FENCES AND FIBER ROLLS SHALL BE USED BY THE CONTRACTOR ON AN AS NEEDED BASIS TO INHIBIT SILT FROM LEAVING THE SITE AND ENTERING THE STORM DRAIN SYSTEM. EXISTING, TEMPORARY, OR PERMANENT CATCH BASINS SHALL USE ONE OF THE SEDIMENT BARRIERS SHOWN.
13. THE CONTRACTOR WILL BE RESPONSIBLE FOR DAMAGES TO PUBLICLY AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING ACTIVITIES, AND WILL BE RESPONSIBLE FOR THE CLEANUP OF MATERIAL SPILLED ON PUBLIC ROADS ON THE HAUL ROUTE, ADJACENT PUBLIC ROADS SHALL BE CLEANED AT THE END OF EACH WORKING DAY.
14. BEST MANAGEMENT PRACTICES AS DEFINED IN THE SWPPP SHALL BE OPERABLE YEAR ROUND.
15. THE NAME, ADDRESS AND 24 HOUR TELEPHONE NUMBER OF THE PERSON RESPONSIBLE FOR IMPLEMENTATION OF EROSION AND SEDIMENTATION CONTROL PLAN SHALL BE PROVIDED TO THE CONSTRUCTION MANAGER AND THE CITY.
16. TRUCK TIRES SHALL BE CLEANED PRIOR TO EXITING THE PROPERTY.
17. STOCKPILED MATERIAL
    A. EXCAVATED SOILS SHOULD NOT BE PLACED IN STREETS OR ON PAVED AREAS.
    B. EXCAVATED SOILS SHOULD BE REMOVED FROM THE SITE BY THE END OF THE DAY, UNLESS STOCKPILING IS NECESSARY.
    C. SURROUND STOCKPILES WITH PERIMETER SILT FENCES, FIBER ROLLS, APPROPRIATELY SIZED SECONDARY CONTAINMENT, OR OTHER RUNOFF CONTROLS.
    D. STABILIZE INACTIVE STOCKPILES WITH SOIL STABILIZER AND/OR MULCH, OR COVER WITH A TARPAULIN.
    E. COVER STOCKPILES OF CRUSHED AC OR PCC PAVEMENT WITH A TARPAULIN OR PROVIDE CASE–SPECIFIC DESIGNED SECONDARY CONTAINMENT AND SURROUND WITH APPROPRIATE RUNOFF CONTROLS.
    F. USE INLET PROTECTION FOR STORM DRAIN STRUCTURES ADJACENT TO THE MATERIAL.
    G. THOROUGHLY SWEEP PAVED AREAS EXPOSED TO SOIL EXCAVATION PLACEMENT.
19. IF NO WORK HAS PROGRESSED FOR A PERIOD OF 6–WEEKS, FINAL DRAINAGE AND EROSION CONTROL IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH AN APPROVED WINTERIZATION PLAN.
20. SEDIMENT AND DEBRIS SHALL BE REMOVED FROM TEMPORARY BASINS AND DRAIN INLETS AFTER EACH STORM. SLOPES SHALL BE REPAIRED AS SOON AS POSSIBLE WHEN DAMAGED.
21. PADS SHALL BE GRADED TO MINIMIZE STANDING WATER. SPECIFIC LOCATIONS REQUIRING SUPPLEMENTAL GRADING TO ACHIEVE ACCEPTABLE DRAINAGE SHALL BE DETERMINED BY THE CONSTRUCTION MANAGER.
22. STUBBED OUT ENDS OF PARTIALLY COMPLETED SUBDRAINS SHALL BE WRAPPED WITH AN APPROVED FABRIC TO PREVENT SOIL AND DEBRIS FROM ENTERING THE PIPE.
23. HAUL ROADS ARE CURRENTLY NOT SHOWN ON THE PLANS. EROSION CONTROL MEASURES SHALL BE TAKEN TO MINIMIZE EROSION RELATED TO HAUL ROADS.
24. DISPOSAL AREAS FOR SEDIMENT TO BE DETERMINED IN FIELD. WHEN MATERIAL IS STOCKPILED, IT SHALL BE SURROUNDED BY FIBER ROLLS.
25. TEMPORARY AND PERMANENT SLOPES GREATER THAN 5 FEET SHALL BE SEEDED UNLESS OTHERWISE SHOWN ON THE PLAN.
26. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED DURING GRADING OPERATION, BEFORE OCTOBER 1 AND PRIOR TO INSTALLATION OF STORM DRAINAGE SYSTEM. SUCH ADDITIONAL MEASURES WILL BE CONTINGENT UPON THE STAGE OF GRADING OPERATION. CONTRACTOR SHALL IMPLEMENT ANY ADDITIONAL EROSION CONTROL MEASURES AS REQUIRED BY THE ENGINEER.

EROSION AND SEDIMENT CONTROL MEASURES

1. THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAINY SEASON, OCTOBER 15 TO APRIL 15. FACILITIES ARE TO BE OPERABLE PRIOR TO OCTOBER 1 OF ANY YEAR. GRADING OPERATIONS DURING THE RAINY SEASON WHICH LEAVE DENUDED SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES IMMEDIATELY FOLLOWING GRADING ON THE SLOPES.
2. THIS PLAN COVERS ONLY THE FIRST WINTER FOLLOWING GRADING WITH ASSUMED SITE CONDITIONS AS SHOWN ON THE EROSION CONTROL PLAN. PRIOR TO SEPTEMBER 15, THE COMPLETION OF SITE IMPROVEMENT SHALL BE EVALUATED AND REVISIONS MADE TO THIS PLAN AS NECESSARY WITH THE APPROVAL OF THE CITY ENGINEER. PLANS ARE TO BE RESUBMITTED FOR CITY APPROVAL PRIOR TO SEPTEMBER 1 OF EACH SUBSEQUENT YEAR UNTIL SITE IMPROVEMENTS ARE ACCEPTED BY THE CITY.
3. CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF GRADING. CONSTRUCTION TRAFFIC ENTERING ONTO THE PAVED ROADS MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE WAYS.
4. CONTRACTOR SHALL MAINTAIN STABILIZED ENTRANCE AT EACH VEHICLE ACCESS TO EXISTING PAVED STREETS. MUD OR DEBRIS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED DAILY AND AS REQUIRED BY THE CITY.
5. IF HYDROSEEDING IS NOT USED OR IS NOT EFFECTIVE BY 10/10, THEN OTHER IMMEDIATE METHODS SHALL BE IMPLEMENTED, SUCH AS EROSION CONTROL BLANKETS, OR A THREE–STEP APPLICATION OF 1) SEED, MULCH, FERTILIZER 2) BLOWN STRAW 3) TACKIFIER AND MULCH.
6. INLET PROTECTION SHALL BE INSTALLED AT OPEN INLETS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAIN SYSTEM. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL ARE TO BE BLOCKED TO PREVENT ENTRY OF SEDIMENT.

MAINTENANCE NOTES

1. MAINTENANCE IS TO BE PERFORMED AS FOLLOWS:
   A. REPAIR DAMAGES CAUSED BY SOIL EROSION OR CONSTRUCTION AT THE END OF EACH WORKING DAY.
   B. SWALES SHALL BE INSPECTED PERIODICALLY AND MAINTAINED AS NEEDED.
   C. SEDIMENT TRAPS, BERMS, AND SWALES ARE TO BE INSPECTED AFTER EACH STORM AND REPAIRS MADE AS NEEDED.
   D. SEDIMENT SHALL BE REMOVED AND SEDIMENT TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT HAS ACCUMULATED TO A DEPTH OF 1 FOOT.
   E. SEDIMENT REMOVED FROM TRAP SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
   F. RILLS AND GULLIES MUST BE REPAIRED.
2. GRAVELBAG INLET PROTECTION SHALL BE CLEANED OUT WHENEVER SEDIMENT DEPTH IS ONE HALF THE HEIGHT OF ONE GRAVELBAG.

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24765 HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
EROSION CONTROL DETAILS

HAYWARD, ALAMEDA COUNTY, CALIFORNIA

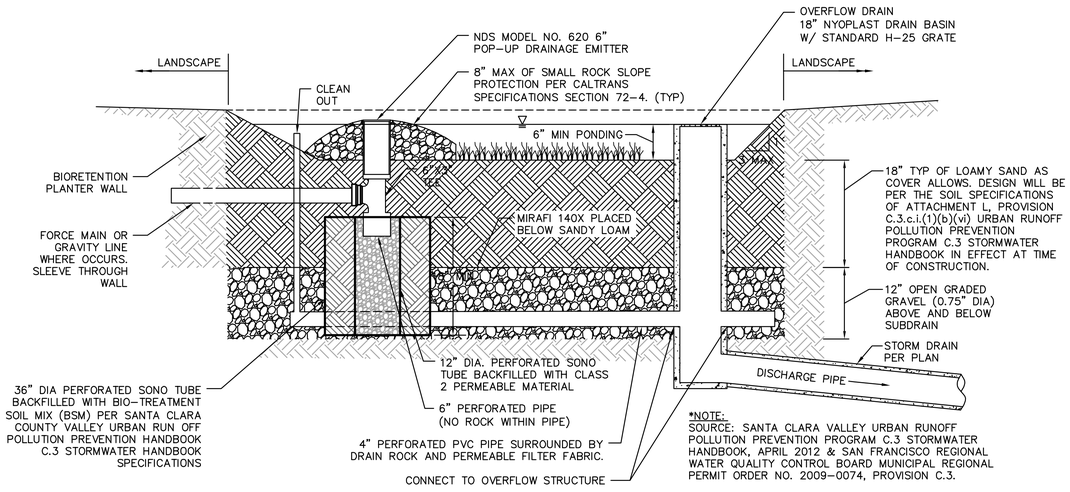
No.	Revisions

Date 11/22/17
Scale AS SHOWN
Design AMJ
Drawn SGM
Approved MAO
Job No 20150295

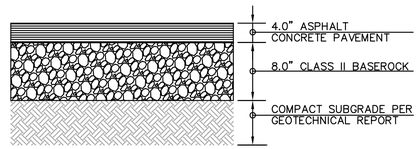
Drawing Number: C8.1
9 OF 12

NOT FOR CONSTRUCTION

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C8.0 EROSION CONTROL PLAN.dwg
PLOT DATE: 11–16–17 PLOTTED BY: mitc



1 – **BIORETENTION AREA WITH BUBBLE-UP**
NTS



PAVEMENT DESIGN VALUES
TI = 5
R=5

2 – **ASPHALT PAVEMENT SECTIONS**
NTS

DRAWING NAME: K:\2015\150295_24765 Hesperian Blvd_Hayward\ENG\VTM\SHEETS\C9.0 SECTIONS AND DETAILS.dwg
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VESTING TENTATIVE TRACT MAP
DETAILS AND SECTIONS
CALIFORNIA
ALAMEDA COUNTY
HAYWARD

REGISTERED PROFESSIONAL ENGINEER
MARY A. O'CONNOR
No. 75817
EXP. 6/30/18
CIVIL
STATE OF CALIFORNIA

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10 OF 12

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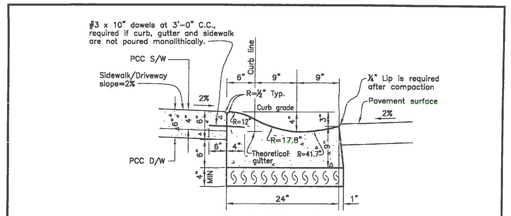
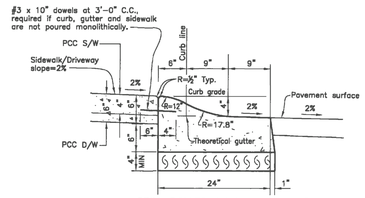


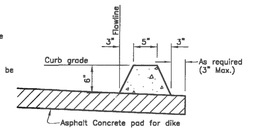
ROLLED CURB AND GUTTER
(Showing driveway and sidewalk constructed adjacent to curb)



SPILL ROLLED CURB AND GUTTER
(Showing driveway and sidewalk constructed adjacent to curb)

NOTES:

1. All grades and widths to be referred to curb grade and curb line.
2. This rolled curb detail shall be utilized only for private developments.

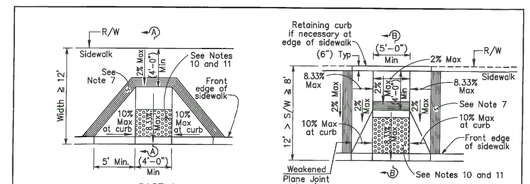


ASPHALT CONCRETE DIKE

CITY OF HAYWARD PUBLIC WORKS DEPT.

REV	DATE	BY	DRAWN BY: JT	DATE: 01/30/14	STANDARD SIDEWALK, CURB AND GUTTER, ISLAND CURB AND CURB RAMP SECTIONS
			CHECKED BY: JF	SCALE: NTS	DWG. NO. SD-108
			APPD. BY	APPROVED	FILED
			CITY ENGINEER	DIR. PUBLIC WORKS - E&T	SHT. 2 OF 6

1 — ROLLED CURB
NTS



See Sheet 6 of 6 for Notes

CITY OF HAYWARD PUBLIC WORKS DEPT.

REV	DATE	BY	DRAWN BY: FM	DATE: 02/14/08	STANDARD SIDEWALK, CURB AND GUTTER, ISLAND CURB AND CURB RAMP SECTIONS
			CHECKED BY: JF	SCALE: NTS	DWG. NO. SD-108
			APPD. BY	APPROVED	FILED
			CITY ENGINEER	DIR. PUBLIC WORKS	SHT. 3 OF 6

2 — CURB RAMP SHEET 1
NTS

NOTES

1. As site conditions dictate, CASE A through CASE G curb ramps may be used for corner installations similar to those shown in DETAIL A and DETAIL B. The case of curb ramps used in DETAIL A do not have to be the same. CASE A through CASE G curb ramps also may be used at mid block locations, as site conditions dictate.
2. If distance from curb to back of sidewalk is too short to accommodate ramp and 4'-0" platform (landing) as shown in CASE A, the sidewalk may be depressed longitudinally as in CASE B, or C or may be widened as in CASE D.
3. When ramp is located in center of curb return, crosswalk configuration must be similar to that shown for DETAIL B.
4. As site conditions dictate, the retaining curb side and the flared side of the CASE G ramp shall be constructed in reversed position.
5. If located on a curve, the sides of the ramp need not be parallel, but the minimum width of the ramp shall be 4'-0".
6. Side slope of ramp flares vary uniformly from a maximum of 10% at curb to the conform with longitudinal sidewalk adjacent to top of the ramp, except in CASE C, CASE CM and CASE F.
7. The curb ramp shall be outlined, as shown, with a 12" wide border with ¼" grooves approximately ¾" on center. See GROOVING DETAIL.
8. Transitions from ramps and landing to walks, gutters or streets shall be flush and free of abrupt changes.
9. Maximum slopes of adjoining gutters, the road surface immediately adjacent to the curb ramp and continuous passage to the curb ramp shall not exceed 5 percent within 4'-0" of the top and bottom of the curb ramp.
10. Curb ramps shall have a "Dark Gray" cast-in-place detectable warning surface that extends the full width and 3'-0" depth of the ramp. Detectable warning surfaces shall conform to the details as shown, and the requirements in the Special Provisions.
11. The edge of the detectable warning surface nearest to the street shall be between 6" and 8" from the gutter flowline.
12. Sidewalk and ramp thickness, shall be 4". All new handicap ramp installations shall be constructed on a 4" thick layer of aggregate subbase compacted to 90% relative compaction.
13. Utility pull boxes, manholes, vaults and all other utility facilities within the boundaries of the curb ramp shall be relocated or adjusted to grade prior to, or in conjunction with curb ramp construction.
14. For retrofit conditions, removal and replacement of curb apron (gutter) will be at the Contractor's option, unless shown on project plans.

⚠ 15. Construction shall conform to SD-107.

⚠16. Contractor shall verify all existing site conditions and if any maximum allowable slope cannot be met due to existing site conditions, contact the Supervising Construction Inspector for direction before proceeding with construction.

CITY OF HAYWARD PUBLIC WORKS DEPT.

⚠1	5/31/10	AL	DRAWN BY: JT	DATE: 09/05/08	STANDARD SIDEWALK, CURB AND GUTTER, ISLAND CURB AND CURB RAMP SECTIONS
REV	DATE	BY	CHECKED BY: JF	SCALE: NTS	DWG. NO. SD-108
			APPD. BY	APPROVED	FILED
			CITY ENGINEER	DIR. PUBLIC WORKS	SHT. 6 OF 6

3 — CURB RAMP SHEET 2
NTS

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HESPERIAN BOULEVARD–TRACT #8359
VESTING TENTATIVE TRACT MAP
DETAILS AND SECTIONS

ALAMEDA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER MICHAEL K. O'CONNELL No. 73811 EXP. 6/30/18 CIVIL STATE OF CALIFORNIA

24765 HESPERIAN BLVD VESTING

HAYWARD

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Drawn SGM
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Job No 20150295

Drawing Number:
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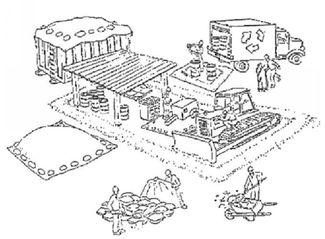
PLOT DATE: 11-16-17 PLOTTED BY: mitc

Pollution Prevention - It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution and damage to creeks and the San Francisco Bay. Construction activities can directly affect the health of creeks and the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines and the project specifications will ensure your compliance with County of Alameda requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- Sand, dirt, and similar materials must be stored at least 10 feet (3 meters) from catch basins. All construction material must be covered with a tarp and contained with a perimeter control during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Use (but don't overuse) reclaimed water for dust control as needed.
- Sweep or vacuum streets and other paved areas daily. Do not wash down streets or work areas with water!
- Recycle all asphalt, concrete, and aggregate base material from demolition activities. Comply with Alameda County Ordinances for recycling construction materials, wood, gyp board, pipe, etc.
- Check dumpsters regularly for leaks and to make sure they are not overfilled. Repair or replace leaking dumpsters promptly.
- Cover all dumpsters with a tarp at the end of every work day or during wet weather.

Hazardous materials management

- Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state, and federal regulations.
- Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecasted.
- Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecasted within 24 hours.
- Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- Dispose of all containment and cleanup materials properly.
- Report any hazardous materials spills immediately! Dial 911 or Alameda City of Hayward Public Works (510)-583-4730

Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking.

Vehicle and equipment maintenance & cleaning

- Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or creeks.
- Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.

Earthwork & contaminated soils

- Keep excavated soil on the site where it will not collect in the street.
- Transfer to dump trucks should take place on the site, not in the street.
- Use fiber rolls, silt fences, or other control measures to minimize the flow of silt off the site.

- Earth moving activities are only allowed during dry weather by permit and as approved by the County Inspector in the Field.
- Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place fiber rolls down-slope until soil is secure.
- If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call the Engineer for help in determining what should be done, and manage disposal of entaminated soil according to their instructions.

Dewatering operations

- Effectively manage all run-on, all runoff within the site, and all runoff that discharges from the site. Run-on from off site shall be directed away from all disturbed areas or shall collectively be in compliance.
- Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- Be sure to notify and obtain approval from the Engineer before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the Engineer to determine what testing is required and how to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Saw cutting

- Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or sand/gravel bags to keep slurry out of the storm drain system.
- Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work

- Always cover storm drain inlets and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- Protect gutters, ditches, and drainage courses with sand/gravel bags, or earthen berms.
- Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- Store concrete, grout, and mortar under cover, on pallets, and away from drainage areas. These materials must never reach a storm drain.
- Wash out concrete equipment/trucks off-site or into contained washout areas that will not allow discharge of wash water onto the underlying soil or onto the surrounding areas.

- Collect the wash water from washing exposed aggregate concrete and remove it for appropriate disposal off site.

Painting

- Never rinse paint brushes or materials in a gutter or street!
- Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink.
- Paint out excess oil-based paint before cleaning brushes in thinner.
- Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

Landscape Materials

- Contain, cover, and store on pallets all stockpiled landscape materials (mulch, compost, fertilizers, etc.) during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Discontinue the application of any erodible landscape material within 2 days of forecasted rain and during wet weather.

Storm drain polluters may be liable for fines of $10,000 or more per day!

For references and more detailed information:
www.cleanwaterprogram.org
www.cabmphandbooks.com

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VESTING TENTATIVE TRACT MAP
POLLUTION PREVENTION
HAYWARD CALIFORNIA
ALAMEDA COUNTY

REGISTERED PROFESSIONAL ENGINEER
MARK A. O'CONNELL
No. 75817
EXP. 6/30/18
CIVIL
STATE OF CALIFORNIA

No.	Revisions

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12 OF 12

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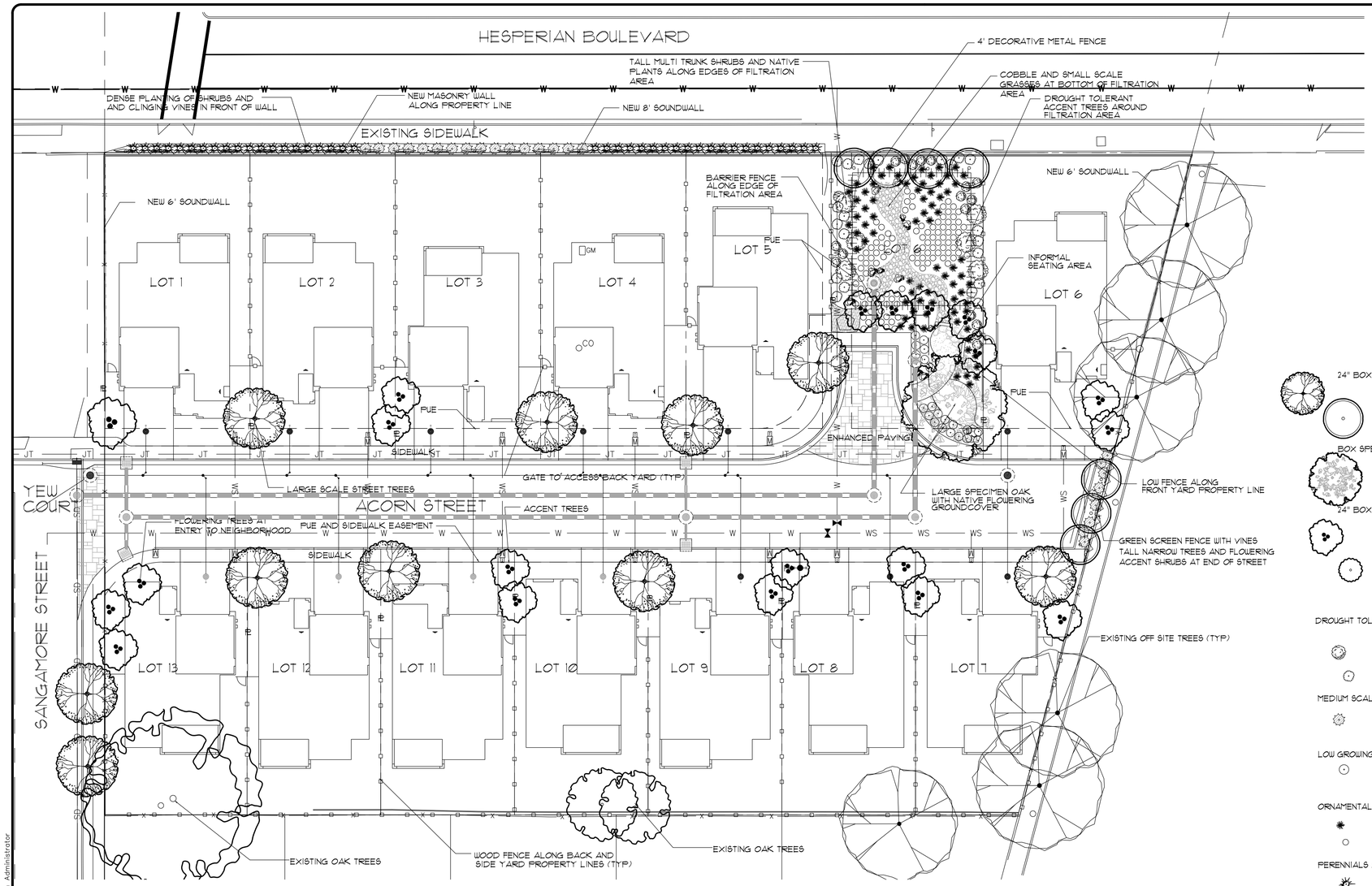


LEGEND

- STAMPED COLORED ASPHALT PAVING
- WASHED DECORATIVE COBBLE
- LARGE BOULDERS
- 4' DECORATIVE METAL FENCE
- 6' WOOD FENCE
- GREEN SCREEN VINE FENCE
- RUSTIC RAIL FENCE
- 8' SOUNDWALL
- 6' SOUNDWALL
- GOLD DECOMPOSED GRANITE AND RANDOM FLAGSTONE PAVING
- BENCH

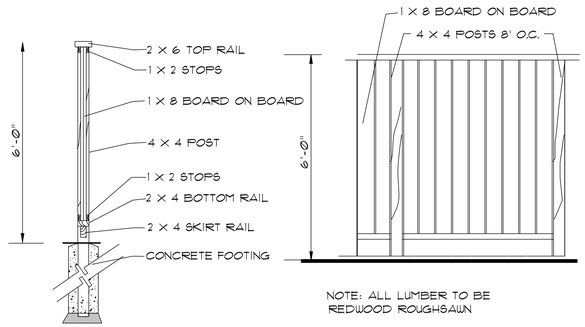
CONCEPTUAL PLANT LIST

	BOTANICAL NAME	COMMON NAME	WUCOLS WATER USE	MATURE SIZE WIDTH x HEIGHT	SPACING
24" BOX STREET TREE					
	PYRUS CALLERYANA	ORNAMENTAL PEAR	.5 / MED	20' x 34'	PER PLAN
	TILIA CORDATA	LINDEN TREE	.5 / MED	15' x 45'	PER PLAN
	QUERCUS ROBUR 'CRIMSON SPIRE'	NARROW ENGLISH OAK	.5 / MED	20' x 45'	PER PLAN
BOX SPECIMEN TREE					
	QUERCUS AGRIFOLIA	LIVE OAK	.3 / LOW	34' x 40'	PER PLAN
24" BOX ACCENT TREES					
	ACER PALMATUM	JAPANESE MAPLE	.5 / MED	12' x 12'	PER PLAN
	ARBUTUS 'MARINA'	STRAWBERRY MADRONE	.3 / LOW	20' x 20'	PER PLAN
	AGONIS F. 'AFTERDARK'	BLACK PEPPERMINT TREE	.3 / LOW	12' x 20'	PER PLAN
	CERCIS R. 'OKLAHOMA'	CERCIS R. 'OKLAHOMA'	.3 / LOW	20' x 20'	PER PLAN
	CHILOPSIS LINEARIS	DESERT WILLOW	.2 / VL	20' x 20'	PER PLAN
	COTINUS COGGYGRIA	SMOKE TREE	.3 / LOW	10' x 15'	PER PLAN
	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	.5 / MED	25' x 40'	PER PLAN
	VITEX AGNUS-CASTUS	CHASTE TREE	.3 / LOW	20' x 20'	PER PLAN
DROUGHT TOLERANT AND NATIVE SHRUBS					
	CARPENTERIA CALIFORNICA	BUSH ANEMONE	.3 / LOW	5' x 5'	5' O.C.
	CEANTHOUS SP.	WILD LILAC	.3 / LOW	6' x 5'	6' O.C.
	DENDROMECON RIGIDA	BUSH POPPY	.3 / LOW	6' x 4'	6' O.C.
	FRANGULA C. 'LEATHER LEAF'	COFFEEBERRY	.3 / LOW	5' x 5'	5' O.C.
	CALYCANTHUS OCCIDENTALIS	SPICE BUSH	.3 / LOW	6' x 6'	6' O.C.
	SALVIA CLEVELANDII	FLOWERING SAGE	.3 / LOW	3' x 3'	3' O.C.
MEDIUM SCALE ACCENT SHRUBS					
	BERBERIS T. 'ATROPURPUREA'	JAPANESE BARBERRY	.3 / LOW	4' x 3'	4' O.C.
	OSMANTHUS H. 'GOSHIKI'	HOLLY LEAF OSMANTHUS	.3 / LOW	5' x 3'-6"	5' O.C.
	ROSA HYB. 'JULIA CHILD'	LANDSCAPE ROSE	.5 / MED	3' x 3'	3' O.C.
LOW GROWING SHRUBS					
	COLEONEMA P. 'SUNSET GOLD'	YELLOW BREATH OF HEAVEN	.5 / MED	3'-6" x 2'	3'-6" O.C.
	LAVANDULA HYB. 'SUPER'	LAVENDER	.3 / LOW	30" X 30"	30" O.C.
	RHAPHIOLEPIS 'BALLERINA'	DWARF INDIAN HAWTHORN	.3 / LOW	3'-6" x 2'	3'-6" O.C.
	ZAUSCHNERIA CALIFORNICA	CALIFORNIA FUCHSIA	.3 / LOW	3' x 18"	3' O.C.
ORNAMENTAL GRASSES					
	CALAMAGROSTIS A. 'OVERDAM'	VARIEGATED REED GRASS	.5 / MED	30" x 30"	30" O.C.
	PENNISETUM ORIENTALE	FOUNTAIN GRASS	.3 / LOW	3' x 3'	3' O.C.
	JUNCUS CALIFORNICA	CALIFORNIA GRAY RUSH	.3 / LOW	2' x 2'	2' O.C.
	LOMANDRA LONGIFOLIA	MAT RUSH	.3 / LOW	42" X 30"	42" O.C.
PERENNIALS / ACCENT PLANTS					
	AGAVE ATTENUATA	FOX TAIL AGAVE	.3 / LOW	3' x 3'	3' O.C.
	PHORMIUM TENAX - DWARF VARIETIES	DWARF NEW ZEALAND FLAX	.3 / LOW	3' - 3'	3' O.C.
MEDIUM SCALE GROUNDCOVER					
	ARCTOSTAPHYLOS 'JOHN DOURLEY'	MANZANITA	.3 / LOW	5' x 3'	5' O.C.
	CISTUS 'WARLEY'	ROCKROSE	.3 / LOW	4' x 2'	4' O.C.
	RIBES VIBURNIFOLIUM	CATALINA PERFUME	.3 / LOW	8' x 3'	8' O.C.

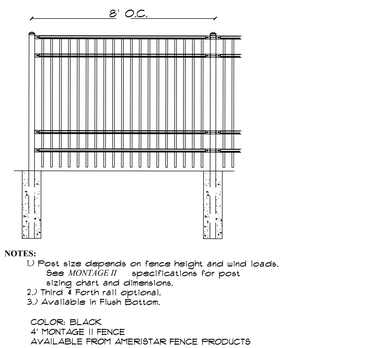
LANDSCAPE PLANS COMPLY WITH THE CRITERIA OF THE CITY OF HAYWARD BAY FRIENDLY WATER EFFICIENT LANDSCAPE ORDINANCE AND HAVE APPLIED SUCH CRITERIA FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN.

WATER USE CALCULATIONS SHALL BE SUPPLIED WITH THE CONSTRUCTION DOCUMENTS.

GREEN SCREEN FENCE



6' GOOD NEIGHBOR FENCE
NO SCALE



NOTES:
1.) Post size depends on fence height and wind loads. See *MONTAGE II* specifications for post sizing chart and dimensions.
2.) Third 4 Forth rail optional.
3.) Available in Flush Bottom.

