4150 Point Eden Way Industrial Development Project

Initial Study

prepared by

City of Hayward
Development Services Department
777 B Street
Hayward, California 94541
Contact: Leigha Schmidt, Senior Planner

prepared with the assistance of

Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

November 2020

RINCON CONSULTANTS, INC.
Environmental Scientists | Planners | Engineers
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Table of Contents

Tables

Figures

Appendices

Initial Study

1. Project Title

4150 Point Eden Way Industrial Development Project

2. Lead Agency Name and Address

City of Hayward
Development Services Department
777 B Street
Hayward, California 94541

3. Contact Person and Phone Number

Leigha Schmidt, Senior Planner
510-583-4113

4. Project Location

The project site consists of six parcels in the City of Hayward, identified as Assessor Parcel Numbers (APN) 461-0085-0019-00, APN 461-0085-020-01, APN 461-0085-020-02, APN 461-0061-001-00, and APN 461-0090-001-00, and APN 461-0090-002-00. The project site is composed of two non-contiguous but nearly adjacent components. For purposes of this Initial Study, the two components of the project site are referred to as the eastern component and western component. Table 1 provides a summary of the acreage and ownership of parcels comprising the project site.

The east component of the project site is located at 4150 Point Eden Way, Hayward, California, 94545. The eastern component of the site is on the east side of Point Eden Way near its western terminus. The western component has no public road access but is slightly west of the eastern component. At its closest, the site is approximately 2,200 feet east of the shoreline of the San Francisco Bay and adjacent to the San Francisco Bay Trail. Access to Point Eden Way is via Eden Landing Road from Exit 24 on State Route 92.

Table 1 Project Site Parcel Information

Assessor Parcel Number	Acreage	Property Owner	Project Site Component
461-0085-019-00	0.40	Amerco Real Estate Co.	East
461-0085-020-01	0.33	East Bay Regional Park District	East
461-0085-020-02	7.32	Amerco Real Estate Co.	East
461-0061-001-00	11.68	Amerco Real Estate Co.	West
461-0090-001-00	19.93	Amerco Real Estate Co.	West
461-0090-002-00	0.57	Amerco Real Estate Co.	West

The regional location of the project site and its location in context with the surrounding neighborhood is shown on Figure 1, and the boundaries of the project site are shown on Figure 2.

5. Project Sponsor's Name and Address

U-HAUL, 815 Marketing Company
8000 San Leandro Street
Oakland, California 94621

6. General Plan Designation

The Hayward 2040 General Plan was adopted by the City of Hayward in July 2014 (City of Hayward 2014b). The Hayward 2040 General Plan establishes a community-based vision for the future of the City, and establishes goals, policies and implementation programs to help the City and greater Hayward community achieve that vision. The General Plan consists of a series of elements, which are similar to chapters. The Land Use and Community Character Element contains the General Plan Land Use Diagram and a description of the City's land use designations. According to the General Plan Land Use Diagram, the project site is designated Industrial Technology and Innovation Center (IC) and Baylands (BL). Specifically, the eastern component of the site is designated as Innovation Center (IC) and the western component is designated as Baylands (BL). The General Plan land use designations within and surrounding the project site are shown Figure 3.

7. Zoning

The Hayward Zoning Ordinance is found in Chapter 10 of the Hayward Municipal Code. The purpose of the Zoning Ordinance is to promote the public health, safety, general welfare and preserve and enhance the aesthetic quality of the City by providing regulations to ensure an appropriate mix of land uses in an orderly manner. The Zoning Ordinance establishes zoning districts for property within the City. The City maintains a digital map of zoning districts on its Hayward Web Map (webmap.hayward-ca.gov). According to the Hayward Web Map, the eastern component of the project site is in Industrial Park (IP) zoning district and the western component is in Flood Plain (FP) zoning district (City of Hayward 2020a). The zoning districts within and surrounding the project site are shown Figure 4.

Figure 1 Project Vicinity Map

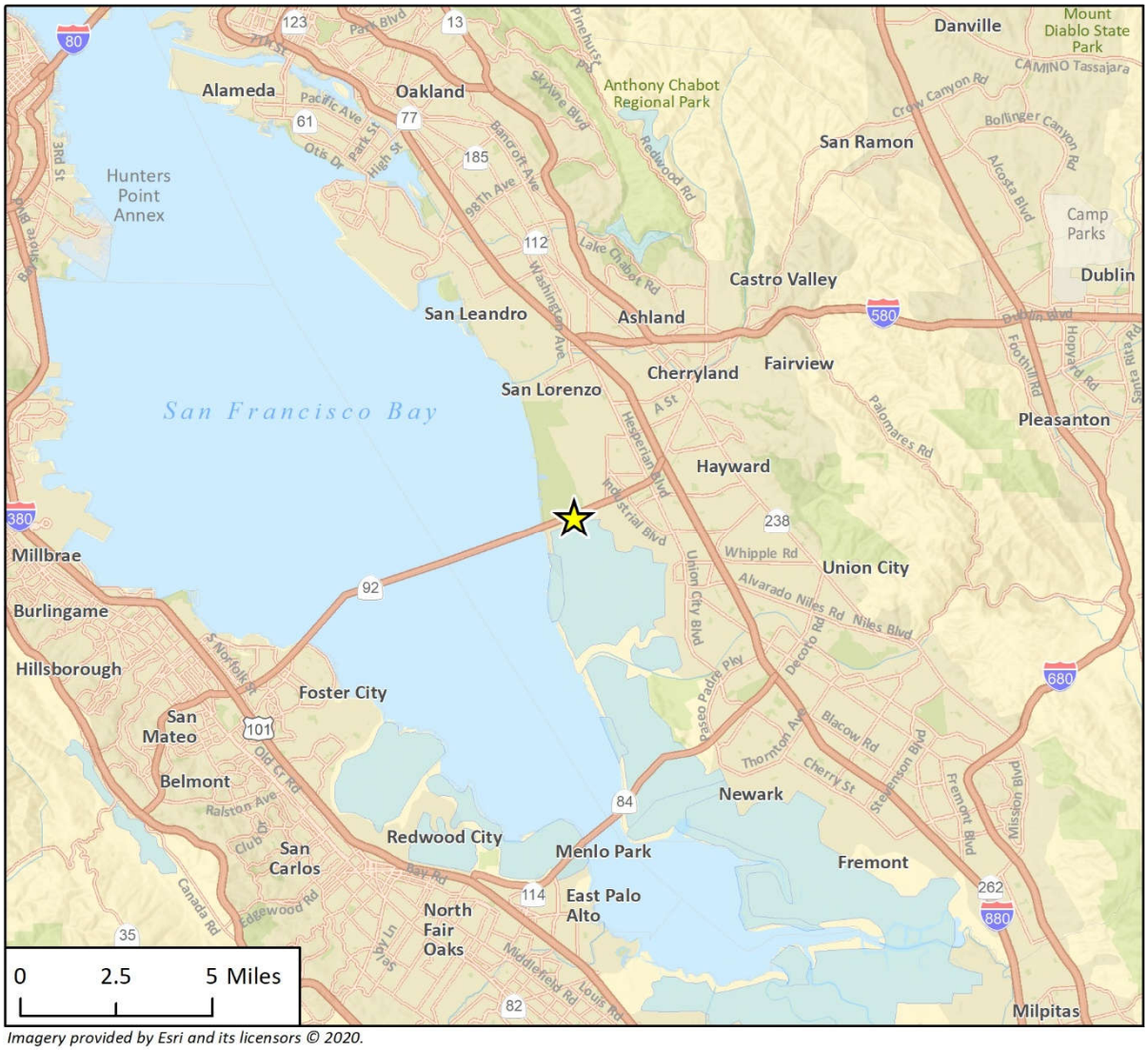

Figure 2 Project Site Boundaries

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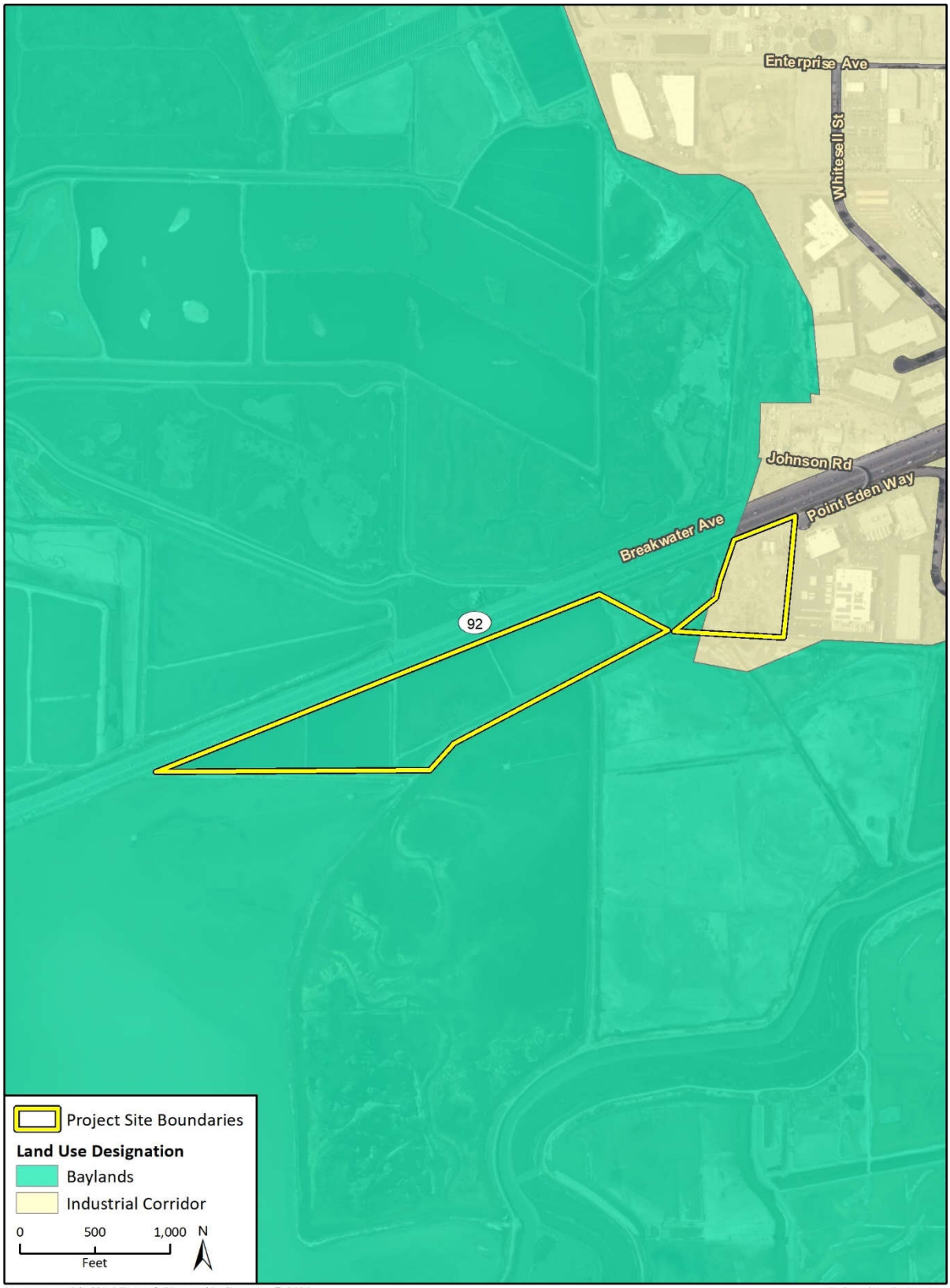
Fig 2 Project Site Boundary

Figure 3 General Plan Land Use Designations



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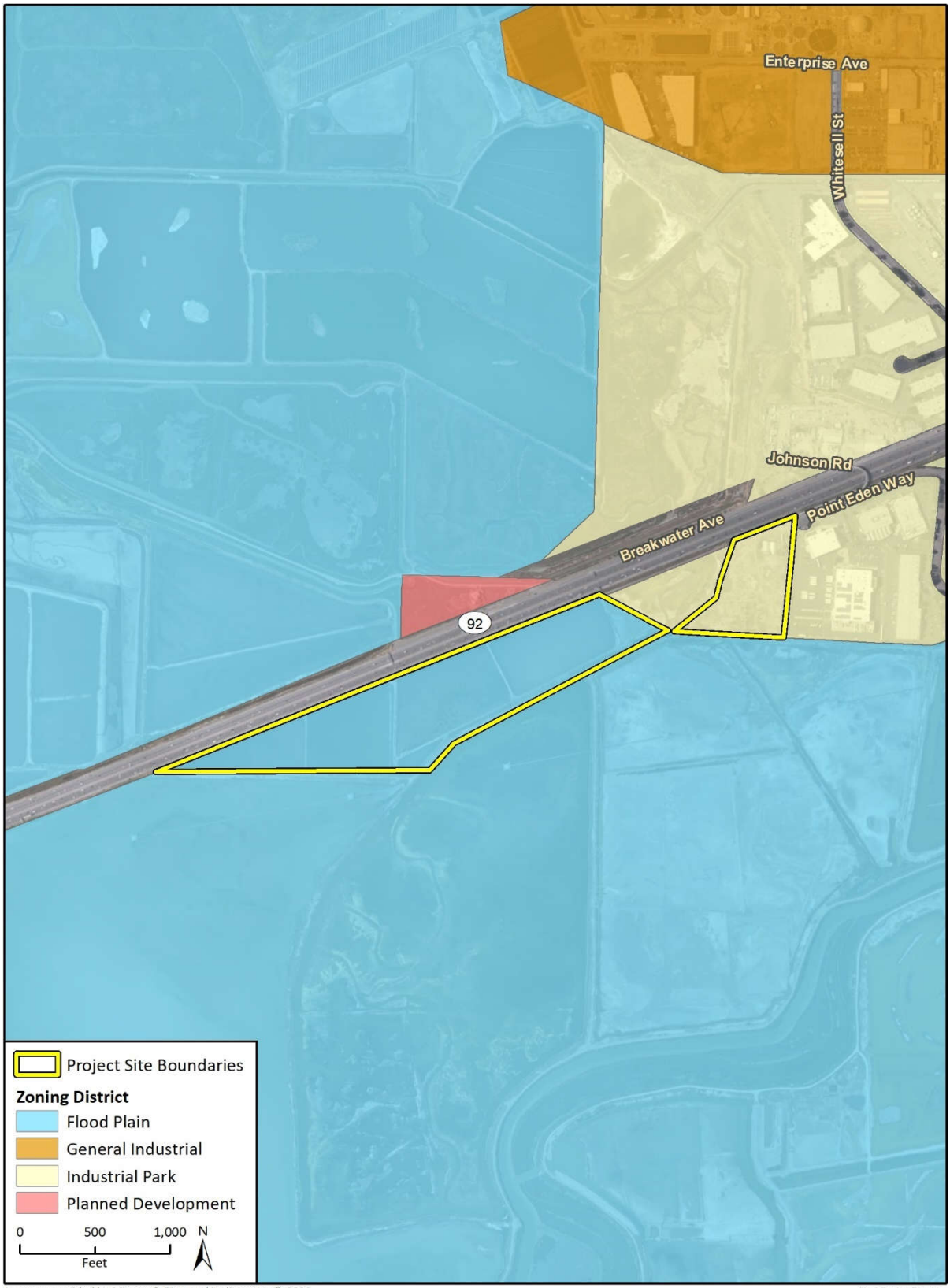
Land use data provided by City of Hayward, 2018.

Fig 3 Land Use Designations

Figure 4 Zoning Districts



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Zoning data provided by City of Hayward, 2020.