COLOR: BLACK
4' MONTAGE II FENCE
AVAILABLE FROM AMERISTAR FENCE PRODUCTS
www.ameristarfence.com PHONE 1-800-321-8724

DECORATIVE METAL FENCE

CONCEPTUAL LANDSCAPE PLAN

(REFERENCE)

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

BORRECCO/KILIAN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1241 Pine Street
Martinez, California 94553
Phone: 925/372-5306
FAX: 925/372-5308

REGISTERED LANDSCAPE ARCHITECT Brian T. Kilian 2359 Signature Date CALIFORNIA STATE OF

REV	DATE	DESCRIPTION

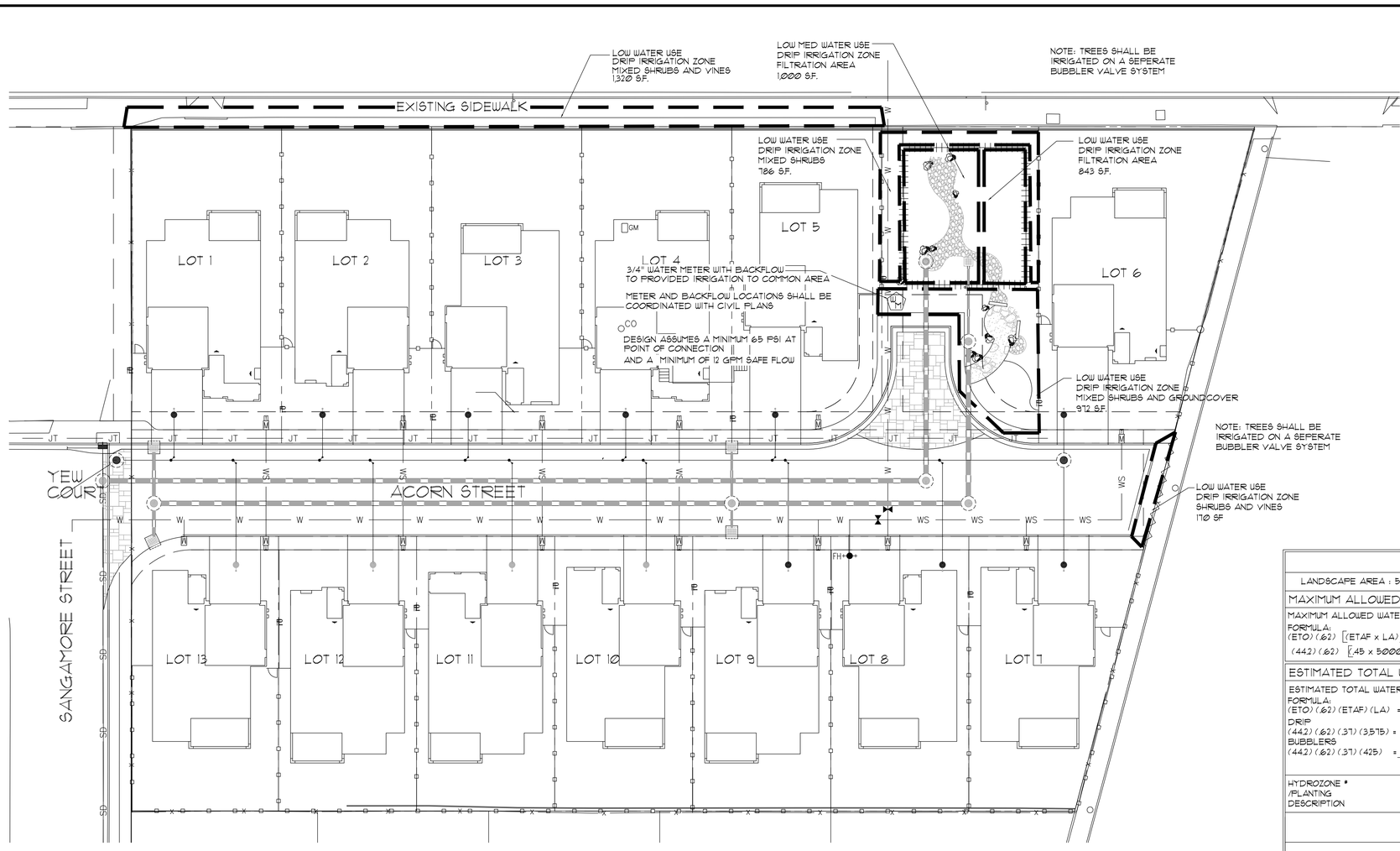
TITLE OF PROJECT
HESPERIAN BLVD
HAYWARD, CA

DATE: 11/2017
DRAWN BY: KDF

THIS PLAN IS:

SHEET NUMBER
L = 1

TITLE OF DRAWING:



CONCEPTUAL WATER BUDGET	
LANDSCAPE AREA : 5,000 SF	REFERENCE ETo: 44.2
MAXIMUM ALLOWED WATER ALLOWANCE (MAWA) = 61,659	
MAXIMUM ALLOWED WATER CALCULATIONS FORMULA: (ETO)(.62) [(ETAF x LA) + ((1-ETAF) x SLA)] = MAWA (44.2)(.62) [.45 x 5000] = 61,659	
ESTIMATED TOTAL WATER USE (ETWU) = 57,548	
ESTIMATED TOTAL WATER USE CALCULATIONS FORMULA: (ETO)(.62)(ETAF)(LA) = ETWU DRIP (44.2)(.62)(.37)(3,575) = 36,249 BUBBLERS (44.2)(.62)(.37)(425) = 4,309 DRIP (44.2)(.62)(.62)(1,000) = 16,990 ETWU = 57,549	

HYDROZONE # /PLANTING DESCRIPTION	WUCOLS PF	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	LANDSCAPE AREA (SQFT.)	ETAF X AREA	ETWU
	.3 / LOW	DRIP	.81	.37	3,575	1,322	36,249
	.3 / LOW	BUBBLER	.81	.37	425	157	4,309
MEDIUM WATER USE SHRUBS	.5 / MED	DRIP	.81	.62	1,000	620	16,990
				TOTALS =	5,000	2,099	57,549

AVERAGE ETAF = .42		
ETAF CALCULATIONS		
A. TOTAL ETAF x AREA	2,099	(AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS MUST BE .55 OR BELOW FOR RESIDENTIAL AREAS, AND .45 OR BELOW FOR NON-RESDENTIAL AREAS.)
B. TOTAL LANDSCAPE AREA	5,000	
AVERAGE ETAF = (A/B)	.42	

LANDSCAPE PLANS COMPLY WITH THE CRITERIA OF THE CITY OF HAYWARD BAY FRIENDLY WATER EFFICIENT LANDSCAPE ORDINANCE AND HAVE APPLIED SUCH CRITERIA FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN.

WATER USE CALCULATIONS SHALL BE SUPPLIED WITH THE CONSTRUCTION DOCUMENTS.

N (REFERENCE)

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

HYDROZONE MAP

M:\Three Cedars\Hesperian\November 2017\L-1 L-2 L-3 HESPERIAN SP 11-2017.dwg Nov. 27, 2017 - 8:53am Administrator

BORRECCO/KILIAN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1241 Pine Street
Martinez, California 94553
Phone: 925/372-5306
FAX: 925/372-5308

REGISTERED LANDSCAPE ARCHITECT 2359 Kilian Borrecco Signature Date STATE OF CALIFORNIA

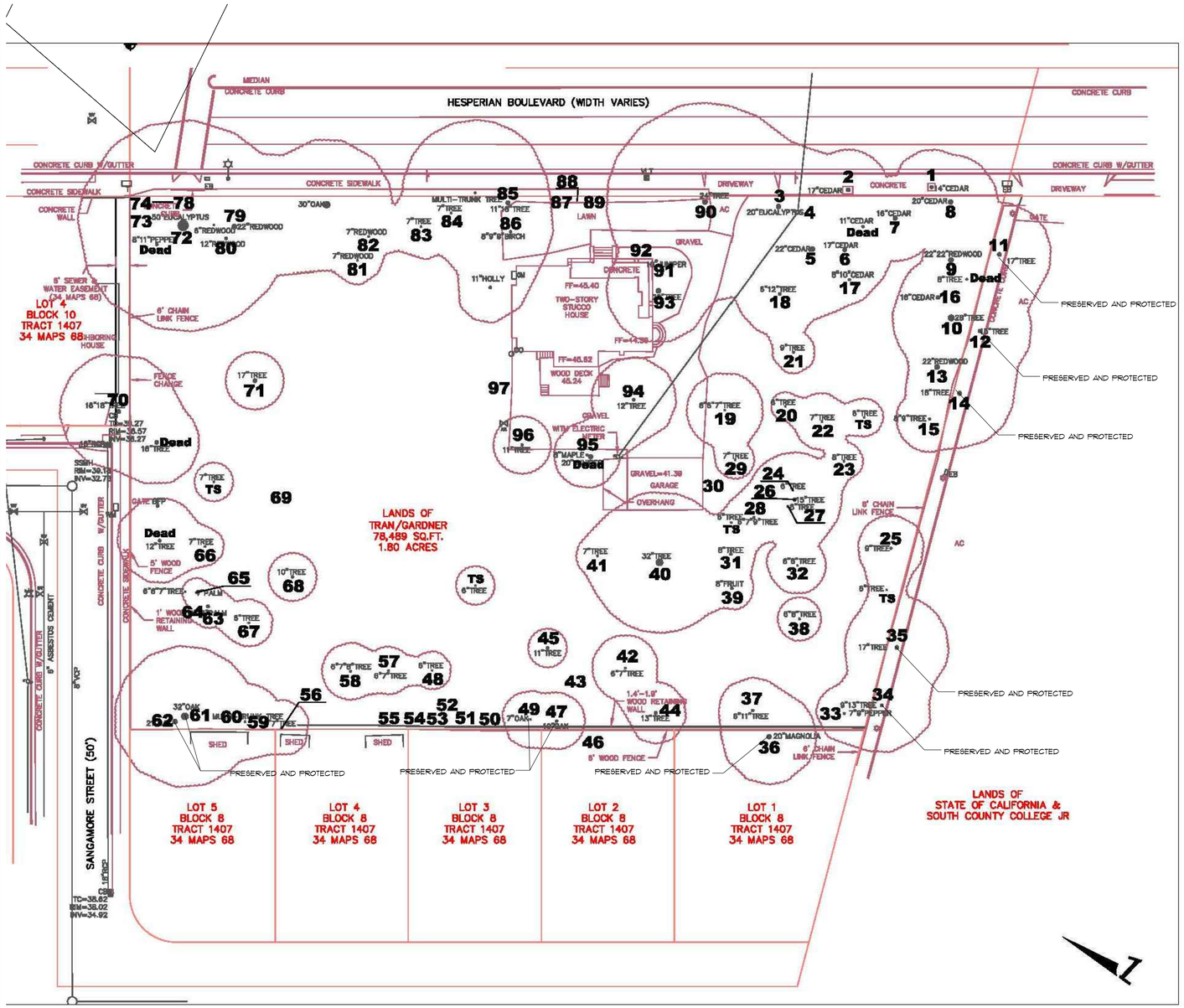
REV	DATE	DESCRIPTION

TITLE OF PROJECT
HESPERIAN BLVD
HAYWARD, CA

DATE: 11/20/17
DRAWN BY: KDF

THIS PLAN IS:

SHEET NUMBER
L-2
TITLE OF DRAWING:



Tree Assessment Plan

24765 Hesperian Blvd.
Hayward, CA

Prepared for:
Three Cedars
Burlingame, CA

June 2016

No Scale

Notes:
Base map provided by:
BKF
San Francisco, CA

Numbered tree locations are approximate.

TS = (Too small) tree less than 6" in diameter Not included in this assessment.

HORT SCIENCE
325 Ray Street
Pleasanton, CA 94566
Phone 925.484.0211
Fax 925.484.0596
www.hortscience.com

Tree Appraisal
24765 Hesperian Blvd
Hayward, CA
June 3, 2016

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Appraised Value	
1	Incense cedar	15	Yes	$ 1,200	
2	Incense cedar	20	Yes	$ 3,700	
3	Flaxleaf paperbark	25,20,19,17	Yes	$ 15,950	
4	Glossy privet	6	No	$ 50	
5	Incense cedar	25	Yes	$ 750	
6	Incense cedar	21	Yes	$ 1,550	
7	Incense cedar	28	Yes	$ 3,950	
8	Incense cedar	25	Yes	$ 3,150	
9	Coast redwood	28,27	Yes	$ 3,100	
10	Bigleaf maple	24	Yes	$ 350	
11	Australian willow	15	Yes	$ 2,050	PRESERVED AND PROTECTED
12	Australian willow	15	Yes	$ 2,050	PRESERVED AND PROTECTED
13	Coast redwood	28	Yes	$ 1,600	
14	Australian willow	15	Yes	$ 2,050	PRESERVED AND PROTECTED
15	Almond	9,9	Yes	$ 200	
16	Incense cedar	15	Yes	$ 350	
17	Incense cedar	10,8	Yes	$ 200	
18	Loquat	14,7	Yes	$ 1,050	
19	Persimmon	8,7,5	Yes	$ 1,150	
20	Portugal laurel	4	No	$ 100	
21	Tobira	5	No	$ 200	
22	Jacaranda	7,5	Yes	$ 350	
23	Yew	8,2,2,2	Yes	$ 1,000	
24	Yew	7,2,2,2	Yes	$ 800	
25	Avocado	9,4	Yes	$ 450	
26	English walnut	16	Yes	$ 900	
27	English walnut	7	No	$ 150	
28	Almond	9,6,6	Yes	$ 400	
29	English hawthorn	8	Yes	$ 100	
30	Pineapple guava	6,4,3	Yes	$ 1,550	
31	Orange	8,5,5,3	Yes	$ 500	
32	Plum	7,6,3,3,1	Yes	$ 1,000	
33	California pepper	10,8,5,5,4	Yes	$ 700	
34	California pepper	18	Yes	$ 1,750	PRESERVED AND PROTECTED
35	Australian willow	15	Yes	$ 2,050	PRESERVED AND PROTECTED
36	Southern magnolia	28	Yes	$ 10,650	PRESERVED AND PROTECTED
37	Cherry	15,7	Yes	$ 1,600	
38	Plum	7,6,5	Yes	$ 800	
39	Orange	8,4,4	Yes	$ 200	
40	Mulberry	36	Yes	$ 3,050	
41	Persimmon	8	Yes	$ 1,500	

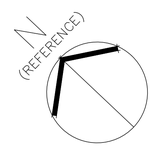
Tree Appraisal
24765 Hesperian Blvd
Hayward, CA
June 3, 2016

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Appraised Value	
42	Persimmon	8,7	Yes	$ 1,600	
43	Red horsechestnut	5,4	No	$ 800	
44	Pear	13	Yes	$ 950	
45	Persimmon	6	No	$ 450	
46	Apple	6	No	$ 750	
47	Coast live oak	13	Yes	$ 1,650	PRESERVED AND PROTECTED
48	Pear	13	Yes	$ 450	
49	Coast live oak	9	Yes	$ 850	PRESERVED AND PROTECTED
50	Plum	5	No	$ 350	
51	Plum	7	No	$ 450	
52	Coast live oak	12	Yes	$ 1,450	
53	Coast live oak	5,3	Yes	$ 350	
54	Plum	6,3,3	Yes	$ 500	
55	Plum	7,6,5,5,4,4,4,3	Yes	$ 1,250	
56	Plum	5,4,4,4,3,3,3	Yes	$ 700	
57	Apple	6,5,5,4,4	Yes	$ 650	
58	Apple	6,5,5,4,4	Yes	$ 650	
59	Plum	7,6,5,4,4,4	Yes	$ 1,150	
60	Plum	8,7,6,6,5,5,5	Yes	$ 1,700	
61	Coast live oak	37	Yes	$ 17,550	PRESERVED AND PROTECTED
62	Coast live oak	27	Yes	$ 7,050	PRESERVED AND PROTECTED
63	Mexican fan palm	20	Yes	$ 250	
64	Mexican fan palm	20	Yes	$ 250	
65	Mexican fan palm	20	Yes	$ 250	
66	Apple	5,4,3,3,3	Yes	$ 400	
67	Persimmon	6,5,4,4	Yes	$ 800	
68	Apple	6,5,5,5,4,3	Yes	$ 1,200	
69	Persimmon	4,4,4,3	Yes	$ 1,150	
70	Glossy privet	25,20	Yes	$ 650	
71	Pear	6,5,5,5,4,4	Yes	$ 500	
72	Blue gum	65	Yes	$ 6,550	
73	Deodar cedar	6	No	$ 450	
74	Deodar cedar	8	Yes	$ 1,050	
75	Deodar cedar	6	No	$ 450	
76	Deodar cedar	6	No	$ 300	
77	Deodar cedar	4	No	$ 900	
78	Deodar cedar	4	No	$ 300	
79	Coast redwood	22	Yes	$ 1,850	
80	Coast redwood	16	Yes	$ 700	
81	Coast redwood	9	Yes	$ 150	

Tree Appraisal
24765 Hesperian Blvd
Hayward, CA
June 3, 2016

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Appraised Value	
82	Coast redwood	7	No	$ 50	
83	Red horsechestnut	8	Yes	$ 750	
84	Indian laurel	18,16,15,11,10,8,8	Yes	$ 3,550	
85	English laurel	5	No	$ 450	
86	Common catalpa	24,12	Yes	$ 6,950	
87	Deodar cedar	5	No	$ 450	
88	Deodar cedar	6	No	$ 600	
89	Deodar cedar	6	No	$ 600	
90	Common catalpa	29	Yes	$ 5,050	
91	Hollywood juniper	11	Yes	$ 850	
92	Norway maple	4	No	$ 50	
93	Red oak	27	Yes	$ 21,400	
94	Mulberry	14	Yes	$ 500	
95	Japanese maple	8	Yes	$ 200	
96	English hawthorn	11	Yes	$ 300	
97	Canary Island pine	12	Yes	$ 1,850	
98	English holly	12	Yes	$ 200	
		Total		$ 177,400	

OVERALL TREE VALUE	$ 177,400
LESS NON PROTECTED TREES	-7,300
LESS TREES TO BE PRESERVED	-47,100
REQUIRED TREE MITIGATION	$ 122,800



TREE REMOVAL PLAN AND PROTECTION MEASURES

BORRECCO/KILIAN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1241 Pine Street
Martinez, California 94553
Phone: 925/372-5306
FAX: 925/372-5308

REGISTERED LANDSCAPE ARCHITECT Brian Kilian 2359 Signature Date CALIFORNIA

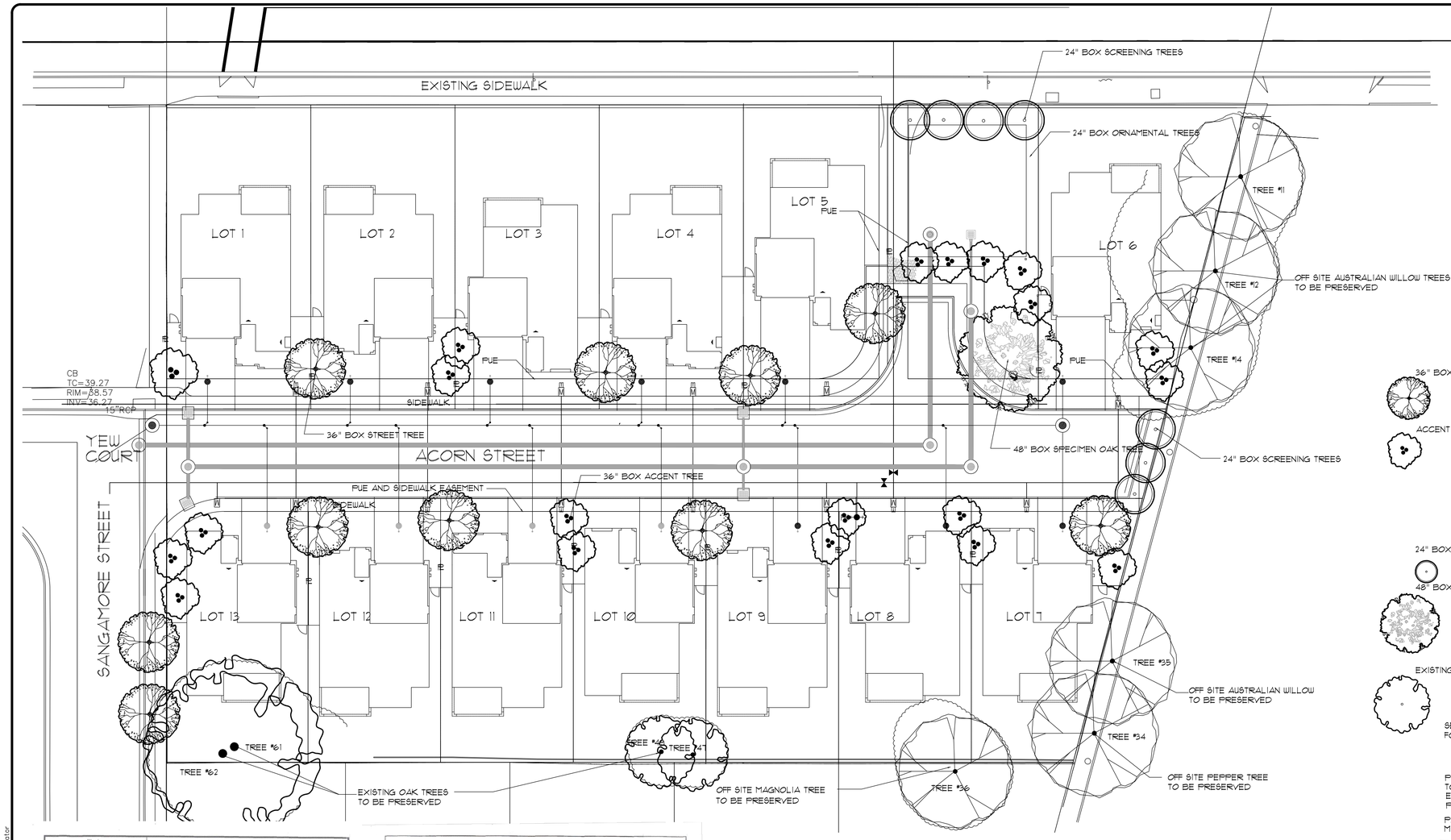
REV	DATE	DESCRIPTION

TITLE OF PROJECT
HESPERIAN BLVD
HAYWARD, CA

DATE: 1/2017
DRAWN BY: KDF

THIS PLAN IS:

SHEET NUMBER: L-3
TITLE OF DRAWING:



TREE LEGEND

36" BOX STREET TREE

PYRUS CALLERYANA	ORNAMENTAL PEAR	.5 / MED
TILIA CORDATA	LINDEN TREE	.5 / MED

ACCENT TREES

36" BOX

ACER PALMATUM	JAPANESE MAPLE	.5 / MED
ARBUTUS 'MARINA'	STRAWBERRY MADRONE	.3 / LOW
AGONIS F. 'AFTERDARK'	BLACK PEPPERMINT TREE	.3 / LOW
CERCIS R. 'OKLAHOMA'	CERCIS R. 'OKLAHOMA'	.3 / LOW
CHILOPSIS LINEARIS	DESERT WILLOW	.2 / VL
COTINUS COGGYGRIA	SMOKE TREE	.3 / LOW
KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	.5 / MED
VITEX AGNUS-CASTUS	CHASTE TREE	.3 / LOW

24" BOX SCREENING TREE

CARPINUS B. 'FRANS FONTAINE'	NARROW HORNBEAM	.5 / MED

48" BOX SPECIMEN

QUERCUS AGRIFOLIA	COAST LIVE OAK	.3 / LOW

EXISTING TREES

EXISTING NATIVE OAK TREE — EXISTING MISC. TREES

SEE HORTSCIENCE ARBORIST REPORT FOR COMPLETE TREE SURVEY. FOLLOW ARBORIST RECOMMENDATIONS FOR TREE PROTECTION MEASURES

PROPOSED TREE MITIGATION

PLANS CALL FOR THE REMOVAL OF SIXTY NINE (69) PROTECTED TREES
TOTAL DOLLAR VALUE: $121,000
EXISTING TREE DOLLAR VALUE BASED ON ARBORIST REPORT PREPARED BY HORTSCIENCE SEE SHEET L-3

PLANS PROPOSE THE PLANTING OF 42 TREES
MITIGATION VALUE = $16,850

PROPOSED MITIGATION TREES

10 - 36" BOX STREET TREES	@ $350 = $ 3,500
7 - 36" BOX STREET TREES	@ $350 = $ 2,450
MINIMUM OF 17 - 24" BOX TREE REQUIRED, TREES HAVE BEEN UPSIZE TO 36" BOX AS PART OF THE TREE MITIGATION REQUIREMENTS.	
13 - 36" BOX ORNAMENTAL TREES	@ $550 = $ 7,150
7 - 24" BOX SCREENING TREES	@ $200 = $ 1,400
1 - 48" BOX SPECIMEN TREE	@ $1,200 = $ 1,200
PROPOSED ON SITE TREE MITIGATION	$15,700

CITY STANDARD TREE CLEARANCES

FINAL LOCATIONS OF TREES SHALL BE FIELD LOCATED BY THE PROJECT LANDSCAPE ARCHITECT.

TREES SHALL BE LOCATED A MINIMUM OF 5' AWAY FROM ALL UNDERGROUND UTILITIES AND 5' AWAY FROM EDGE OF PAVING.

TREES SHALL BE LOCATED A MINIMUM OF 15' AWAY FROM LIGHT POLES.

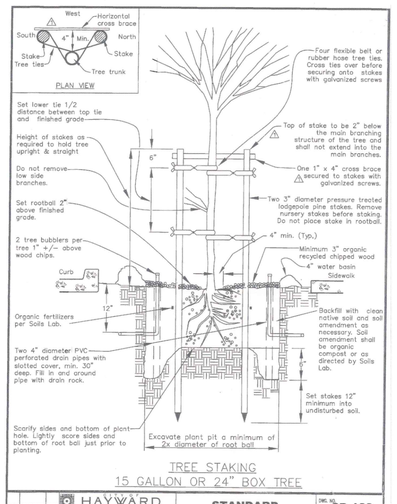
ROOT BARRIERS REQUIRED FOR TREES SHALL BE LOCATED A WITHIN OF 7' OF STRUCTURE OR HARDSCAPE.

N (REFERENCE)

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.



TREE STAKING
15 GALLON OR 24" BOX TREE

HAYWARD PUBLIC WORKS DEPT. — STANDARD STREET TREE PLANTING — DWG NO SD-122 — SHT 1 of 2

STREET TREE PLANTING SPECIFICATIONS:

1. Tree shall be healthy, disease and insect-free, well rooted, and properly trained with a straight trunk that can stand upright without support. Tree shall exhibit a central leader, or a main branch that can be trained as a central leader. Branches shall be well-developed and shall be evenly and radially distributed around the trunk. Root ball shall not exhibit kinked or circling roots.
2. Tree shall comply with federal and state laws requiring inspection for plant diseases and pest infestation. Clearance from the county agricultural commissioner, as required by law, shall be obtained before planting trees delivered from outside the county.
3. Prior to planting tree, determine the location of existing or future underground utilities. Locate tree a minimum of 5 feet from lateral service lines and driveways. Locate tree a minimum of 15 feet from a light pole, and a minimum of 30 feet from the face of a traffic signal, or as otherwise specified by the City.
4. Tree pit shall be tested for proper drainage prior to planting tree. Fill pit with water; if water remains after a 24-hour period, auger three 4"-diameter by 3-foot deep holes at the bottom of the tree pit. Backfill with drain rock.
5. Set tree in an upright and plumb position. As much as possible, tree shall be positioned such that dominant branches are parallel to the roadway and are oriented away from potential conflicts.
6. If required by the City, a pressure-compensating bubbler, or drip emitters, shall be provided to each tree.
7. Depending on the planter strip width, or the tree well size and the tree species being planted, a 24" deep root-barrier may be required by the City to be placed between the root-ball and the curb and/or sidewalk. Length of strip barrier or size of the box barrier will be specified by the City.
8. Stakes are to be removed when the tree diameter meets or exceeds the diameter of the stake.

HAYWARD PUBLIC WORKS DEPT. — STANDARD STREET TREE PLANTING — DWG NO SD-122 — SHT 2 of 2

PROPOSED TREE PLANTING PLAN

BORRECCO/KILIAN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1241 Pine Street
Martinez, California 94553
Phone: 925/372-5306
FAX: 925/372-5308

REGISTERED LANDSCAPE ARCHITECT — Brian C. Kilian — 2359 — Signature — Date — STATE OF CALIFORNIA

REV	DATE	DESCRIPTION

TITLE OF PROJECT
HESPERIAN BLVD
HAYWARD, CA

DATE: 11/2017
DRAWN BY: KDF

THIS PLAN IS:

SHEET NUMBER: L-4
TITLE OF DRAWING:

M:\Three Cedars\Hesperian\November 2017\L-1 L-2 L-3 HESPERIAN SP 11-2017.dwg Nov. 27, 2017 - 8:55am Administrator

CONCEPTUAL PLANT LIST

TREES	BOTANICAL NAME	COMMON NAME	WATER USE	WIDTH x HEIGHT	SPACING
	PYRUS CALLERYANA 'CHANTICLEER'	ORNAMENTAL PEAR	.5/ MED	20' x 34'	PER PLAN
	TILIA CORDATA 'CORINTHIAN'	LINDEN TREE	.5/ MED	15' x 45'	PER PLAN
	ACER PALMATUM	JAPANESE MAPLE	.5/ MED	12' x 12'	PER PLAN
	ARBUTUS 'MARINA'	STRAWBERRY MADRONE	.3 / LOW	20' x 20'	PER PLAN
	AGONIS F. 'AFTERDARK'	BLACK PEPPERMINT TREE	.3 / LOW	12' x 20'	PER PLAN
	CERCIS R. 'OKLAHOMA'	REDBUD	.3 / LOW	20' x 20'	PER PLAN
	CHILOPSIS LINEARIS	DESERT WILLOW	.3 / LOW	20' x 20'	PER PLAN
	COTINUS COGGRYGRIA	SMOKE TREE	.3 / LOW	10' x 15'	PER PLAN
	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	.5/ MED	25' x 40'	PER PLAN
	VITEX ANGUS-CASTUS	CHASTE TREE	.3 / LOW	20' x 20'	PER PLAN
MEDIUM SCALE SHRUBS					
	BERBERIS T. 'ATROPURPUREA'	JAPANESE BARBERRY	.3 / LOW	4' x 3'	4' O.C.
	CALLISTEMON V. 'LITTLE JOHN'	DWARF BOTTLE BRUSH	.3 / LOW	3' x 3'	3' O.C.
	LEONOTUS LEONORUS	LIONS TAIL	.3 / LOW	4' x 4'	4' O.C.
	CUPRESSUS S. 'TINY TOWER'	DWARF ITALIAN CYPRESS	.3 / LOW	18" x 5'	18" O.C.
	NANDINA D. LEMON LIME	HEAVENLY BAMBOO	.3 / LOW	3' x 3'	3' O.C.
	NERIUM 'PETITE SALMON'	DWARF OLEANDER	.3 / LOW	4' x 4'	4' O.C.
	SALVIA HYB. 'AMISTAD'	FLOWERING SAGE	.3 / LOW	3' x 3'	3' O.C.
MEDIUM SCALE SHRUBS					
	LOROPETALUM HYB. 'SUZANNE'	LOW GROWING FRINGE FLOWER	.3 / LOW	3' x 3'	3' O.C.
	MYRTUS COMMUNIS 'COMPACTA'	DWARF MYRTLE	.3 / LOW	3' x 3'	3' O.C.
	PRUNUS L. 'OTTO LUYKEN'	DWARF ENGLISH LAUREL	.5/ MED	4' x 3'	4' O.C.
	PUNICA G. 'NANA'	FLOWERING POMEGRANATE	.3 / LOW	3' x 3'	3' O.C.
LOW GROWING SHRUBS					
	COLEONEMA P. 'SUNSET GOLD'	YELLOW BREATH OF HEAVEN	.5/ MED	3'-6" X 2'	3'-6" O.C.
	LAVANDULA HYB. 'SUPER'	LAVENDER	.3 / LOW	30" X 30"	30" O.C.
	RHAPHIOLEPIS 'BALLERINA'	DWARF INDIAN HAWTHORN	.3 / LOW	3'-6" X 2'	3'-6" O.C.
	ROSA HYB.	LANDSCAPE ROSE	.5/ MED	3' x 3'	3' O.C.
	SALVIA G. 'HEATWAVE SERIES'	FLOWERING SAGE	.3 / LOW	30" X 30"	30" O.C.
ORNAMENTAL GRASSES					
	CALAMAGROSTIS A. 'OVERDAM'	VARIEGATED REED GRASS	.5/ MED	30" x 30"	30" O.C.
	LOMANDRA LONGIFOLIA	MAT RUSH	.3 / LOW	42" x 30"	42" O.C.
	MUHLENBERGIA RIGENS	DEER GRASS	.3 / LOW	4'6" x 3'	4'-6" O.C.
	PENNISETUM ORIENTALE	FOUNTAIN GRASS	.3 / LOW	30" X 42"	30" O.C.
PERENNIALS / ACCENT PLANTS					
	AGAVE ATTENUATA	FOX TAIL AGAVE	.3 / LOW	3' x 3'	3' O.C.
	ANIGOZANTHOS SPP.	KANGAROO PAWS	.3 / LOW	2' x 3'	2' O.C.
	BULBINE FRUTESCENS	N.C.N.	.3 / LOW	30" x 18"	30" O.C.
	PHORMIUM TENAX - DWARF VARIETIES	DWARF NEW ZEALAND FLAX	.3 / LOW	3' - 3'	3' O.C.
SMALL SCALE GROUND COVER					
	CAREX DIVULSA	BERKELEY SEDGE	.3 / LOW	30" x 18"	30" O.C.
	ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY	.3 / LOW	30" x 18"	30" O.C.
	FESTUCA I. 'SISKIYOU BLUE'	BLUE FESTUCA	.3 / LOW	18" x 18"	18" O.C.
	GREVILLEA LANIGERA 'COASTAL GEM'	WHOLLY GREVILLEA	.3 / LOW	42" x 12"	42" O.C.
	ROSA HYB.	FLOWER CARPET ROSE	.5/ MED	3' x 2'	3' O.C.
	SENECIO MANDRALISCAE	CHALK FINGERS	.3 / LOW	3' x 12"	3' O.C.
	TEUCRIUM SP.	DWARF GERMANDER	.3 / LOW	2' x 18"	2' O.C.

NOTE: PLANT SIZES SOURCED FROM SUNSET WESTERN GARDEN BOOK

GENERAL NOTES

- THE LANDSCAPE CONTRACTOR SHALL VISIT THE SITE PRIOR TO BIDDING IN ORDER TO DETERMINE EXISTING CONDITIONS. ADDITIONAL COMPENSATION RESULTING FROM ALLEGED IGNORANCE OF LOCAL AND/OR EXISTING CONDITIONS AND THEIR EFFECT UPON THE COST OF THE WORK WILL NOT BE SUBSEQUENTLY APPROVED.

- PRIOR TO COMMENCING WORK, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING WITH THE GENERAL CONTRACTOR THAT THE PRELIMINARY GRADING AS SHOWN ON THE CIVIL ENGINEER'S DRAWING HAS BEEN COMPLETED, AND THAT ALL CONCRETE, ASPHALT, LARGE ROCKS, BASE ROCK MATERIAL AND ANY OTHER DEBRIS HAS BEEN REMOVED FROM ALL LANDSCAPE PLANTER AREAS. THE LANDSCAPE CONTRACTOR SHALL PROVIDE A WRITTEN COPY OF THE VERIFICATION TO BK&A PRIOR TO PLANTING.

- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINISH GRADING OF ALL PLANTING AREAS. FINISH GRADE SHALL BE SMOOTH, EVEN AND UNIFORM PLANE WITH NO LOW SPOTS OR ABRUPT CHANGE OF SURFACE. SLOPE TO DRAIN, AND SLOPE ALL GRADES AWAY FROM BUILDINGS A MINIMUM OF 2%. FINISH GRADE SHALL BE TWO INCHES (2") BELOW ADJACENT PAVING, CURB, SIDEWALK AND HEADERBOARD, AND GENERALLY GROUNED TOWARDS THE CENTER OF THE PLANTER. THE ADDITION OF BARK MULCH OR LAWN SHALL RAISE ALL PLANTER AREAS LEVEL WITH ADJACENT SIDEWALKS AND OTHER PEDESTRIAN AREAS.