Fig 4 Zoning Districts

8. Existing Setting and Surrounding Land Uses

The property is currently vacant except for three dilapidated structures associated with a former salt production operation and associated salt evaporation ponds. The dilapidated structures are on the eastern component of the project site. Former salt evaporation ponds are on both components of the project site. The salt processing plant has not been in operation for approximately 30 years and its closure left the site contaminated. The Regional Water Quality Control Board (RWQCB) required a cleanup and remediation program following the closure, which was completed in 2012. The San Francisco Bay Trail is located on the eastern edge of the eastern component of the project site.

According to a Biological Resources Technical Report prepared for the project, the eastern component of the project site is characterized by ruderal (weedy) vegetation, a few landscaping plantings, scattered fill piles and numerous topographic low areas that remain as a result of contaminated soil removal and replacement measures conducted at this site. Additionally, there are wetland areas on the site. The western component of the project site is characterized by six salt evaporation ponds. The former salt evaporation ponds are inundated with standing water for parts of the year. Topography on the project site is generally flat, with some small mounds and embankments several feet in height. The Biological Resources Technical Report is provided as Appendix A to this Initial Study.

State Route 92 is located to the north of the project site, and additional former salt evaporation ponds are located north of State Route 92. Point Eden Way to the east of the project site provides access to multiple office buildings including several biotech, and pharmaceutical companies. There is a motorcoach sales business located on adjacent property to the east of the project site. The California Department of Fish and Wildlife (CDFW) Eden Landing Ecological Reserve is located directly south of the project site. Additional saltwater marshes and the San Francisco Bay are located to the west of the project site. The project site is divided into two areas, the eastern and western components, by a parcel containing an approximately five-acre restored salt pond known as the “Caltrans Pond” (APN 461-0090-004-00). The Caltrans Pond is part of the CDFW’s Eden Landing Ecological Reserve. Figure 5 shows existing land uses surrounding the project site.

9. Description of Project

The proposed project consists of a new industrial building on the eastern component of the project site and creation of an open space/wetland preserve on the western component of the project site. The eastern component of the project site consists of APNs 461-0085-019-00, 461-0085-020-01 (current Bay Trail site), and 461-0085-020-02. The proposed industrial building would be approximately 50 feet in height to finished roof. The proposed building would provide approximately 110,231 square feet of warehouse space and a 2,785-square-foot of office, for a total size of approximately 113,730 square feet. The office space would be provided at the north end of the building, facing State Route 92. The building would be used to house U-Haul storage pods, materials and trucks and their regional corporate offices. During operation of the project, approximately 20 to 25 employees would be present.

Ingress and egress to the industrial building would be from a new driveway on Point Eden Way. The driveway would circle the entire building. Surface parking would be provided along the driveway on the north and west sides of the building. A total of 79 parking spaces would be provided, including

two spaces dedicated for electric vehicles and two accessible spaces compliant with the Americans with Disabilities Act (ADA). Two bike lockers and two bike stalls would also be provided on-site. Landscaping would be installed on all sides of the new building but would be concentrated on the north side of the building facing State Route 92. Landscaping would include trees, low shrubs, grasses, and perennials. Landscaping would consist of species native to the region. The conceptual site plan, including driveways and parking, is shown on Figure 6. The conceptual landscape plan is shown on Figure 7.

The proposed industrial building would require utility and drainage improvements including new sanitary sewer, storm drain, and domestic water lines. These new utilities would connect to existing utilities within the right-of-way of Point Eden Way. Bioretention areas would be constructed on-site, next to the building, to collect and treat stormwater runoff prior to discharge into the City's storm drain system.

The San Francisco Bay Trail is located on the eastern edge of the eastern component of the project site, within APN 461-0085-020-01. The proposed project includes a land swap for East Bay Regional Park District to relocate the Bay Trail from the current location along the eastern property line to meander along the southern property line and then to turn north to run along the western property line of APN 461-0085-020-02, within the eastern component of the project site. The relocated segment would tie into the trail at its current location on Point Eden Way. The swap would transfer ownership of APN 461-0085-020-01 to the project applicant and grant an easement to the East Bay Regional Park District for the trail to cross APN 461-0085-020-02. Additionally, the applicant would be responsible for constructing improvements along the Bay Trail including new ground surfacing. The land swap is illustrated on Figure 8.

Figure 5 Surrounding Land Uses

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Fig 5 Surrounding Land Use

Figure 6 Conceptual Site Plan Eastern Component

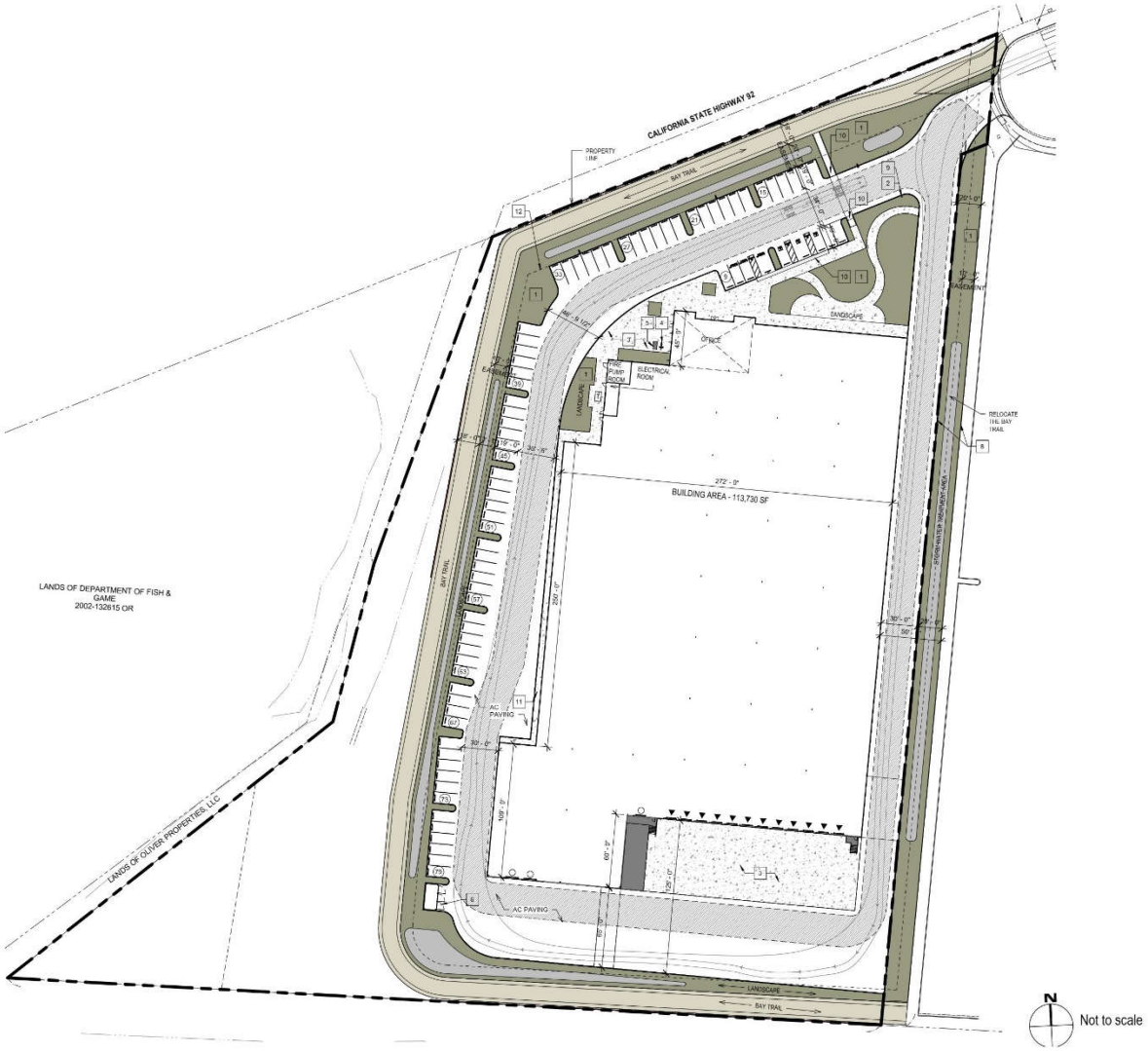
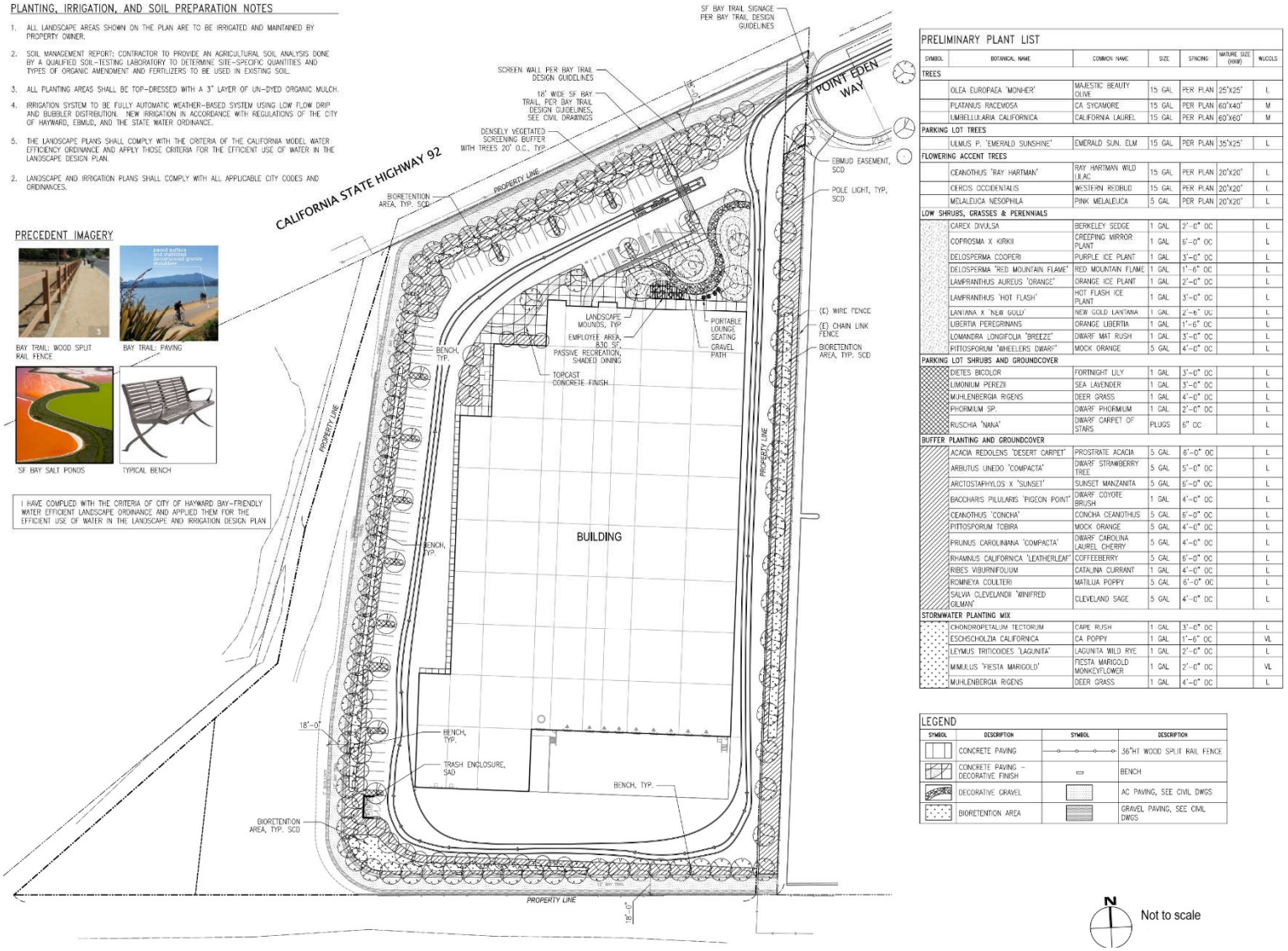
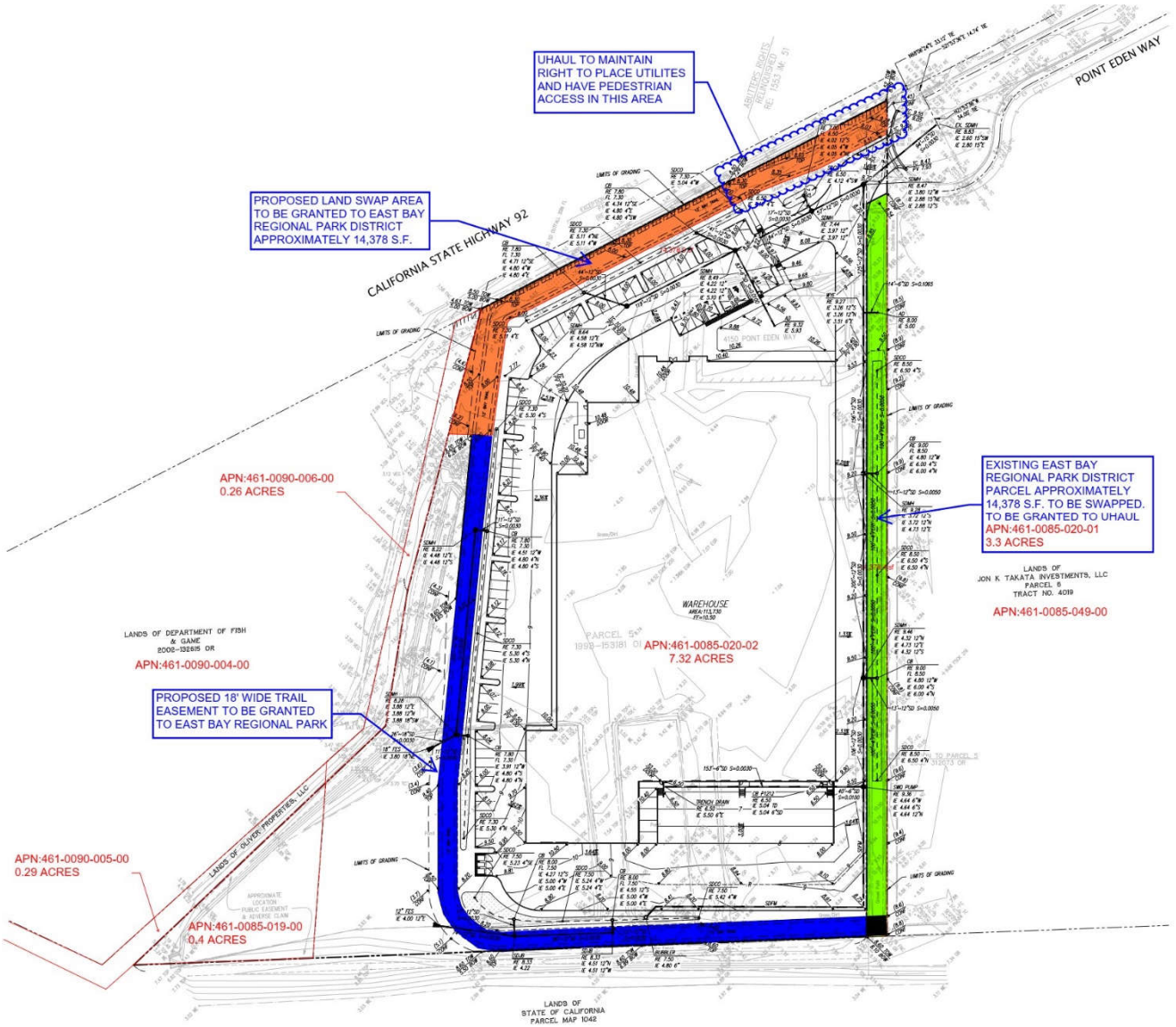


Figure 7 Conceptual Landscape Plan: Eastern Component



1Figure 8 Conceptual San Francisco Bay Trail Land Swap Plan



The proposed project also includes establishing an approximately 32-acre preserve on the western component of the project site, within APN 461-0061-001-00, 461-0090-001-00, and 461-0090-002-00. These parcels are currently characterized by salt evaporation ponds from the former salt production operation on the project site that would remain in place. This 32-acre area (Preserve) contains six old salt ponds totaling 26 acres. The 32-acre Preserve would be preserved in perpetuity via recordation of a Deed Restriction, or other appropriate legal mechanism, ensuring that the salt ponds are permanently preserved as open space in perpetuity. No conservation easement or conservator endowment would be provided. In the future the applicant could opt to implement a salt pond restoration plan to restore and enhance the permanently preserved salt ponds within the 32-acre Preserve. The project applicant has indicated that this opportunity could be sought out in the future, but there are no such negotiations or proposals currently taking place.