  AS PART OF THIS WORK, THE LANDSCAPE CONTRACTOR SHALL HIRE A SOIL & PLANT LABORATORY TO TAKE SAMPLES AND PROVIDE A SOILS TEST AND RECOMMENDATIONS FOR ORGANIC SOIL AMENDMENTS AND SOIL PREPARATION FOR EACH OF THE FOLLOWING LANDSCAPE AREAS:
  TREE, SHRUB AND GROUNDCOVER PLANTING AREAS.

  TEST SHALL BE COMPLETED AFTER THE SITE IS GRADED AND PRIOR TO PLANTING. CONTRACTOR SHALL PROVIDE COPIES OF THE SOIL TEST TO BK&A AND THE OWNER'S REPRESENTATIVE PRIOR TO AMENDING THE SOIL.

  THE WRITTEN RESULTS SHALL BE PROVIDED TO BK&A AND THE OWNER PRIOR TO THE FINAL WALK-THROUGH AND ACCEPTANCE.

  ONLY ORGANIC AMENDMENTS AND FERTILIZERS SHALL BE USED.

  UNLESS MODIFIED OTHERWISE BY THE SOIL REPORT, THE LANDSCAPE CONTRACTOR SHALL PROVIDE, PLACE AND GRADE SANDY LOAM TOPSOIL FOR ALL PLANTING AREAS REQUIRING BACKFILL AND/OR MOUNDING TO MEET SPECIFIED FINISH GRADES. THE LANDSCAPE CONTRACTOR SHALL COORDINATE BACKFILL REQUIREMENTS WITH THE GENERAL CONTRACTOR PRIOR TO PLANTING. RIP SUBSOIL TO A DEPTH OF 9" PRIOR TO PLACING TOPSOIL.

  FOR BIDDING PURPOSES ONLY, CONTRACTOR SHALL INCLUDE A UNIT PRICE PER CUBIC YARD OF TOPSOIL INSTALLED.

  FOR ACTUAL CONSTRUCTION, PROVIDE TOPSOIL/SOIL AMENDMENTS PER THE SOIL REPORT, AND PROVIDE OWNER'S REPRESENTATIVE WITH WRITTEN DOCUMENTATION ON TOTAL QUANTITY OF TOPSOIL USED.

  ALL SOIL AMENDMENTS SHALL BE BASED ON ORGANIC COMPOST TO BRING ORGANIC MATTER TO MEET MINIMUM 5% DRY WEIGHT. ALL FERTILIZERS SHALL BE ORGANIC. SOIL AMENDMENTS AND FERTILIZERS SHALL MEET BAY FRIENDLY GUIDELINES AND CITY OF HAYWARD REQUIREMENTS.

- THE PLANT LIST IS FOR THE CONVENIENCE OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY TOTAL QUANTITY IN THE FIELD BASED ON THE LANDSCAPE PLANS, AND SHALL NOT RELY SOLELY ON THE PLANT LIST.

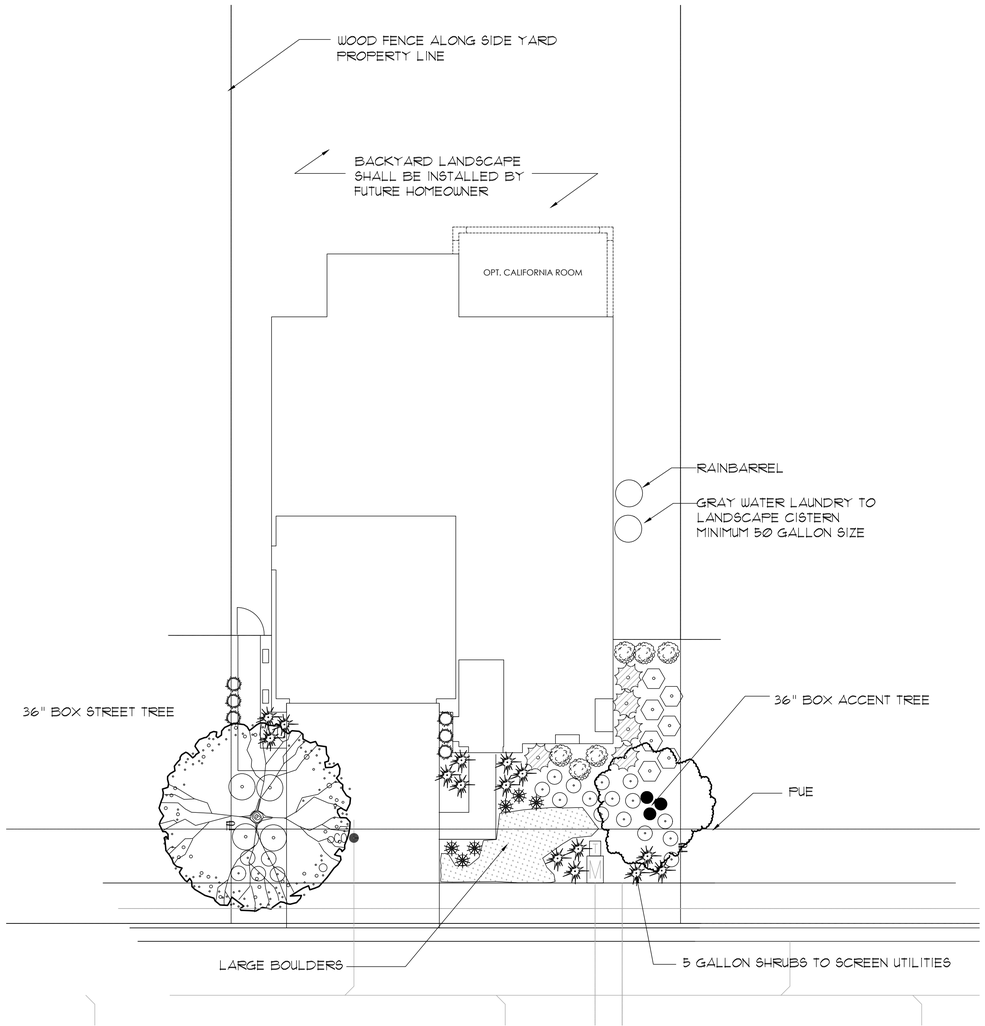
  CONTRACTOR SHALL PROVIDE THE NAME OF THE NURSERY FROM WHERE THE PLANTS ARE BEING PURCHASED FROM, AND, IF REQUIRED AS PART OF THE BID PACKAGE, ARRANGE A TREE INSPECTION AT THE NURSERY WITH THE OWNER'S REPRESENTATIVE. A THREE (3) DAY ADVANCED NOTICE IS REQUIRED TO SET UP THE INSPECTION.

- ANY TREE PLANTED CLOSER THAN SEVEN FT. ('7') TO ANY HARDSCAPE SURFACE OR FOUNDATION SHALL HAVE A ROOT BARRIER INSTALLED. ROOT BARRIER SHALL BE A CONTINUOUS BARRIER 18 INCHES DEEP, PLASTIC ROLL WITH RAISED RIBS FACING PLANTER AREA. ROOT BARRIERS SHALL BE INSTALLED AT THE BACK OF SIDEWALK, ALONG CURB OR OTHER HARDSCAPE IN TRENCH AT SLIGHT ANGLE. INSTALL ROOT BARRIER ALONG SIDE OF HARDSCAPE AREA ONLY, FOR A DISTANCE OF 3 FT. TO BOTH SIDES OF TREE TRUNK.

- PERCOLATION TEST - CONTRACTOR SHALL PERFORM A PERCOLATION TEST ON TWO (2) RANDOMLY SELECTED TREE PITS AND DEMONSTRATE TO THE OWNER'S REPRESENTATIVE IN THE FIELD THEIR DRAINAGE PERFORMANCE. LOCATION OF PITS SHALL BE DOCUMENTED ON THE RECORD DRAWINGS AND RETURNED TO THE OWNER FOR THEIR RECORD. IF WATER LEVEL IN TREE PITS DROPS LESS THAN 6" WITHIN A 6 HOUR PERIOD, CONTACT THE OWNER'S REPRESENTATIVE IN WRITING FOR RESOLUTION PRIOR TO CONTINUING WORK.

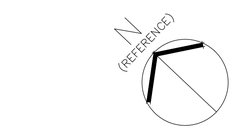
- DO NOT INSTALL ANY PLANT IN A SWALE OR IN SUCH A MANNER WHICH WILL INTERFERE WITH DRAINAGE.

- ORGANIC RECYCLED CHIPPED WOOD MULCH DARK BROWN COLOR - ALL AREAS SHALL RECEIVE A THREE INCH (3") LAYER OF CHIPPED WOOD MULCH, 1/2" TO 2" SIZE.
  KEEP ALL MULCH 6 INCHES AWAY FROM THE TRUNK OF PLANTS. SUBMIT SAMPLE OF BARK MULCH FOR APPROVAL PRIOR TO DELIVERY TO PROJECT. NO 'GORILLA HAIR' OR SHREDDED MULCH ALLOWED.



LANDSCAPE PLANS COMPLY WITH THE CRITERIA OF THE CITY OF HAYWARD BAY FRIENDLY WATER EFFICIENT LANDSCAPE ORDINANCE AND HAVE APPLIED SUCH CRITERIA FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN.

WATER USE CALCULATIONS SHALL BE SUPPLIED WITH THE CONSTRUCTION DOCUMENTS.



GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

CONCEPTUAL LANDSCAPE PLAN

BORRECCO/KILIAN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1241 Pine Street
Martinez, California 94553
Phone: 925/372-5306
FAX: 925/372-5308

REGISTERED LANDSCAPE ARCHITECT Signature Kilian 3359 Date STATE OF CALIFORNIA

REV	DATE	DESCRIPTION

TITLE OF PROJECT
HESPERIAN BLVD
HAYWARD, CA

DATE: 11/2017
DRAWN BY: KDF

THIS PLAN IS:

SHEET NUMBER
L-5
TITLE OF DRAWING:

M:\Three Cedars\Hesperian\November 2017\L-5 L-6 HESPERIAN front yard 2.dwg Nov 17, 2017 - 1:14pm Administrator

CONCEPTUAL FRONT YARD WATER BUDGET

LANDSCAPE AREA : 455 SF — REFERENCE ETo: 44.2

MAXIMUM ALLOWED WATER ALLOWANCE (MAWA) = 6,858

MAXIMUM ALLOWED WATER CALCULATIONS

FORMULA:

(ETO) (.62) [(ETAF x LA)] + ((1-ETAF) x SLA)) = MAWA

(44.2) (.62) [.55 x 455) =] 6,858

ESTIMATED TOTAL WATER USE (ETWU) = 5,812

ESTIMATED TOTAL WATER USE CALCULATIONS

FORMULA:

(ETO) (.62) (ETAF) (LA) = ETWU

DRIP
(44.2) (.62) (.37) (230) = 2,332

DRIP
(44.2) (.62) (.62) (175) = 2,973

BUBBLERS
(44.2) (.62) (.37) (50) = 507

ETWU = 5,812

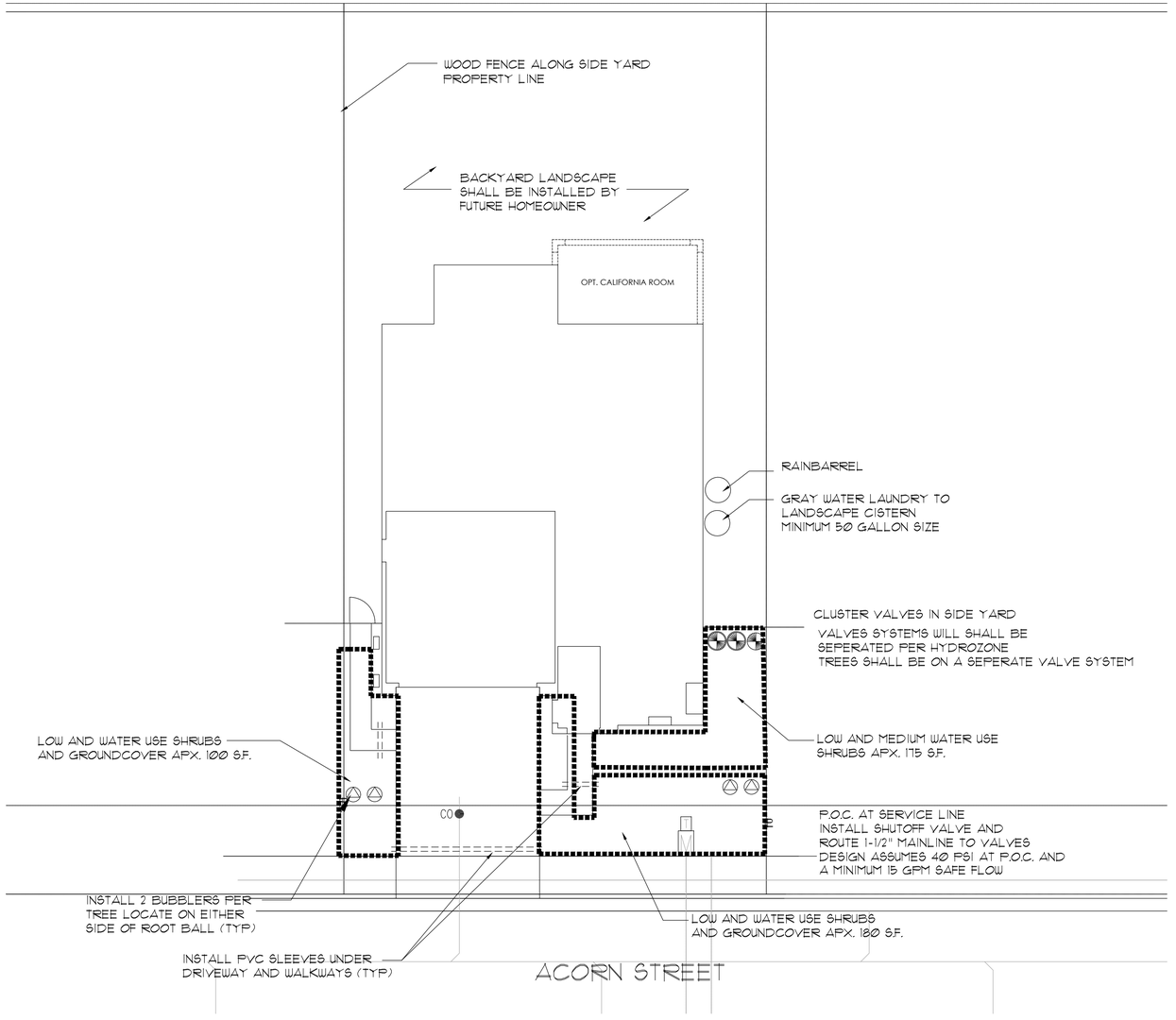
HYDROZONE # /PLANTING DESCRIPTION	WUCOLS PF	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	LANDSCAPE AREA (SQFT.)	ETAF X AREA	ETWU
	.3 / LOW	DRIP	.81	.37	230	85	2,332
	.3 / LOW	BUBBLER	.81	.37	50	19	507
MEDIUM WATER USE SHRUBS	.5 / MED	DRIP	.81	.62	175	47	2,973
				TOTALS =	455	151	5,812

AVERAGE ETAF = .42

ETAF CALCULATIONS		
A. TOTAL ETAF x AREA	151	(AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS MUST BE .55 OR BELOW FOR RESIDENTIAL AREAS, AND .45 OR BELOW FOR NON-RESDENTIAL AREAS.)
B. TOTAL LANDSCAPE AREA	455	
AVERAGE ETAF = (B/A)	.33	

LANDSCAPE PLANS COMPLY WITH THE CRITERIA OF THE CITY OF HAYWARD BAY FRIENDLY WATER EFFICIENT LANDSCAPE ORDINANCE AND HAVE APPLIED SUCH CRITERIA FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN.

WATER USE CALCULATIONS SHALL BE SUPPLIED WITH THE CONSTRUCTION DOCUMENTS.



N (REFERENCE)

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

CONCEPTUAL HYDROZONE MAP

BORRECCO/KILIAN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1241 Pine Street
Martinez, California 94553
Phone: 925/372-5306
FAX: 925/372-5308

REGISTERED LANDSCAPE ARCHITECT — 2359 — Signature — Date — STATE OF CALIFORNIA

REV	DATE	DESCRIPTION

TITLE OF PROJECT
HESPERIAN BLVD
HAYWARD, CA

DATE: 11/2017
DRAWN BY: KDF

THIS PLAN IS:

SHEET NUMBER
L-6
TITLE OF DRAWING:

M:\Three Cedars\Hesperian\November 2017\L-5 L-6 HESPERIAN front yard 2.dwg Nov. 16, 2017 – 12:56pm Administrator

ELEVATION '2B' - FARMHOUSE ELEVATION '2A ALT' - SPANISH ELEVATION '1A' - SPANISH

PROJECT TEAM

APPLICANT:
THREE CEDARS, LLC
1440 CHAPIN AVENUE, SUITE 370
BURLINGAME, CA 94010
CONTACT: JOHN TREBLE
650-454-7854

CIVIL ENGINEER:
BKF ENGINEERS
150 CALIFORNIA STREET, STE. 650
SAN FRANCISCO, CA 94111
CONTACT: ALYSSA JACOBSON
415-930-7904

ARCHITECT:
KTGY GROUP, INC.
1814 FRANKLIN ST., SUITE 400
OAKLAND, CA 94612
CONTACT: BRIAN METCALF
510-272-2910

LANDSCAPE ARCHITECT:
BORRECCO/KILLIAN & ASSOC.
1241 PINE STREET
MARTINEZ, CA 94553
CONTACT: KIRSTIN BALDWIN
415-930-7900

PROJECT INFO

SINGLE FAMILY RESIDENTIAL: 13 NEW UNITS

PROJECT SITE: 78,490 S.F. (1.8 AC)

NOTES:

-PROJECT SCOPE OF WORK: NEW CONSTRUCTION OF 13 NEW HOMES, INCLUDING ALL UTILITIES, STORMWATER MANAGEMENT AND ROAD IMPROVEMENTS (SEE CIVIL DRAWINGS).

- BUILDING CONSTRUCTION SHALL MEET THE REQUIREMENTS OF 2016 CA RESIDENTIAL CODE, 2016 CA BUILDING CODE, 2016 CA ELECTRICAL CODE, 2016 CA MECHANICAL CODE, 2016 CA ENERGY EFFICIENCY STANDARDS, AND THE CITY OF HAYWARD MUNICIPAL CODE & ORDINANCES.

- ALL BUILDINGS SHALL BE TYPE V-B CONSTRUCTION, R-3 OCCUPANCY GROUP

-ALL ATTACHED GARAGES SHALL BE PRE-WIRED FOR ELECTRIC VEHICLE CHARGING CAPABILITY.

-ALL HOUSES TO BE PROVIDED WITH PHOTOVOLTAIC SOLAR PANELS.

-ALL HOUSES TO HAVE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM IN ACCORDANCE WITH NFPA 13D STANDARDS.

-ALL HOUSES TO HAVE BASIC 'LAUNDRY TO LANDSCAPE' PLUMBING INSTALLED & 50 GALLON MIN. RAIN CATCHMENT DEVICE

DRAWING INDEX

ELEVATION '1B' - FARMHOUSE

ELEVATION '1A' - SPANISH

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(650) 454-7854

HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

PLAN 1 COLORED ELEVATIONS

A1.0.0

ELEVATION '1B' - FARMHOUSE

1B - FARMHOUSE
Material Legend:

- Flat Concrete Tile Roofing
- Stucco Finish
- Cementitious Board and Batt Siding
- Decorative Kicker / Corbel
- Enhanced Sills
- 2x Stucco Finish Trim

ELEVATION '1A' - SPANISH

1A - Spanish
Material Legend:

- Concrete Low Profile 'S' Tile
- Stucco Finish
- Decorative Finial
- Decorative Gable End Detail
- Enhanced Sills
- 2x Stucco Finish Trim

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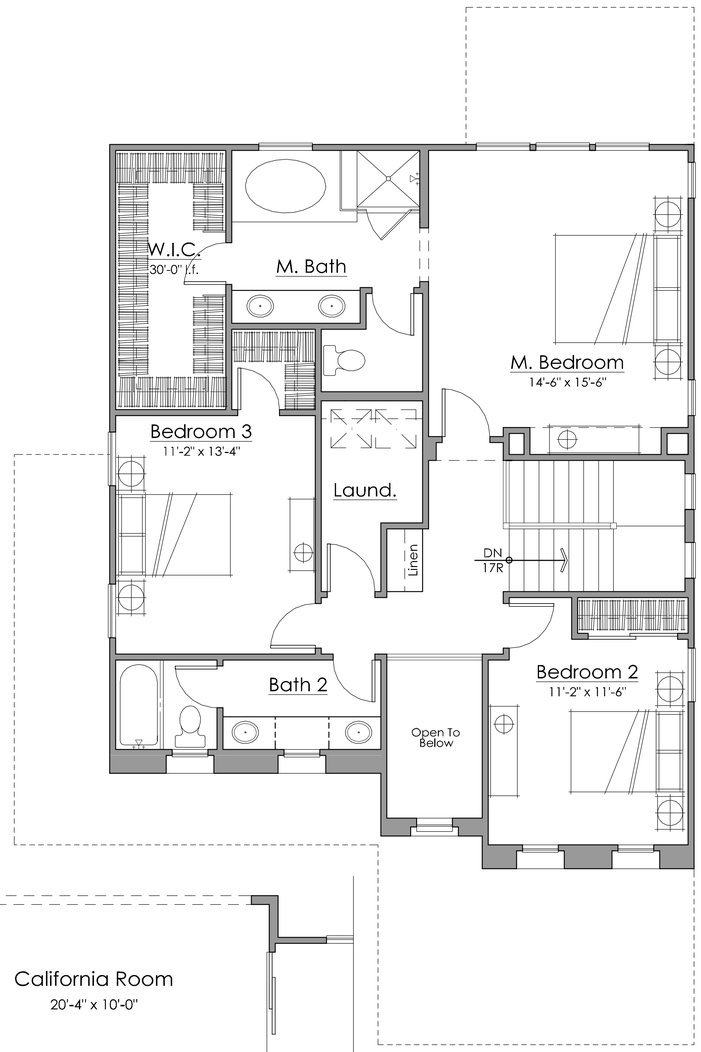
11-27-2017

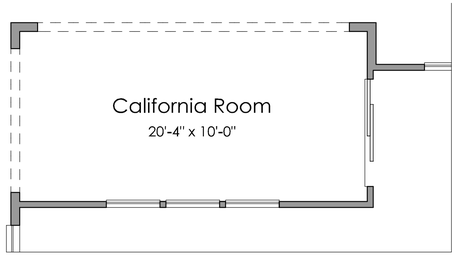
0 2 4 8

PLAN 1 FRONT ELEVATIONS

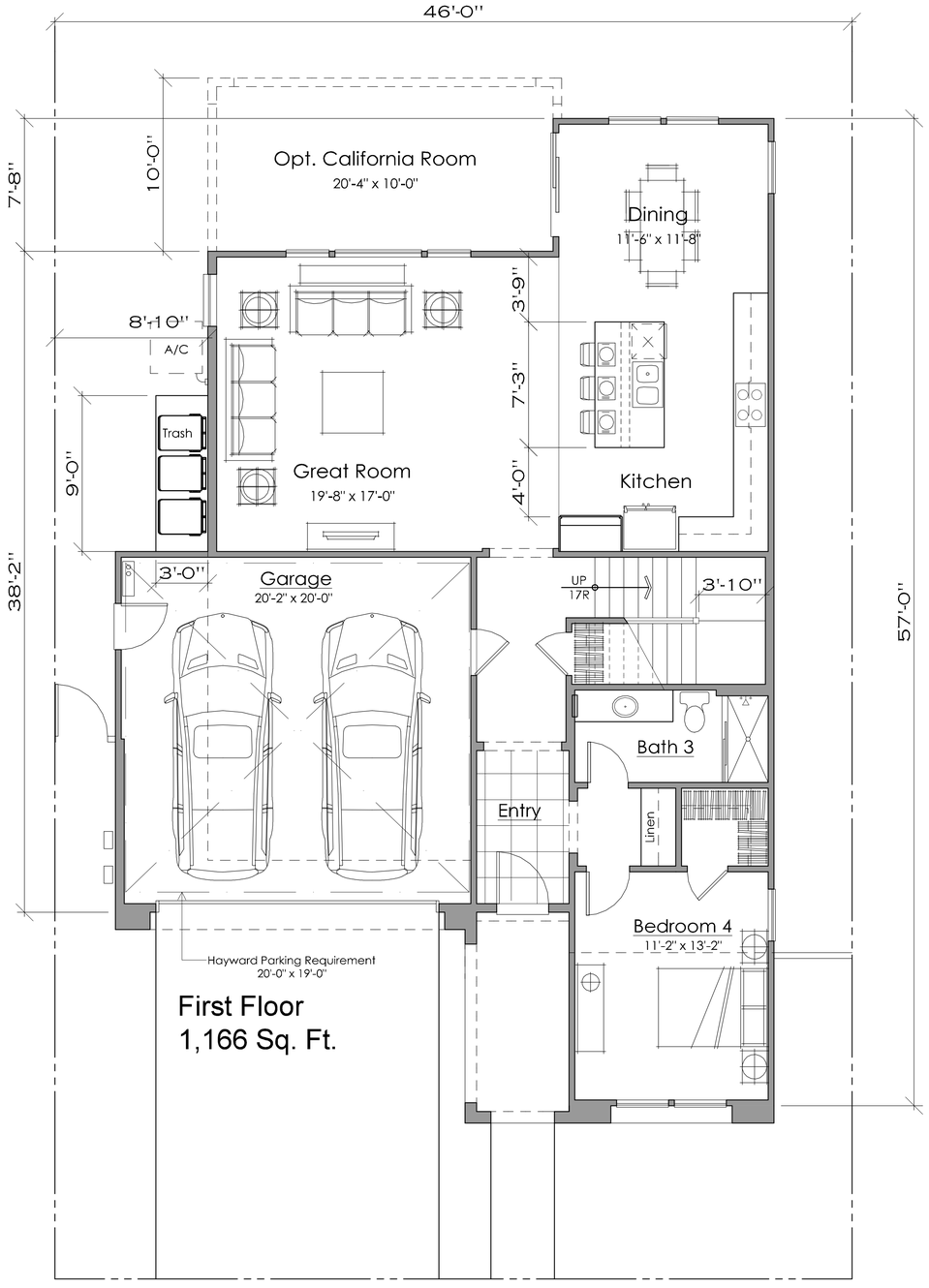
A1.0



Second Floor
1,074 Sq. Ft.



OPTIONAL CALIFORNIA ROOM



First Floor
1,166 Sq. Ft.

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HESPERIAN BOULEVARD
HAYWARD, CA
#2015-0995

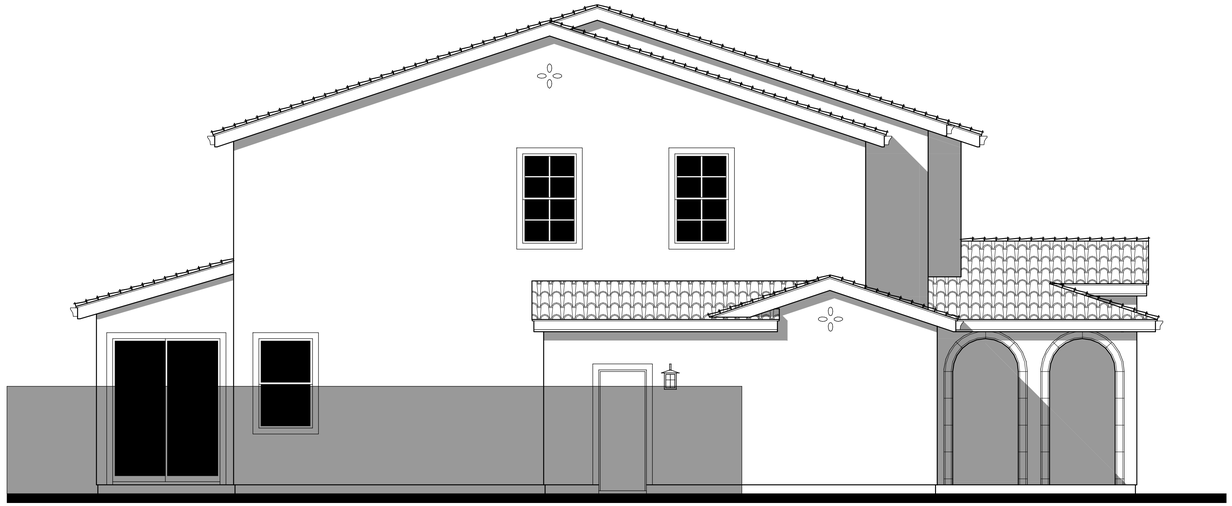
SCHEMATIC DESIGN
11-27-2017

0 2 4 8

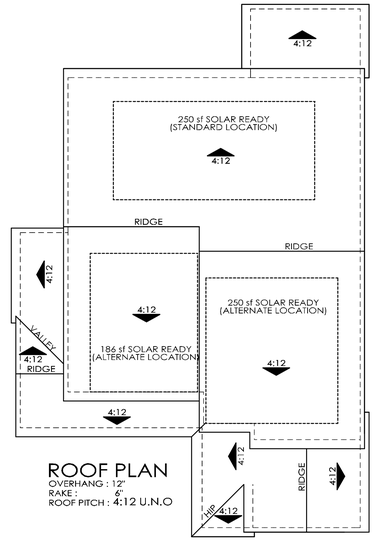
4 Bedrooms
3 Baths
2,240 Sq. Ft.