Estimated construction duration of the proposed project would be 12 to 18 months, tentatively beginning in 2021. Construction would begin with demolition of existing structures on the project site. Construction would involve standard and typical equipment, such as excavators, graders, backhoes, dump trucks, and power tools. Construction would also involve site preparation, consisting primarily of grading the sight to achieve desired drainage and suitable building area. Grading would require permanent placement of fill material on-site, including within jurisdictional waters of the United States (i.e., wetlands).

10. Required Approvals

The following approvals and permits from the City of Hayward would be required for the proposed project:

- Site Plan Review
- Grading and Building Permits

11. Other Public Agencies Whose Approval is Required

The City of Hayward is the lead agency with responsibility for approving the proposed project. Construction of the project would also involve fill of wetlands, which will require approval from the United States Army Corps of Engineers and the San Francisco Bay Regional Water Quality Control Board. Consultation with the United States Fish and Wildlife Service will be required since the proposed project may affect endangered species protected pursuant to the federal Endangered Species Act. The proposed project will also require consultation with the State Historic Preservation Office.

The East Bay Regional Park District must also consider approval of the proposed land exchange included in the project for relocation of the San Francisco Bay Trail.

The San Francisco Bay Conservation and Development Commission (BCDC) has regulatory responsibility over development in San Francisco Bay and along the Bay's nine-county shoreline, including shoreline in Alameda County. It is necessary to obtain a BCDC permit prior to undertaking work in the San Francisco Bay or within 100 feet of the shoreline. The project site is approximately 2,000 feet from the shoreline of the San Francisco Bay. Thus, BCDC permits would not be required.

12. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

Request(s) for consultation with California Native American Tribes traditionally and culturally affiliated with the project area will be completed during the Environmental Impact Report process. The request for consultation will be completed prior to potential certification of the Environmental Impact Report.

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

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

Determination

Based on 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 to 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 "less than significant with mitigation incorporated" 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 potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	Date
Printed Name	Title

Environmental Checklist

1 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 non-urbanized 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 a 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 daytime or nighttime views in the area?	☐	☐	■	☐

a. Would the project have a substantial adverse effect on a scenic vista?

The project site is located in proximity to the shoreline of the San Francisco Bay. According to the City's General Plan, portions of the shoreline area of Hayward provide scenic vistas of the San Francisco Bay (City of Hayward 2014b). Views of the San Francisco Bay are currently available through the project site from State Route 92 and Point Eden Way, as well as the San Francisco Bay Trail. Construction of the proposed project would require the fill of nontidal wetlands and convert a portion of the project site to an industrial building with associated surface parking. Additionally, a relocated segment of the San Francisco Bay Trail would also require placement of fill in nontidal wetlands. However, the proposed building would be viewed in context with other similar sized buildings and surface parking lots adjacent to the east of the project site. Additionally, the proposed project includes establishing an approximately 32-acre preserve of salt ponds and wetlands between the proposed industrial building and the shoreline. Relocation of the trail to the west side of the proposed industrial building would enable trail users to see the preserve and other tidal marshlands along the shoreline uninterrupted by the building. The proposed project would also include landscaping with native species around the industrial building, surface parking area, and

relocated trail segment. Views of the San Francisco Bay shoreline would continue to be visible from State Route 92, Point Eden Way, and the San Francisco Bay Trail. Because the project would be adjacent to similar development, preserve approximately 32 acres of land near the shoreline, and include landscaping with native species, impacts on scenic vistas would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

According to the California Department of Transportation (Caltrans), there are no state scenic highways within the vicinity of the project site. The nearest designated state scenic highway to the project site is a segment of Interstate 580 through the City of San Leandro (Caltrans 2019). This segment of Interstate 580 is approximately 5.9 miles north of the project site. Many intervening structures exist within the 5.9 miles separating the project site from the designated segment of Interstate 580. Therefore, views of the project site from a state scenic highway are not possible. Because the project site in not within a state scenic highway, the proposed project would have no impacts in this regard.

NO IMPACT

c. Would the project, in non-urbanized 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 a 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?

The proposed project would be located on Point Eden Way, adjacent to existing light industrial and office development, in an urbanized area of Hayward. As shown on Figure 4, the project site is in Industrial Park (IP) and Flood Plain (FP) zoning districts. The proposed industrial building and relocated segment of the San Francisco Bay Trail would be located on the eastern component of the project site, within the Industrial Park (IP) zoning district. According to Section 10-1.1061, the purpose of the industrial zoning districts is to "…ensure high quality site and building design and the provision of employee amenities to provide a desirable working environment and so that the appearance and effects of development is compatible with the character of the area in which it is located." According to Section 10-1.1602 of the Hayward Municipal Code, within the Industrial Park (IP) zoning district, "warehousing and distribution uses are allowed, provided buildings and site development are designed with an office appearance from right-of-way…" The north façade of the proposed industrial building would face the right-of-way of both Point Eden Way and State Route 92. The north façade would include a mix of metal paneling and glass windows with window glazing. The primary building entrance would be on the north façade, surrounded by a wall of glass window, giving the appearance of an office. A sculpture feature consisting of bird cutouts from perforated metal would be mounted on the north façade as a decorative accent, next to the glass entry way. The birds would provide an artistic interpretation of the character of the area given the importance of the surrounding tidal marshland for avian habitat.

Section 10-1.1604 states that buildings within Industrial Park (IP) zoning district may have a maximum height of 75 feet, unless a greater height is approved by the City. The proposed industrial building would be approximately 50 feet in height to finished roof, which is 25 feet below the maximum allowable height in the Industrial Park (IP) zoning district. Therefore, building massing would be consistent with the applicable zoning requirements.

Section 10-1.1606 of the Hayward Municipal Code requires that a minimum of 15 percent of the site within Industrial Park (IP) zoning district be landscaped. Front yard areas must include street trees except where space is restricted, and all yard areas must include landscaping. A minimum 10-foot-wide landscape buffer planted with a minimum of one 15-gallon evergreen tree per 20 linear feet must be provided along all property lines abutting a public trail or open space area. As shown on the conceptual landscape plan (see Figure 7), the proposed project includes landscape around the proposed industrial building and surface parking area such that more than 15 percent of the site would be landscaped. Trees would be provided in the front yard area facing Point Eden Way, as well as the side and rear yards. Minimum 15-gallon container trees would be planted along the relocated segment of the San Francisco Bay Trail. The container trees would shield the trail from the proposed industrial building and surface parking area. Therefore, landscaping would not conflict with applicable zoning requirements pertaining to the appearance of the site.

Finally, Section 10-1.1606 states that all development within industrial zoning districts must be consistent with the City's Industrial District Design Guidelines. Accordingly, the proposed project is undergoing Site Plan Review to ensure consistency with the Industrial District Design Guidelines. Consistency with the Industrial District Design Guidelines would ensure that the proposed industrial building is visually compatible with the Industrial Park (IP) zoning district.

The proposed preserve area would result in preservation of the western component of the project site zoned Flood Plain (FP). Therefore, the proposed preserve area would not result in substantial changes to the landscape and the visual character and quality of the floodplain area would be maintained.

Because the proposed project would be consistent with applicable zoning regulations governing scenic quality, including building design, height and massing, as well as landscaping and trail design, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

The proposed project would include exterior lighting and parking lot lighting on the eastern component of the project site. Proposed exterior lighting and parking lot lighting must comply with Hayward Municipal Code Section 10-1.1606. Specifically, exterior lighting and parking lot lighting must be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Mandatory compliance with Section 10-1.1606 would ensure that the proposed project does not create substantial new sources of light that adversely affect daytime or nighttime views in the area.

Section 10-1.1607 prohibits uses that generate substantial, direct glare visible beyond the boundaries of the site where the use is located. Mandatory compliance with Section 10-1.1607 of the Hayward Municipal Code would prevent the proposed project from creating substantial glare from affecting views. Additionally, the proposed project would utilize window glazing to minimize the glare from glass surfaces on the façade of the industrial building. For these reasons, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on 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?	☐	☐	☐	■

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The California Department of Conservation maintains mapping of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance in the state. According to the California Department of Conservation, the project site is “urban and built-up land” and is not Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (2018). Therefore, implementation of the proposed project would have no impacts on Prime Farmland, Unique Farmland, and Farmland of Statewide Importance.

NO IMPACT

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

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))?

The project site is in Industrial Park (IP) and Flood Plain (FP) zoning districts. The project site is not zoned for agricultural use, forest land, timberland, or timberland production. Therefore, the proposed project would not conflict with existing zoning or cause the rezoning of agriculture or timberland property.

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. The project site is not subject to a Williamson Act contract. The proposed project would have no impacts in this regard.

NO IMPACT

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

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?

The project site does not contain forest or agricultural uses. There are no forest or agricultural uses or farmland adjacent to the project site. Therefore, implementation of the proposed project would not result in the loss of forest land, or conversion of forest land or farmland. The proposed project would have no impacts in this regard.

NO IMPACT

3 Air Quality

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

Air Quality Standards and Attainment

The project site is located within the San Francisco Bay Area Air Basin (the Basin), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). As the local air quality management agency, BAAQMD is required to monitor air pollutant levels to ensure that state and federal air quality standards are met and, if they are not met, to develop strategies to meet the standards.

Depending on whether or not the standards are met or exceeded, the Basin is classified as being in "attainment" or "nonattainment." Under state law, air districts are required to prepare a plan for air quality improvement for pollutants for which the district is in non-compliance. BAAQMD is in non-attainment for the state and federal ozone standards, the state and federal $PM_{2.5}$ (particulate matter 2.5 microns in size or less) standards and the state PM_{10} (particulate matter 10 microns in size or less) standards and is required to prepare a plan for improvement (BAAQMD 2017a).

The health effects associated with criteria pollutants for which the Basin is in non-attainment are described in Table 2.

Table 2 Health Effects Associated with Non-Attainment Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in

	animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Suspended particulate matter (PM_{10})	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma).[1]
Suspended particulate matter ($PM_{2.5}$)	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma.[a]

[1] More detailed discussions on the health effects associated with exposure to suspended particulate matter can be found in the following documents: United States Environmental Protection Agency, Air Quality Criteria for Particulate Matter, October 2004.

Source: USEPA 2018

Air Quality Management

The Bay Area 2017 Clean Air Plan (the 2017 Plan) provides a plan to improve Bay Area air quality and protect public health as well as the climate. The legal impetus for the 2017 Plan is to update the most recent ozone plan, the 2010 Clean Air Plan, to comply with state air quality planning requirements as codified in the California Health & Safety Code. Although steady progress in reducing ozone levels in the Basin has been made, the region continues to be designated as non-attainment for both the one-hour and eight-hour state ozone standards. In addition, emissions of ozone precursors in the Bay Area contribute to air quality problems in neighboring air basins. Under these circumstances, state law requires the 2017 Plan to include all feasible measures to reduce emissions of ozone precursors and reduce transport of ozone precursors to neighboring air basins (BAAQMD 2017b).

In 2006, the U.S. Environmental Protection Agency (USEPA) reduced the national 24-hour $PM_{2.5}$ standard regarding short-term exposure to fine particulate matter from 65 micrograms per cubic meter ($\mu g/m^3$) to 35 $\mu g/m^3$. Based on air quality monitoring data for the 2006-2008 cycle showing that the region was slightly above the standard, the USEPA designated the Basin as non-attainment for the 24-hour national standard in December 2008. This triggered the requirement for the BAAQMD to prepare a State Implementation Plan (SIP) submittal to demonstrate how the region would attain the standard. However, data for both the 2008-2010 and the 2009-2011 cycles showed that $PM_{2.5}$ levels in the Basin currently meet the standard. On October 29, 2012, the USEPA issued a proposed rule-making to determine that the Basin now attains the 24-hour $PM_{2.5}$ national standard. Based on this, the Basin is required to prepare an abbreviated SIP submittal, which includes an emission inventory for primary (directly-emitted) $PM_{2.5}$, as well as precursor pollutants that contribute to formation of secondary PM in the atmosphere; and amendments to BAAQMD New Source Review (NSR) to address $PM_{2.5}$ (adopted December 2012). However, key SIP requirements to demonstrate how a region will achieve the standard (i.e., the requirement to develop a plan to attain the standard) will be suspended as long as monitoring data continues to show that the Basin attains the standard.

In addition to preparing the "abbreviated" SIP submittal, the BAAQMD has prepared a report entitled "Understanding Particulate Matter: Protecting Public Health in the San Francisco Bay Area" (BAAQMD 2012). The report helps guide the BAAQMD's on-going efforts to analyze and reduce PM

in the Bay Area in order to better protect public health.[1] The Basin will continue to be designated as nonattainment for the federal 24-hour $PM_{2.5}$ standard until such time as the BAAQMD elects to submit a "redesignation request" and a "maintenance plan" to the USEPA, and the USEPA approves the proposed redesignation. The Basin is also in nonattainment status for the state standard for PM_{10}.

Air Emission Thresholds

This analysis uses BAAQMD's 2017 CEQA Air Quality Guidelines (2017c) to evaluate air quality impacts for construction and operation. The BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant air quality impacts. If the screening criteria are met by a project, then the lead agency or applicant does not need to perform a detailed air quality assessment of their project's air pollutant emissions. These screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration (BAAQMD 2017c).

Construction

For general light industrial uses such as the proposed project, BAAQMD's construction-related screening size is 259,000 square feet. The proposed industrial building would be approximately 113,730 square feet and is therefore well below the construction screening criteria. However, if a project includes simultaneous occurrence of two or more construction phases (e.g., paving and building construction occurring simultaneously), the screening criteria for construction may not be used to preclude evaluation of the project's construction-related criteria pollutant emissions. Therefore, because the project construction schedule includes simultaneous occurrence of two or more construction phases, the screening criteria for construction cannot be used. As a result, the BAAQMD significance thresholds for criteria air pollutants were analyzed.

BAAQMD provides numeric thresholds for evaluating the significance of criteria pollutants for projects that exceed the screening criteria or for projects where the screening criteria do not apply. Table 3 presents the numeric significance thresholds for construction-related criteria air pollutant and precursor emissions adopted by BAAQMD. These represent the levels at which a project's individual emissions of criteria air pollutants or precursors during construction would result in a cumulatively considerable contribution to the Basin's existing air quality conditions. If the project's construction-related criteria pollutant emissions exceed the thresholds shown in Table 3, the proposed project would result in a significant construction-related air quality impact.

Table 3 Criteria Air Pollutant Significance Thresholds for Construction

Pollutant	Average Daily Emissions (lbs/day)
ROG	54
NO_X	54
PM_{10}	82 (exhaust)
$PM_{2.5}$	54 (exhaust)
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices

[1] PM is made up of particles that are emitted directly, such as soot and fugitive dust, as well as secondary particles that are formed in the atmosphere from chemical reactions involving precursor pollutants such as oxides of nitrogen, sulfur oxides, volatile organic compounds, and ammonia.

Source: BAAQMD 2017c

Operation

The operational criteria pollutant screening size for general light industrial uses is 541,000 square feet. Because the proposed project would include construction of an approximately 113,730 square-foot industrial building, the project falls below the screening size. Therefore, per BAAQMD guidance, a detailed air quality assessment of the project's criteria air pollutant emissions in comparison to numeric thresholds is not necessary (BAAQMD 2017c). The preserve on the western component of the project site would not require operational activities and does not require a detailed air quality assessment because it would not generate pollutant emissions.

Methodology

The project's construction emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. CalEEMod uses project-specific information, including the project's land uses, square footages for different uses (e.g., warehouse with office space, parking lot), and location, to model a project's emissions.

Construction emissions modeled include emissions generated by construction equipment used on-site and emissions generated by vehicle trips associated with construction, such as worker and vendor trips. CalEEMod estimates construction emissions by multiplying the amount of time equipment is in operation by emission factors. Construction of the proposed project was analyzed based on defaults contained in CalEEMod. It is assumed that all construction equipment used would be diesel-powered. The CalEEMod inputs and model results are provided as Appendix B to this Initial Study.

This analysis assumes that the project would comply with all applicable regulatory standards. In particular, the project would comply with the 2019 CALGreen, and the 2019 Building Energy Efficiency Standards.

Impact Analysis

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The California Clean Air Act requires that air districts create an air quality plan that describes how the jurisdiction will meet air quality standards. These plans must be updated every three years. The most recently adopted air quality plan in the Basin is the 2017 Plan. As described under *Air Quality Management*, the 2017 Plan updates the most recent ozone plan - the 2010 Clean Air Plan - pursuant to air quality planning requirements defined in the California Health & Safety Code. To fulfill State ozone planning requirements, the 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors (reactive organic gases and nitrogen oxides) and reduce transport of ozone and its precursors to neighboring air basins. In addition, the 2017 Plan builds upon and enhances the air district's efforts to reduce emissions of fine particulate matter and toxic air contaminants. The 2017 Plan does not include control measures that apply directly to individual development projects. Instead, the control strategy includes measures related to stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-greenhouse gas (GHG) pollutants.

The 2017 Plan focuses on two paramount goals (BAAQMD 2017b):

- Protect air quality and health at the regional and local scale by attaining all state and national air quality standards and eliminating disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Protect the climate by reducing Bay Area GHG emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050

Under BAAQMD's methodology, a determination of consistency with the 2017 Plan should demonstrate that a project (BAAQMD 2017c):

- Supports the primary goals of the 2017 Clean Air Plan;
- Includes applicable control measures from the 2017 Clean Air Plan; and
- Would not disrupt or hinder implementation of any control measures in the 2017 Clean Air Plan.

A project that would not support the 2017 Plan's goals is not be considered consistent with the 2017 Plan. On an individual project basis, consistency with BAAQMD quantitative thresholds is interpreted as demonstrating support for the 2017 Plan's goals. As shown in the discussion under checklist items b and c (see below), the project would not result in exceedances of BAAQMD thresholds for criteria air pollutants and thus would not conflict with the 2017 Plan's goal to attain air quality standards. Furthermore, as shown in Table 4, the proposed project would include applicable control measures from the 2017 Clean Air Plan and would not disrupt or hinder implementation of such control measures. Therefore, the proposed project would result in a less than significant impact related to consistency with the 2017 Plan.

Table 4 Project Consistency with Applicable Control Strategies of 2017 Clean Air Plan

Control Strategy	Evaluation
Direct new development to areas that are well served by transit, and conducive to bicycling and walking.	**Consistent**. The project would involve construction of a new industrial building primarily used for warehouse purposes generating little vehicle trips and associated vehicle emissions. In addition, the project site is adjacent to the San Francisco Bay Trail, which is a regional trail that provides active transportation mode options for commuting, such as bicycling.
Reduce demand for vehicle travel, and high-carbon goods and services.	**Consistent.** The project would be used primarily for warehouse storage and not generate demand for high-carbon goods and services. The propose preserve area would not generate vehicle trips or generate demand for high-carbon goods and services.
Promote energy and water efficiency in both new and existing buildings.	**Consistent.** The proposed industrial building would be required to comply with 2019 CALGreen standards, which include measures for energy and water efficiency.

Source: BAAQMD 2017b

LESS THAN SIGNIFICANT IMPACT

b. Would the project 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?

The proposed project would result in temporary construction emissions and long-term operational emissions. Construction activities such as the operation of construction vehicles and equipment over unpaved areas, grading, trenching, and disturbance of stockpiled soils have the potential to generate fugitive dust (PM_{10}) through the exposure of soil to wind erosion and dust entrainment. In

addition, exhaust emissions associated with heavy construction equipment would generate criteria air pollutant emissions. Long-term emissions associated with operational impacts would include emissions from vehicle trips (mobile sources), natural gas use (energy sources), and landscape maintenance equipment, consumer products, and architectural coating associated with on-site development (area sources).

Construction Emissions

Criteria Air Pollutant Emissions

As described in the project description, construction of the entire project, including the proposed industrial building, surface parking, and relocated segment of the San Francisco Bay Trail would occur over approximately 12 to 18 months. Table 5 summarizes the estimated maximum daily emissions of criteria air pollutants during construction on the project site. As shown in the table, construction emissions would not exceed BAAQMD thresholds. Therefore, impacts would be less than significant.

Table 5 Construction Emissions

	Daily Emissions (lbs/day)					
Year	ROG	NO_X	CO	PM_{10} (exhaust)	$PM_{2.5}$ (exhaust)	SO_X
Maximum Daily Emissions[1]	12.0	40.5	22.1	2.0	1.9	0.05
BAAQMD Thresholds (average daily emissions)	54	54	N/A	82	54	N/A
Threshold Exceeded?	No	No	N/A	No	No	N/A

[1] See Table 2.1 "Overall Construction-Unmitigated" emissions. CalEEMod worksheets in Appendix B. Emission data presented is the highest of winter or summer outputs.

N/A = not adopted (The BAAQMD has not adopted thresholds for construction emissions of CO or SO_X); lbs/day = pounds per day; ROG = reactive organic gases; NO_X = oxides of nitrogen; CO = carbon monoxide; $PM_{2.5}$ = particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; PM_{10} = particulate matter with an aerodynamic resistance diameter of 10 micrometers or less; SO_x = oxides of sulfur

Fugitive Dust

Site preparation and grading may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The BAAQMD has not established a quantitative threshold for fugitive dust emissions but rather states that projects that incorporate best management practices (BMPs) for fugitive dust control during construction would have a less than significant impact related to fugitive dust emissions. The project would be required to implement dust control measures during grading and clearing activities per Hayward Municipal Code Section 10-8.32, which includes requirements to use watering or dust palliative to contain dust and to immediately remove any earth material spilling or accumulating on a public street. Therefore, construction-related fugitive dust emissions would be less than significant.

Operational Emissions

As described under *Air Emission Thresholds* above, the proposed project would involve a 113,730 square-foot industrial building, which is below BAAQMD's operational criteria pollutant screening

size for general light industrial uses of 541,000 square feet. As a result, per BAAQMD guidance, a detailed air quality assessment of their project's criteria air pollutant emissions is not necessary. Operation of the preserve would not generate pollutant emissions because the preserve would require no operational activities. Therefore, project operation would not 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. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Certain population groups, such as children, the elderly, and people with health problems, are particularly sensitive to air pollution. Sensitive receptors are defined as population groups that are more susceptible to exposure to pollutants and examples include health care facilities, retirement homes, school and playground facilities, and residential areas.

The nearest school to the project site is California Crosspoint Academy, which is approximately 1.1 miles northeast of the site. The nearest public school to the project site is located approximately 1.5 miles northeast of the site. The nearest residences to the project site are approximately 1.2 miles to the east. Given the distance of the sensitive receptors from the project site, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The proposed project would require the use of diesel equipment during construction. Additionally, some vehicles use for warehouse operations at the proposed industrial building would also operate with diesel fuel. Diesel exhaust is odorous. However, a substantial number of people, especially those sensitive to odors, do not occur in proximity to the project site. People using the San Francisco Bay Trail, around the perimeter of the project site, would be briefly exposed to odors of diesel exhaust from project equipment. However, given that warehousing would require minimal truck trips, and project construction would be temporary, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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4 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, or 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?	□	□	□	■

Methodology

Information contained in this section comes primarily from a Biological Resources Technical Report prepared for this project by WRA, Inc. (WRA 2020; see Appendix A). On behalf of the City, Rincon Consultants, Inc. conducted a peer review of the Biological Resources Technical Report to ensure it was conducted per appropriate protocol and sufficiently addresses biological resources and potential project impacts.

WRA biologists reviewed relevant databases and literature for baseline information on biological resources occurring and potentially occurring at the project site and in the immediate surrounding area. The review included the following sources:

- Soil Survey of Alameda County, California
- Redwood Point 7.5-minute quadrangle
- Contemporary aerial photographs from Google Earth
- National Wetlands Inventory
- California Aquatic Resources Inventory
- California Natural Diversity Database (CNNDB)
- California Native Plant Society (CNPS) Electronic Inventory
- Consortium of California Herbaria
- USFWS List of Federal Endangered and Threatened Species
- eBird Online Database
- CDFW Publication, California Bird Species of Special Concern in California
- CDFW and University of California Press publication California Amphibian and Reptile Species of Special Concern
- A Field Guide to Western Reptiles and Amphibians
- A Manual of California Vegetation, 2nd Edition
- A Manual of California Vegetation Online
- Preliminary Descriptions of the Terrestrial Natural Communities

Database searches (i.e., CNDDB, CNPS) focused on the Redwood Point, Hunters Point, San Leandro, Hayward, Newark, Mountain View, Palo Alto, Woodside, and San Mateo USGS 7.5-minute quadrangles for special-status plants and wildlife. A complete bibliography including citations for each literature and database source listed above is provide in the Biological Resources Technical Report (see Appendix A).

Following the literature and database review, WRA biologists completed a field review of the project site to document: (1) land cover types (e.g., terrestrial communities, aquatic resources); (2) existing conditions and to determine if such provide suitable habitat for any special-status plant or wildlife species; (3) if and what type of aquatic natural communities (e.g., wetlands) are present; and, (4) if special-status species are present. The presence of suitable habitat for special-status species was evaluated during the site visit based on physical and biological conditions of the site, as well as the professional expertise of the investigating biologists.

Vegetation Communities and Other Land Cover

WRA observed four land cover types within the project site: developed, ruderal community dominated by upland vegetation, wetlands, and historic salt ponds. Developed areas generally have no vegetation cover and are characterized by the abandoned and dilapidated Oliver Salt Company plant. The dilapidated plant is located on the eastern component of the project site, but former salt ponds associated with the salt plant are located on both components of the project site. Developed

area also includes the portion of the San Francisco Bay Trail along the eastern edge of the site. Ruderal (weedy) communities are assemblages of plants that thrive in areas that have been disturbed by human activity. Seasonal wetlands include areas which hold water for part of the year, typically during the rainy season (between October and March), which are dominated by hydrophytic vegetative cover. Historic salt ponds on the site are dominated by perennial pickleweed, annual pickleweed, slender-leaved iceplant, brass-buttons, alkali heath, Mediterranean barely, saltgrass, and fleshy jaumea. The majority of the salt ponds are characterized by salt crusts and open water that support a somewhat turbid organic "soup" with various concentrations of algae, bluegreen bacteria, halo bacteria, and purple sulfur-reducing bacteria.

Special-Status Species

Based upon their review of the aforementioned literature and database resources, WRA determined that 11 special-status plant species have been documented in the vicinity of the project site. Most of the plant species documented from the vicinity were determined unlikely to occur on the project site for one or more of the following reasons:

- Suitable hydrologic conditions, such as rivers, are absent;
- Suitable soil types are absent;
- Topographic conditions, such as north-facing slopes, are absent;
- Unique pH conditions, such as acidic bogs, are absent;
- Project site is isolated from historic range of plant species; and
- Past activity on-site has degraded suitable habitat.

No special-status plants were found during the site surveys conducted by WRA in 2020, or during surveys conducted by Monk & Associates in 2015 and 2016. Accordingly, it was determined that special-status plant species do not occur on the project site (see Appendix A).

Twenty-six special-status wildlife species were documented within the vicinity of the project site. Some were excluded from occurring on the project site due to a lack of suitable habitat features, such as perennial streams and ponds; tidal marshland; serpentine soil; sandy beaches; and caves. The absence of such habitat features eliminates components critical to the survival or movement of most special-status species found in the vicinity. Although some species have no potential to occur, WRA determined that 13 special-status species have potential to occur either on the project site, and/or adjacent or near adjacent to the project site. The 13 species with potential to occur in or near the project site are presented in Table 6.

Table 6 Special-Status Wildlife Species Potentially Present

Species	Habitat Preferences	Potential to Occur
Western snowy plover (*Charadrius alexandrines nivosus*)	Breed primarily above the high tide line on coastal beaches, sand spits, dune-backed beaches, sparsely vegetated dunes, beaches at creek and river mouths, and salt pans at lagoons and estuaries. Nests typically occur in flat, open areas with sandy or saline substrates where vegetation and driftwood are usually sparse or absent.	Unlikely. The project site is unlikely to be used by western snowy plovers because it is not open enough for western snowy plovers to nest. However, the species may nest in the restored salt ponds within the CDFW's Eden Landing Ecological Reserve near the project site.