PLAN 1
FLOOR PLAN

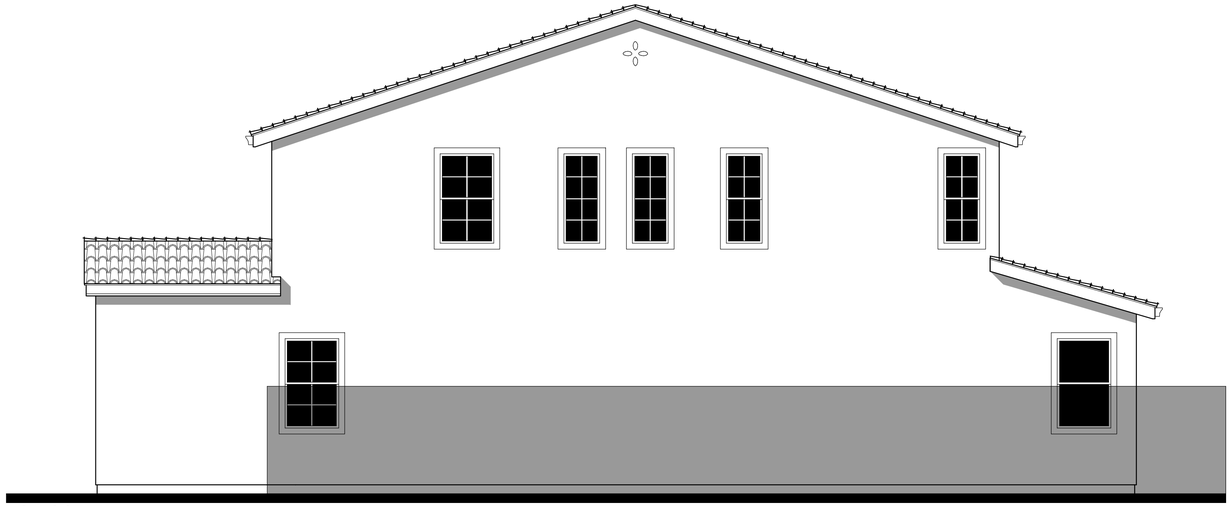
A1.1



LEFT



ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 4:12 U.N.O



RIGHT

REAR

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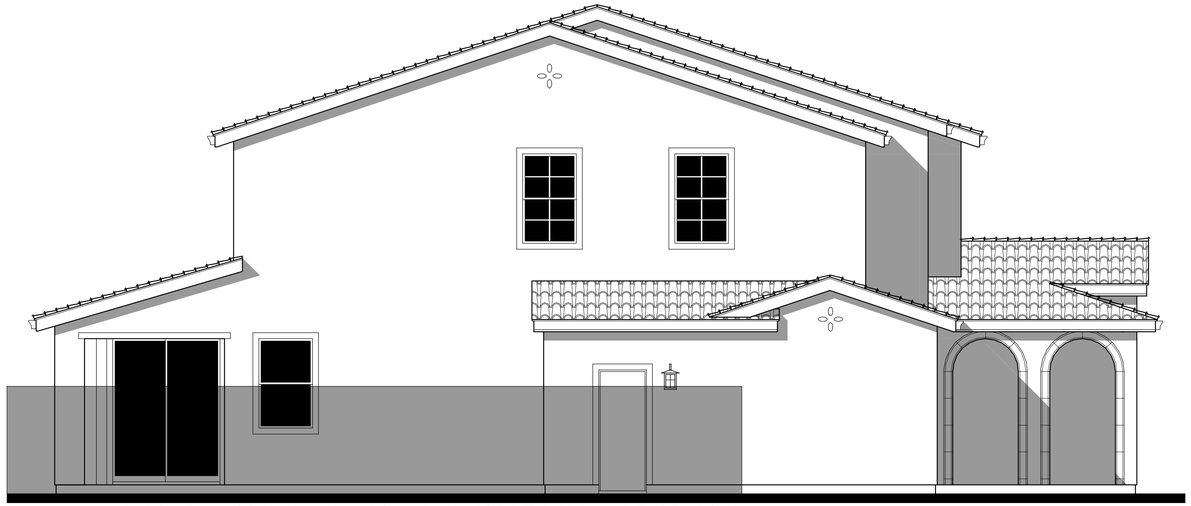
HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

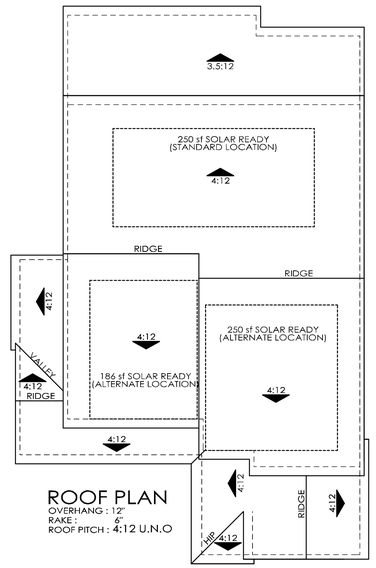
0 2 4 8

PLAN 1A EXTERIOR ELEVATIONS

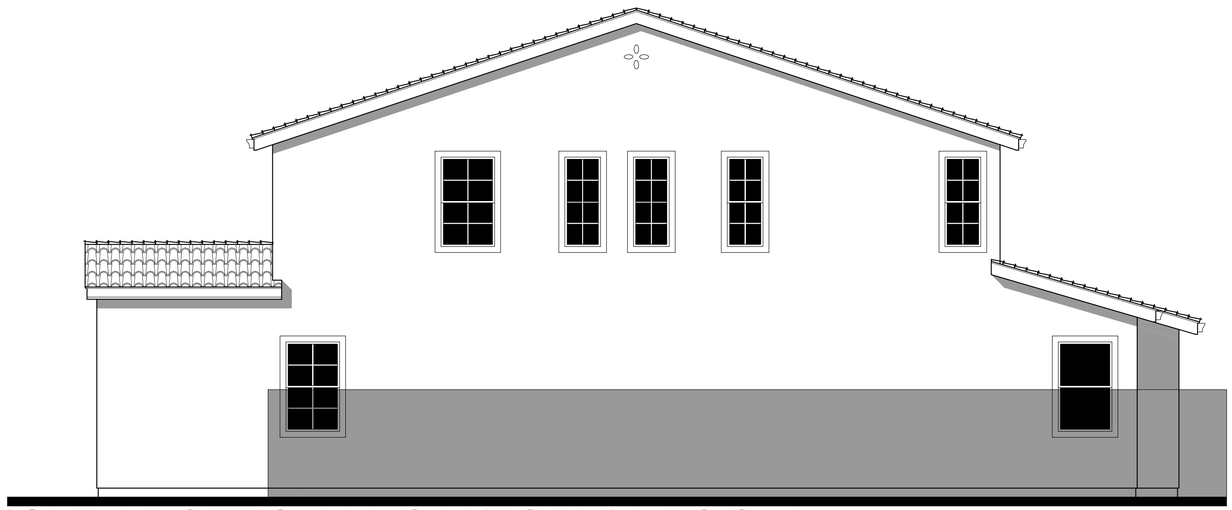
A1.2



LEFT AT OPTIONAL CALIFORNIA ROOM



ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 4:12 U.N.O



RIGHT AT OPTIONAL CALIFORNIA ROOM

REAR AT OPTIONAL CALIFORNIA ROOM

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HESPERIAN BOULEVARD
HAYWARD, CA
#2015-0995

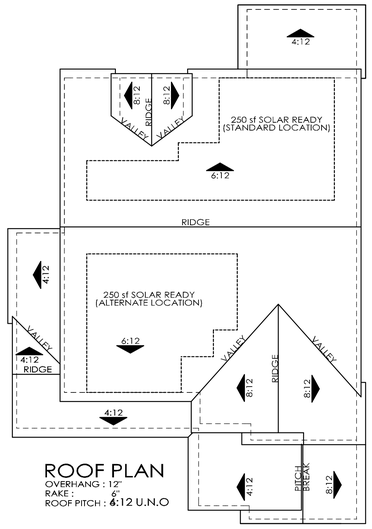
SCHEMATIC DESIGN
11-27-2017

0 2 4 8

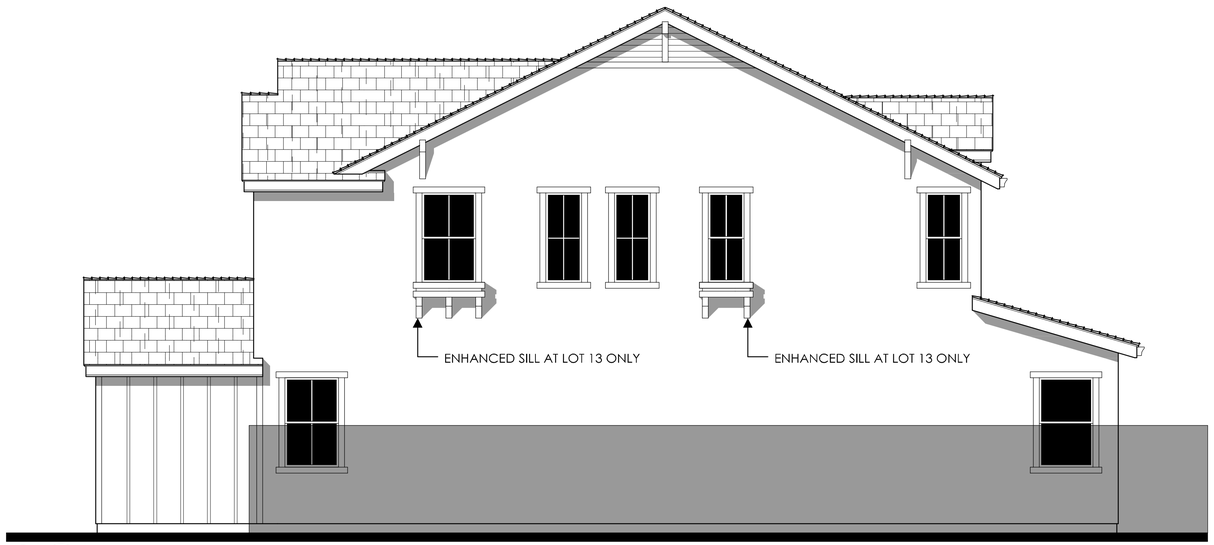
PLAN 1A OPT. CALIF. RM ELEVS

A1.2.1

LEFT



ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 6:12 U.N.O



RIGHT

REAR

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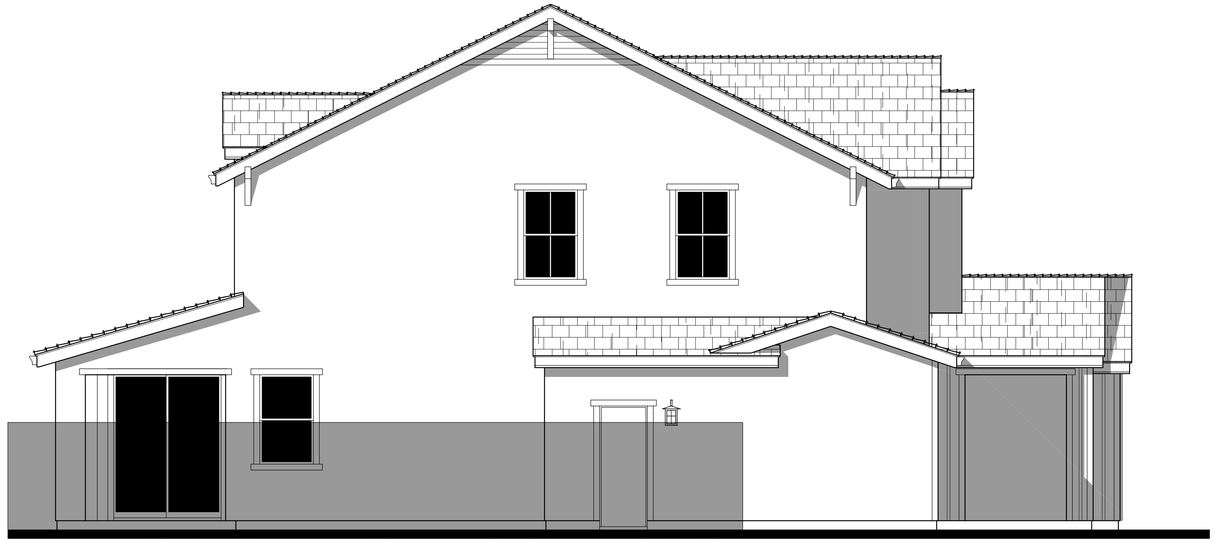
HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

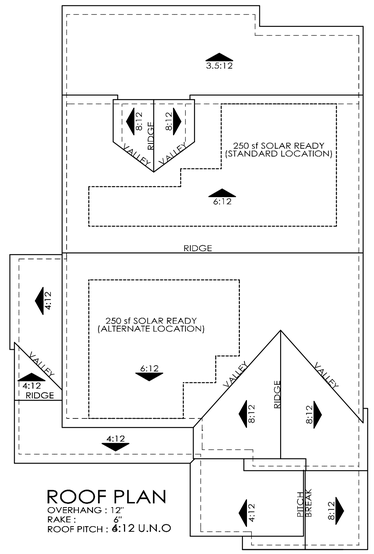
0 2 4 8

PLAN 1B EXTERIOR ELEVATIONS

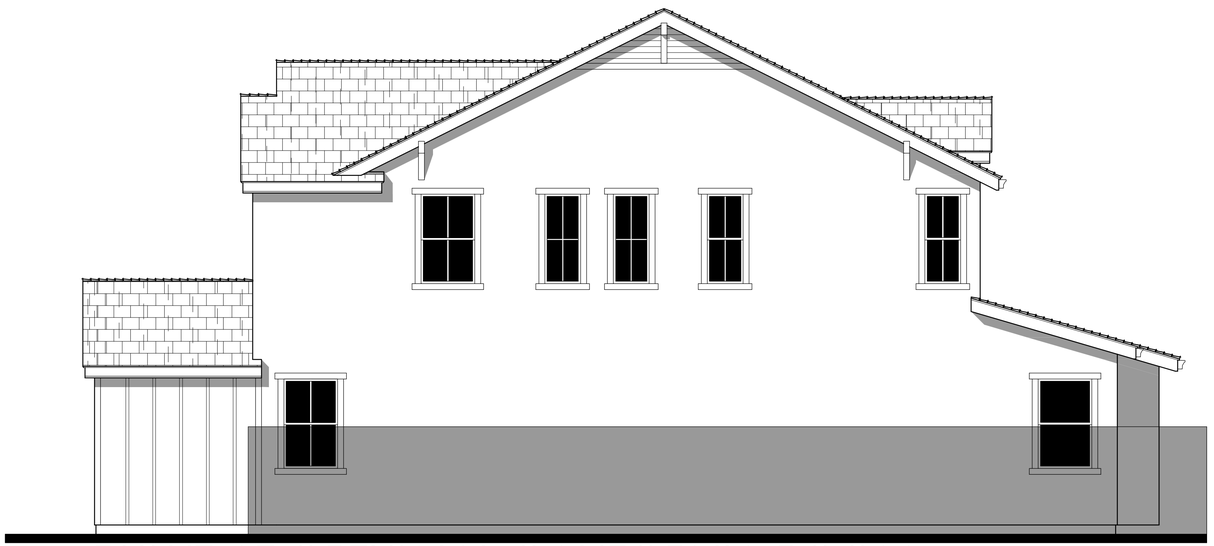
A1.3



LEFT AT OPTIONAL CALIFORNIA ROOM



ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 6:12 U.N.O



RIGHT AT OPTIONAL CALIFORNIA ROOM

REAR AT OPTIONAL CALIFORNIA ROOM

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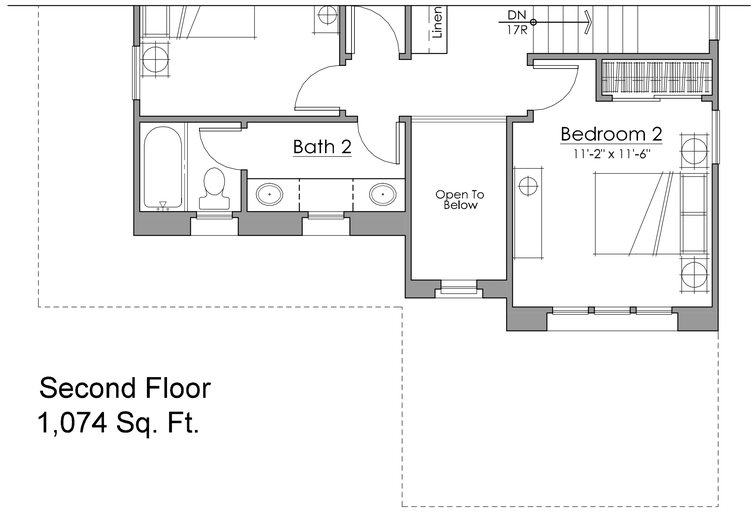
HESPERIAN BOULEVARD
HAYWARD, CA
#2015-0995

SCHEMATIC DESIGN
11-27-2017

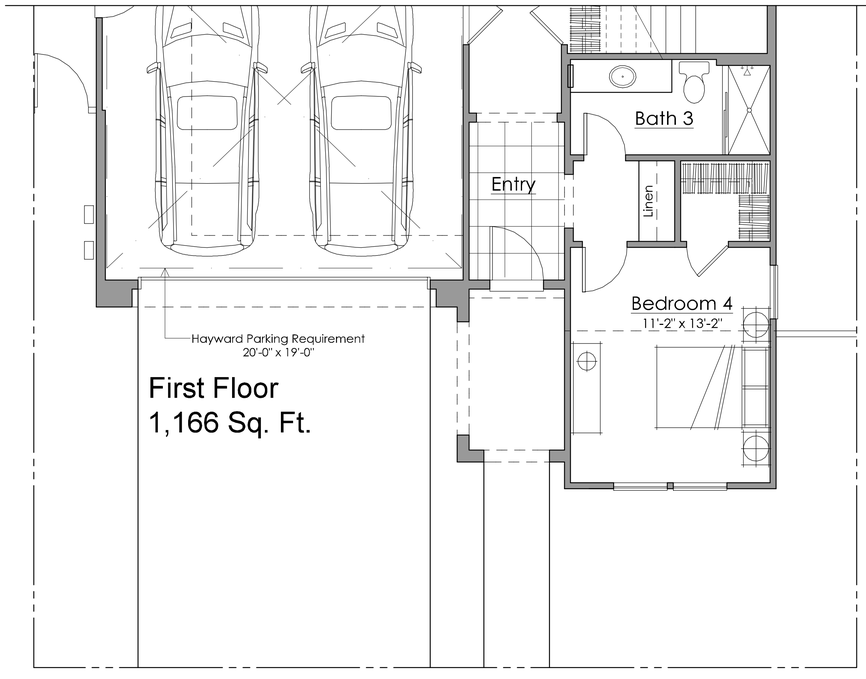
0 2 4 8

PLAN 1B OPT. CALIF. RM ELEVS

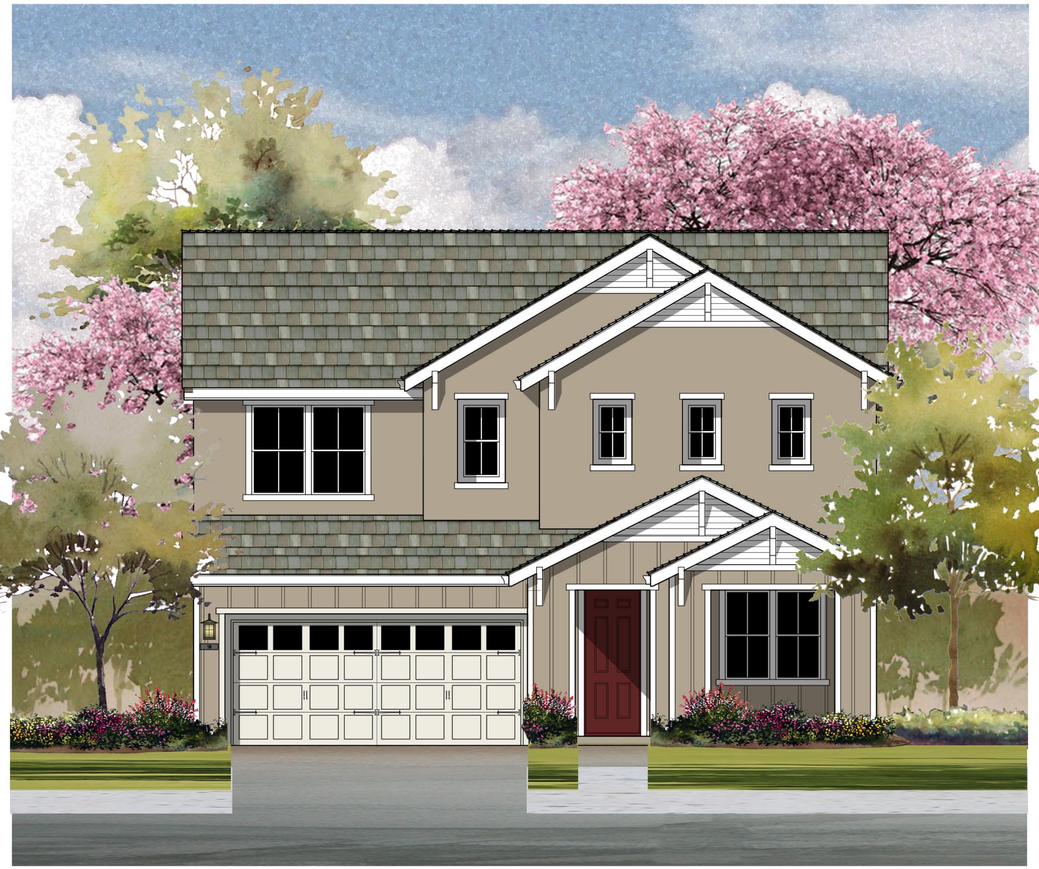
A1.3.1



Second Floor
1,074 Sq. Ft.



First Floor
1,166 Sq. Ft.



ELEVATION '2B' - FARMHOUSE

ELEVATION '2A' - SPANISH

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THREE CEDARS
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HESPERIAN BOULEVARD
HAYWARD, CA
#2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

PLAN 2 COLORED ELEVATIONS

A2.0.0

ELEVATION '2B' - FARMHOUSE

2B - FARMHOUSE
Material Legend:

- Flat Concrete Tile Roofing
- Stucco Finish
- Cementitious Board and Batt Siding
- Decorative Kicker / Corbel
- Enhanced Sills
- 2x Stucco Finish Trim

ELEVATION '2A' - SPANISH

2A - Spanish
Material Legend:

- Concrete Low Profile 'S' Tile
- Stucco Finish
- Decorative Finial
- Decorative Gable End Detail
- Enhanced Sills
- 2x Stucco Finish Trim

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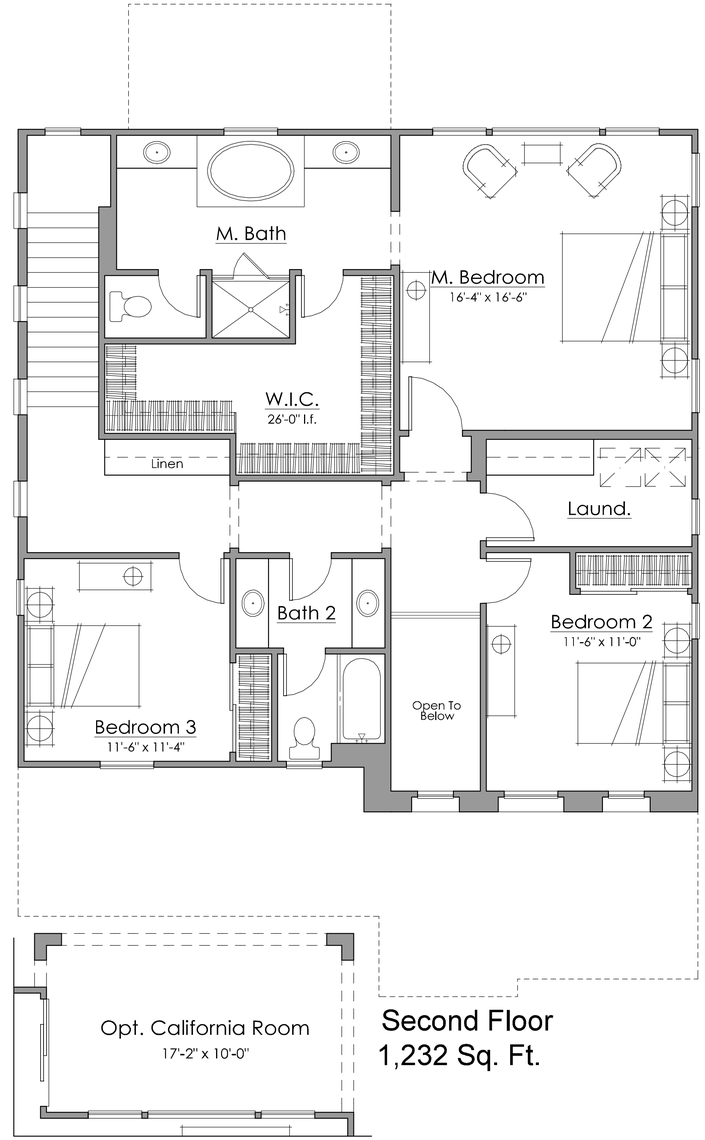
HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

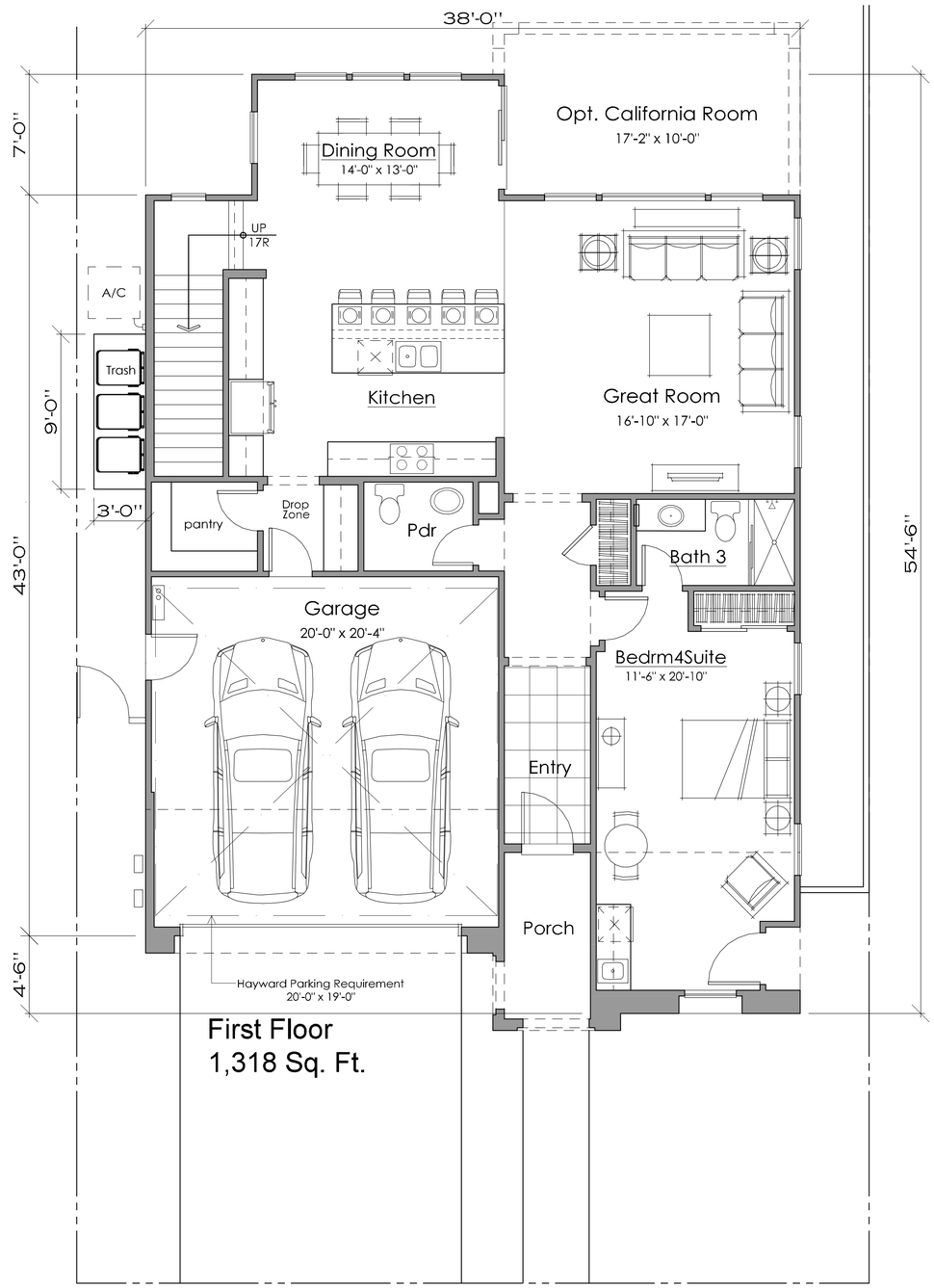
PLAN 2 FRONT ELEVATIONS

A2.0



Second Floor
1,232 Sq. Ft.

OPTIONAL CALIFORNIA ROOM



First Floor
1,318 Sq. Ft.

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THREE CEDARS
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HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

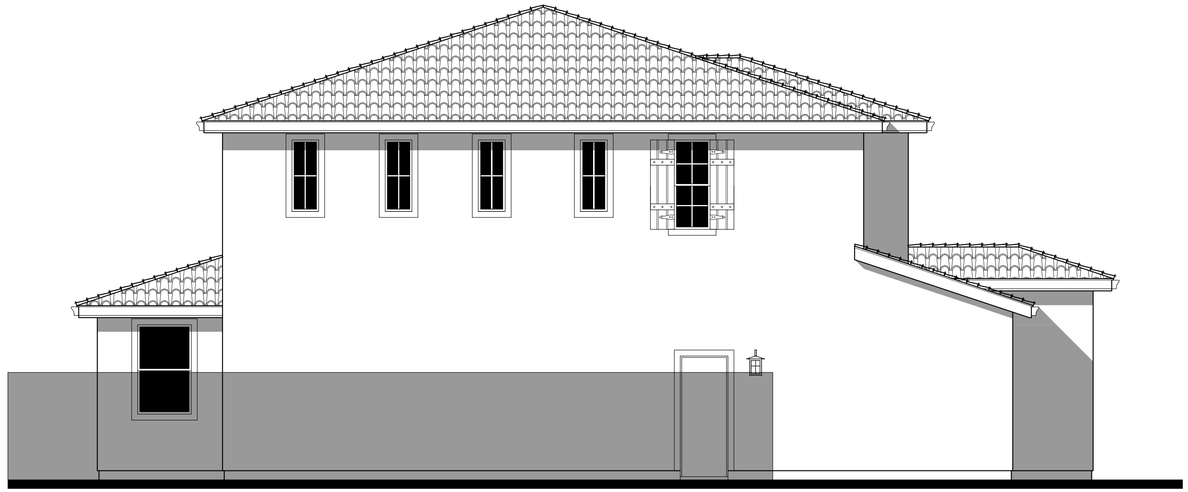
SCHEMATIC DESIGN
11-27-2017

0 2 4 8

4 Bedrooms
3.5 Baths
2,550 Sq. Ft.

PLAN 2
FLOOR PLAN

A2.1



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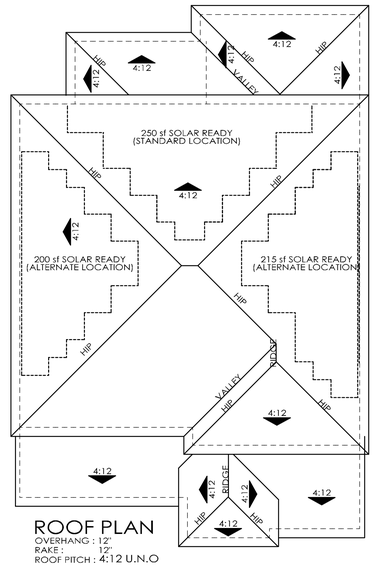
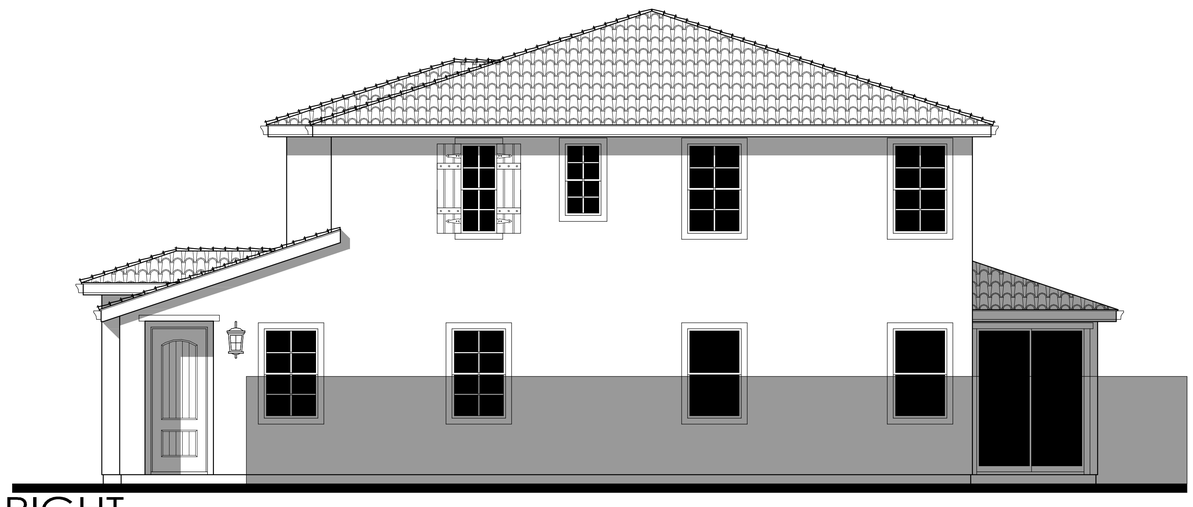


ROOF PLAN
OVERHANG : 12"
RAKE : 12"
ROOF PITCH : 4:12 U.N.O



RIGHT

REAR

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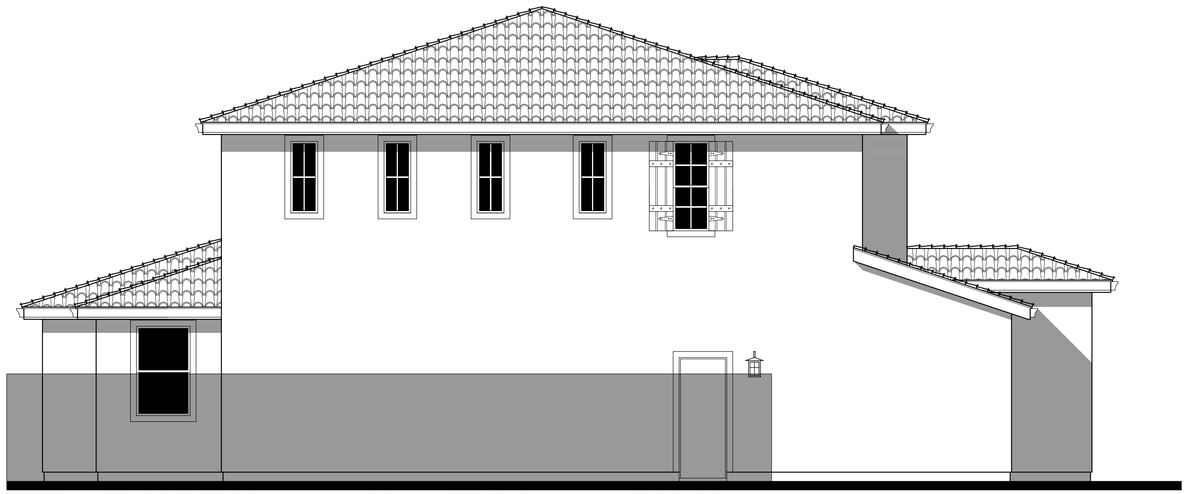
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

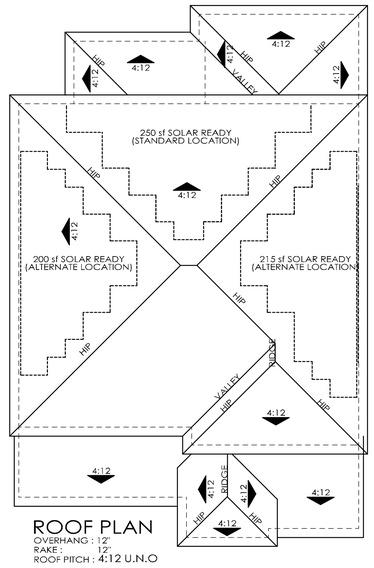
0 2 4 8

PLAN 2A EXTERIOR ELEVATIONS

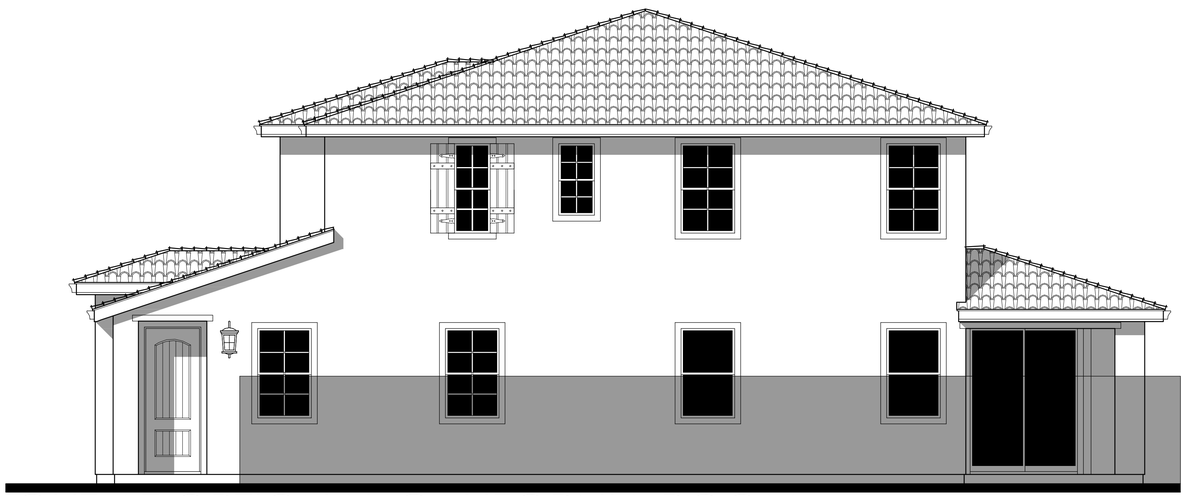
A2.2



LEFT AT OPTIONAL CALIFORNIA ROOM



ROOF PLAN
OVERHANG : 12"
RAKE : 12"
ROOF PITCH : 4:12 U.N.O



RIGHT AT OPTIONAL CALIFORNIA ROOM

REAR AT OPTIONAL CALIFORNIA ROOM

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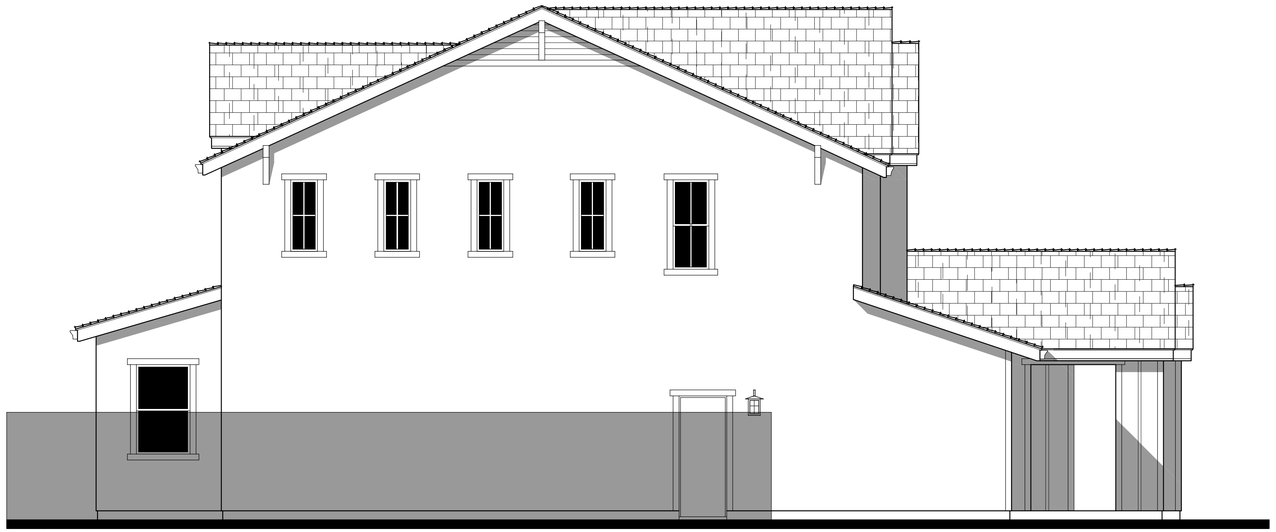
HAYWARD, CA
#2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