California least tern (*Sterna antillarum brownii*)	Typically nest in loose colonies on flat sand-shell beaches, mud or gravel flats, and man-made habitats including airports, landfills, and dredge-fill sites, relatively free of plant growth.	Unlikely. The project site is not open enough for the least terns to nest. However, the species may nest in the restored salt ponds within the CDFW's Eden Landing Ecological Reserve near the project site.
California Ridgway's rail (*Rallus obsoletus obsoletus*)	Occurs only within salt and brackish marshes. Typically inhabits salt marshes dominated by pickleweed and cordgrass.	Unlikely. The project site does not support tidal sloughs or dense tidal marsh habitat typically associated with the species foraging and nesting habitat. Potential habitat for California Ridgway's rail is present within 700 feet of the project site, across State Route 92 in tidal marsh habitats at Hayward Landing and Johnson Landing.
California black rail (*Laterallus jamaicensis coturniculus*)	Occurs in California coastal salt and brackish marshes from Bodega Bay to Morro Bay, with additional populations known from freshwater marshes near or in the northern Sierra Nevada foothills.	Unlikely. The project site does not support tidal marsh habitat typically associated with California black rail habitat. However, species are known to occur in tidal habitat north and south of the project site.
Black skimmer (*Rynchops niger*)	Nests colonially on undisturbed earthen islands or levees, often with terns	Unlikely. Species in not known to nest on the berms or levees associated with historic salt ponds on the project site. However, the species may nest nearby.
Alameda song sparrow (*Melospiza melodia pusillula*)	Prefers tidally influenced marsh, and taller shrubs such as gumplant are required for breeding.	Low potential. The project site does not support tidal marsh habitat typically associated with Alameda song sparrow habitat; however, the species may nest near the project site.
Burrowing owl (*Athene cunicularia*)	Typical habitat is annual or perennial grassland, although human-modified areas such as agricultural lands and airports are also used. Species is dependent on burrowing mammals to provide the burrows that are characteristically used for shelter and nesting.	Low potential. The project site does not contain a large number of suitable burrows or burrow surrogates for this species. However, burrowing owls may use the levees surrounding the project site for wintering and nesting habitat.
San Francisco (saltmarsh) common yellowthroat (*Geothlypis trichas sinuosa*)	Found in freshwater marshes, coastal swales, riparian thickets, brackish marshes, and saltwater marshes. Requires thick, continuous cover such as tall grasses, tule patches, or riparian vegetation down to the water surface for foraging and prefers willows for nesting.	Unlikely. The project site does not contain suitable nesting habitat. However, the salt marshes surrounding the project site may support suitable nesting habitat.
White-tailed kite (*Elanus leucurus*)	Resides in open to semi-open habitats throughout the lower elevations of California, including grasslands,	Low potential. The shrubs in the eastern portion of the project site may provide marginal nesting habitat

	savannahs, woodlands, agricultural areas and wetlands. Nests are constructed mostly of twigs and placed in trees, often at habitat edges.	for this species. The project site and surrounding salt marshes, however, offer suitable foraging habitat.
Salt marsh harvest mouse (*Reithrodontomys raviventris*)	Found only in and adjacent to suitable salt- and brackish-marsh habitat in the greater San Francisco Bay, San Pablo Bay, and Suisun Bay areas. Habitat associated with the species is pickleweed-dominated marsh, though more recent studies have shown that the species is supported equally in pickleweed-dominated and mixed-vegetation (including native and non-native salt- and brackish-marsh species).	High potential. Salt marsh harvest mouse is known to occur in abundance near the project site. Marginal pickleweed habitat is present at the former salt ponds within the project site.
Salt-marsh wandering shrew (*Sorex vagrans halicoetes*)	Inhabits salt marsh that is inundated daily by tides	Unlikely. The project site does not support tidal marsh habitat typically associated with salt marsh wandering shrew.
Pallid bat (*Antrozous pallidus*)	Typically occurs in association with open, rocky areas. Roosts must offer protection from high temperatures and are typically in rock crevices, mines, caves, or tree hollows; manmade structures are also used, including buildings and bridges.	Moderate potential. The old Oliver Salt Company building on-site may provide marginal roosting habitat, hibernacula, or maternity sites.
Western mastiff bat (*Eumops perotis californicus*)	Roosts are primarily located high on cliffs under exfoliating rock slabs, but have also been found in similar crevices in large boulders and buildings.	Moderate potential. The old Oliver Salt Company building on-site may provide marginal roosting habitat, hibernacula, or maternity sites.

Source: WRA 2020; see Appendix A

Impact Analysis

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?

As described above in Table 6, special-status plant species do not occur within the project site. Ground disturbance required for construction of the proposed project would be limited to the project site and roadway areas of Point Eden Way. Therefore, the proposed project would have no impacts on special-status plant species.

Construction of the proposed project would require disturbance to and removal of vegetation that is potentially suitable for habitat for special-status wildlife species. For example, construction of the project would disturb the pickleweed vegetation surrounding several of the former salt ponds on the eastern component of the project site. As described in Table 6, pickleweed vegetation on the

project site provides marginal habitat for salt marsh harvest mouse. Therefore, construction of the project could impact this species if it is present in the pickleweed habitat on the project site. Ground disturbance could also impact migratory nesting bird nest sites. Impacts would be potentially significant and will be evaluated further in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

There are no streams of open freshwater areas on the project site that support adjacent riparian habitat. Riparian habitat does not occur on the project site. Therefore, the proposed project would have no impact on riparian habitat.

Construction of the proposed project would require the fill of approximately 0.28 acre of seasonal wetlands and 0.69 acre of salt marsh and associated unvegetated waters in remnant salt ponds on the project site. Seasonal wetlands and salt ponds are considered sensitive natural communities by CDFW. Impacts to sensitive natural communities would be potentially significant and evaluated further in the EIR.

POTENTIALLY SIGNIFICANT IMPACT

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?

The proposed project would include preservation of an approximately 32-acre area containing salt ponds on the western component of the project site. However, construction of the proposed project would require the fill of approximately 0.28 acre of seasonal wetlands and 0.69 acre of salt marsh and associated unvegetated waters in remnant salt ponds on the eastern component of the project site. The fill of approximately 0.28 acre of seasonal wetlands and 0.69 acre of salt marsh would be a potentially substantial adverse effect. Impacts would be potentially significant and will be evaluated further in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

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?

Migratory fish, such as salmon, are known to inhabit the San Francisco Bay seasonally. These fish utilize some tributary creeks and rivers to the Bay for spawning. The project site contains no creeks, streams, or rivers. Therefore, the proposed project would have no impacts on the movement of migratory fish.

The presence of State Route 92 along the northern boundary of the project site creates a barrier to wildlife migration in the project area. Additionally, areas adjacent to the east of the project site are developed with office and industrial uses, limiting their value for wildlife movement and migration. Because the proposed project would be adjacent to State Route 92 and existing urban development, it would not substantially interfere with wildlife movement or migratory wildlife corridors. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The proposed project would not require removal of trees. Therefore, the proposed project would not conflict with a local tree preservation policy or ordinance. Please also refer to Section 11, *Land Use and Planning* for project consistency analysis with the City's General Plan policies pertaining to biological resources. As described therein, the proposed project would be consistent with General Plan policies pertaining to biological resources. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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?

The proposed project would not 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 such plan exists applicable to the project site. The proposed project would have no impacts in this regard.

NO IMPACT

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5 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 formal cemeteries?	□	□	■	□

Information contained in this section comes primarily from a cultural resources study completed on behalf the project applicant by Tom Origer & Associates. Tom Origer & Associates prepared a memorandum report documenting the methodology and results of the cultural resources study. The memorandum, dated November 16, 2016, in included as Appendix C to this Initial Study.

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

The project site contains three structures associated with the former Oliver Brothers Salt Company, as well as numerous salt evaporation ponds and remnant facilities, such as a small wooden dam structure. The structures are located on the eastern component of the project site, and former salt evaporation pond are located on both the eastern and western components. According to the cultural resources study memorandum prepared by Tom Origer & Associates, the Oliver Brothers Salt Company is eligible for listing on the National Register of Historic Places (NRHP) (see Appendix C). The three structures on-site would be demolished during construction of the proposed project. Additionally, the proposed project would require the fill of portions of former salt ponds on the eastern component of the site. Demolition and alterations to the Oliver Brothers Salt Company structures and facilities would be a potential adverse change to the significance of a historical resource. Impacts of the proposed project would be potentially significant and will be evaluated further in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

The proposed project is approximately 2,000 feet from the shoreline of the San Francisco Bay. Given the proximity of the project site to the shoreline, the site has high sensitivity for archaeological resources, as prehistoric populations often congregated near water. Construction of the proposed project would require excavation and grading below the existing ground surface. During these

construction activities there would be potential for construction equipment to encounter and potentially damage or destroy subsurface archaeological resources. Construction of the proposed industrial building and relocated trail segment would have the most potential to encounter subsurface resources as excavation required for construction could occur in undisturbed soil. Damage or destruction of archaeological resources would be a potential adverse change in the significance of archaeological resources. Project impacts would be potentially significant and evaluated further in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

The project site was formerly used for the production of salt. There are no known cemeteries or burial sites on the project site. However, there is potential for unknown human remains to be buried on the project site, outside of known cemeteries. If any human remains are found during grading, or other project construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, must be followed in accordance with state law. California Health and Safety Code Section 7050.5, specifically, states that:

> "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.
>
> (c) If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission."

Mandatory adherence to state regulations would ensure impacts to human remains, if any, would be less than significant.

LESS THAN SIGNIFICANT IMPACT

6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a 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?	☐	☐	■	☐

Electricity and Natural Gas

In 2018, California used 285,488 gigawatt-hours (GWh) of electricity, of which 31 percent was generated by renewable resources (California Energy Commission [CEC] 2019a). California also consumed approximately 12,666 million U.S. therms (MMthm) of natural gas in 2018. Electricity and natural gas service would be provided to the project by Pacific Gas and Electric (PG&E). Table 7 and Table 8 show the electricity and natural gas consumption by sector and total for PG&E.

Table 7 Electricity Consumption in the PG&E Service Area in 2018

Agriculture and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Streetlight	Total Usage
5,831.5	30,148.4	4,265.6	10,518.6	1,593.7	27,700.3	310.6	80,368.7

Notes: All usage expressed in GWh

Source: CEC 2018a

Table 8 Natural Gas Consumption in PG&E Service Area in 2018

Agriculture and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Total Usage
37.4	899.1	59.0	1,776.0	190.2	1,832.8	4,794.4

Notes: All usage expressed in millions of therms

Source: CEC 2018b

Petroleum

In 2016, approximately 40 percent of the state's energy consumption was associated with transportation activities (United States Energy Information Administration [EIA] 2019). Californians presently consume over 19 billion gallons of motor vehicle fuels per year (CEC 2019a). Though California's population and economy are expected to grow, gasoline demand is projected to decline from roughly 15.8 billion gallons in 2017 to between 12.3 billion and 12.7 billion gallons in 2030, a 20 percent to 22 percent reduction. This decline comes in response to both increasing vehicle electrification and higher fuel economy for new gasoline vehicles (CEC 2019b).

Impact Analysis

a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site. The proposed project would require site preparation and grading; pavement and asphalt installation; building construction; architectural coating; and landscaping and hardscaping.

Energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. In addition, the project would utilize construction contractors who demonstrate compliance with applicable CARB regulations that restrict the idling of heavy-duty diesel motor vehicles and govern the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. Electrical power would be consumed to construct the project, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the area. Overall, construction activities would require minimal electricity consumption and would not be expected to have any adverse impact on available electricity supplies or infrastructure. Construction activities would utilize fuel-efficient equipment consistent with state and federal regulations and would comply with state measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. In addition, per applicable regulatory requirements, the project would comply with construction waste management practices to divert construction and demolition debris. These practices would result in efficient use of energy necessary to construct the project. Furthermore, in the interest of cost efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary. Therefore, project construction would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. Project construction impacts would be less than significant.

Operation of the proposed project would require energy use in the form of electricity, natural gas, and gasoline consumption. Natural gas and electricity would be used for heating and cooling systems, lighting, appliances, water use, and the overall operation of the project. Gasoline consumption would be attributed to vehicular travel to and from the project site.

The project would be required to comply with standards set forth in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation**.** CALGreen (as codified in CCR Title 24, Part 11) requires implementation of energy-efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2019 Building Energy Efficiency Standards (CBC Title 24, Part 6) requires newly

constructed buildings to meet energy performance standards set by the CEC. These standards are specifically crafted for new buildings to achieve energy efficient performance. The standards are updated every three years, and each iteration increases energy efficiency standards. For example, according to the CEC, nonresidential buildings will use about 30 percent less energy due mainly to lighting upgrades (CEC 2018c). Furthermore, the project would continue to reduce its use of nonrenewable energy resources as the percentage of electricity generated by renewable resources provided by PG&E continues to increase to comply with state requirements through Senate Bill 100, which requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Project operation would increase energy use on the site compared to existing conditions. However, energy use would be in conformance with the latest version of CALGreen and the Building Energy Efficiency Standards. Additionally, the electricity and natural gas use would not result in a significant increase for PG&E. Moreover, the project would not result in wasteful use of vehicle fuel. The proposed preserve on the western component of the project site would not require energy. Therefore, the project would not result in wasteful or unnecessary energy consumption, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The City's Climate Action Plan 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 Climate Action Plan is to make Hayward a more environmentally and socially sustainable community.

As demonstrated further in Section 8, *Greenhouse Gas Emissions*, the proposed project would be consistent with policies from the City's Climate Action Plan. Those policies specifically pertaining to energy efficiency include NR-4.1 through NR-4.11 and NR-4.13 though NR-4.15 relating to energy performance in new construction and energy efficient design in new development. Therefore, the proposed project would not interfere with the energy-related measures of the Climate Action Plan. The proposed project would not conflict with or obstruct the state or local plan for renewable energy or energy efficiency. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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7 Geology and 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:				
1. 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?	☐	☐	☐	■
2. Strong seismic ground shaking?	☐	☐	■	☐
3. Seismic-related ground failure, including liquefaction?	☐	■	☐	☐
4. 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 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	■	☐

Much of the analysis in this section is based on the information in a geotechnical investigation prepared for the proposed project. Professional Services Industries, Inc., an Intertek company, prepared a Geotechnical Engineering Services Report for the project site in January 2018. The report is included as Appendix D to this Initial Study. The purpose of the investigation was to determine the nature of the surface and subsurface soil conditions at the project site through field investigations and laboratory testing. The geotechnical investigation presents an explanation of investigative procedures, results of the testing program, conclusions regarding soil conditions, and recommendations for earthwork and foundation design to adapt the proposed development to the existing soil conditions.

Seismic Setting

Similar to much of California, the site is located in a seismically active region. The United States Geological Survey (USGS) defines active faults as those that have had surface displacement within the Holocene period (about the last 11,000 years). Surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and saddles, the alignment of depressions, sag ponds, and the existence of steep mountain fronts. Potentially active faults are those that have had surface displacement during the last 1.6 million years, and inactive faults have not had surface displacement within that period. Several faults are within and near the site, including the San Andreas Fault and the Hayward Fault. The Hayward Fault, one of ten major faults that make up the San Andreas Fault Zone, crosses through the City of Hayward near Mission Boulevard. As a result of its location and geologic setting, the city of Hayward is subject to a variety of seismic and geologic hazards, including fault rupture, strong ground shaking, liquefaction, and landslides (City of Hayward 2014b). The Hayward Fault zone is approximately 3.8 miles east of the project site (California Department of Conservation 2015).

Ground Shaking

Seismically induced ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. The USGS and Association of Bay Area Governments (ABAG) have worked together to map the likely intensity of ground-shaking throughout the Bay Area under various earthquake scenarios. The most intense ground-shaking scenario mapped in the Bay Area assumes a 6.9 magnitude earthquake on the Hayward Fault system. The predicted ground-shaking from such an earthquake would be “very violent” or “violent” throughout the City of Hayward (ABAG 2016).

Liquefaction and Seismically Induced Settlement

Liquefaction is defined as the sudden loss of soil strength due to a rapid increase in soil pore water pressure resulting from seismic ground shaking. Liquefaction potential is dependent on such factors as soil type, depth to ground water, degree of seismic shaking, and the relative density of the soil. When liquefaction of the soil occurs, buildings and other objects on the ground surface may tilt or sink, and lightweight buried structures (such as pipelines) may float toward the ground surface. Liquefied soil may be unable to support its own weight or that of structures, which could result in loss of foundation bearing or differential settlement. Liquefaction may also result in cracks in the ground surface followed by the emergence of a sand-water mixture. Figure 9-2 of the 2040 General Plan Background Report shows that the project site is in a liquefaction zone (City of Hayward 2014c).

Landslides

Landslides result when the driving forces that act on a slope (i.e., the weight of the slope material, and the weight of objects placed on it) are greater than the slope's natural resisting forces (i.e., the shear strength of the slope material). Slope instability may result from natural processes, such as the erosion of the toe of a slope by a stream, or by ground shaking caused by an earthquake. Slopes can also be modified artificially by grading, or by the addition of water or structures to a slope. Development that occurs on a slope can substantially increase the frequency and extent of potential slope stability hazards.

Areas susceptible to landslides are typically characterized by steep, unstable slopes in weak soil/bedrock units which have a record of previous slope failure. There are numerous factors that affect the stability of the slope, including: slope height and steepness, type of materials, material strength, structural geologic relationships, ground water level, and level of seismic shaking. The project site is not in a sloped area and is at the western edge of Hayward, which is generally not steeply sloped.