PLAN 2A OPT. CALIF. RM ELEVS

A2.2.1



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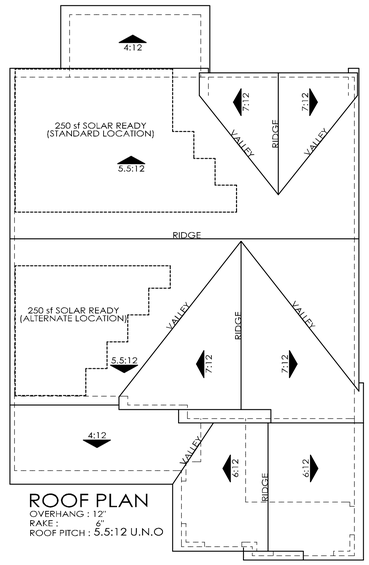
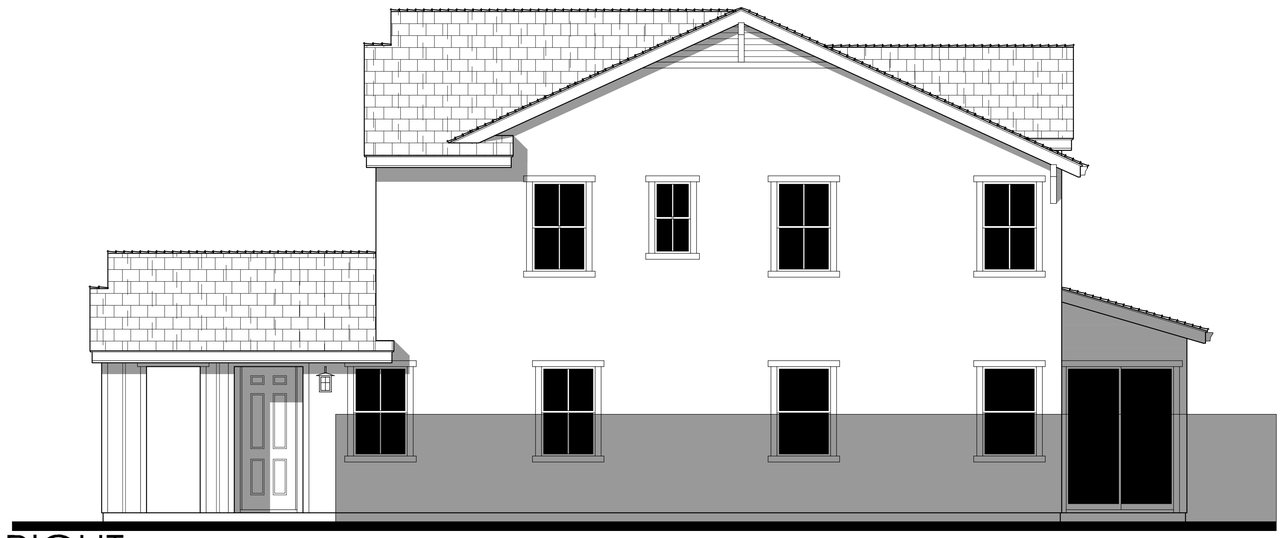


ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 5.5:12 U.N.O



RIGHT

REAR

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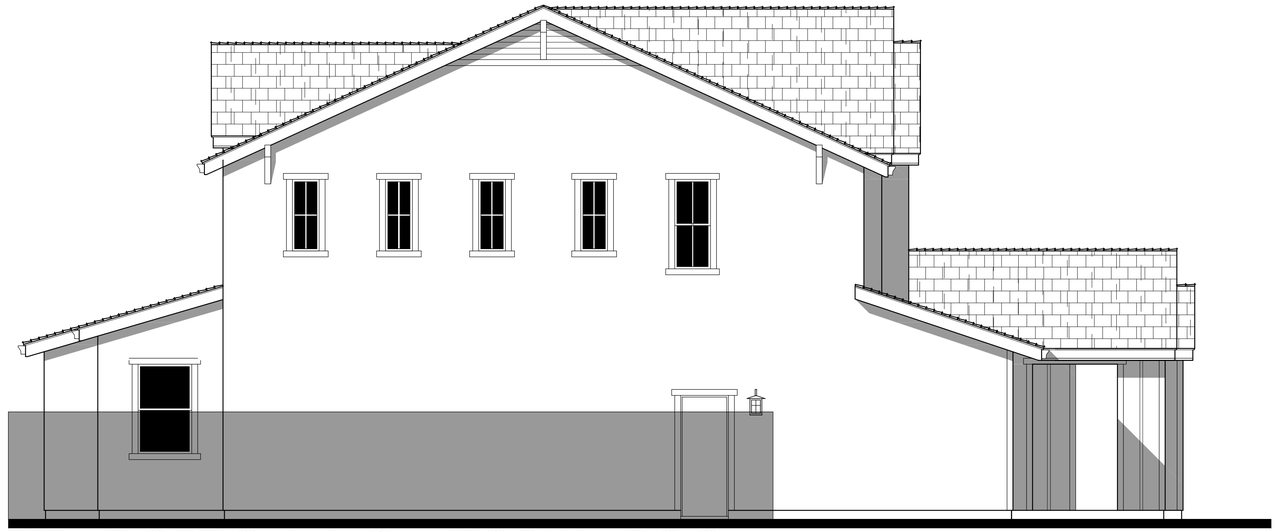
HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

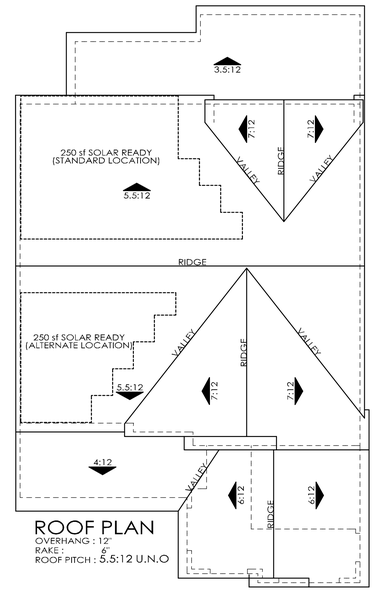
0 2 4 8

PLAN 2B EXTERIOR ELEVATIONS

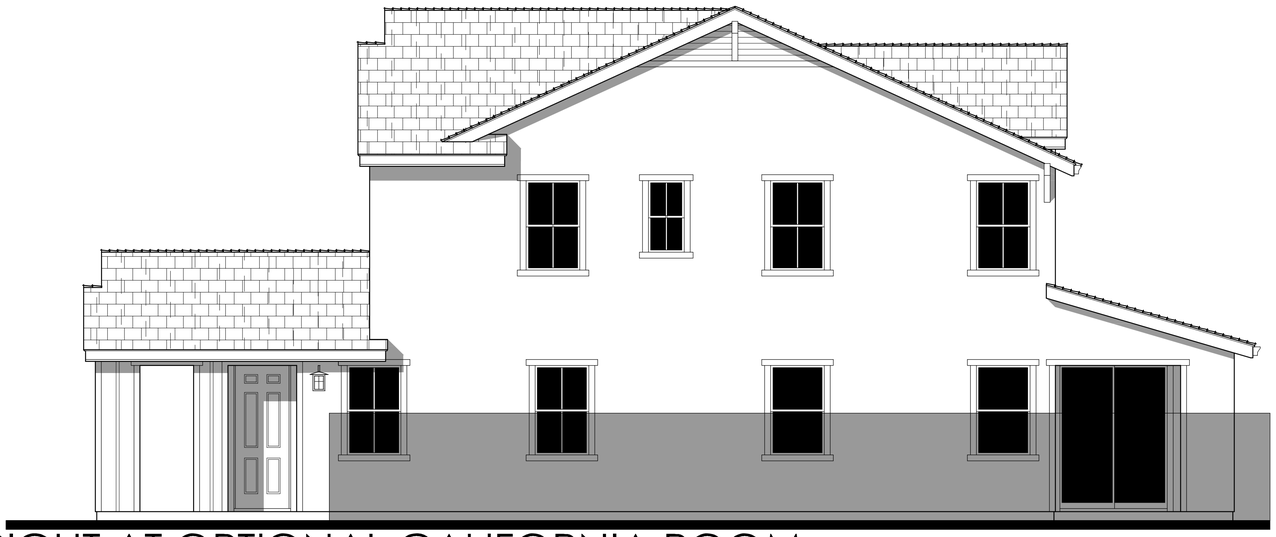
A2.3



LEFT AT OPTIONAL CALIFORNIA ROOM



ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 5.5:12 U.N.O



RIGHT AT OPTIONAL CALIFORNIA ROOM

REAR AT OPTIONAL CALIFORNIA ROOM

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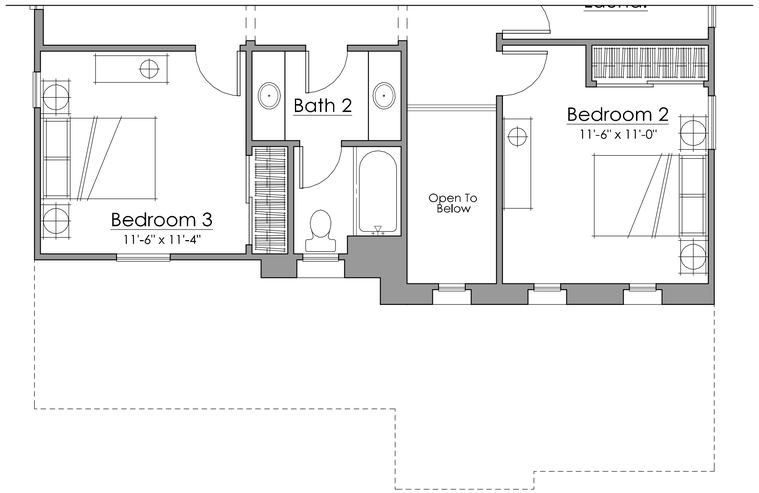
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

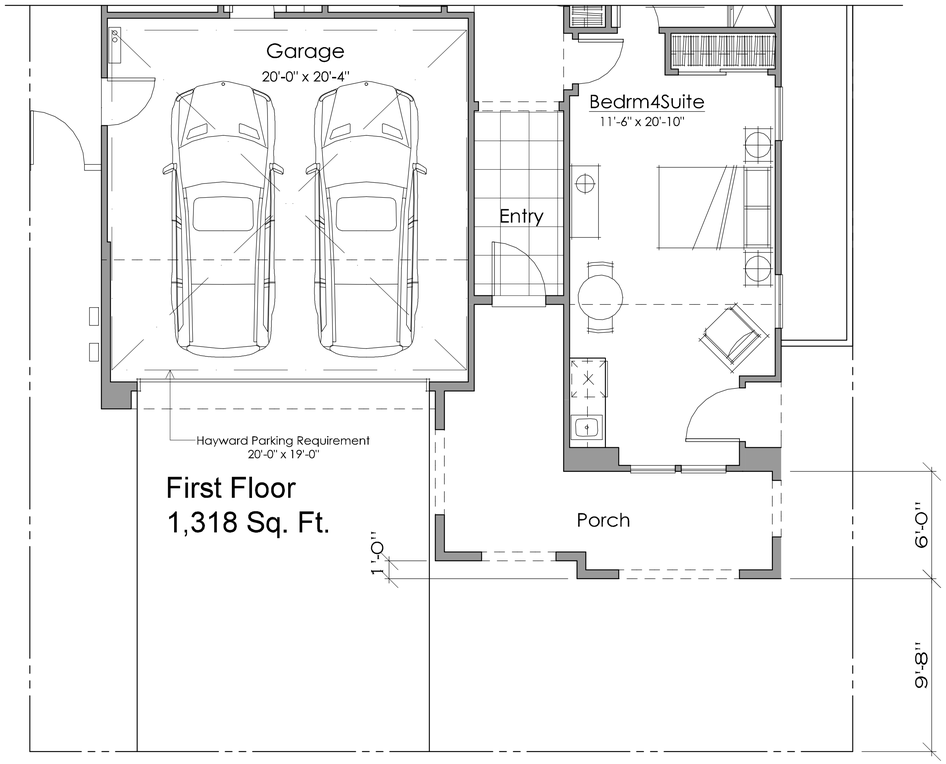
0 2 4 8

PLAN 2B OPT. CALIF. RM ELEVS

A2.3.1



Second Floor
1,232 Sq. Ft.



First Floor
1,318 Sq. Ft.

ELEVATION '2B ALT' - FARMHOUSE

ELEVATION '2A ALT' - SPANISH

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HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

PLAN 2 ALT COLORED ELEVATIONS

A2.5.0

ELEVATION '2B ALT' - FARMHOUSE

2B ALT - FARMHOUSE
Material Legend:

- Flat Concrete Tile Roofing
- Stucco Finish
- Cementitious Board and Batt Siding
- Decorative Kicker / Corbel
- Enhanced Sills
- 2x Stucco Finish Trim

ELEVATION '2A ALT' - SPANISH

2A ALT - Spanish
Material Legend:

- Concrete Low Profile 'S' Tile
- Stucco Finish
- Decorative Finial
- Decorative Gable End Detail
- Enhanced Sills
- 2x Stucco Finish Trim

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HAYWARD, CA #2015-0995

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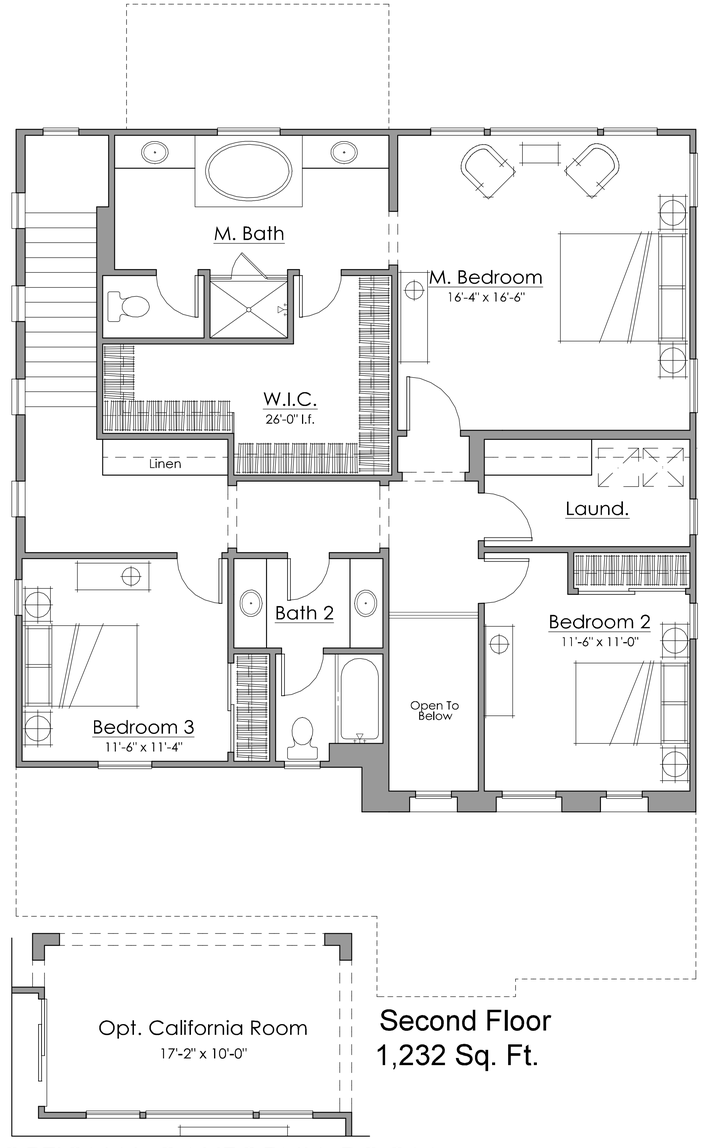
11-27-2017

0 2 4 8

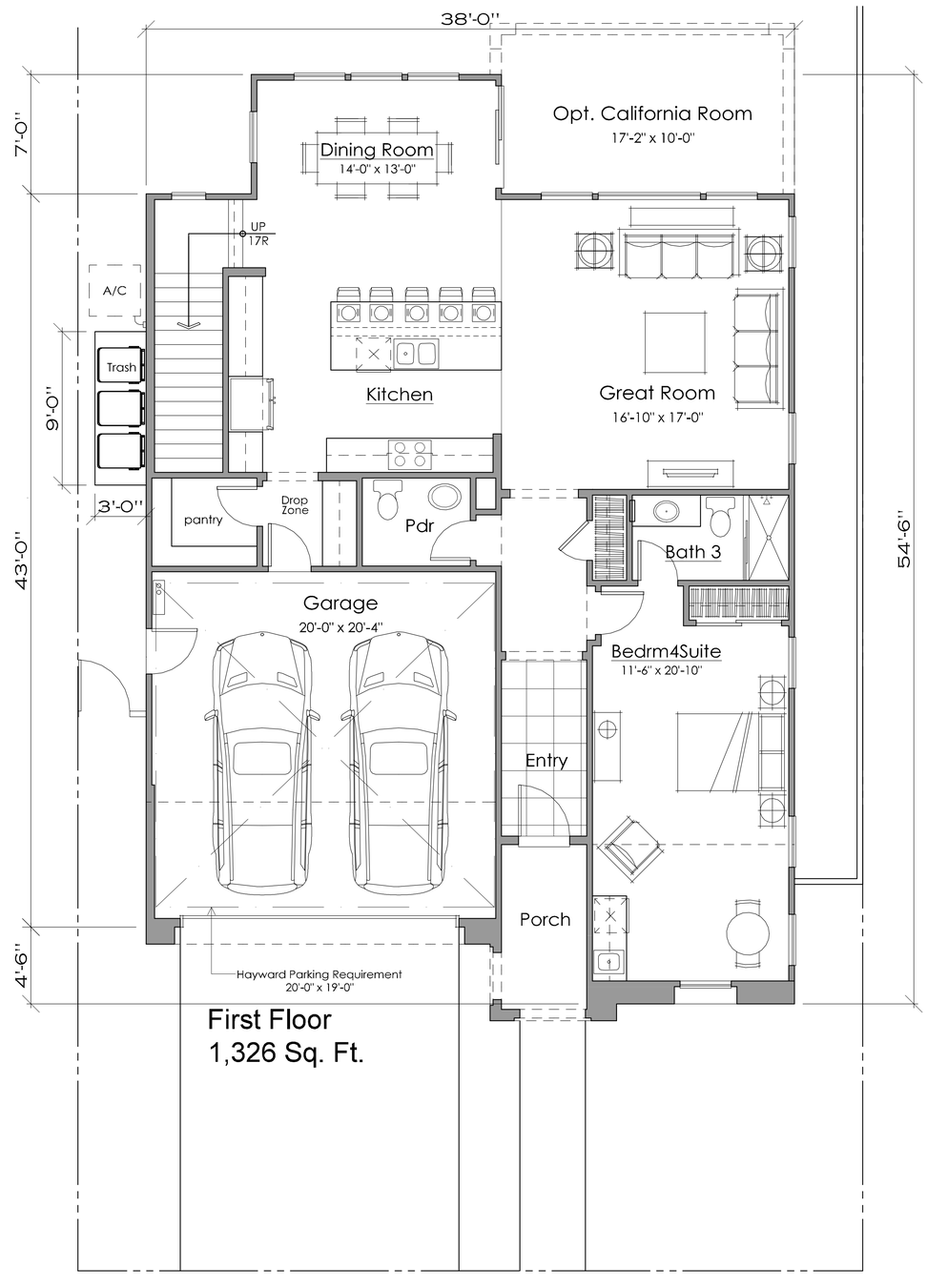
PLAN 2 ALT FRONT ELEVATIONS

A2.5



Second Floor
1,232 Sq. Ft.

OPTIONAL CALIFORNIA ROOM



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HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

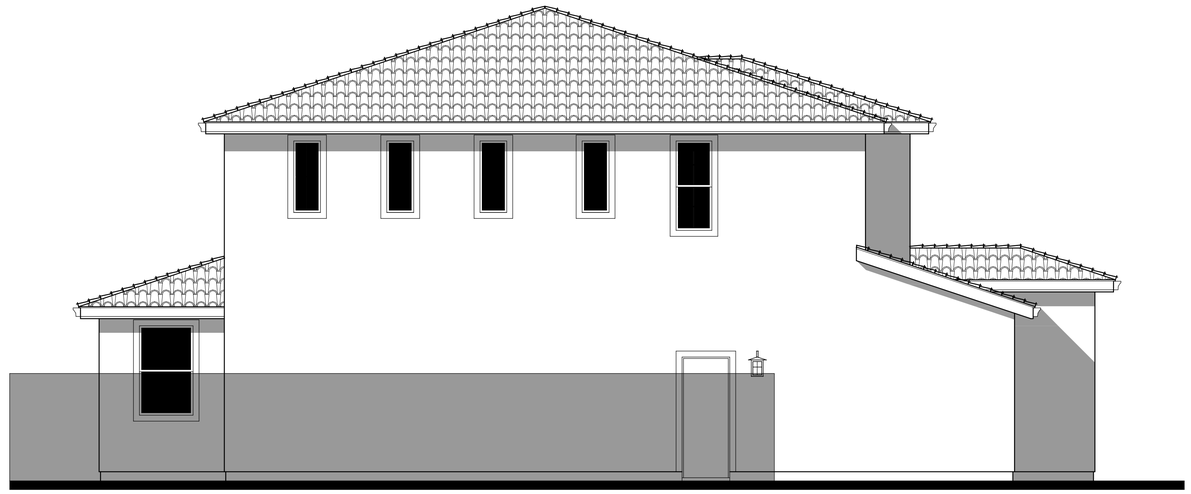
SCHEMATIC DESIGN
11-27-2017

0 2 4 8

4 Bedrooms
3.5 Baths
2,558 Sq. Ft.

PLAN 2 ALT
FLOOR PLAN

A2.6



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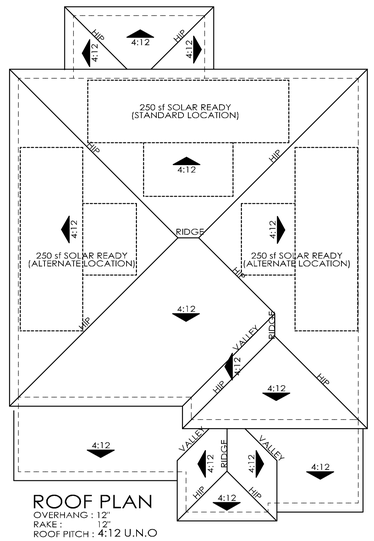
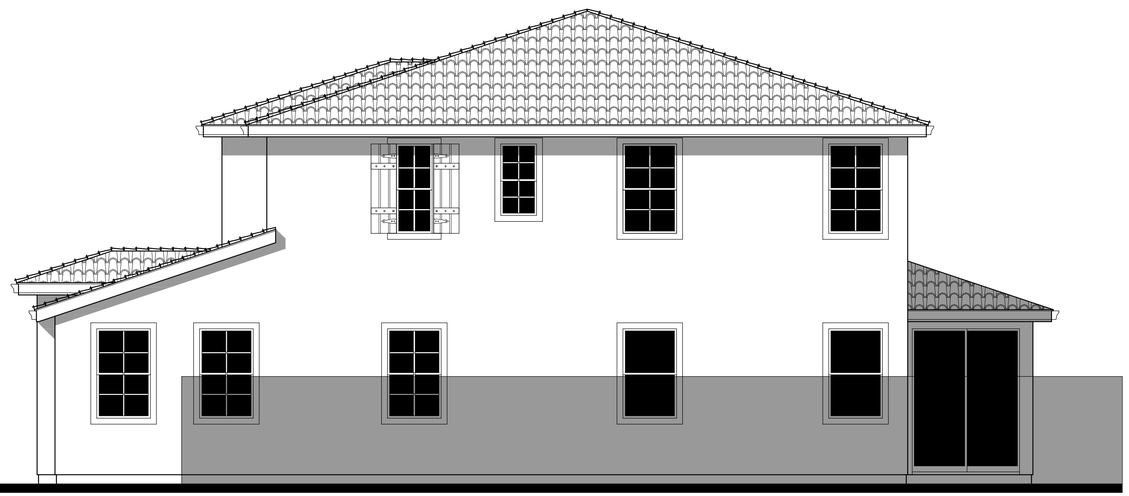


ROOF PLAN
OVERHANG : 12"
RAKE : 12"
ROOF PITCH : 4:12 U.N.O



RIGHT

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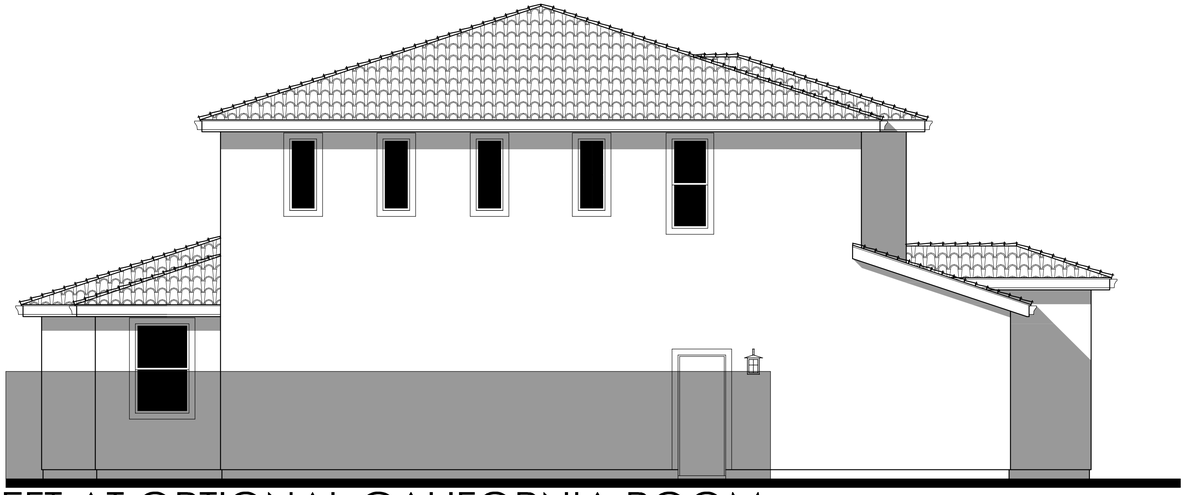
11-27-2017

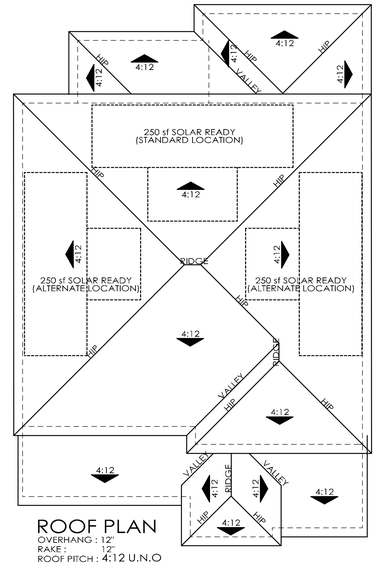
0 2 4 8

PLAN 2A ALT EXTERIOR ELEVATIONS

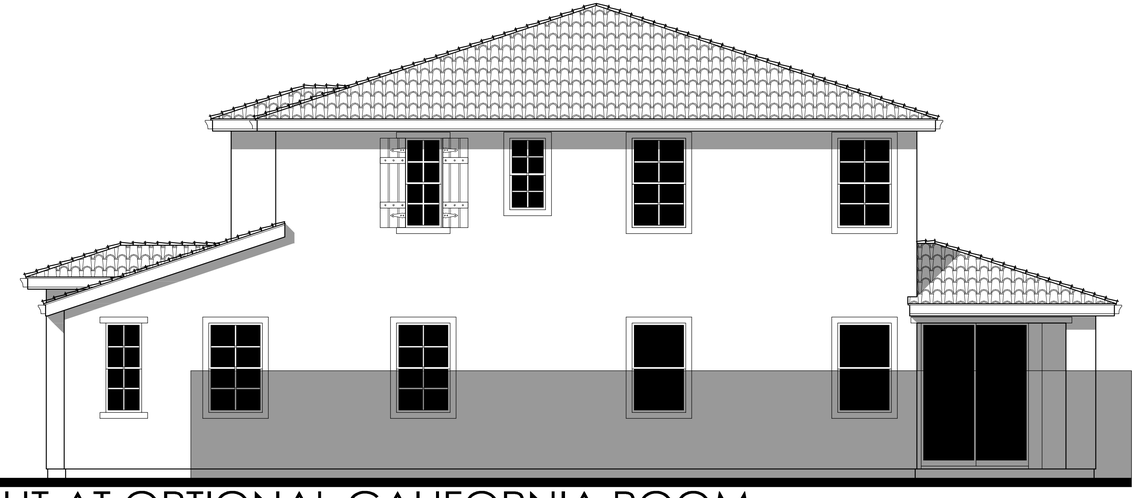
A2.7



LEFT AT OPTIONAL CALIFORNIA ROOM



ROOF PLAN
OVERHANG : 12"
RAKE : 12"
ROOF PITCH : 4:12 U.N.O



RIGHT AT OPTIONAL CALIFORNIA ROOM

REAR AT OPTIONAL CALIFORNIA ROOM

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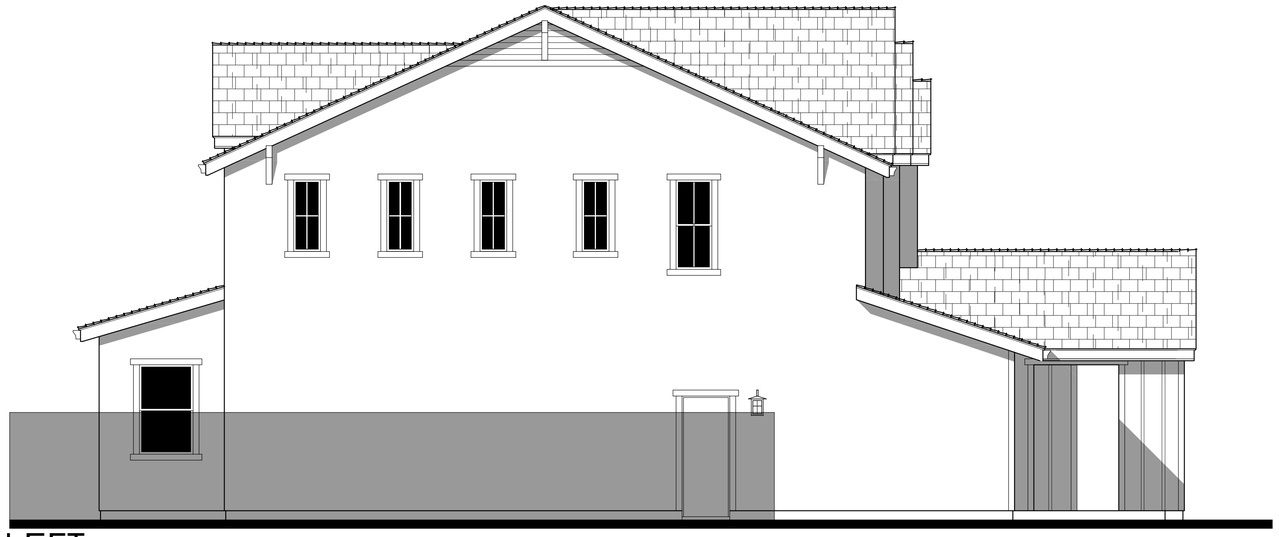
HESPERIAN BOULEVARD
HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