Expansive Soils

Expansive soils can change dramatically in volume depending on moisture content. When wet, these soils can expand; conversely, when dry, they can contract or shrink. Sources of moistures that can trigger this shrink-swell phenomenon include seasonal rainfall, landscape irrigation, utility leakage, and/or perched groundwater. Expansive soil can develop wide cracks in the dry season, and changes in soil volume have the potential to damage concrete slabs, foundations, and pavement. Special building/structure design or soil treatment are often needed in areas with expansive soils. The geotechnical investigation indicates that soils on the project site have low expansion potential.

Erosion

Erosion is the wearing away of the soil mantle by running water, wind or geologic forces. It is a naturally occurring phenomenon and ordinarily is not hazardous. However, excessive erosion can contribute to landslides, siltation of streams, undermining of foundations, and ultimately the loss of structures. Removal of vegetation tends to heighten erosion hazards. The City of Hayward enforces grading and erosion control ordinances to reduce these hazards. Additionally, the state has requirements to control and prevent erosion during construction of projects requiring an acre or more of ground disturbance.

Paleontological Setting

In order to assess potential impacts to paleontological resources, the project's potential to disturb paleontologically sensitive geologic units was evaluated. According to the geotechnical investigation, the project site is underlain by two geologic units: Holocene-aged (Quaternary) alluvial fan deposits (Qhf) over Holocene San Francisco Bay mud (Qhbm). These geologic units are middle Holocene-aged deposits. Late to middle Holocene deposits are typically too young (i.e., less than 5,000 years old) to preserve paleontological resources and are determined to have a low paleontological resource potential according to Society of Vertebrate Paleontology (SVP) guidelines (SVP 2010).

Impact Analysis

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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?

The nearest earthquake fault zone to the project site is the Hayward Fault zone. The Hayward Fault zone is approximately 3.8 miles to the east of the project site. Given the distance between the project site and nearest known earthquake fault, the proposed project would cause no impacts related to fault ruptures.

NO IMPACT

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Like the entire San Francisco Bay Area, the project site would be subject to strong seismic ground shaking during an earthquake. Project construction would not directly or indirectly cause potential substantial adverse effects related to risk of loss, injury, or death, because these risks are generally associated with structural collapse. During operation of the project, when the proposed building is occupied, there would be potential for risk of loss, injury, or death. The risk would not be substantial because the project would be required to be constructed to current seismic standards in the 2019 California Building Code (CBC). The CBC is intended to ensure buildings can withstand the adverse effects of strong ground shaking. The City of Hayward has adopted the CBC by reference pursuant to Chapter 9 Article 1 of the Hayward Municipal Code. Chapter 38 of the CBC contains specific requirements for structural design, including seismic loads and Article 8 of the Hayward Municipal Code includes requirements for soil testing, excavation and grading, and foundation design. The CBC requires that structures be designed and constructed to resist seismic hazards, including through foundation design and the completion of soil investigations prior to construction. The City would ensure that the project would be designed and constructed consistent with the current CBC, thereby ensuring that appropriate investigations and design measures have been employed to effectively minimize or avoid potential hazards associated with redevelopment and/or new building construction. Proper engineering, including compliance with the CBC, would minimize the risk to life and property associated with potential seismic activity in the area.

The geotechnical report prepared for the project site concluded that the project would be feasible given required compliance with the CBC requirements related to ground shaking (Appendix D). Periodic inundation of the wetland preserve from precipitation events would be shallow. Additionally, only open water and floodplain exist downgradient of the preserve area. Therefore, failure of the levees around the inundated ponds or wetlands during a seismic event would not create substantial risk of loss, injury or death. Impacts related to seismic shaking would therefore be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

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?

The project site is within a liquefaction zone that could result in foundation damage to the proposed industrial building during a seismic-related ground failure. Additionally, graded slopes could be susceptible to collapse during seismic events if improperly constructed or compacted. Soils on site could become unstable from the overlying weight of the proposed industrial building and surface parking lot. Collapse or failure of soils could result in substantial risk of loss, injury, or death.

In order to address the liquefaction and soil stability hazards present at the project site, the geotechnical report prepared for the proposed project provides design recommendations. Those recommendations cover several design considerations, including foundation design, site preparation and grading, pavement design, utility trenches, and drainage. Moreover, the reports conclude that from a geotechnical viewpoint, the project is feasible provided the design recommendations are incorporated into the proposed project. Therefore, in order to ensure the geotechnical investigation recommendations are incorporated into the project, Mitigation Measure GEO-1 is required to reduce impacts. This mitigation measure will be included in the Executive Summary of the environmental impact report, which will list all applicable mitigation measures, as well as the project's Mitigation Monitoring and Reporting Program. With implementation of required mitigation, impacts would be less than significant.

Mitigation Measure

The following mitigation measure shall be implemented prior to and during project construction:

GEO-1 Geotechnical Considerations

The project applicant shall implement all measures and recommendations set forth in the Geotechnical Engineering Services Report prepared by Professional Services Industries, Inc., an Intertek company, in January 2018 (included as Appendix D and on file with the City of Hayward). This measure shall be implemented for development on the eastern component of the project site. Recommendations include but are not limited to the following topic areas:

- Engineered fill material required at this site shall not contain rocks greater than 3-inches in diameter or greater than 30 percent retained on the ¾-inch sieve, and shall not contain more than 3 percent (by weight) of organic matter or other unsuitable material. The expansion index for the material shall not exceed 50.
- Engineered fill shall be compacted to at least 90 percent of the maximum dry density as determined by the modified Proctor (ASTM D1557). The moisture content of engineered fill shall be maintained at approximately 2 percent above or below the material's optimum moisture content as determined by the same index during compaction.
- Engineered fill shall be placed in maximum lifts of 8-inches of loose material. Each lift of engineered fill shall be tested by a PSI soils technician, working under the direction of a licensed geotechnical engineer, prior to placement of subsequent lifts.
- Properly compacted engineered fill shall extend horizontally outward beyond the exterior perimeter of the foundations a distance equal to the height of fill or 5 feet, whichever is greater, prior to substantial sloping.
- Permanent cut or fill slopes shall not exceed 2 Horizontal to 1 Vertical (2H:1V). Excavations extending below a 1H:1V plane extending down from any adjacent footings shall be shored for safety.

- Utilities trenches within the building, pavement, and sidewalk areas shall be backfilled with granular engineered fill such as sand, sand and gravel, fragmental rock, or recycled concrete of up to 2 inches maximum size with less than 5 percent passing the No. 200 sieve (washed analysis). Granular backfill shall be placed in lifts and compacted to 95 percent of the maximum dry density as determined by ASTM D 1557. Compaction by jetting or flooding shall not be permitted.
- To ensure precipitation is conveyed away from structural foundation, continuous roof gutters shall be installed on the proposed industrial building. The roof drains shall be connected to a tight-line pipe leading to storm drain facilities. Pavement surfaces and open space areas shall be sloped such that surface water runoff is collected and routed to suitable discharge points. Ground surfaces adjacent the building shall be sloped to facilitate positive drainage away from the building. Landscaped or planted areas shall not be placed within 10 feet of the footings of the proposed building.

LESS THAN SIGNIFICANT IMPACT

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Landslide potential on the project site very low because there are no substantial slopes on or nearby. Project grading would create slopes only several feet high, and slopes would be no steeper than 1 foot of vertical per 2 feet of horizontal, consistent with the Hayward Municipal Code. Therefore, there would be no potential for substantial adverse effects from landslides. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

Construction of the proposed project would disturb the ground surface and loosen soils, which would increase the potential for erosion. As the proposed project would disturb over one acre of land, the applicant would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ) to comply with CWA NPDES requirements. Compliance with these requirements would include preparation of a Stormwater Pollution Prevention Plan (SWPPP), which would specify BMPs to prevent or reduce erosion. Following construction, the eastern component of the project site would either be landscaped or covered with impervious surfaces, such as the industrial building and asphalt parking. The wetland preserve on the western component of the project site would involve no ground disturbance. Accordingly, there would be no potential for substantial erosion or loss of topsoil. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Soils on the project site have low expansion potential. Therefore, the project would not be located on an expansive soil. There would be no substantial direct or indirect risks to life or property as a result of expansive soils. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The proposed project would include connections to the City's existing wastewater treatment system. Septic tanks or alternative wastewater disposal systems would not be used. Therefore, there would be no impacts in this regard.

NO IMPACT

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project site is underlain by middle-aged Holocene geologic units. Late- to middle-aged Holocene geologic deposits have low potential to yield unique paleontological resources. Therefore, excavation and grading required for project construction would have low potential to destroy unique paleontological resources. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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8 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?	☐	☐	■	☐

Overview of Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it more broadly encompasses other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming during the past 150 years. According to the United Nations Intergovernmental Panel on Climate Change (IPCC), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (95 percent or greater) that the global average net effect of human activities has been the dominant cause of warming and that the rate of increase is unprecedented over decades to millennia since the mid-twentieth century (IPCC 2014).

GHGs are gases that absorb and re-emit infrared radiation in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off gassing associated with agricultural practices and landfills. Observations of CO_2 concentrations, globally averaged temperature, and sea-level rise are generally well within the range of the extent of the earlier IPCC projections. The recently

observed increases in CH_4 and N_2O concentrations are smaller than those assumed in the scenarios in the previous assessments. Each IPCC assessment has used new projections of future climate change that have become more detailed as the models have become more advanced.

Man-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and SF_6 (California Environmental Protection Agency [CalEPA] 2006). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO_2e), and is the amount of a GHG emitted multiplied by its GWP. CO_2 has a 100-year GWP of one. By contrast, methane has a GWP of 28, meaning its global warming effect is 28 times greater than carbon dioxide on a molecule per molecule basis (IPCC 2015). Emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Regulatory Setting

In response to an increase in man-made GHG concentrations over the past 150 years, California implemented AB 32, the "California Global Warming Solutions Act of 2006." AB 32 codified the statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels) and adopted regulations to require reporting and verification of statewide GHG emissions.

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, which extends AB 32 and requires the State to further reduce GHGs to 40 percent below 1990 levels by 2030. In response, on December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan does not give project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with a statewide per capita goal of six metric tons (MT) of carbon dioxide equivalents (CO_2e) by 2030 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, subregional, or regional level) but not for individual projects because they include all emissions sectors in the state.

Most individual projects do not generate enough GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15064[h][1]).

The City's Climate Action Plan 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 Climate Action Plan is to make Hayward a more environmentally and socially sustainable community. The Climate Action Plan includes goals to reduce GHG emissions in Hayward.

Methodology

GHG emissions for project construction and operation were calculated using CalEEMod version 2016.3.2. CalEEMod calculates emissions of CO_2, CH_4, and N_2O associated with construction activities, energy use, area sources, waste generation, and water use and conveyance as well as emissions of CO_2 and CH_4 associated with project-generated vehicle trips (i.e. mobile sources). Operational emissions were modeled for the year 2030 to be consistent with the State's next GHG emission reduction milestone target of achieving 40 percent reduction in 1990 GHG emission levels by 2030. Emissions of all GHGs are converted into their equivalent global warming potential in terms of CO_2 (i.e., CO_2e).

Mobile source emissions were calculated based on the project's vehicle miles traveled (VMT), as generated by CalEEMod. However, because CalEEMod does not calculate N_2O emissions from mobile sources, N_2O emissions were quantified using guidance from CARB and the EMFAC2017 Emissions Inventory for the BAAQMD region for year 2030 (the next GHG emission reduction target milestone year) using the EMFAC2011 categories (Appendix B).

Electricity emissions are calculated by multiplying the energy use times the carbon intensity of the utility district per kilowatt hour (CAPCOA 2017). The project would be served by PG&E. Therefore, PG&E's specific energy intensity factors (i.e., the amount of CO_2, CH_4, and N_2O per kilowatt-hour) are used in the calculations of GHG emissions. The energy intensity factors included in CalEEMod are based on 2009 data by default at which time PG&E had only achieved a 14.1 percent procurement of renewable energy. Per SB 100, the statewide Renewable Portfolio Standard (RPS) Program requires electricity providers to increase procurement from eligible renewable energy sources to 60 percent by 2030. To account for the continuing effects of the RPS, the energy intensity factors included in CalEEMod were reduced based on the percentage of renewables reported by PG&E. PG&E energy intensity factors that include this reduction are shown in Table 9.

Table 9 PG&E Energy Intensity Factors

	2009 (lbs/MWh)	2030 (lbs/MWh)[2]
Percent procurement	14%[1]	60%
Carbon dioxide (CO_2)	641.35	298.65
Methane (CH_4)	0.029	0.014
Nitrous oxide (N_2O)	0.006	0.003

[1] Source: California Public Utilities Commission 2011

[2] RPS goal established by SB 100

Because project construction would begin in 2021, the project would be constructed in accordance with the 2019 Building Energy Efficiency Standards. Nonresidential buildings built in accordance with the 2019 Building Energy Efficiency Standards will use approximately 30 percent less energy than those constructed under the 2016 standards (California Energy Commission 2018). Therefore, electricity usage was reduced by 30 percent to account for the requirements of 2019 Title 24 standards. In addition, modeling of GHG emissions from water consumption and wastewater generation includes a 20 percent reduction in indoor water use to account for compliance with CALGreen, use of low-flow fixtures, and installation of a water-efficient irrigation system.

Significance Thresholds

To evaluate whether a project would generate a quantity of GHG emissions that may have a significant impact on the environment, state agencies have developed a number of operational bright-line significance thresholds. Significance thresholds are numeric mass emissions thresholds that identify the level at which additional analysis of project GHG emissions is necessary. Projects that attain the significance target, with or without mitigation, would result in less than significant GHG emissions. Many significance thresholds have been developed to reflect a 90 percent capture rate tied to the 2020 reduction target established in AB 32.

According to the CEQA Guidelines, projects can tier from a qualified GHG reduction plan, which allows for project-level evaluation of GHG emissions through the comparison of the project's consistency with the GHG reduction policies included in a qualified GHG reduction plan. This approach is considered by the Association of Environmental Professionals (AEP) in their white paper, Beyond Newhall and 2020, to be the most defensible approach presently available under CEQA to determine the significance of a project's GHG emissions (AEP 2016). The City of Hayward has developed a Climate Action Plan, which has been adopted as a part of the City's General Plan. However, the Climate Action Plan does not demonstrate a pathway for the City to achieve the 40 percent reduction target by 2030 required by SB 32. Therefore, the Climate Action Plan does not qualify as a GHG reduction plan and thus cannot be used for project tiering. In its 2017 CEQA Air Quality Guidelines, the BAAQMD outlines an approach to determine the significance of GHG emissions associated with land use development projects. For residential, commercial, industrial, and public projects, the thresholds of significance for operational-related GHG emissions are as follows:

- Compliance with a qualified GHG Reduction Strategy
- Annual emissions less than 1,100 metric tons (MT) per year (MT/yr) of carbon dioxide equivalent (CO_2e)
- Service person threshold of 4.6 MT CO_2e/SP/yr (residents + employees)

The City has no adopted qualified GHG Reduction Strategy, and it is not appropriate to use the first recommended threshold of significance. The BAAQMD mass emissions threshold of 1,100 MT of CO_2e per year was designed to capture 90 percent of all emissions associated with projects in the Air Basin and require implementation of mitigation so that a considerable reduction in emissions from new projects would be achieved. According to the California Air Pollution Control Officers Association (CAPCOA) white paper, *CEQA & Climate Change*, a quantitative threshold based on a 90 percent market capture rate is generally consistent with AB 32 (CAPCOA 2008). SB 32, codified in 2016, sets a more stringent emission reduction target of 40 percent below the 1990 level by 2030. Because the previously established threshold of 1,100 MT of CO_2e was not developed to meet the targets established by SB 32, it must be adjusted to meet the new, more stringent emission reduction target of a 40 percent reduction below the 1990 level by 2030. Because BAAQMD has not adopted a threshold for 2030 yet, this analysis uses a "substantial progress" bright-line threshold of 660 MT of CO_2e per year (equivalent to a 40 percent reduction of the 1,100 MT of CO_2e per year threshold based on the State's 2030 target). The bright-line threshold applies best to the proposed project because the City of Hayward does not have a qualified GHG reduction plan and the project is not a residential or mixed-use project for which impacts would be more appropriately evaluated using a service population threshold to reflect per-person emission efficiency.

Impact Analysis

a. Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction Emissions

Construction activities emit GHGs primarily though combustion of fuels (mostly diesel) in the engines of off-road construction equipment and through combustion of diesel and gasoline in on-road construction vehicles and in the commute vehicles of construction workers. Smaller amounts of GHGs are also emitted indirectly through the energy use embodied in any water use for fugitive dust control and lighting for construction activity. Table 10 summarizes GHG emissions generated by project construction activities. As shown therein, project construction would generate approximately 577 MT of CO_2e, or approximately 19.3 MT of CO_2e per year when amortized over a 30-year period (the assumed life of the project).

Table 10 Estimated Construction GHG Emissions

Year	Project Emissions (MT of CO_2e)
2021	462.7
2022	114.3
Total	577.0
Amortized over 30 Years	**19.3**

See Appendix B for CalEEMod worksheets.

Combined Construction and Operational Emissions

Table 11 summarizes long-term GHG emissions generated by the project from area sources, energy use, solid waste, water use, and mobile sources and combines construction and operational GHG emissions. As shown therein, the project would generate approximately 447.6 MT of CO_2e per year, which would not exceed the threshold of 660 MT of CO_2e per year. Therefore, the proposed project would have a less than significant impact related to GHG emissions.

Table 11 Combined Annual Emissions of GHGs

Emission Source	Annual Emissions (MT of CO_2e)
Construction	19.3
Operational	
Area	<0.1
Energy	113.8
Solid Waste	53.4
Water	64.9
Mobile	
CO_2 and CH_4[1]	188.7

Emission Source	Annual Emissions (MT of CO_2e)
N_2O	7.4
Total	**447.6**
Threshold	660
Threshold Exceeded?	**No**

[1] Average vehicle distance was calculated using the Vehicle Miles Traveled (VMT) estimates developed by CalEEMod completed for the project. See Appendix B for CalEEMod worksheets.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

City of Hayward Climate Action Plan

Hayward's Climate Action Plan 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 Climate Action Plan is to make Hayward a more environmentally and socially sustainable community. The overall objective of the Climate Action Plan 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.

The Climate Action Plan includes GHG reduction strategies and actions relating to transportation, land use, energy, solid waste, carbon sequestration, climate change adaptation, and community engagement. The proposed project includes several design features that are consistent with strategies and actions from the City's Climate Action Plan. Policy NR-4.3, *Efficient Construction and Development Practices*, calls for the City to encourage construction and building development practices that maximize the use of renewable resources and minimize the use of non-renewable resources throughout the lifecycle of a structure. Policy NR-4.11, *Green Building Standards,* requires that newly constructed buildings meet energy efficiency design and operations standards. The proposed project would comply with CALGreen and other green building requirements, such as the City's recently adopted Reach Code for electrification in new construction (adopted March 2020). The City's Reach Code modifies State energy code to further reduce natural gas consumption and expand the requirement for electric vehicle ready parking spaces. Moreover, as described in Section 6, *Energy,* construction and operation of the project would not involve wasteful use of energy. Therefore, the project would be consistent with these policies. In addition, Policy NR-2.6, *Greenhouse Gas Reduction in New Development,* calls for the City to reduce potential GHG emissions, including by discouraging new development that is primarily dependent on the private automobile, and promoting new development that is compact, mixed use, pedestrian friendly. As described in Section 17, *Transportation*, the project would result in new VMT compared to existing conditions. However, the project site is immediately accessible from the San Francisco Bay Trail, which is a regional trail that can be used for commuting using active transportation modes, such as bicycling. The preserve would not be accessible to the public, and therefore would not encourage pedestrian visits.

The proposed project would support and implement some strategies contained in the City's Climate Action Plan. Additionally, the project would not conflict with the Climate Change Scoping Plan

developed per SB 32, the land use assumptions in the Plan Bay Area 2040, or regulations adopted by the City of Hayward to reduce greenhouse gas emissions. Therefore, the proposed project would have a less than significant impact related to GHG emissions.

Plan Bay Area 2040

SB 375, signed in August 2008, requires the inclusion of Sustainable Communities' Strategies in Regional Transportation Plans to reduce GHG emissions. The Metropolitan Transportation Commission and the Association of Bay Area Governments adopted a Sustainable Communities' Strategies that meets the GHG reduction targets set forth by CARB. Plan Bay Area 2040 is a state-mandated, integrated long-range transportation, land-use, and housing plan that supports a growing economy, provides more housing and transportation choices and reduces transportation-related pollution in the nine-county San Francisco Bay Area (Association of Bay Area Governments 2017). Plan Bay Area 2040 builds on earlier efforts to develop an efficient transportation network and grow in a financially and environmentally responsible way. Plan Bay Area 2040 will be updated every four years to reflect new priorities. The goals of Plan Bay Area 2040 related to GHG emissions include (Association of Bay Area Governments 2017):

1. **Climate Protection.** Reduce per capita CO_2 emissions.
2. **Healthy and Safe Communities.** Reduce adverse health impacts.
3. **Open Space and Agricultural Preservation.** Direct development within urban footprint.
4. **Transportation.** Increase non-auto mode share.

The proposed project would introduce a new industrial building with warehouse and office uses to project site, which currently has no warehouse or office uses. Operation of the project would involve new vehicle trips to and from the project site. The vehicle trips would generate CO2 emissions, potentially conflicting with Goal 1 of Plan Bay Area 2040. However, the San Francisco Bay Trail is located on and adjacent to the project. The trail is a regional trail that provides the option for non-auto mode commutes, such a bicycling. Therefore, some employees of the proposed industrial building could choose to bicycle to work, supporting Goal 4. Additionally, the proposed project involves establishing a 32-acre preserve. The preserve would support Goal 2 of Plan Bay Area 2040. The GHG emissions of the project would be below applicable thresholds to reach state GHG emission reduction goals. Therefore, overall, the proposed project would be consistent with Plan Bay Area 2040. Impacts related to GHG emissions would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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9 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 0.25 mile of an existing or proposed school?	☐	☐	☐	■
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	■	☐	☐	☐
e. For a project located in 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?	☐	☐	☐	■

A Phase I Environmental Site Assessment (ESA) was prepared for the project site by Cornerstone Earth Group in March 2017. The Phase I ESA is included as Appendix E to this Initial Study. According the Phase I ESA, there were formerly two underground storage tanks on the project site. These tanks were associated with the former salt production operations that once occurred on-site. Both underground storage tanks were removed in 1998. Petroleum-related contamination were detected in underlying soil and groundwater after the tanks were removed. Subsequent remedial activities were conducted through 2008. Soil sampling conducted in 2013 indicated there were additional areas outside of the remediated areas where elevated concentrations of contaminants of potential concern remain. In addition, elevation concentrations of contaminants of potential concern were also detected in samples collected from temporary soil vapor probes in 2012, and in groundwater monitoring well samples collected in 2013.

A Risk Management Plan (RMP) was prepared for the project site in 2014 and is included as an appendix to the Phase I ESA. The RMP provides general protocols for managing soil and groundwater at the site; recommendations for soil vapor mitigations for future structures; and, restricted areas where detectable concentrations of contaminants of potential concern may be present. On December 23, 2014, a deed restriction was recorded with Alameda County. The deed restriction identified that the project site was contaminated by petroleum products, and requires the following:

- Property must be used consistent with the 2014 RMP
- Inhabited structures built on-site must be compliant with the RMP
- Excavation on-site must be compliant with the RMP
- Future uses on-site must preserve integrity of cap, vapor barrier, or installed ventilation systems
- No water wells may be installed on-site unless approved by the State Water Resources Control Board
- The State Water Resources Control Board must be notified if the integrity of cap, vapor barrier, or installed ventilation systems is compromised

The State Water Resources Control Board granted case closure for the project site on February 18, 2015. However, the State Water Resources Control Board noted that the case does not meet all criteria of the low-threat closure policy, but no further action was still appropriate since:

- The contamination plume is defined and on-site
- The exposure pathways have been defined and assessed
- Pollutant sources have been reportedly removed or remediated
- Groundwater contamination plumes appear to be decreasing
- Risk management measures appear appropriate

The State Water Resources Control Board noted that “there may be residual petroleum-contaminated soil and groundwater at the site that could pose an unacceptable risk as a result of future construction/development activities” and “proper management may include sampling risk assessment, additional cleanup work, mitigation measures, or some combination of these tasks.” The Phase I ESA identifies the potential for residual petroleum contamination as Recognized Environmental Condition.

The potential for residual petroleum contamination is the only Recognized Environmental Condition in the Phase I ESA. However, the Phase I ESA also indicates that existing on-site structures may contain asbestos due to their age. These structures may also contain lead-based paint. Both asbestos and lead are harmful to human health.

According to the Phase I ESA, there are 11 sites within approximately 0.25 mile of the project site (see Appendix E). None of these sites are listed as active contamination cases, and some are noted to generate hazardous waste but have no known contamination associated with them. One of the 11 sites, located at 4125 Breakwater Avenue and known as "Big Al's Waste Hauling," is noted to have potential contamination requiring evaluation.

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Project construction would be a one-time event not requiring routine activities. Operation of the proposed project would involve warehouse and office uses for the U-Haul Corporation. Such uses typically do not use or store large quantities of hazardous materials other than those typically used for household cleaning, maintenance, and landscaping. Trucks used or stored on the project site would contain normal operational amounts of fuels and lubricants, such as diesel fuel and motor oil. The storage or disposal of hazardous materials would not be permissible on-site. Operation of the preserve on the western component of the site would not require the routine use of hazardous materials. The relocated segment of the San Francisco Bay Trail would not generate new uses of the trail requiring the use of hazardous materials. Therefore, operation of the proposed project would not involve the use, storage, transportation, or disposal of substantial quantities of hazardous materials and would not result in the release of such materials into the environment. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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?

d. Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The proposed project would involve construction of an industrial building and associated parking and driveways and utility infrastructure, as well as a relocated segment of the San Francisco Bay Trail. Construction activities would require the use potentially hazardous materials including fuels, lubricating fluids, cleaners, and solvents. If spilled, these substances could pose a risk to the environment and to human health. However, the transport, storage, use, or disposal of hazardous materials is subject to various federal, state, and local regulations designed to reduce risks associated with hazardous materials, including potential risks associated with upset or accident conditions. Hazardous materials would be required to be transported under U.S. Department of Transportation (DOT) regulations (U.S. DOT Hazardous Materials Transport Act, 49 Code of Federal Regulations), which stipulate the types of containers, labeling, and other restrictions to be used in the movement of such material on interstate highways. In addition, the use, storage, and disposal of hazardous materials are regulated through the Resources Conservation and Recovery Act (RCRA). The California Department of Toxic Substances Control (DTSC) is responsible for implementing the RCRA program, as well as California's own hazardous waste laws. DTSC regulates hazardous waste, cleans up existing contamination, and looks for ways to control and reduce the hazardous waste produced in California. It does this primarily under the authority of RCRA and in accordance with the California Hazardous Waste Control Law (California H&SC Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (Title 22, California Code of Regulations, Divisions 4 and 4.5).

DTSC also oversees permitting, inspection, compliance, and corrective action programs to ensure that hazardous waste managers follow federal and State requirements and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Compliance with existing regulations would reduce the risk of potential release of hazardous materials during construction. In addition, hazardous materials used during construction would be required to transport such materials along designated truck routes in the city in accordance with the City's General Plan policy HAZ-6.8, thereby limiting risk of upset (City of Hayward 2014b).

As the proposed project would involve disturbance of over one acre of land, the applicant would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ) to comply with CWA NPDES requirements. Compliance with these requirements would include preparation of a SWPPP, which would specify BMPs to quickly contain and clean up accidental spills or leaks. Therefore, the potential for an accidental release of hazardous materials to harm the public or the environment would be minor.

The project site is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 as a result of leaking underground storage tanks that were once present on the eastern component of the project site. Remediation after removal of the tanks has resulted in less on-site contamination hazard, and the State Water Resources Control Board granted case closure for the project site on February 18, 2015. However, the State Water Resources Control Board notes that residual petroleum contamination may be present in soil and groundwater at the site. Construction, especially excavation for the industrial building foundation and buried utility connections could disturb contaminated soils and groundwater, potentially exposing construction works to hazardous materials. Additionally, soil vapor intrusion could occur and expose the occupants of the proposed industrial building to contamination during operation. Impacts would be potentially significant and will evaluated further in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

There are no existing or planned schools within 0.25 mile of the project site. The nearest school to the project site is California Crosspoint Academy, which is approximately 1.1 miles northeast of the site. The nearest public school to the project site is located approximately 1.5 miles northeast of the site. Accordingly, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. There would be no impact in this regard.

NO IMPACT

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The proposed project is not located within the vicinity of an airport land use plan. There are no public airports or public use airports within two miles of the project site. The Hayward Executive Airport is the nearest airport to the project site and is located approximately 2.5 miles to the north. The Oakland International Airport is located approximately 5 miles northwest of the project site.

The proposed project would not expose people within the project site to safety hazards or excessive noise levels associated with aircraft or airport operations. There would be no impact in this regard.

NO IMPACT

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The proposed project would not interfere with an adopted emergency response plan or evacuation plan. The project site is located at the end of Point Eden Way. Because Point Eden Way is a dead-end street, it is not an evacuation route. The project does not include changes to Point Eden Way that could physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project would have no impact in this regard.

NO IMPACT

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The project site is not within or near state responsibility areas or lands classified as very high fire hazard severity zones. The nearest state responsibility area or land classified as very high fire hazard severity zone is at Garin Regional Park (California Department of Forestry and Fire Protection 2020). Garin Regional Park is approximately 4.5 miles east-northeast of the project site. Numerous firebreaks, such as freeways and urban development without wildland fuels exist between Garin Regional Park and the project site. The project site is bound by State Route 92 to the north and mostly inundated tidal marshland to the south. Therefore, the risk of wildland fire on the project site is low. There would be no impacts in this regard.

NO IMPACT

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10 Hydrology and 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 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 off-site;	☐	☐	■	☐
(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?	☐	☐	■	☐

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

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?

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Construction Impacts

During grading activities, the soils on the project site would be exposed to wind and water erosion that could transport sediments into local stormwater drainages. Also, accidental spills of fluids or fuels from construction vehicles and equipment, or miscellaneous construction materials and debris, could be mobilized and transported off-site in overland flow. These contaminant sources could degrade the water quality of receiving water bodies (i.e., San Francisco Bay), potentially resulting in a violation of water quality standards.

As part of Section 402 of the CWA, the USEPA has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control both construction and operation (occupancy) stormwater discharges. The federal CWA was first adopted in 1972 and is intended to protect and preserve water supply and quality in the "waters of the nation." In the Bay Area, the San Francisco Regional Water Quality Control Board (RWQCB) administers the NPDES permitting program and is responsible for developing permitting requirements. The proposed project would be subject to the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) – NPDES Permit Order No. R2-2015-0049, and the provisions set forth in Section C.3 *New Development and Redevelopment*. Under the conditions of the permitting program, the applicant would be required to eliminate or reduce non-stormwater discharges to waters of the nation, develop and implement a Stormwater Pollution Prevention Plan (SWPPP) for construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the site SWPPP. Because the proposed project would disturb at least one acre of land, the project must provide stormwater treatment and would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ or 2009-0009-DWQ General Permit).