PLAN 2A ALT OPT. CALIF. RM ELEVS

A2.7.1



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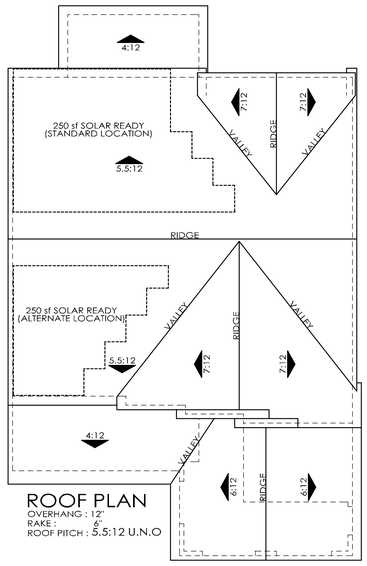
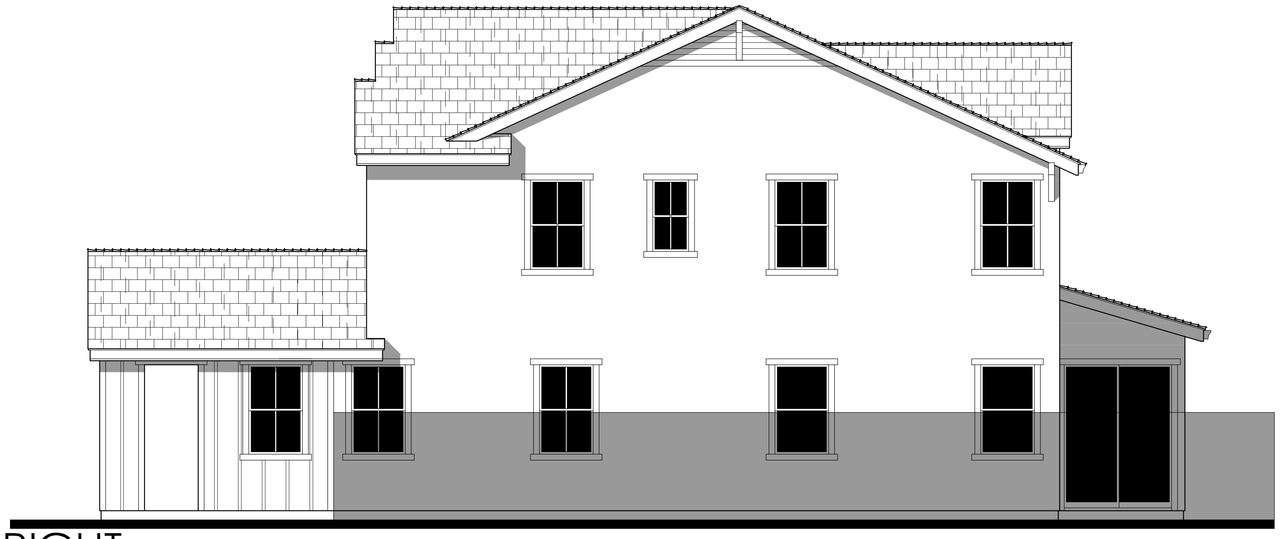


ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 5.5:12 U.N.O



RIGHT

REAR

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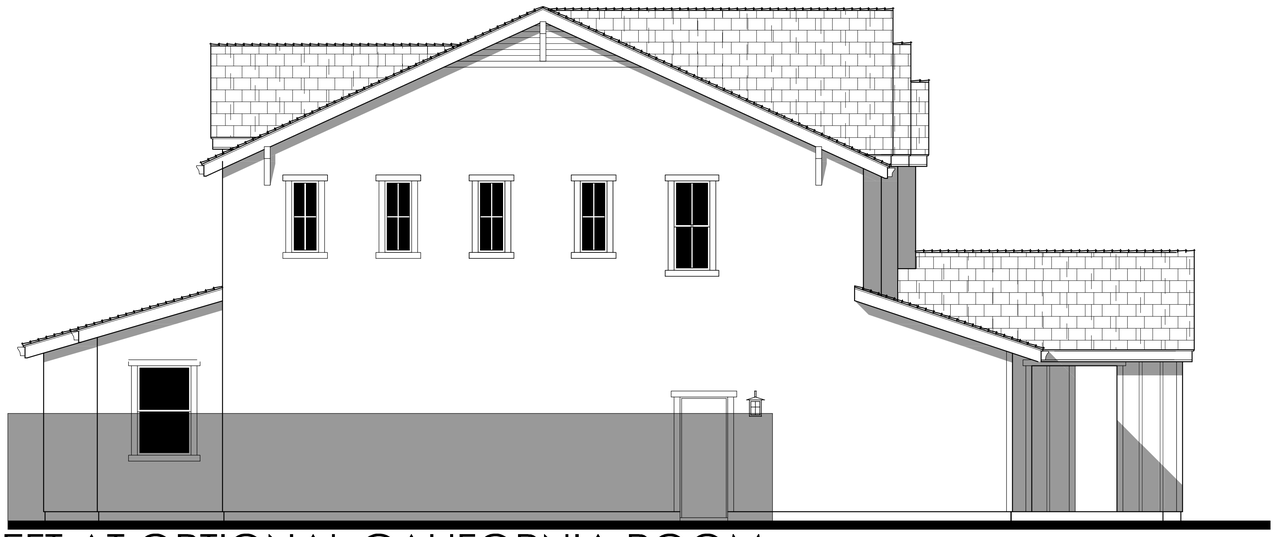
#2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

PLAN 2B ALT EXTERIOR ELEVATIONS

A2.8



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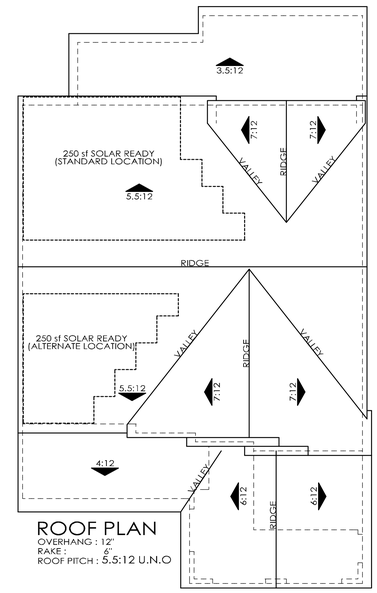
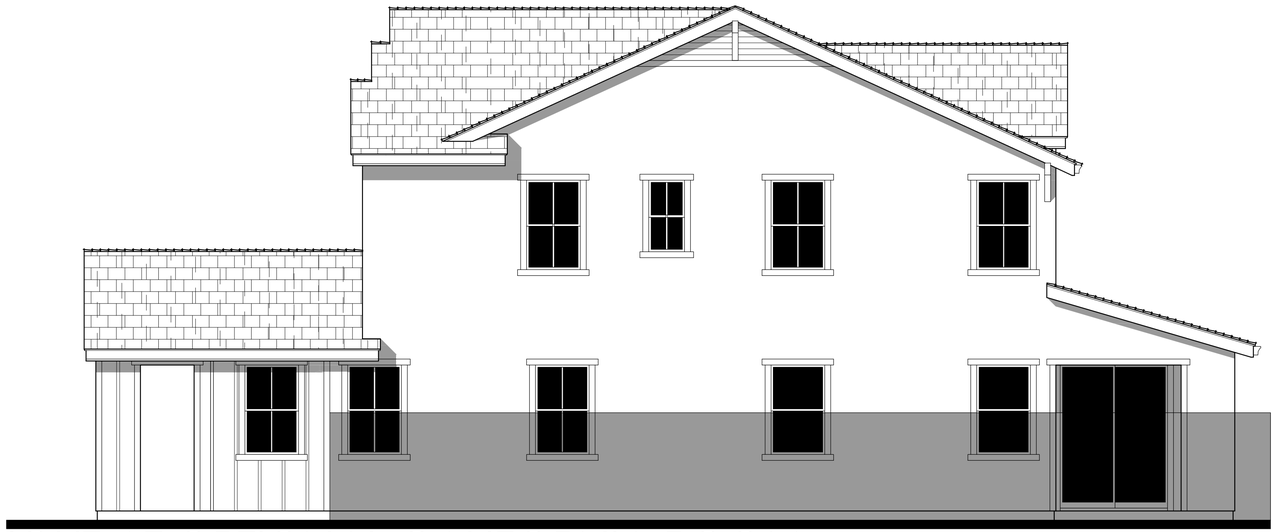


ROOF PLAN
OVERHANG : 12"
RAKE : 6"
ROOF PITCH : 5.5:12 U.N.O



RIGHT AT OPTIONAL CALIFORNIA ROOM

REAR AT OPTIONAL CALIFORNIA ROOM

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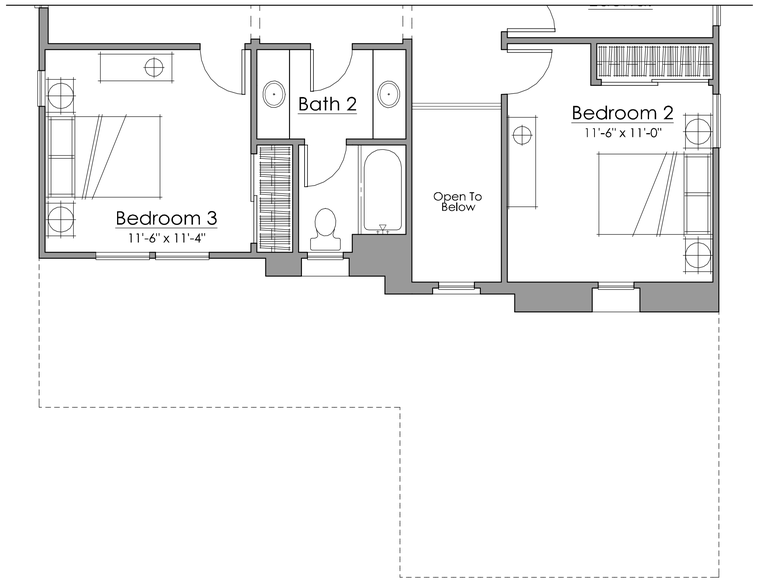
11-27-2017

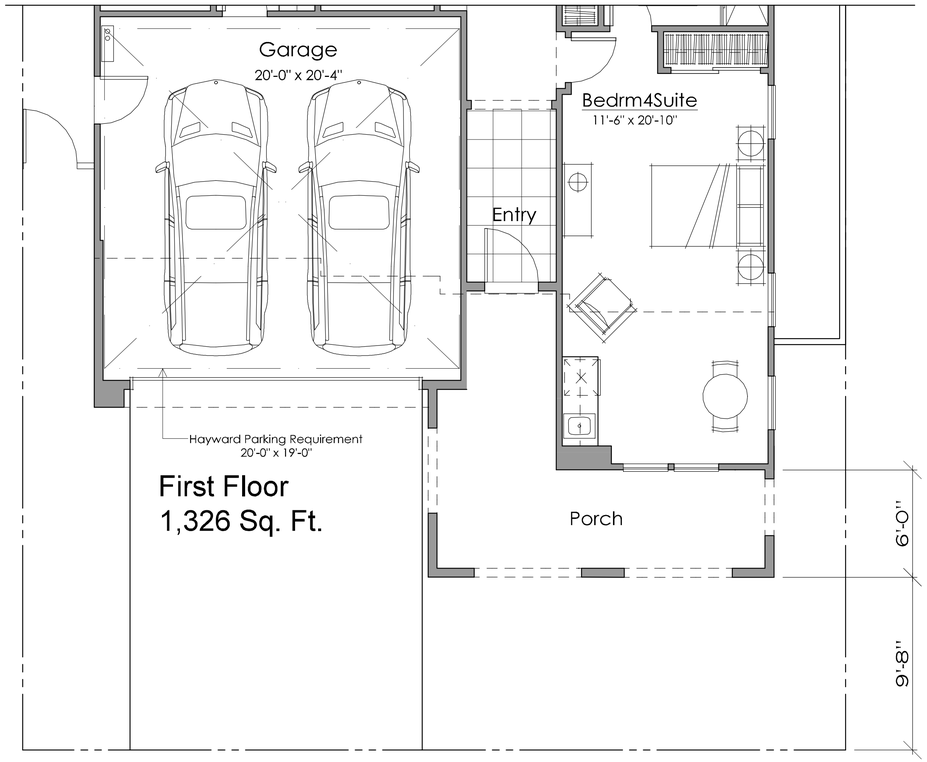
0 2 4 8

PLAN 2B ALT OPT. CALIF. RM ELEVS

A2.8.1



Second Floor
1,232 Sq. Ft.



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HAYWARD, CA #2015-0995

SCHEMATIC DESIGN
11-27-2017

0 2 4 8

PLAN 2B ALT ADDENDA

Spanish Elevations

	1	2	3	4
Concrete Tile Low "S" Tile	 50% 3636 PIEDMONT 50% 3723 ADOBE	 50% 3636 PIEDMONT 50% 8402 SANTA CRUZ	 50% 3605 SAN BENITO 50% 3773 WALNUT CREEK	 50% SCC 8830 ALBUQUERQUE 50% SMC 8402 SANTA CRUZ
Stucco Body	SW 7508 TAVERN TAUPE	SW 7544 KHAKI SHADE	SW 7030 ANEW GRAY	SW 7514 FOOTHILLS
Fascia Boards / Rolled Stucco Fascia Cornice / Trim / Columns / Precast Stucco Trim	SW 6147 PANDA WHITE	SW 7575 CHOP STICKS	SW 7551 GREEK VILLA	SW 7632 MODERN GRAY
Garage Doors	SW 7506 LOGGIA	SW 7034 STATUS BRONZE	SW 7046 ANONYMOUS	SW 7633 TAUPE TONE
Entry Doors / Shutters	SW 0007 DECOROUS AMBER	SW 2807 ROCKWOOD MED. BROWN	SW 6132 RELIC BRONZE	SW 7069 IRON ORE

Farmhouse Elevations

	5	6	7
Concrete Tile Flat Slate	 4697 BEL AIR SLATE RANGE	 SCB 8805 BEL AIR SEATTLE BLEND	 SCB 8805 BEL AIR SEATTLE BLEND
Siding Body	SW 7660 EARL GREY	SW 7038 TONY TAUPE	SW 7574 ECHELON ECRU
Fascia / Eaves / All Trim / Garage Door	SW 7036 ACCESSIBLE BEIGE	SW 7008 ALABASTER	SW 7005 PURE WHITE
Entry Door	SW 2837 AURORA BROWN	SW 7586 STOLEN KISS	SW 6074 SPALDING GRAY
Shutters	SW 6041 OTTER	SW 6991 BLACK MAGIC	SW 2848 ROYCROFT PEWTER

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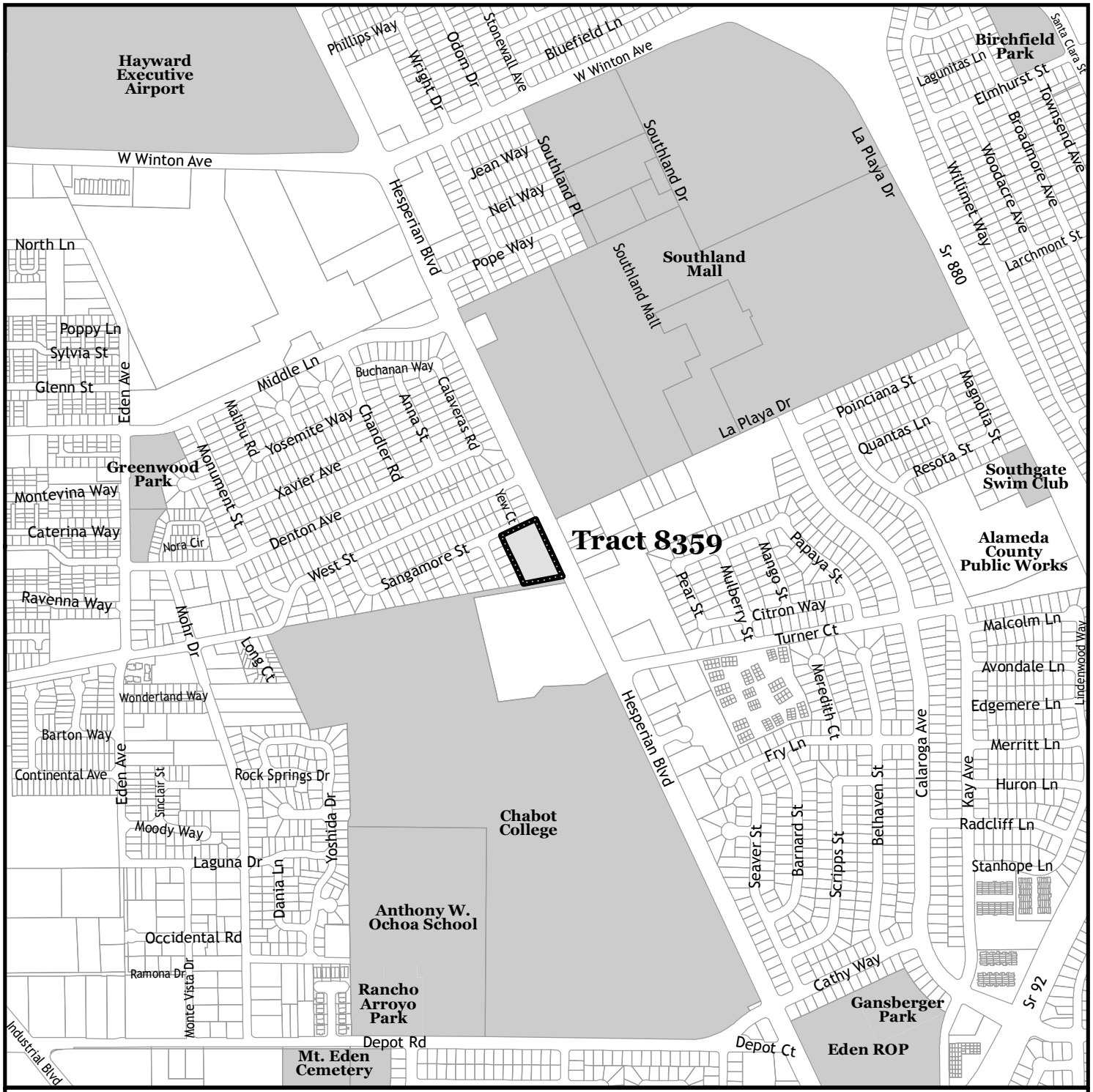
HESPERIAN BOULEVARD
HAYWARD, CALIFORNIA # 2015-0995

COLOR AND MATERIALS
10-10-2016
11-21-2017

MANUFACTURERS:
PAINT - SHERWIN WILLIAMS
ROOFING - EAGLE TILE

Vicinity Map



Final Map, Tract 8359

Address:
24765 Hesperian Boulevard

Applicant:
Jeffery Lawrence / Nuvera Construction, Inc.

Owner:
Jason Creek Ventures, LLC.

0 250 500 750 Feet

November 2021

File #: WS 21-044

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT

Measure C Annual Report: Review Annual Report of Measure C Revenues and Expenditures, Approved by Voters on June 3, 2014

RECOMMENDATION

That the Council receives and reviews the City's Measure C (District Sales Tax) FY 2021 annual report.

SUMMARY

In 2014, the voters of the City of Hayward approved a ½ cent District Sales Tax (Measure C), which is a general tax that can pay for any services within the City's General Fund. However, when the Council placed the measure on the ballot in 2014, they identified several priorities for the use of these funds based on issues identified by the community: police and public safety services; illegal dumping; litter control; graffiti abatement; and capital infrastructure projects. The prioritized capital projects included the construction of the City's 21st Century Library and Community Learning Center; completion of fire station retrofits and improvements; rehabilitation and expansion of the existing fire training center located at Fire Station 6; as well as extensive street improvements. As of November 2021, the fire station retrofit and street improvement projects have been completed, the 21st Century Library and Community Learning Center project is pending final project acceptance, and the regional fire training center at Fire Station 6 is well underway with expected completion in Fall 2022. This report provides an overview of Measure C projects to date as well as current financial projections for the funds.

ATTACHMENTS

Attachment I Staff Report
Attachment II Measure C 20-Year Forecast

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT: Measure C Annual Report: Review Annual Report of Measure C Revenues and Expenditures, Approved by Voters on June 3, 2014

RECOMMENDATION

That the Council receives and reviews the City's Measure C (District Sales Tax) FY 2021 annual report.

SUMMARY

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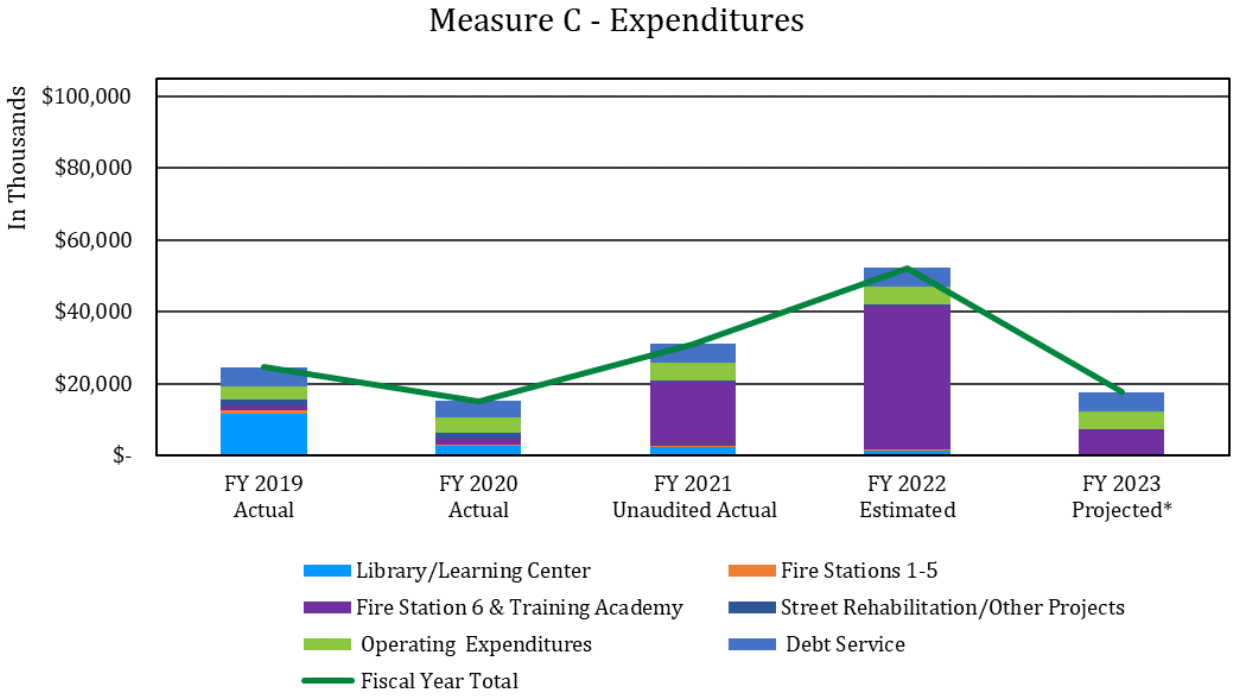
BACKGROUND

On June 3, 2014, the voters of the City of Hayward passed Measure C to create a District Sales Tax and increase the City's Sales and Use Tax by half a percent for twenty years. Since that time, staff has focused on the completion of current and future capital improvement projects funded by Measure C, and has looked for ways to utilize revenues to achieve the promises of Measure C. Using Measure C funds, the City completed its largest road improvement project in history, reduced graffiti around the City, built a state of the art 21st Century Library and Community Learning Center, retrofitted five of the City's fire stations and is currently in the construction phase to complete a comprehensive regional fire training center that will be used by agencies and educational institutions from around the western United States.

DISCUSSION

Measure C Performance

With the passing of Measure C, the City developed a 20-Year Financial Forecast to project Measure C revenue over time and develop budgets for capital improvement projects and ongoing operational costs that support the Council's priorities for Measure C as outlined above. The following graph illustrates the use of Measure C related funds through FY 2023.



Detailed expenditures of Measure C in FY 2021 and estimated expenditures in FY 2022 are provided in Table 1. The table shows projected revenue and expenditure activity as it relates to Measure C in FY 2021 and FY 2022, including a breakdown of capital and operating expenditures.

TABLE 1: MEASURE C - FY 2021 ACTUAL AND FY 2022 ESTIMATED

	FY 2021 Actual	FY 2022 Estimated
Revenues		
Measure C District Sales Tax	18,715,986	18,547,918
Other Partnering Contributors	6,127,662	12,035,189
Total Revenues	**24,843,648**	**30,583,107**

Expenditures

Capital

Library/ Learning Center	2,449,125	1,482,871
Fire Facilities Design	50,250	208,050
Fire Station 1		
Fire Station 2	3,095	
Fire Station 3	1,269	
Fire Station 4	20,554	
Fire Station 5	1,345	
Fire Station 6	5,298,984	3,911,433
Fire Training Academy	12,719,734	36,244,127
Street Rehabilitation		
Debt Service	5,424,438	5,423,063
Other Projects	263,231	217,009
Operating		
Police Services	3,290,198	3,151,091
Maintenance Services	1,468,931	1,410,360
Other Department Services	106,542	223,969
Total Expenditures	**31,097,696**	**52,271,973**
Beginning Fund Balance	**28,012,868**	**21,758,821**
Annual Surplus/(Shortfall)	**(6,254,048)**	**(21,688,866)**
Ending Fund Cash Balance	**21,758,821**	**69,955**

Measure C Funded Capital Improvement Projects

Fire Station 6 and Regional Fire Training Center Improvement

This project will replace the existing Fire Station 6 with a new fire station and create a regional fire training center that will include: Classroom Buildings; Fire Station 6/Classroom Building; Apparatus Building; Training Tower; Burn Building; Storage Building; Hangar Building; Underground Search and Rescue Structure/BART Structure; Covered Outdoor Classroom; Entry Structure; and Parking Lot. The final design of Fire Station 6 and Regional Fire Training Center was completed in April 2020. City Council awarded the construction

contract to SJ Amoroso on July 7, 2020. Construction started on August 17, 2020, with site grading, soil off-haul and undergrounding work. The Fire Station/Classroom Building is the most complex building with the longest construction duration. All structural steel, concrete walls and roof are completed at this building and continues with interior walls, mechanical, electrical, plumbing work and interior finishes. With the exception of the Entry Structure, construction on all other buildings has also begun and is at various stages of construction. It is anticipated that the project will be complete in FY 2023. The estimated total project cost is $70.9 million.

A partnership for the Regional Fire Training Center between the City of Hayward and the Chabot-Las Positas Community College District (District) will serve as a mutual benefit. The Regional Fire Training Center will be a joint center and training program with dedicated classroom space, offices, and shared use of the grounds for City of Hayward fire personnel, as well as Chabot College's Fire Technology Program. Chabot College's Fire Technology Program is an Accredited Regional Fire Academy that will offer training opportunities for entry-level and active-duty fire service professionals from around the region.

21st Century Library and Community Learning Center

The 21st Century Library and Community Learning Center is an invaluable asset to the Hayward community. Work on the 21st Century Library and Community Learning Center began with the selection of an architect in 2007, and construction began in January 2016. The estimated final project cost is $63.2 million.

The new 21st Century Library and Community Learning Center is a three-story, 58,000 square foot building. As a planned net-zero energy facility, the building will be 100% self-sufficient in use of electricity once fully functional and is expected to receive a LEED certified rating of Platinum from the U.S. Green Building Council. In addition to its LEED certification, the library houses 50% more library materials, including books and multi-media for all ages, 53 additional computers made available for public use, and a Makerspace featuring 3D printers, robotics, and textiles. It includes multiple community meeting rooms, a Homework Support Center within the Children's Library, and offers additional services to the Hayward community.

The 21st Century Library opened to the public on September 14, 2019. The City continues to work with the primary contractor to finalize some construction related items prior to final project acceptance by the City. In response to the Covid-19 pandemic, the Library was temporarily closed on March 17, 2020, and resumed limited operations in July 2020. During this period of time, there were minor delays in finalizing outstanding construction related items. It is anticipated that the final project acceptance will be completed in the near future. The 21st Century Library resumed pre-pandemic open hours in October 2021, though not all pre-pandemic services are available. Reopening of all regular operations at the 21st Century Library will be determined based upon the health and safety guidance issued by the State of California and Alameda County.

Heritage Plaza

The Heritage Plaza project is Phase II of the 21st Century Library and Community Learning Center. The Plaza is substantially complete and open to the public as of July 17, 2021. Work for Phase II has included the demolition of the prior Library facility, the construction of an underground rainwater catchment system, and installation of landscaping features. Demolition of the Main Library structure took place in July 2018. This was followed by the construction of the underground catchment, filtration, and storage system. When complete, this system will recycle rainwater for irrigation and graywater uses in the 21st Century Library and Heritage Plaza and will be a major component of the project's expected LEED certification. Landscaping features are expected to include an event space, an arboretum housing 40 rare and mature trees, and a Children's Garden. Final project completion and acceptance is expected in the near future.

Fire Stations 1 through 5 Improvements

This project involved considerable renovations of Fire Stations 1-5. Substantial improvements included seismic retrofits, energy efficient enhancements, and accessibility upgrades. Seismic retrofits at all stations will allow for immediate occupancy following a 7.0 earthquake, facilitating a smooth transition into emergency response following a natural disaster. Traffic Pre-Emption systems were installed to speed response times and minimize negative effects of Code 3 responses on traffic patterns. Energy efficiency improvements were completed at each

fire station, including the installation of solar panels on Stations 2-5, which are designed to offset 70% of electricity consumption of the old buildings. However, the solar panels are projected to offset more, as the building upgrades included new energy efficient lighting and windows. Improvements were completed in August 2018. A celebration and thank you to the community were held in October 2018.

Roads / Street Improvements

Measure C funds were used in the FY 2016 Pavement Preventive Maintenance and Resurfacing Project. This was a two-year project that was completed in February 2018. The City leveraged funds from a combination of funding sources (i.e., Gas Tax, Measure B & BB), including $12 million from Measure C to complete the City's largest road improvement project to date.

The project provided new asphalt surfaces, and both intensive and minor roadway repairs on 312 street segments. These projects also included new and upgraded curb ramps, new striping for lane delineation, crosswalks, and bike lanes. With the completion of this project, the City's average Pavement Condition Index (PCI) increased from 66 to 70 in two years. Measure C funds may be used in future pavement preventive maintenance and resurfacing projects to expand the number of roadway segments treated by the City.

Staffing

The following table lists the positions that are authorized and budgeted in Measure C fund in FY 2021, as well as the status of each position. Measure C funded positions were not changed from FY 2021. The green shading depicts the positions budgeted within the Maintenance Services Department; while the blue shading denotes the positions budgeted in the Police Department.

TABLE 2: FY 2021 MEASURE C FUNDED FTE'S:

Positions	Authorized	Budgeted	Filled	Vacant
Groundskeeper I	5.0	5.0	5.0	0.0
Groundskeeper II	1.0	1.0	1.0	0.0
Maintenance Worker / Laborer	2.0	2.0	2.0	0.0
Maintenance Lead	1.0	1.0	1.0	0.0
Police Officer	3.0	3.0	3.0	0.0
Police Lieutenant	1.0	1.0	1.0	0.0
Crime Analyst	1.0	1.0	1.0	0.0
Certified Latent Print Examiner	1.0	1.0	1.0	0.0
Communications Supervisor	1.0	1.0	1.0	0.0
Communications Operator	7.0	7.0	7.0	0.0
TOTAL FTE	**23.0**	**23.0**	**23.0**	**0.0**

At the time of this report, all positions are filled among the Measure C authorized and budgeted positions.

ECONOMIC IMPACT

There is no economic impact associated with this report as it is informational only.

FISCAL IMPACT

There is no fiscal impact associated with this report; however, staff will continue to manage the Measure C 20-Year Financial Forecast to identify opportunities for City capital improvement projects, and other costs to fulfill the promises of Measure C.

STRATEGIC ROADMAP

Measure C funding directly supports the Strategic Priorities of Improve Infrastructure and Support Quality of Life. Specifically, this item relates to the implementation of the following project(s):

- Improve Infrastructure, Project 5, Part 5.a: Maintain Pavement Condition Index (PCI) at 70.
- Improve Infrastructure, Project 12: Construct the fire station and Fire Training Center.
- Support Quality of Life, Project 6: Plan Library operations and hours to leverage the new-facility.
- Support Quality of Life, Project 13: Evaluate Options for adding bathrooms to Heritage Plaza for Council consideration.

SUSTAINABILITY FEATURES

The 21st Century Library and Community Learning Center is a net-zero energy facility, which is expected to qualify for LEED Platinum Certification. The Regional Fire Training Center Improvement Project will include the installation of Bay-friendly landscaping, storm water treatment devices, LED lighting, and solar PV panels. The new facilities are planned to achieve LEED Silver, and the habitable buildings are being designed to achieve Net Zero Energy. Additional energy efficiency improvements, such as LED lighting improvements and energy efficient windows, were completed as part of the retrofits at Fire Stations 1-5.

PUBLIC CONTACT

The agenda for this item was posted in compliance with the California Brown Act.

NEXT STEPS

Staff will continue to prioritize the completion of current and future Capital Improvement Projects, and look for ways to utilize revenues to achieve the promises of Measure C and remain exemplary stewards of the funds available through Measure C.

Prepared by: Rick Rivera, Management Analyst I
Nicole Gonzales, Deputy Director of Finance

Recommended by: Dustin Claussen, Director of Finance

Approved by:

Kelly McAdoo, City Manager

Measure C
20-Year Financial Forecast Update

Measure C 20-Year Financial Forecast																					
Year Ref.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
	Actual	Actual	Actual	Actual	Actual	Actual	Unaudited Actual	Estimated	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected
Fiscal Year	**FY 2015**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023***	**FY 2024***	**FY 2025***	**FY 2026***	**FY 2027***	**FY 2028***	**FY 2029***	**FY 2030***	**FY 2031***	**FY 2032***	**FY 2033***	**FY 2034***	**2035***
Revenues																					
Measure C	8,090,470	13,436,227	14,189,607	15,216,260	16,906,772	16,876,487	18,715,986	18,547,918	19,370,950	20,183,018	20,945,915	21,659,643	22,323,743	22,939,911	23,398,709	23,866,683	24,344,017	24,830,897	25,327,515	25,327,515	25,834,066
Bond Issuance		65,789,797																			
Chabot Commitment						1,837,150	6,127,662	12,035,189													
Total Revenues	**8,090,470**	**79,226,024**	**14,189,607**	**15,216,260**	**16,906,772**	**18,713,637**	**24,843,648**	**30,583,107**	**19,370,950**	**20,183,018**	**20,945,915**	**21,659,643**	**22,323,743**	**22,939,911**	**23,398,709**	**23,866,683**	**24,344,017**	**24,830,897**	**25,327,515**	**25,327,515**	**25,834,066**
Expenditures																					
Capital Expenditures																					
Library/Learning Center		10,607,338	17,372,241	17,051,095	11,503,558	2,739,353	2,449,125	1,482,871													
Fire Facilities Design		930,859	1,285,242	284,537	150,680	35,898	50,250	208,050	195,465												
Fire Station 1			358,293	618,851	33,618	1,521															
Fire Station 2			587,183	1,571,806	172,704	95,567	3,095														
Fire Station 3			472,826	1,622,186	141,045	66,950	1,269														
Fire Station 4			114,900	1,609,051	297,312	128,458	20,554														
Fire Station 5			75,973	1,207,332	435,506	58,488	1,345														
Fire Station 6				65,762	305,789	720,032	5,298,984	3,911,433	600,000												
Fire Training Academy			681,043	2,025,836	752,152	877,108	12,719,734	36,244,127	6,700,000												
Street Rehabilitation		490,845	10,554,232	652,521	32,113	-				2,000,000								2,000,000			
EBRCS Radios					1,314,719	1,337,437	-														
Tennyson Corridor Median Improvement					251,604	356,050	263,231	217,009													
Subtotal	**-**	**12,029,043**	**31,501,932**	**26,708,977**	**15,390,800**	**6,416,863**	**20,807,587**	**42,063,490**	**7,495,465**	**2,000,000**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**2,000,000**	**-**	**-**	**-**
Operating Expenditures																					
Police Services		569,836	1,793,135	1,935,134	2,956,896	3,097,313	3,290,198	3,151,091	3,371,668	3,607,685	3,860,222	4,130,438	4,419,569	4,728,938	5,059,964	5,414,162	5,793,153	6,198,674	6,632,581	6,632,581	7,096,862
Maintenance Services	205,969	708,249	572,105	610,926	761,784	1,058,980	1,468,931	1,410,360	1,509,085	1,614,721	1,727,751	1,848,694	1,978,103	2,116,570	2,264,730	2,423,261	2,592,889	2,774,391	2,968,599	2,968,599	3,176,401
Other Department Services					73,240	66,116	106,542	223,969													
Subtotal	**205,969**	**1,278,084**	**2,365,240**	**2,546,060**	**3,791,920**	**4,222,408**	**4,865,672**	**4,785,420**	**4,880,753**	**5,222,405**	**5,587,974**	**5,979,132**	**6,397,671**	**6,845,508**	**7,324,694**	**7,837,422**	**8,386,042**	**8,973,065**	**9,601,179**	**9,601,179**	**10,273,262**
Debt Service Expenditures		**2,326,436**	**2,859,637**	**2,732,875**	**5,430,063**	**4,523,594**	**5,424,438**	**5,423,063**	**5,415,313**	**5,407,938**	**5,425,488**	**5,419,188**	**5,436,938**	**5,434,838**	**5,434,063**	**5,426,800**	**5,424,913**	**5,420,657**	**5,379,350**	**5,372,350**	**5,372,350**
Total Expenditures	**205,969**	**15,633,563**	**36,726,809**	**31,987,912**	**24,612,783**	**15,162,865**	**31,097,696**	**52,271,973**	**17,791,530**	**12,630,343**	**11,013,461**	**11,398,320**	**11,834,609**	**12,280,346**	**12,758,756**	**13,264,222**	**13,810,954**	**16,393,721**	**14,980,529**	**14,973,529**	**15,645,612**
Annual Cash Flow	7,884,501	63,592,461	(22,537,202)	(16,771,652)	(7,706,011)	3,550,772	(6,254,048)	(21,688,866)	1,579,420	7,552,675	9,932,454	10,261,323	10,489,134	10,659,565	10,639,953	10,602,461	10,533,063	8,437,176	10,346,986	10,353,986	10,188,454
Cumulative Fund Balance	**7,884,501**	**71,476,962**	**48,939,761**	**32,168,108**	**24,462,097**	**28,012,868**	**21,758,821**	**69,955**	**1,649,374**	**9,202,049**	**19,134,503**	**29,395,826**	**39,884,961**	**50,544,526**	**61,184,479**	**71,786,940**	**82,320,002**	**90,757,178**	**101,104,164**	**101,111,164**	**111,292,618**

*The amounts identified for capital projects in future fiscal years of this projection are conceptual only and have not been approved or appropriated. Appropriation and allocation of these funds will occur annually with adoption of the City's Operating and Capital budgets.

File #: WS 21-046

DATE: December 7, 2021

TO: Mayor and City Council

FROM: City Manager

SUBJECT

2021 Resident Survey Results: Presentation of 2021 Biennial Resident Satisfaction Survey Results

RECOMMENDATION

That the Council receives a presentation and provides comments on results from the 2021 Resident Satisfaction Survey conducted October 5, 2021, to October 17, 2021.

SUMMARY

The updated Resident Satisfaction Survey was prepared by Fairbank, Maslin, Maullin, Metz & Associates (FM3), of Oakland, California, and deployed between October 5, 2021 and October 17, 2021. The survey measures public opinion on the quality of life in Hayward, delivery of municipal services, service priorities, and level of support for one approach to raise additional revenue for new and expanded City responses to homelessness. Staff is requesting Council feedback on the findings.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	FM3 Scope of Work
Attachment III	2021 Biennial Resident Satisfaction Survey

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BACKGROUND

The City has completed Resident Satisfaction Surveys every two years since 2008. The surveys provide valuable insight and data on resident satisfaction with local service delivery. This survey cycle was intentionally delayed by six months to allow time for the restoration and resumption of services and operations that had been curtailed due to the COVID-19 pandemic.

Staff used the additional time to incorporate questions and areas of exploration from the community survey on policing and public safety conducted by FM3 in October 2020, which helped to inform the City of Hayward Policy Innovation Workshop on Community Safety that took place in Spring of this year.

Additionally, staff worked with FM3 to develop a question to incorporate in the 2021 Resident Satisfaction Survey to gauge initial support for a potential parcel tax measure to generate additional revenue to fund and sustain programs and services called out in the

City of Hayward Let's House Hayward homelessness reduction strategic plan, which was adopted by the Council in July of this year.

DISCUSSION

As with the prior six Resident Satisfaction Surveys, the 2021 survey assessed the level of resident satisfaction with the City's service delivery. The 2021 update to the Resident Survey incorporated emerging concerns, such as rental housing stability and housing affordability, homelessness, and overall community safety. The survey also provided opportunities for open-ended responses.

Questions were carried forward from the previous Resident Satisfaction Surveys and the October 2020 Policing and Public Safety Survey. This allows for longitudinal insight regarding the satisfaction levels of Hayward residents with City service delivery.

Understanding resident satisfaction helps guide the City Manager in formulating recommendations to Council for refining priorities and developing long-term policy strategies, as well as understanding areas where the organization is excelling and where more emphasis may be needed.

The survey continues to measure resident opinions and overall satisfaction with City service delivery, image, public safety services, and customer service. Additionally, this survey gauged resident support for a hypothetical parcel tax measure of $89 a year on all residential and commercial property—the equivalent of less than 25 cents per day—to raise approximately $3.5 million annually to fund and sustain current and new programs and services identified in the City's Let's House Hayward homelessness response strategy adopted in July 2021.

The topline, or summary, survey results are included as Attachment III to this report. The 2021 Resident Satisfaction Survey consisted of a 20-minute hybrid survey of representative sample of 800 City residents reached both online and by telephone, with telephone calls targeted to demographic groups that are underrepresented in the responses and to be sure the City reached people for whom an email address is not available or who otherwise are uncomfortable with online surveys. The survey was made available in both English and Spanish language.

The 2021 Resident Satisfaction Survey is the first based on a representative survey of all residents rather than just resident voters, which was the approach used in the 2020 Policing and Public Safety Survey. The survey results will have a margin of error of plus or minus 3.7 percent. An explanation of how the survey sample was derived is contained in Attachment II, the public opinion research methodology and cost proposal provided by FM3.

FISCAL IMPACT

The total cost of the 2021 Resident Survey was not-to-exceed $72,500 and was included in the FY 2021 Capital Improvement budget.

STRATEGIC ROADMAP

Information and data collected in the biennial Resident Satisfaction Survey bears directly on the City's understanding of quality of life in the City of Hayward and prioritization of services and new initiatives.

NEXT STEPS

After obtaining Council feedback, the 2021 Resident Satisfaction Survey will be used to help guide service delivery and new project and program prioritization, including a planned work-session update to the City of Hayward's Strategic Roadmap in January 2022.

Prepared and Recommended by: Chuck Finnie, Communications and Marketing Officer

Approved by:

_____

Kelly McAdoo, City Manager

FM3 RESEARCH | OPINION RESEARCH & STRATEGY

TO Chuck Finnie and Laurel James
City of Hayward

FROM Dave Metz and Miranda Everitt
FM3 Research

RE: Proposal for Community Survey Research for the City of Hayward

DATE February 19, 2021

Fairbank, Maslin, Maullin, Metz & Associates is pleased to submit this short scope of work to conduct research assessing and updating Hayward residents' views of key community priorities, including issues dealing with public safety. The balance of this memo includes our recommended research approach and associated costs.

Research Approach

In prior years, the Hayward Community Survey used voter rolls to obtain resident contact information – selecting a random adult within a household containing at least one voter. This had the advantage of lower cost, but has a key disadvantage in that the sample is not as representative. Households with no registered voters in them are excluded, which under-represents those who are less likely to have up-to-date voter registration (e.g. people of color, lower-income people, renters, and younger people) and can potentially exclude people in homes where every adult is undocumented or has a criminal record precluding voter registration.

In order to obtain a more representative sample for the 2020 Public Safety survey, we employed an address-based approach. This is what we recommend for this year's Community Survey.

With this address-based approach, we will draw a stratified random sample of residential households from the U.S. Postal Service Delivery Sequence file, match these residential addresses against publicly available databases to acquire the names and contact information for the residents. We will match email addresses to the sample and invite all matched households to participate in the survey online. We will send postcards to a sampling of respondents for whom no phone or email addresses are available. We will set quotas to ensure the characteristics of respondents aligns to Census data for adult residents on age, gender, ethnicity and level of education. Results will be weighted to align to the data should responses not match that profile.

We will target roughly 50% of interviews to come from the online survey, and turn to telephone interviewing for the remaining 50% of interviews, targeting the calls to demographic groups that are under-represented in the online interviews to ensure that we reach people who do not have an email address on file or who are less comfortable responding to surveys online.

Within the overall 800-person sample, we could over-sample by demographic or geographic characteristics of interest such as race or ethnicity, gender identity, or particular neighborhoods of the city. This would provide a greater level of confidence within these subgroups of interest.

We can also make an online version of the survey available to the City for positing on its website, so that any interested resident of the city can respond. This opt-in data will be summarized and analyzed separately from that collected as part of the random sample.

As noted above, this approach costs more than our previous approach for several reasons:

- We are employing a larger sample in order to ensure greater statistical confidence within demographic and geographic subgroups.
- This approach includes a wider range of sources of potential contact information than just the voter file, some of which are less precise and less frequently-updated. As a result, more calls, emails and postcards will be needed to obtain the same number of completed interviews as a voter sample.
- Additional outreach strategies including printing and mailing postcards and texting respondents incur additional costs over the prior approach, which employed solely phone interviewers and online programming.

Potential specifications for the survey are detailed below:

Sample	800 residents of Hayward
Margin of Sampling Error	±3.5 percent in 95 out of 100 cases for a sample of 800 interviews
Questionnaire	15 to 20 minutes
Language	Spanish-language interviews are included; additional languages can be added for $3,000 each
Deliverables	Following the completion of the survey, we will provide: • A questionnaire with the topline results of the survey for easy reference • A complete set of crosstabs in an easy-to-read, comprehensive format • Verbatim responses to any open-ended questions • A complete analysis of survey results in PowerPoint • A presentation of the survey results FM3 will also be available for ongoing consultation and any further analysis of the research.
Cost	These prices are comprehensive and include all costs for full participation from both research firms on questionnaire design, sample acquisition and preparation, programming,

email and postcard invitations, survey hosting, texting, telephone interviewing, data entry and analysis, and reporting.

Number of Interviews	15 Minutes	20 Minutes
800	$67,500	$72,500

We would welcome the opportunity to work with you on this research, and if you have any questions or if there is any further information we can provide, please do not hesitate to contact us. Thank you for your consideration and you may reach us as follows:

Dave Metz | Dave@FM3Research.com
Miranda Everitt | Miranda@FM3Research.com
Fairbank, Maslin, Maullin, Metz & Associates (FM3)

OCTOBER 5-17, 2021

FM3 RESEARCH

2021 CITY OF HAYWARD COMMUNITY SURVEY
320-944-WT (TRACKING)
N=914
A/B SPLITS
MARGIN OF SAMPLING ERROR ±3.7% (95% CONFIDENCE LEVEL)

Hello, I'm _____ from _____, a public opinion research company. We're conducting a public opinion survey about issues that interest residents of the City of Hayward. We are definitely not trying to sell anything, and we are only interested in your opinions. May I please speak to _____? **(MUST SPEAK TO VOTER LISTED. VERIFY THAT THE VOTER LIVES AT THE ADDRESS LISTED; OTHERWISE, TERMINATE.) (IF RESPONDENT WISHES TO COMPLETE THE INTERVIEW IN SPANISH, PLEASE HAND OFF TO BILINGUAL INTERVIEWER.)**

A. Before we begin, I need to know if I have reached you on a cell phone, and if so, are you in a place where you can talk safely without endangering yourself or others?

Yes, cell and can talk safely	62%
Yes, cell but cannot talk safely	**TERMINATE**
No, not on cell	38%
(**DON'T READ**) Rather not say	**TERMINATE**

NEXT, I'M GOING TO ASK YOU A FEW QUESTIONS TO MAKE SURE WE ARE SPEAKING TO A REPRESENTATIVE GROUP OF LOCAL RESIDENTS.

B. First, are you a resident of the city of Hayward?

Yes	100%
No	**TERMINATE**
(**DON'T READ**) Rather not say	**TERMINATE**

C. In what year were you born? **(RECORD YEAR; CODE IN CATEGORIES BELOW AS WELL)**

2021-2004 (0-17)	**TERMINATE**
2003-1997 (18-24)	10%
1996-1992 (25-29)	9%
1991-1987 (30-34)	7%
1986-1982 (35-39)	10%
1981-1977 (40-44)	7%
1976-1972 (45-49)	8%
1971-1967 (50-54)	6%
1966-1962 (55-59)	7%
1961-1957 (60-64)	8%
1956-1947 (65-74)	10%
1946 or earlier (75+)	5%
(**REFUSED/NA**)	13%

D. How do you describe your gender?

Man	47%
Woman	50%
Nonbinary	1%
Something else **(SPECIFY)**	0%
(**DON'T READ)** Rather not say	2%

E. What was the last level of school you completed?

High school graduate or less	27%
Vocational/technical school	6%
Some college, no degree	33%
Associate degree	13%
Four-year college or bachelor's degree	13%
Graduate school or advanced degree	7%
(**DON'T READ)** Rather not say	2%

F. With which racial or ethnic group do you identify yourself? **(READ LIST; ACCEPT MULTIPLE RESPONSES)**

Hispanic or Latino	36%
White or Caucasian	25%
Black or African American	12%
Afghan	0%
Middle Eastern	1%
Asian or Pacific Islander	21%
American Indian or Alaska Native	1%
Multiracial (**SPECIFY**_____)	4%
Other (**SPECIFY**_____)	1%
(**DON'T READ)** Rather not say	6%

(ASK ONLY IF ASIAN/PACIFIC ISLANDER – CODE 6 – IN QF); n=188

G. More specifically, would you say that you are: **(READ LIST)**

Chinese	14%
Filipino	31%
Indian	17%
Central Asian	1%
Japanese	5%
Korean	0%
Vietnamese	12%
Samoan	2%
Tongan	1%
Guamanian or Chamorro	1%
Other Pacific Islander	6%
Multiracial	3%
Other (**SPECIFY**_____)	4%
(**DON'T READ)** Rather not say	4%

(RESUME ASKING ALL RESPONDENTS)

H. Are you registered to vote in Hayward?

Yes	94%
No	3%
(**DON'T READ)** Rather not say	3%

NEXT, I WOULD LIKE TO ASK YOU SEVERAL QUESTIONS ABOUT LIFE IN HAYWARD.

1. First, I'd like to get your overall opinion of living in the City of Hayward. Generally speaking, are you satisfied or dissatisfied with the overall quality of life in Hayward? **(IF SATISFIED /DISSATISFIED, ASK:** Is that very or somewhat **SATISFIED/DISSATISFIED**?)

	2008	**2010**	**2012**	**2014**	**2016**	**2019**	**2021**
TOTAL SATISFIED	**76%**	**79%**	**80%**	**85%**	**76%**	**75%**	**68%**
Very satisfied	30%	37%	42%	49%	27%	25%	24%
Somewhat satisfied	46%	42%	38%	37%	49%	50%	43%
TOTAL DISSATISFIED	**23%**	**21%**	**20%**	**14%**	**24%**	**22%**	**31%**
Somewhat dissatisfied	16%	11%	12%	9%	16%	15%	18%
Very dissatisfied	7%	10%	8%	5%	7%	7%	12%
(DON'T READ) DK/NA	1%	1%	1%	1%	3%	3%	2%

2. Overall, are you satisfied or dissatisfied with the job the City of Hayward is doing to provide resident services? **(IF SATISFIED/DISSATISFIED, ASK:** Is that very or somewhat **SATISFIED/ DISSATISFIED**?)

	2008	2010	2012	2014	2016	2019	2021
TOTAL SATISFIED	**71%**	**73%**	**70%**	**77%**	**62%**	**60%**	**56%**
Very satisfied	26%	28%	33%	35%	19%	18%	21%
Somewhat satisfied	45%	45%	37%	42%	43%	43%	35%
TOTAL DISSATISFIED	**16%**	**21%**	**22%**	**17%**	**28%**	**21%**	**34%**
Somewhat dissatisfied	10%	12%	15%	10%	17%	13%	20%
Very dissatisfied	6%	9%	7%	7%	11%	7%	14%
(DON'T READ) DK/NA	9%	6%	8%	6%	10%	19%	10%

3. Now I am going to read you a list of issues that some people say might be problems in Hayward. For each one I read, please tell me whether you think it is an extremely serious problem, a very serious problem, a somewhat serious problem, or not too serious a problem in the city. **(RANDOMIZE)**

		EXT SER PROB	VERY SER PROB	SMWT SER PROB	NT TOO SER PROB	(DK/NA)	*EXT/ VERY*
[ ]a.	Homelessness						
	2021	43%	28%	18%	8%	3%	*70%*
	2019	29%	31%	29%	10%	2%	*60%*
(SPLIT SAMPLE A ONLY)							
[ ]b.	Waste in City government						
	2021	20%	18%	23%	18%	21%	*38%*
	2019	13%	12%	29%	22%	24%	*25%*
[ ]c.	Potholes and street maintenance						
	2021	28%	24%	27%	18%	2%	*52%*
	2019	24%	26%	30%	18%	1%	*50%*
[ ]d.	Traffic congestion on local streets and roads						
	2021	32%	28%	22%	16%	2%	*60%*
	2019	27%	30%	27%	15%	1%	*57%*
[ ]e.	Too much growth and development						
	2021	19%	14%	22%	38%	7%	*33%*
	2019	6%	14%	27%	44%	8%	*20%*
[ ]f.	The cost of housing						
	2021	45%	21%	19%	11%	5%	*65%*
	2019	28%	31%	27%	10%	2%	*60%*
[ ]g.	A lack of entertainment and cultural options						
	2021	16%	16%	24%	35%	9%	*32%*
	2019	8%	18%	33%	36%	5%	*26%*
[ ]h.	Litter and graffiti						
	2021	22%	26%	27%	22%	3%	*48%*
	2019	12%	21%	44%	21%	2%	*33%*
[ ]i.	Too many vacant properties and storefronts						
	2021	18%	22%	27%	26%	8%	*40%*
	2019	13%	22%	34%	27%	4%	*35%*

	EXT SER PROB	VERY SER PROB	SMWT SER PROB	NT TOO SER PROB	(DK/NA)	*EXT/ VERY*
(SPLIT SAMPLE B ONLY)						
[ ]j. Inefficiency in local government						
2021	20%	28%	20%	15%	18%	*47%*
2019	14%	16%	33%	16%	21%	*30%*
[ ]k. The amount people pay in local taxes						
2021	29%	25%	19%	18%	10%	*54%*
2019	19%	21%	31%	18%	11%	*40%*
[ ]l. Crime, in general						
2021	28%	30%	27%	12%	3%	*58%*
2019	17%	33%	34%	13%	3%	*49%*
[ ]m. Traffic congestion on local freeways						
2021	36%	34%	18%	8%	4%	*70%*
2019	43%	33%	19%	5%	0%	*76%*
[ ]n. Jobs and unemployment						
2021	19%	26%	21%	17%	16%	*46%*
2019	11%	17%	33%	15%	24%	*28%*
[ ]o. The quality of public education						
2021	32%	24%	18%	10%	16%	*56%*
2019	30%	23%	16%	15%	16%	*53%*
[ ]p. A lack of parks and recreation options						
2021	12%	19%	23%	40%	5%	*31%*
2019	12%	13%	23%	47%	5%	*24%*

(RESUME ASKING ALL RESPONDENTS)

NOW I WOULD LIKE TO ASK YOU ABOUT SOME OF THE SERVICES AND PROGRAMS HAYWARD'S CITY GOVERNMENT PROVIDES TO ITS RESIDENTS.

4. First, in your opinion, what is the most important thing the City of Hayward can do to improve City services for the people who live and/or work here? **(OPEN-ENDED; RECORD RESPONSES BELOW)**

Address homelessness/poverty	15%
Road improvement/Traffic congestion	14%
Public safety/Reduce crime/drugs	12%
Better schools/education/after school programs	9%
Affordable housing/Lower rent	8%
Clean environment/Remove trash/litter	8%
More businesses/jobs/economy	7%
More law enforcement/Police patrols/Response time	7%
More awareness of services/Improve online service/accessibility	6%
Planned growth and development/parks/entertainment/shopping	6%
Lower taxes/Cost of living	4%
Listen to residents/More public input	4%
Hire more workers/Better job performance	4%
Better public transportation	2%
Mental health awareness/services	2%
Stop building residential properties	1%
Other	6%
Don't know/Refused	13%

5. Next, I am going to read you a list of aspects of life in the City of Hayward. After I mention each one, please tell me, in your opinion, how <u>important</u> each one is to making Hayward a good place to live: extremely important, very important, somewhat important, or not too important. If you have no opinion, you can tell me that too. Here is the first one… **(RANDOMIZE)**

		EXT IMP	VERY IMP	SMWT IMP	NOT TOO IMP	NO OP/ DK/NA	*EXT/ VERY*
[ ]a.	Providing services to residents who are homeless	44%	32%	14%	7%	3%	*76%*
[ ]b.	Responding to the coronavirus pandemic	44%	30%	14%	8%	4%	*74%*
(SPLIT SAMPLE A ONLY)							
[ ]c.	Safe neighborhoods						
	2021	72%	22%	3%	2%	1%	*94%*
	2019	59%	34%	5%	1%	1%	*94%*
[ ]d.	Fast emergency response						
	2021	63%	29%	5%	2%	2%	*91%*
	2019	56%	33%	6%	3%	2%	*89%*
[ ]e.	Safe and well-maintained streets and sidewalks						
	2021	55%	31%	11%	1%	1%	*87%*
	2019	45%	41%	12%	2%	1%	*86%*

		EXT IMP	VERY IMP	SMWT IMP	NOT TOO IMP	NO OP/ DK/NA	*EXT/ VERY*
(SPLIT SAMPLE A CONT.)							
[ ]f.	Well-maintained street lighting						
	2021	48%	37%	10%	4%	1%	*85%*
	2019	44%	39%	14%	2%	1%	*83%*
[ ]g.	Revitalized older neighborhoods and business districts						
	2021	40%	26%	25%	5%	5%	*66%*
	2019	37%	33%	21%	4%	5%	*70%*
[ ]h.	Having adequate parking						
	2021	33%	36%	21%	7%	3%	*69%*
	2019	30%	37%	24%	8%	1%	*66%*
[ ]i.	A clean, well-maintained city						
	2021	56%	34%	6%	2%	1%	*90%*
	2019	48%	37%	12%	1%	1%	*85%*
[ ]j.	Speedy review of development applications						
	2021	30%	30%	20%	10%	10%	*60%*
	2019	19%	30%	30%	11%	10%	*49%*
[ ]k.	Prompt removal of graffiti						
	2021	29%	29%	25%	14%	3%	*58%*
	2019	26%	28%	31%	13%	3%	*53%*
[ ]l.	Steady arrival of new businesses in the city						
	2021	28%	31%	28%	8%	5%	*59%*
	2019	22%	38%	29%	8%	3%	*60%*
[ ]m.	Good availability of local jobs						
	2021	43%	37%	11%	4%	5%	*80%*
	2019	36%	44%	11%	4%	6%	*80%*
[ ]n.	Affordable rental properties						
	2021	43%	32%	15%	7%	3%	*75%*
	2019	50%	29%	10%	6%	4%	*80%*
[ ]o.	Safe and well-maintained City infrastructure						
	2021	50%	33%	11%	3%	3%	*83%*
	2019	39%	45%	12%	3%	2%	*84%*
(SPLIT SAMPLE B ONLY)							
[ ]p.	Effective police protection						
	2021	55%	29%	10%	4%	2%	*84%*
	2019	54%	36%	7%	1%	2%	*90%*
[ ]q.	Minimal numbers of stray animals						
	2021	20%	28%	26%	19%	6%	*48%*
	2019	23%	29%	22%	18%	8%	*52%*
[ ]r.	Smooth and efficient traffic movement						
	2021	42%	39%	14%	2%	2%	*81%*
	2019	52%	34%	12%	1%	1%	*86%*
[ ]s.	Attractive landscaping and medians						
	2021	19%	30%	35%	14%	3%	*48%*
	2019	21%	32%	32%	14%	1%	*53%*
[ ]t.	A revitalized downtown area						
	2021	25%	34%	24%	13%	3%	*59%*
	2019	29%	37%	22%	9%	3%	*66%*

	EXT IMP	VERY IMP	NOT SMWT IMP	TOO IMP	NO OP/ DK/NA	*EXT/ VERY*
(SPLIT SAMPLE B CONT.)						
[ ]u. Good library services						
2021	31%	34%	22%	10%	4%	*64%*
2019	31%	41%	20%	7%	2%	*71%*
[ ]v. An adequate number of affordable places to live						
2021	46%	31%	15%	5%	3%	*77%*
2019	47%	31%	13%	6%	3%	*78%*
[ ]w. Easy access to protected open space and natural areas						
2021	32%	36%	22%	8%	2%	*68%*
2019	33%	37%	21%	5%	5%	*70%*
[ ]x. Healthy local businesses that stay in Hayward						
2021	46%	36%	11%	3%	3%	*83%*
2019	47%	40%	10%	2%	1%	*87%*
[ ]y. Effective garbage, yard waste, and curb-side recycling						
2021	38%	40%	17%	3%	3%	*77%*
2019	44%	35%	18%	2%	1%	*79%*
[ ]z. A strong financial base to fund City programs and services						
2021	35%	39%	18%	4%	5%	*73%*
2019	40%	33%	21%	2%	4%	*74%*
[ ]aa. Having public art throughout the city						
2021	16%	24%	31%	26%	3%	*40%*
2019	20%	24%	36%	19%	2%	*43%*
[ ]bb. Minimizing the number of evictions						
2021	24%	29%	23%	16%	8%	*53%*
2019	26%	26%	20%	11%	16%	*53%*
[ ]cc. Adequate preparation for disasters, such as wildfires or earthquakes	43%	33%	16%	5%	3%	*76%*

(RESUME ASKING ALL RESPONDENTS)

6. Next, I am going to mention some services and programs the City provides. I would like you to tell me how satisfied you are personally with the job being done by the City of Hayward in providing that program or service to City residents: very satisfied, somewhat satisfied, somewhat dissatisfied, or very dissatisfied. If you have no opinion or don't know about a service I mention to you, you can tell me that too. Here is the first one… **(RANDOMIZE)**

		VERY SAT	SMWT SAT	SMWT DISSAT	VERY DISSAT	NO OP /DK/NA	*TOTAL SAT*	*TOTAL DISSAT*
[ ]a.	Providing services to residents who are homeless	11%	20%	21%	24%	24%	*31%*	*44%*
[ ]b.	The City's response to the coronavirus pandemic	31%	39%	8%	8%	15%	*70%*	*16%*
[ ]c.	Police addressing crime committed against people							
	2021	15%	26%	17%	19%	23%	*41%*	*35%*
	2020*	15%	30%	13%	9%	33%	*45%*	*22%*
[ ]d.	Police addressing crime involving property damage or theft							
	2021	14%	23%	17%	25%	22%	*36%*	*42%*
	2020*	13%	28%	18%	14%	27%	*41%*	*32%*
[ ]e.	Police maintaining traffic safety							
	2021	19%	33%	17%	18%	13%	*52%*	*35%*
	2020*	23%	41%	15%	8%	13%	*64%*	*23%*
	2019	20%	40%	13%	10%	16%	*60%*	*23%*
	2016	24%	42%	17%	10%	7%	*66%*	*26%*
	2014	47%	32%	9%	6%	6%	*79%*	*15%*
	2012	42%	35%	11%	7%	4%	*77%*	*18%*
	2010	48%	34%	9%	6%	4%	*82%*	*15%*
	2008	39%	40%	11%	8%	3%	*79%*	*19%*
[ ]f.	Police maintaining adequate neighborhood patrolling							
	2021	15%	29%	21%	23%	12%	*44%*	*44%*
	2020*	14%	35%	23%	15%	12%	*50%*	*38%*
	2019	16%	31%	23%	13%	17%	*47%*	*36%*
	2016	17%	43%	19%	13%	8%	*60%*	*32%*
	2014	43%	28%	13%	12%	5%	*71%*	*25%*
	2012	37%	28%	18%	14%	4%	*65%*	*32%*
	2010	43%	35%	11%	10%	2%	*78%*	*21%*
[ ]g.	Timeliness of response to police calls							
	2021	20%	24%	15%	17%	25%	*44%*	*32%*
	2020*	21%	31%	14%	9%	25%	*52%*	*23%*
	2019	21%	25%	7%	9%	37%	*47%*	*16%*
	2016	26%	28%	11%	8%	27%	*54%*	*19%*
	2014	40%	25%	8%	9%	18%	*65%*	*17%*
	2012	41%	22%	12%	8%	17%	*63%*	*20%*
	2010	44%	29%	10%	6%	11%	*73%*	*16%*

		VERY SAT	SMWT SAT	SMWT DISSAT	VERY DISSAT	NO OP /DK/NA	*TOTAL SAT*	*TOTAL DISSAT*
(SPLIT SAMPLE A ONLY)								
[ ]h.	Neighborhood police patrols							
	2021	17%	28%	21%	21%	13%	*45%*	*42%*
	2019	14%	34%	25%	13%	13%	*49%*	*38%*
[ ]i.	Fire protection and emergency services							
	2021	35%	37%	9%	2%	17%	*72%*	*11%*
	2019	40%	32%	8%	1%	19%	*72%*	*9%*
[ ]j.	Street and sidewalk maintenance							
	2021	19%	35%	21%	18%	6%	*55%*	*40%*
	2019	16%	41%	26%	12%	5%	*57%*	*38%*
[ ]k.	Street lighting							
	2021	25%	39%	18%	12%	6%	*64%*	*30%*
	2019	15%	48%	27%	7%	3%	*63%*	*34%*
[ ]l.	Revitalizing older neighborhoods and business districts							
	2021	17%	27%	26%	11%	19%	*44%*	*37%*
	2019	11%	33%	23%	14%	19%	*45%*	*37%*
[ ]m.	Requiring expansion of existing parks or requiring new parks as part of development approval							
	2021	24%	32%	16%	9%	19%	*57%*	*25%*
	2019	15%	35%	19%	6%	24%	*51%*	*25%*
[ ]n.	Providing parking throughout the city							
	2021	17%	43%	18%	10%	12%	*60%*	*28%*
	2019	16%	45%	20%	8%	10%	*61%*	*29%*
[ ]o.	The cleanliness of Hayward							
	2021	16%	33%	25%	22%	4%	*49%*	*47%*
	2019	17%	46%	25%	8%	4%	*63%*	*33%*
[ ]p.	Reviewing development applications							
	2021	14%	21%	13%	6%	46%	*35%*	*19%*
	2019	8%	26%	9%	4%	54%	*34%*	*13%*
[ ]q.	Graffiti removal							
	2021	19%	30%	19%	11%	20%	*50%*	*30%*
	2019	18%	41%	18%	7%	16%	*59%*	*25%*
[ ]r.	Attracting new businesses to the city							
	2021	17%	30%	16%	15%	23%	*46%*	*31%*
	2019	11%	30%	25%	10%	25%	*41%*	*34%*
[ ]s.	Increasing the availability of local jobs							
	2021	18%	32%	13%	8%	29%	*50%*	*22%*
	2019	11%	28%	25%	6%	30%	*39%*	*31%*
[ ]t.	Regulating rent increases							
	2021	14%	21%	13%	25%	27%	*35%*	*38%*
	2019	8%	19%	19%	26%	28%	*27%*	*45%*

		VERY SAT	SMWT SAT	SMWT DISSAT	VERY DISSAT	NO OP /DK/NA	*TOTAL SAT*	*TOTAL DISSAT*
(SPLIT SAMPLE B ONLY)								
[ ]u.	Police protection							
	2021	15%	37%	17%	18%	13%	*52%*	*35%*
	2019	25%	39%	17%	9%	10%	*64%*	*25%*
[ ]v.	Traffic circulation							
	2021	9%	26%	29%	30%	6%	*36%*	*58%*
	2019	6%	26%	28%	36%	4%	*32%*	*64%*
[ ]w.	Landscaping and medians in Hayward							
	2021	16%	44%	19%	10%	10%	*60%*	*29%*
	2019	20%	46%	14%	7%	12%	*67%*	*22%*
[ ]x.	Revitalizing the downtown area							
	2021	15%	42%	20%	11%	12%	*57%*	*31%*
	2019	22%	45%	16%	7%	10%	*67%*	*23%*
[ ]y.	Library services							
	2021	30%	36%	7%	6%	21%	*66%*	*13%*
	2019	34%	32%	8%	8%	18%	*66%*	*16%*
[ ]z.	Increasing the availability of affordable housing							
	2021	12%	20%	22%	25%	20%	*32%*	*48%*
	2019	10%	24%	17%	29%	21%	*33%*	*45%*
[ ]aa.	Protecting open space							
	2021	15%	42%	18%	10%	16%	*56%*	*27%*
	2019	23%	37%	13%	6%	21%	*60%*	*19%*
[ ]bb.	Retaining existing businesses							
	2021	13%	30%	23%	16%	17%	*44%*	*40%*
	2019	13%	32%	17%	8%	29%	*45%*	*25%*
[ ]cc.	Garbage, yard waste, and curb-side recycling							
	2021	30%	40%	13%	10%	7%	*70%*	*23%*
	2019	35%	41%	10%	8%	6%	*76%*	*18%*
[ ]dd.	Maintaining a strong financial base to fund City programs and services							
	2021	12%	32%	18%	9%	29%	*45%*	*26%*
	2019	13%	31%	12%	8%	36%	*44%*	*20%*
[ ]ee.	Increasing the amount of public art							
	2021	18%	39%	12%	7%	25%	*56%*	*18%*
	2019	24%	41%	6%	4%	25%	*65%*	*10%*
[ ]ff.	Protecting renters from eviction							
	2021	10%	25%	16%	9%	40%	*35%*	*25%*
	2019	10%	17%	11%	16%	46%	*27%*	*27%*
[ ]gg.	Preparing for disasters, such as wildfires or earthquakes	11%	36%	16%	9%	28%	*48%*	*25%*

(RESUME ASKING ALL RESPONDENTS)

NOW, I'D LIKE TO ASK YOU ABOUT YOUR EXPERIENCES WITH CITY DEPARTMENTS AND PERSONNEL.

7. In the past 12 months, did you contact a City of Hayward department?

	2019	2021
Yes	29%	40%
No	70%	59%
(DON'T READ) DK/NA	2%	1%

(ASK IF YES – CODE 1 – IN Q7); n=363

8. With which City department did you have contact? **(DO NOT READ LIST, RECORD VERBATIM RESPONSE THEN CODE; ACCEPT MULTIPLE RESPONSES)**

Police	34%
Utilities and Environmental Services	10%
Street Maintenance	10%
Public Works	8%
Office of the City Manager	5%
Building and Safety Services/Permit Counter	5%
Fire	5%
Planning	3%
City Clerk	2%
Housing	2%
Human Resources	2%
Library Services	2%
Business Licensing	1%
Code Enforcement	1%
Finance	1%
Economic Development	0%
Other **(SPECIFY** _____ **)**	13%
(DON'T READ) DK/NA	6%

9. Were you satisfied or dissatisfied with _____ the Hayward City employee or employees with whom you had contact? **(IF SATISFIED/DISSATISFIED, ASK:** "Was that very or just somewhat?"**) (RANDOMIZE)**

		VERY SAT	SMWT SAT	SMWT DISSAT	VERY DISSAT	(NO OP /DK/NA)	*TOTAL SAT*	*TOTAL DISSAT*
[ ]a.	Getting your problem resolved or question answered by							
	2021	34%	23%	10%	26%	7%	*57%*	*36%*
	2019	36%	26%	10%	24%	3%	*62%*	*35%*
[ ]b.	The customer service you received from							
	2021	39%	27%	11%	16%	7%	*66%*	*27%*
	2019	43%	27%	9%	16%	5%	*70%*	*25%*
[ ]c.	The courtesy of							
	2021	45%	28%	7%	12%	8%	*73%*	*19%*
	2019	51%	25%	5%	11%	7%	*76%*	*16%*
[ ]d.	The timeliness of the response of							
	2021	40%	23%	12%	19%	6%	*63%*	*31%*
	2019	40%	29%	14%	14%	3%	*69%*	*28%*
[ ]e.	Voicing your concerns on major community issues							
	2021	28%	22%	14%	15%	20%	*50%*	*30%*
	2019	23%	23%	8%	14%	31%	*47%*	*22%*

(RESUME ASKING ALL RESPONDENTS)

MY NEXT QUESTIONS HAVE TO DO WITH PARKS AND RECREATION IN HAYWARD.

10. In the last year, have you used any recreation services provided by the Hayward Area Recreation and Park District, or visited any parks in Hayward?

Yes ---------- 65%
No ---------- 34%
(DON'T READ) DK/NA ---------- 1%

(ASK Q11 IF CODE 1 IN Q10); n=593

11. Next, I am going to mention different aspects of parks and recreation services. I would like you to tell me how satisfied you are with the job being done by the Hayward Area Recreation and Park District in providing that program or service to City residents: very satisfied, somewhat satisfied, somewhat dissatisfied, or very dissatisfied. If you have no opinion or don't know about a service I mention to you, you can tell me that too. Here is the first one… **(RANDOMIZE)**

		VERY SAT	SMWT SAT	SMWT DISSAT	VERY DISSAT	(NO OP /DK/NA)	*TOTAL SAT*	*TOTAL DISSAT*
[ ]a.	Providing a variety of recreation activities and classes	22%	29%	14%	7%	28%	*51%*	*21%*
[ ]b.	Providing recreation activities and classes at times and places convenient to you	21%	28%	13%	6%	32%	*49%*	*19%*
[ ]c.	Providing good quality recreation activities and classes	20%	32%	12%	7%	29%	*51%*	*19%*
[ ]d.	Maintaining parks	33%	41%	14%	8%	4%	*74%*	*22%*
[ ]e.	Maintaining recreation centers	24%	34%	13%	6%	22%	*59%*	*20%*
[ ]f.	Providing parks and recreation activities at a reasonable price	25%	32%	11%	4%	28%	*57%*	*15%*

(RESUME ASKING ALL RESPONDENTS)

MY NEXT QUESTIONS ARE ABOUT PUBLIC SAFETY.

12. How safe do you feel in Hayward _____? Do you feel safe, unsafe, or neither safe nor unsafe? **(IF SAFE/UNSAFE, ASK:** Is that very **SAFE/UNSAFE** or just somewhat?**) (READ A FIRST, THEN RANDOMIZE)**

		VERY SAFE	SMWT SAFE	(NEITH)	SMWT UNSAFE	VERY UNSAFE	(DK/ NO OP)	*TOTAL SAFE*	*TOTAL UNSAFE*
(ASK "a" FIRST)									
[ ]a.	In general								
	2021	21%	35%	18%	17%	8%	2%	56%	25%
	2020*	16%	42%	18%	17%	6%	1%	*59%*	*23%*
	2019	16%	48%	15%	16%	5%	0%	*64%*	*21%*
[ ]b.	Interacting with Hayward Police								
	2021	37%	28%	10%	6%	7%	12%	66%	12%
	2020*	37%	26%	14%	7%	5%	10%	*63%*	*13%*
(SPLIT SAMPLE A ONLY)									
[ ]c.	Driving on Hayward streets								
	2021	25%	33%	11%	18%	11%	3%	*57%*	*29%*
	2020*	24%	43%	11%	15%	5%	2%	*67%*	*20%*
	2019	28%	46%	8%	12%	5%	2%	*73%*	*17%*
[ ]d.	Walking or playing in the park closest to your residence								
	2021	30%	33%	9%	13%	8%	8%	*62%*	*21%*
	2020*	23%	36%	9%	17%	9%	5%	*60%*	*26%*
	2019	27%	38%	10%	13%	9%	3%	*65%*	*22%*

	VERY SAFE	SMWT SAFE	(NEITH)	SMWT UNSAFE	VERY UNSAFE	(DK/ NO OP)	*TOTAL SAFE*	*TOTAL UNSAFE*
(SPLIT SAMPLE B ONLY)								
[ ]e. Bicycling								
2021	12%	25%	13%	12%	10%	27%	*37%*	*22%*
2020*	11%	29%	12%	15%	9%	23%	*40%*	*25%*
2019	10%	32%	13%	14%	12%	19%	*42%*	*26%*
[ ]f. Walking in your neighborhood								
2021	26%	33%	10%	18%	11%	2%	*59%*	*29%*
2020*	30%	37%	10%	15%	7%	1%	*68%*	*22%*
2019	27%	44%	10%	12%	7%	0%	*71%*	*19%*

(ASK IF CODES 4 OR 5 – UNSAFE – IN Q12A); n=226

13. Earlier you said that you feel unsafe in Hayward generally. In a few words of your own, what would make you feel safer in your community? **(OPEN-ENDED, RECORD VERBATIM RESPONSE)**

More police presence/patrols	51%
Reduce crime rate/Enforce existing laws	34%
Address homelessness/encampments	26%
More streetlights/Brighter lighting/Loitering	15%
Address road and traffic safety/speeding/reckless driving	12%
Mental illness awareness/services	5%
Get rid of desolate building/graffiti/trash/blight	4%
Address police misconduct/brutality/police reform	4%
Gang activity	3%
Other	5%
Don't know/Refused	1%

(RESUME ASKING ALL RESPONDENTS)

14. In prior resident satisfaction surveys, community members have identified homelessness and mental health response in Hayward as a serious concern. Would you support or oppose the City establishing an annual parcel tax of **(SPLIT SAMPLE A ONLY:** 79 dollars per year) **(SPLIT SAMPLE B ONLY:** 109 dollars per year) on residential and commercial properties that would raise approximately **(SPLIT SAMPLE A ONLY:** 3 million dollars) **(SPLIT SAMPLE B ONLY:** 4-point-1 million dollars) annually to fund homelessness and mental health response projects, programs, and services? **(IF SUPPORT/OPPOSE, ASK:** "Is that strongly **SUPPORT/OPPOSE**, or just somewhat?")

	SPLIT A $79/YR	SPLIT B $109/YR	TOTAL
TOTAL SUPPORT	**59%**	**55%**	**57%**
Strongly support	32%	30%	31%
Somewhat support	27%	25%	26%
TOTAL OPPOSE	**31%**	**34%**	**32%**
Somewhat oppose	10%	11%	10%
Strongly oppose	26%	27%	26%
(**DON'T READ**) DK/NA	5%	7%	6%

HERE ARE MY FINAL QUESTIONS. THEY ARE JUST FOR STATISTICAL PURPOSES.

15. Were you born in the United States, or another country?

United States	77%
Another country	22%
(**DON'T READ)** Rather not say	2%

16. Do you regularly speak a language other than English at home?

Yes	45%
No	52%
(**DON'T READ)** Rather not say	3%

17. Do you own your residence, rent your residence, or do you not have stable housing?

Own	58%
Rent	36%
No stable housing	2%
(**DON'T READ)** Rather not say	4%

18. Have you or a close friend or family member ever experienced a period of homelessness?

Yes, self	8%
Yes, friend or family member	16%
Yes, both self and friend/family	5%
No	67%
(**DON'T READ)** Rather not say	5%

19. Do you have any children under the age of 19 living at home?

Yes	32%
No	65%
(**DON'T READ)** Rather not say	3%

20. I don't need to know the exact amount, but please stop me when I read the category that includes the total income for your household before taxes in 2020. Was it:

$30,000 a year or less	12%
$30,001 to $60,000	14%
$60,001 to $90,000	19%
$90,001 to $110,000	10%
$110,001 to $140,000	9%
$140,001 to $170,000	5%
$170,001 to $200,000	4%
More than $200,000	6%
(**DON'T READ)** Rather not say	21%

THANK AND TERMINATE

LANGUAGE OF INTERVIEW:

English----------91%
Spanish ---------- 9%

MODE OF INTERVIEW:

Phone ----------49%
Online----------51%

ZIP

94541 ---------- 20%
94542 ---------- 11%
94544 ---------- 51%
94545 ---------- 18%

NEIGHBORHOOD

Burbank ----------5%
Fairway Park----------6%
Glen Eden----------9%
Harder/Tennyson ---------- 12%
Hayward Highland ----------6%
In COH,
Not in Council Adopted ----------5%
Jackson Triangle----------7%
Longwood/Winton Grove ---------3%
Mission Foothills ----------8%
Mission/Garin----------7%
Mt. Eden----------5%
North Hayward ----------2%
Santa Clara ----------4%
Southgate----------4%
Tennyson/Alquire ---------- 10%
Upper B Street ----------4%
Whitman/Mocine ----------4%
Not in COH ----------0%

File #: PH 21-099

DATE: December 7, 2021

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Groundwater Sustainability Plan: Adopt a Resolution Approving the East Bay Plain Subbasin Groundwater Sustainability Plan

RECOMMENDATION

That the Council adopts the attached resolution (Attachment II) approving the East Bay Plain Subbasin Groundwater Sustainability Plan.

SUMMARY

Groundwater Sustainability Agencies (GSAs) for the East Bay Plain Subbasin (Subbasin), the City of Hayward (City), and East Bay Municipal Utility District (EBMUD) must adopt and submit a Groundwater Sustainability Plan (GSP) to the Department of Water Resources (DWR) by January 31, 2022. The GSP will establish sustainable management criteria and actions to protect the Subbasin, while ensuring local groundwater resources are available for current and future beneficial uses.

Council Sustainability Committee Review

At the November 8, 2021 Council Sustainability Committee (CSC) meeting, staff provided an overview of the background and development of the GSP, as well as the required and key elements. The CSC reviewed the GSP, made comments that were addressed by staff, and unanimously recommended to forward the GSP to the Council for approval.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution

DATE: December 7, 2021

TO: Mayor and Council

FROM: Director of Public Works

SUBJECT: Groundwater Sustainability Plan: Adopt a Resolution Approving the East Bay Plain Subbasin Groundwater Sustainability Plan

RECOMMENDATION

That the Council adopts the attached resolution (Attachment II) approving the East Bay Plain Subbasin Groundwater Sustainability Plan.

SUMMARY

Groundwater Sustainability Agencies (GSAs) for the East Bay Plain Subbasin (Subbasin), the City of Hayward (City), and East Bay Municipal Utility District (EBMUD) must adopt and submit a Groundwater Sustainability Plan (GSP)[1] to the Department of Water Resources (DWR) by January 31, 2022. The GSP will establish sustainable management criteria and actions to protect the Subbasin, while ensuring local groundwater resources are available for current and future beneficial uses.

Council Sustainability Committee Review

At the November 8, 2021[2] Council Sustainability Committee (CSC) meeting, staff provided an overview of the background and development of the GSP, as well as the required and key elements. The CSC reviewed the GSP, made comments that were addressed by staff, and unanimously recommended to forward the GSP to the Council for approval.

BACKGROUND

In response to extreme drought conditions and unprecedented historic low groundwater levels, Governor Jerry Brown signed three bills, AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley) into law on September 16, 2014. Collectively, these three bills, referred to as the Sustainable Groundwater Management Act (SGMA), created a statewide framework for

[1] https://www.hayward-ca.gov/content/east-bay-plain-subbasin-groundwater-sustainability-plan
[2] https://hayward.legistar.com/LegislationDetail.aspx?ID=5207541&GUID=4B75D4D0-9DE0-4FB9-8515-F4B207F4E7F8&Options=&Search=

sustainable, local groundwater management in California. As part of SGMA, local agencies in Medium and High-priority basins (including the East Bay Plain Subbasin) are required to form GSAs that have the authority and responsibility to develop, adopt, and implement a GSP.

For more than a century, the City relied on groundwater for day-to-day water supplies. Beginning in the 1960s, the City entered into an agreement with the San Francisco Public Utilities Commission for potable water supplies. Subsequently, the City ceased groundwater use. Following the Loma Prieta earthquake, in the 1990s and early 2000s, the City constructed five emergency groundwater wells, three within the Subbasin and two within the adjacent Niles Cone Subbasin. With a total maximum design capacity of more than 10 million gallons per day, the emergency wells are critical to the City's short-term water supply reliability (currently permitted to pump up to fifteen days per year with no more than five consecutive days of pumping).

With the passage of SGMA in 2014, the City determined that it was in its interest to become a GSA for its portion of the Subbasin and filed its intention to do so. The City became an exclusive GSA for the portion of the Subbasin underlying its jurisdictional area in 2017. EBMUD became an exclusive GSA for the portion of the Subbasin underlying EBMUD's service area in 2016. The two GSAs entered into an initial cooperating agreement to work together on SGMA implementation. The initial agreement was dated June 25, 2018, and has been amended three times (March 29, 2019, December 22, 2020, and November 16, 2021).

The primary purpose of the cooperating agreement is to coordinate the preparation of a single GSP for the entirety of the Subbasin that will satisfy SGMA requirements, in particular the requirement that the Subbasin's GSAs (City and EBMUD) prepare, adopt, and implement a GSP "…consistent with the objective that a basin be sustainably managed within twenty years of Plan implementation without adversely affecting the ability of an adjacent basin to implement its Plan or achieve and maintain its sustainability goal over the planning and implementation horizon" (California Code of Regulations Title23, Section 350.4(f).

DISCUSSION

GSP Development

SGMA specifies a schedule for GSP adoption and submittal based on DWR's basin prioritization (i.e., Critically Overdrafted basins first, followed by High- and Medium-Priority basins). DWR has designated the Subbasin as a Medium Priority basin; therefore, the City and EBMUD must adopt, and submit a GSP for the Subbasin to DWR by January 31, 2022. The City and EBMUD contracted with a consultant team led by Luhdorff & Scalmanini Consulting Engineers (LCSE) to prepare the GSP, which is being partially funded by a $1 million Proposition 1 grant from DWR.

The primary purpose of SGMA and the GSP is to prevent significant and unreasonable effects for the following six conditions (also known as sustainability indicators):

- Chronic Lowering of Groundwater Levels
- Reduction in Groundwater Storage
- Seawater Intrusion
- Degradation of Water Quality
- Land Subsidence
- Surface Water Depletion

The GSP is comprised of five main chapters: (1) Introduction, (2) Plan Area and Basin Setting, (3) Sustainable Management Criteria, (4) Projects and Management Actions to Achieve Sustainability Goal, and (5) Plan Implementation. A series of appendices on page 3 of 6, provide additional detailed information to supplement the content of each Chapter. An Executive Summary is provided at the beginning of the document to provide a high-level overview of the GSP.

Chapter 1 - Introduction

- Purpose of the GSP
- Subbasin's sustainability goal
- Description of the agencies (GSAs) and their organization

Chapter 2 - Plan Area and Basin Setting

- Institutional and physical setting of the Subbasin
- Existing water resources management and monitoring programs
- Stakeholder communication and engagement
- Land use elements and general plans
- Hydrogeologic conceptual model (aquifer systems, geology, etc.)
- Water budget for historical, current, and projected future conditions

The Subbasin is currently in a sustainable condition, with stable water levels and no occurrences of significant and unreasonable effects for any sustainability indicators. The current rate of groundwater pumping is approximately one third of the rate considered to be the "sustainable yield".

Chapter 3 - Sustainable Management Criteria (SMC)

- Criteria that are used to define and measure sustainability

The SMC are arguably the most critical components of the GSP, as they define what sustainability looks like in a specific and quantitative manner for each of the sustainability indicators. Under SGMA, each GSP must define the "undesirable results" that occur for each of the six sustainability indicators and the SMC that will be used to determine whether an undesirable result has occurred. SMC are metrics defining when undesirable results occur. The basin is considered to be managed sustainably (i.e., the sustainability goal is maintained/achieved) when undesirable results are avoided.

The SMC developed for the Subbasin are based on the best available data and science, as required by SGMA; however, the SMC are likely to change in the future as significant data gaps (e.g., insufficient groundwater level data in certain parts of the Subbasin) are filled over time. The SMC were developed with significant public input obtained through a series of stakeholder meetings open to the public, and with a Technical Advisory Committee (TAC) consisting of experts from Lawrence Berkeley National Laboratory, local groundwater users, cities, and non-governmental organizations. Stakeholder and TAC meetings were held between February 2018 and October 2021.

Chapter 4 - Projects and Management Actions to Achieve Sustainability Goal

- Actions that each GSA plans to undertake over the 20-year GSP implementation period to achieve/maintain sustainability

Because the Subbasin is in a sustainable condition currently, these management actions primarily involve one-time data gap-filling activities and regular monitoring of the Subbasin to ensure that the SMC are met, and undesirable results continue to be avoided. The key management actions include:

- Installing new groundwater monitoring wells and stream gauges as necessary
- Monitoring groundwater levels, quality, and local stream flow
- Conducting habitat surveys to confirm and monitor groundwater dependent ecosystems
- Completing annual reports and a publicly accessible data management system
- Updating the GSP every five years to account for new data and regulations
- Coordinating with local stakeholders, and as necessary, enforce SMC to protect the Subbasin

Along with the above management actions, the two GSAs each included projects in the GSP that involve production of groundwater using existing facilities. The City's project involves use of its emergency supply wells as needed in the event of a short-term emergency interruption of surface water supplies. The City and EBMUD are committed to developing and maintaining diverse water supply portfolios to help improve resiliency in the face of changing climate, water supply needs, and regulations. In addition to water conservation and recycled water, beneficial use of groundwater is an important potential source. The GSAs are also committed to maintaining sustainability within the Subbasin, and the existing and future potential projects in the GSP reflect the GSAs desire to fill data gaps and let science-based decision making drive the feasibility of future groundwater pumping.

Chapter 5 - Plan Implementation

- Estimated costs and schedule for implementation of the GSP

The GSP is a coordinated plan that was developed by the two GSAs in collaboration with public participants to characterize groundwater conditions in the Subbasin, establish a sustainability goal and sustainable yield, and describe projects and management actions the

GSAs will implement to maintain sustainable groundwater management for current and future generations.

ECONOMIC IMPACT

There are no direct economic impacts associated with development of the GSP. It is primarily a planning document to establish sustainable management criteria and actions to protect the Subbasin, and to ensure local groundwater resources are available for current and future beneficial uses. The community could benefit from project and management actions to achieve sustainability goals resulting in greater diversity and reliability of water supplies, especially during water emergency periods.

FISCAL IMPACT

The Water Improvement Fund in the Capital Improvement Program (CIP) includes funds for groundwater-related activities such as preparation and implementation of the GSP. Staff anticipates the costs for developing the GSP and DMS will not exceed $528,000 including reimbursement to EBMUD for consultant fees and $150,000 for internal costs. The allocation in the CIP is sufficient to fund the City's share for preparing the technical studies and investigations, along with developing a GSP that complies with SGMA requirements. There will be no impact on the General Fund.

The estimated cost for the City to implement its GSP over the next five years is $500,000. Funds would need to be allocated for this purpose beginning in FY22-23 and will be planned for during the budget development process.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to one of the Council's six Strategic Priorities.

SUSTAINABILITY FEATURES

The City's role as a GSA, along with its responsibility for developing a GSP, provide the authority to ensure that the groundwater beneath the City is protected and sustainably managed for the future. A long-term commitment to groundwater sustainability increases the City's overall water supply reliability, maximizes local sources, and diversifies the City's water supplies, which will help the City respond to future water supply uncertainties and the effects of climate change.

PUBLIC CONTACT

Development of the GSP was supported by three groups of public participants: General Stakeholders, a TAC, and an Interbasin Working Group (IWG), as described further below.

- General Stakeholders participated in public meetings and provided input on the development of the Subbasin GSP. Eight meetings were held.
- TAC reviewed the Subbasin GSP technical work products and provided comments and recommendations. Six meetings were held.
- IWG met quarterly and included participants from the neighboring groundwater subbasins that discussed issues outlined in the GSP regulations related to potential impacts on neighboring subbasins. Seven meetings were held.

The public comment period for the Draft GSP began on September 17, 2021, and concluded on November 1, 2021. The Draft GSP was available for public review both online, and at the Hayward Downtown Library. In addition, the public will have the opportunity to provide comments during this evening's public hearing.

NEXT STEPS

If the Council approves the Draft GSP, the City and EBMUD will work with the consultant to finalize the document and submit it to DWR in accordance with State guidelines by January 31, 2022.

Prepared by: Cheryl Muñoz, Water Resources Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:

_____

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-___

Introduced by Council Member _____

RESOLUTION ADOPTING THE EAST BAY PLAIN SUBBASIN GROUNDWATER SUSTAINABILITY PLAN FOR THE CITY OF HAYWARD

WHEREAS, the California Legislature has adopted, and the Governor has signed into law, the Groundwater Management Act of 2014 (SGMA), which authorizes local agencies to ensure sustainable management of groundwater resources; and

WHEREAS, SGMA requires that by January 31, 2022, all groundwater basins designated by the California Department of Water Resources (DWR) as High- or Medium priority basins that are subjected to critical conditions of overdraft be managed under a Groundwater Sustainability Plan (GSP), or coordinated GSPs as provided for in California Water Code Section 10720.7(a); and

WHEREAS, the East Bay Plain Subbasin 2-009.04 (East Bay Plain Subbasin) is categorized as a medium-priority basin and subject to the provisions of SGMA; and

WHEREAS, the City of Hayward and East Bay Municipal Utility District (EBMUD) are the water providers that lie atop the East Bay Plain Subbasin; and

WHEREAS, the City of Hayward and EMBUD are the exclusive Groundwater Sustainability Agencies (GSAs) for their respective management areas in the East Bay Plain Subbasin; and

WHEREAS, the City of Hayward and EBMUD have agreed that working cooperatively to prepare a single GSP that covers the entire East Bay Plain Subbasin would be feasible and mutually beneficial; and

WHEREAS, on June 5, 2018, the Hayward City Council authorized the City Manager to execute a Cooperating Agreement with EBMUD to set forth the roles, responsibilities, cost-sharing, and other commitments to jointly prepare a single GSP for the East Bay Plain Subbasin in compliance with SGMA; and

WHEREAS, the Cooperating Agreement was fully executed on June 25, 2018; and

WHEREAS, on March 29, 2019, the Cooperating Agreement was amended to reflect the final scope of work, schedule, and budget for the development of the East Bay Plain Subbasin GSP: and

WHEREAS, on December 22, 2020, the Cooperating Agreement was amended to incorporate additional groundwater monitoring and analysis, including installation of new monitoring wells within Hayward's boundaries, and to develop a Data Management System; and

WHEREAS, on November 16, 2021, the Cooperating Agreement was amended to allocate responsibility for the new monitoring wells and appoint a plan manager as required by DWR; and

WHEREAS, the City of Hayward, has prepared the East Bay Plain Subbasin GSP in cooperation with EBMUD as GSAs for the Subbasin based on the best available data and science, in accordance with the Act; and

WHEREAS, development of the draft East Bay Plain Subbasin GSP was supported by three groups of public participants: General Stakeholders, a Technical Advisory Committee, and an Interbasin Working Group; and

WHEREAS, a draft of the East Bay Plain Subbasin GSP in its entirety was made available for public review on September 17, 2021; and

WHEREAS, the GSAs have reviewed and considered all comments received from cities and counties within the area of the GSP, as required by Water Code Section 10728.4; and

WHEREAS, the Council Sustainability Committee reviewed and expressed unanimous support for the approval of the East Bay Plain Subbasin GSP; and

WHEREAS, the Director of Public Works has submitted to the City Council a copy of the draft East Bay Plain Subbasin GSP and staff report dated December 7, 2021, for review; and

WHEREAS, a public hearing was held on December 7, 2021, in a manner prescribed by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the plan entitled "East Bay Plain Subbasin Groundwater Sustainability Plan," a copy of which is on file in the office of the City Clerk, is hereby adopted as the Groundwater Sustainability Plan for the City of Hayward.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that, under the California Water Code Section 10728.6, adoption of the East Bay Plain Subbasin Groundwater Sustainability Plan does not constitute a project under the California Environmental Quality Act (CEQA); therefore, this action is exempt from environmental review under CEQA.

IN COUNCIL, HAYWARD, CALIFORNIA _____ 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

File #: LB 21-054

DATE: December 7, 2021

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Mayor Pro Tempore Election: Adopt a Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2022

RECOMMENDATION

That Council adopts a resolution (Attachment II) electing the Mayor Pro Tempore.

SUMMARY

It is the Hayward City Council's policy to elect the Mayor Pro Tempore to perform the duties of the Mayor during the Mayor's absence or disability. The current term is based on the calendar year.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	List of Mayor Pro Tempore

DATE: December 7, 2021

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Mayor Pro Tempore Election: Adopt a Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2022

RECOMMENDATION

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SUMMARY

It is the Hayward City Council's policy to elect the Mayor Pro Tempore to perform the duties of the Mayor during the Mayor's absence or disability. The current term is based on the calendar year.

BACKGROUND

Below is the pertinent excerpt from the 2021 Council Member Handbook[1] regarding the Mayor Pro Tempore. Attachment III is the list of members who have previously served as Mayor Pro Tempore. Based on the guidelines listed below, Council Member Lamnin would be the next eligible Council Member to serve as Mayor Pro Tempore should the Council choose to continue the traditional selection process.

MAYOR PRO TEMPORE

In even number years, the Council shall elect the Mayor Pro Tempore following the installation of those newly elected Council Members. In odd years, the Council shall elect the Mayor Pro Tempore at the end of the calendar year.

The Mayor Pro Tempore shall serve at the pleasure of the Council for the term of one year and shall be elected and removed by the affirmative votes of at least five (5) members of Council.

[1] **Council Members Handbook** https://www.hayward-ca.gov/sites/default/files/documents/Council-Member-Handbook-2021.pdf

The Council shall elect a Council Member with the most seniority as a Council Member and who has not previously served as Mayor Pro Tempore. In the event two Council Members begin service in the same year, the Council Member with the highest number of votes will serve as Mayor Pro Tempore. (See City Council Minutes, 4/28/92)

Prior to being elected as Mayor Pro Tempore, a Council Member shall have served at least two years on the Council. The term of the Mayor Pro Tempore shall be based on the calendar year January 1st to December 31st. (Resolution 98-120 and Council Minutes, 6/26/01)

The Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence or disability. (Sec. 605, City Charter)

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the priority projects outlined in the Council's Strategic Roadmap.

FISCAL IMPACT

There is no fiscal impact associated with this report.

NEXT STEPS

All related documents will be updated accordingly.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:

Kelly McAdoo, City Manager

ATTACHMENT II

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-___

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE ELECTION OF MAYOR PRO TEMPORE OF THE CITY OF HAYWARD FOR 2022

WHEREAS, the City Council conducted an election to select the Mayor Pro Tempore on December 15, 2020; and

WHEREAS, the City Council elected Council Member Wahab to serve as Mayor Pro Tempore of the City of Hayward from January 1, 2021 through December 31, 2021; and

WHEREAS, the City Council conducted an election to select the Mayor Pro Tempore for 2022 on December 7, 2021.

NOW, BE IT RESOLVED by the City Council of the City of Hayward that it hereby elects Council Member _____ as Mayor Pro Tempore of the City of Hayward for a term from January 1, 2022 through December 31, 2022.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021.

ADOPTED BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS: MAYOR:	
NOES:	COUNCIL MEMBERS:	
ABSTAIN:	COUNCIL MEMBERS:	
ABSENT:	COUNCIL MEMBERS:	

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

MAYOR PRO TEMPORE

COUNCIL MEMBER	RESOLUTION	DATE
William Ward	92-100	04/28/92
Nicholas Randall	93-084	04/20/93
Doris Rodriquez	94-069	04/19/94
Joseph Hilson	95-71	04/18/95
Ron Hulteen	96-067	04/02/96
Olden Henson	97-063	05/13/97
Matt Jimenez	98-122	06/30/98
William Ward	99-112	06/22/99
Joseph Hilson	00-043	Term 4/04/00 thru 6/30/01
Kevin Dowling	01-101, adopted 6/26/01	Term 7/1/01 thru 6/30/02
Doris Rodriquez	02-093, adopted 6/25/02	Term 7/1/02 thru 6/30/03
Olden Henson	03-117, adopted 7-15-03	Term 7/1/03 thru 6/30/04
Matt Jimenez	04-106, adopted 6-22-04	Term 7/1/04 thru 6/30/05
Matt Jimenez	05-089, adopted 6-28-05	Term 7/1/05 thru 6/30/06
Barbara Halliday	06-091, adopted 7-11-06	Term 7/1/06 thru 6/30/07
Bill Quirk	07-105, adopted 7/10/07	Term 7/1/07 thru 06/30/08
Kevin Dowling	08-109, adopted 7/8/08	Term 7/1/08 thru 06/30/09

MAYOR PRO TEMPORE

COUNCIL MEMBER	RESOLUTION	DATE
Olden Henson	09-104, adopted 6/30/09	Term 7/1/09 thru 6/30/10
Francisco Zermeño	10-119, adopted 7/13/10	Term 7/1/10 thru 6/30/11
Barbara Halliday	11-106, adopted 6/28/11	Term 7/1/11 thru 6/30/12
Marvin Peixoto	12-124, adopted 7/10/12	Term 7/1/12 thru 6/30/13
Mark Salinas	13-108, adopted 6/25/13	Term 7/1/13 thru 6/30/14
Greg Jones	14-113, adopted 7/8/14	Term 7/1/14 thru 6/30/15
Al Mendall	15-140, adopted 7/14/15	Term 7/1/16 thru 6/30/16
Sara Lamnin	16-135, adopted 7/12/16	Term 7/1/16 thru 6/30/17
Elisa Márquez	17-105, adopted 6/27/17	Term 7/1/17 thru 12/30/18
Francisco Zermeño	18-249, adopted 12/11/18	Term 1/1/19 thru 12/31/19
Mark Salinas	19-232, adopted 12/3/19	Term 1/1/20 thru 12/31/20
Aisha Wahab	20-225, adopted 12/15/20	Term 1/1/21 thru 12/31/21