Further, in accordance with Hayward Municipal Code Chapter 10, Article 8 (Grading and Clearing), all grading activities must be conducted in a manner that will minimize the potential for erosion from the site. If requested by the City engineer, the project applicant would be required to prepare and implement an Erosion and Sediment Control Plan that specifies control techniques that would prevent erosion during construction. Therefore, with compliance with construction-related water quality and erosion control requirements, construction of the proposed project would not violate water quality standards. Impacts resulting from project construction would be less than significant.

Operational Impacts

With the exception of dilapidated structures, the project site is generally pervious and allows for infiltration of precipitation, reducing stormwater runoff volume and velocity. Following construction, the proposed industrial building and associated driveway and surface parking would

be impervious. An increase in the total area of impervious surfaces on the eastern component of the project site could result in a greater potential to introduce pollutants to receiving waters. Urban runoff can carry a variety of pollutants, including oil and grease, metals, sediment, and pesticide residues from roadways, parking lots, rooftops, and landscaped areas depositing them into adjacent waterways via the storm drain system.

Stormwater discharge during operation is regulated by the Municipal Separate Storm Sewer System (MS4) Permit, issued by the RWQCB, pursuant to NPDES regulations. Water quality in stormwater runoff is regulated locally by the Alameda County Clean Water Program, which includes the C.3 provisions set by the San Francisco Bay RWQCB. Provision C.3 of the MRP addresses post-construction stormwater requirements for new development and redevelopment projects that add and/or replace 10,000 square feet or more of impervious area. Because the proposed project would replace in excess of 10,000 square feet of the impervious surface of the project site, it must comply with the C.3 provisions set by the RWQCB. Therefore, the proposed project must meet certain criteria including: 1) incorporate site design, source control, and stormwater treatment measures into the project design; 2) minimize the discharge of pollutants in stormwater runoff and non-stormwater discharge; and 3) minimize increases in runoff flows as compared to pre-development conditions. A Stormwater Control Plan (SCP) that details the site control, source control, and stormwater measures that would be implemented at the site must be submitted to the City. In addition, Low Impact Development (LID) requirements apply. In accordance with the C.3 requirements, the project is designed to direct runoff from the industrial building roof, sidewalks, and surface parking areas into on-site landscaped bioretention areas to treat runoff before entering the stormwater system. The proposed preserve area on the western component of the project site would not increase impervious surface area or change current runoff conditions.

Given required compliance to the provisions of NPDES Section C.3, the SWPPP, and the stormwater control plan, the proposed project would not result in adverse effects on water quality and or in the violation of water quality standards or waste discharge requirements during construction or operation. Therefore, the proposed project would have a less than significant impact on water quality. With implementation of the measures contained in these plans, excessive stormwater runoff, substantial erosion or siltation on- or off-site would not occur and the potential for the project to violate water quality standards and substantially degrade water quality would be reduced.

The proposed project would connect to the City of Hayward Sanitary District sanitary sewer system. Sanitary sewage from the City's system is treated at the Hayward Water Pollution Control Facility (WPCF). Effluent, which refers to wastewater that has undergone treatment at the WPCF, is discharged into the San Francisco Bay under a permit with the RWQCB. Since the WPCF is considered a publicly owned treatment facility, operational discharge flows treated at the WPCF must comply with applicable water discharge requirements issued by the RWQCB. Compliance with conditions or permit requirements established by the City as well as water discharge requirements outlined by the RWQCB would ensure that wastewater discharges coming from the project site and treated by the WPCF system would not exceed applicable RWQCB wastewater treatment requirements. Mandatory compliance with the permit requirements would prevent stormwater runoff and effluent discharges from violating water quality standards or substantially degrading water quality. Thus, the proposed project would not conflict with or obstruct implementation of a water quality control plan.

The proposed on-site bioretention areas would allow for precipitation and runoff from impervious project surfaces to infiltrate the ground surface. Therefore, although the proposed project would

increase the amount of impervious area on the project site, runoff from the impervious areas would still contribute to groundwater recharge. Additionally, the proposed project does not include use of groundwater supplies, as the City of Hayward receives its water from the Hetch Hetchy system (City of Hayward 2020c). Although there is no adopted sustainable groundwater management plan for the groundwater basin underlying the project site, because the proposed project would allow for infiltration and not use groundwater, it would not conflict with such a plan. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(i) 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 result in substantial erosion or siltation on- or off-site?

c.(ii) 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iii) 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 that would 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?

The proposed project would not alter the course of a stream or river. Jurisdictional wetlands occur on-site, but there are no streams or rivers (i.e., flowing waterways) on the project site.

The addition of the proposed industrial building and associated surface parking and driveway area would increase the amount of impervious surface area on-site. However, the proposed project would include on-site bioretention areas to capture and treat runoff prior to discharge into the existing storm-drain system. The bioretention areas would slow the velocity of runoff and allow for infiltration, reducing the amount of runoff that is discharged to the storm-drain system. Therefore, because runoff would be conveyed to bioretention areas, substantial erosion on- or off-site would be avoided, as would flooding. Additionally, the proposed project includes landscaping, which would restore ground cover following construction. The establishment of groundcover would reduce erosion potential of on-site soils. The proposed preserve would not add or increase impervious surface on the project site. The wetland preserve would not alter drainage patterns as no changes to current conditions within the proposed preserve area are proposed. Therefore, the proposed preserve would not exceed the capacity of stormwater drainage systems. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(iv) 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 impede or redirect flood flows?

A portion of the project site is mapped by the Federal Emergency Management Agency as 100-year floodplain (Federal Emergency Management Agency 2009). The proposed preserve area, new San

Francisco Bay Trail alignment, and a portion of the proposed industrial building and surface parking would be within the mapped floodplain. The industrial building and surface parking area would increase the amount of impervious surface area within the floodplain. Increases in impervious area can contribute to accelerated stormwater runoff flow and larger volumes of flow. However, during a flood event, flood flows would infiltrate surrounding pervious areas, which are abundant due to marshlands to the south and east of the site. Additionally, the proposed preserve area would remain pervious and available for flood flow storage. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

According to the California Emergency Management Agency, the western component of the project site where the proposed preserve area would be located is subject to inundation by tsunami (California Emergency Management Agency 2009). The preserve area is also within 100-year floodplain. Given the proximity of this portion of the project site to the San Francisco Bay, it is also assumed that seiche could inundate the preserve area. The proposed preserve area would not involve the use or storage of substantial amounts of hazardous materials or pollutants. Therefore, inundation of the preserve area would not release pollutants.

A portion of the proposed industrial building would also be located within area the Federal Emergency Management Area has mapped as 100-year floodplain. Currently, ground surface elevation in this area of the project site ranges from approximately 3 feet to 8.6 feet above mean sea level. The proposed project includes grading, which would raise ground elevations beneath the building by more than 5 feet in some locations. Following grading, the ground floor of the building and the surface parking area would be above flood elevations. Therefore, the industrial building would not be inundated from flooding events.

King tides are the exceptionally high tides that typically occur in December and January, when the moon is closest to the Earth. As climate change continues to progress, these tides will eventually become the normal high tide experienced in the Bay. This poses a particular threat to bayfront facilities and infrastructure, including those in Hayward. While marshes along the Hayward shoreline are currently protected by a system of levees, including the San Francisco Bay Trail, they will not be safe in the long term. The levee system was created for salt production, not flood prevention, and today's king tides can already overtake them, as evidenced by the king tide that flooded the Bay Trail in January 2017 (City of Hayward 2020b). According to the National Oceanic and Atmospheric Administration, the highest tide in January 2017 occurred on January 11, 2017, and was at an elevation of 4.84 feet above mean sea level (National Oceanic and Atmospheric Administration 2020). This high tide was measured at a sensor in San Leandro, which is the nearest sensor to the project site that records tidal elevations using mean sea level as the datum.

The project site is currently not behind the San Francisco Bay Trail levee. Lower lying areas in the portions of the project site are currently subject to inundation from 12 inches of sea level rise, which is expected in the Bay Area by 2100 (City of Hayward 2020a; 2020b). As described in later in Section 11, *Land Use and Planning*, the *Hayward Regional Shoreline Adaptation Plan* is currently being prepared, and the draft plan indicates that portions of the project site will be subject to inundation from sea level rise (Hayward Area Shoreline Planning Agency 2019). Based on an existing conditions topographic study submitted as part of the project plan set, these low-lying areas are currently approximately 4 to 6 feet in elevation, measured from mean sea level. The ground floor of the proposed building would be approximately 10 feet above sea level, and the surface parking

would be approximately 8 feet in elevation. Therefore, reasonably foreseeable sea level rise would not inundate the proposed industrial building or surface parking area. The surface of the relocated segment of the San Francisco Bay Trail would also be approximately 8 feet in elevation, measured from mean sea level. Therefore, the relocated trail segment would be approximately 3.16 feet above the recorded king tide elevation in January 2017, which was 4.84 feet. Inundation of the relocated trail segment would not occur from reasonably foreseeable sea level rise. Inundation of the proposed preserve area could occur, consistent with existing conditions, but as described above, no pollutants would be released from inundation of the preserve area. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

11 Land Use and 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?	☐	☐	■	☐

a. Would the project physically divide an established community?

State Route 92 is located to the north of the project site, and additional former salt evaporation ponds are located north of State Route 92. Point Eden Way to the east of the project site provides access to multiple office buildings including technical and pharmaceutical companies. The California Department of Fish and Wildlife (CDFW) Eden Landing Ecological Reserve is located directly south of the project site. Additional saltwater marshes and the San Francisco Bay are located to the west of the project site. The project does not include linear features or road or trail closures that would limit movement or access within the surrounding neighborhood. The proposed project would not divide an established community. There would be no impact in this regard.

NO IMPACT

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?

The City's General Plan includes numerous policies, many of which do not pertain to environmental resources. Generally, the Natural Resources Element of the General Plan contains the policies that the City has adopted to avoid or mitigate effects on the environment. The policies address a variety of topics, including biological resources, air quality and greenhouse gas reduction, open space, energy resources and efficiency, mineral resources, hydrology and water quality, water conservation, paleontological resources, and scenic resources. A discussion of the project's consistency with applicable General Plan policies is provided in Table 12.

Table 12 General Plan Policy Consistency Analysis

General Plan Policy	Consistency Determination
NR-1.1 Native Wildlife Habitat Protection. The City shall limit or avoid new development that encroaches into important native wildlife habitats; limits the range of listed or protected species; or creates barriers that cut off access to	**Potentially Consistent.** The proposed project would establish an approximately 32-acre preserve area of salt pond and wetland habitat. The proposed industrial building would be located adjacent to existing office and industrial development and would not create a barrier or isolate habitat for special-status species.

food, water, or shelter of listed or protected species.	
NR-1.2 Sensitive Habitat Protection. The City shall protect sensitive biological resources, including state and federally designated sensitive, rare, threatened, and endangered plant, fish, and wildlife species and their habitats from urban development and incompatible land uses.	**Potentially Consistent.** The proposed project would establish an approximately 32-acre preserve characterized primarily by open water salt pond and wetland habitat. The preserve would ensure the urban development does not infringe on this habitat. The proposed industrial building and relocated segment of the San Francisco Bay Trail would impact primarily ruderal (weedy) vegetation of low value.
NR-1.3 Sensitive Species Identification, Mapping, and Avoidance. The City shall require qualified biologists to identify, map, and make recommendations for avoiding all sensitive biological resources on the project site, including State and Federally sensitive, rare, threatened, and endangered plant, fish, and wildlife species and their habitats using methods and protocols in accordance with the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and California Native Plant Society for all development applications proposed within sensitive biological resource areas.	**Potentially Consistent.** A Biological Resources Assessment was prepared by qualified biologists and is provided as Appendix A to this Initial Study. The Biological Resources Assessment identifies potential impacts to sensitive biological resources and provides recommended mitigation, as applicable, to reduce impacts.
NR-1.4 Shoreline Protection and Enhancement. The City shall coordinate with the Hayward Area Shoreline Planning Agency, Bay Conservation and Development Commission, and California Coastal Commission to conserve, protect, and enhance natural and cultural resources along the San Francisco Bay shoreline by balancing uses that support multiple community needs, such as recreation, tourism, cultural resource preservation, and natural resource protection.	**Potentially Consistent.** The proposed project is adjacent to wetlands that are considered part of the shoreline of the San Francisco Bay (Hayward 2020a). Therefore, coordination with the Hayward Area Shoreline Planning Agency and the Bay Conservation and Development Commission is required. Notice about the proposed project was shared with the agencies, and this Initial Study and the accompanying Notice of Preparation of the Draft Environmental Impact Report will be sent to these agencies for review and comment.
NR-1.5 Large-Scale Natural Area Access. The City shall support efforts to improve access to publicly owned large-scale natural areas located within the Planning Area, including the shoreline, creeks, regional parks, riparian corridors, and hillside open space areas, by allowing them to be open for controlled access to improve public enjoyment and education, while also limiting access to extremely sensitive natural habitat and minimizing human-related environmental impacts.	**Potentially Consistent.** The proposed project would include relocation of a segment of the public-access San Francisco Bay Trail to an area closer to former salt pond wetlands and closer to the shoreline. The trail would be located on ruderal vegetation on the project site. Ruderal vegetation is not sensitive natural habitat.
NR-1.6 Migratory Bird Habitat Protection. The City shall support the efforts of the Hayward Area Shoreline Planning Agency and other agencies to preserve and protect tidal flats and salt ponds with low salinity for migratory waterfowl that depend on these areas.	**Potentially Consistent.** The proposed project would include creation of an approximately 32-acre preserve that consists primarily of former salt ponds. The preserve would continue to be suitable for migratory waterfowl.
NR-1.7 Native Tree Protection. The City shall encourage protection of mature, native tree species to the maximum extent practicable, to support the local eco-system, provide shade,	**Potentially Consistent.** The proposed project would not require removal of trees. The proposed project includes landscaping, which would incorporate native trees into the planting mix.

create windbreaks, and enhance the aesthetics of new and existing development.	
NR-1.9 Native Plant Species Protection and Promotion. The City shall protect and promote native plant species in natural areas as well as in public landscaping.	**Potentially Consistent.** Construction of the proposed project would require grading and removal of existing vegetation cover. However, vegetation on the project site is characterized by ruderal (weedy) vegetation and a few landscaping plantings. Therefore, construction of the project would not substantially impact native plant species. Proposed landscaping would consist of native plant species.
NR-1.11 Creek and Floodplain Access Easements. The City shall identify and create opportunities for public access to and maintenance of creek corridors and floodplains through the creation of access easements, where practical.	**Potentially Consistent.** The proposed project includes relocating a segment of the public-access San Francisco Bay Trail. The relocation would place more of the trail within the 100-year floodplain.
NR-2.1 Ambient Air Quality Standards. The City shall work with the California Air Resources Board and the Bay Area Air Quality Management District to meet State and Federal ambient air quality standards in order to protect all residents from the health effects of air pollution.	**Potentially Consistent.** As described in Section 3, *Air Quality*, emissions of criteria pollutants generated from the proposed project would not exceed ambient air quality standards.
NR-2.2 New Development. The City shall review proposed development applications to ensure projects incorporate feasible measures that reduce construction and operational emissions for reactive organic gases (ROG), nitrogen oxides (NOX), and particulate matter (PM10 and PM2.5) through project location and design.	**Potentially Consistent.** As described in Section 3, *Air Quality*, emissions of criteria pollutants generated from the proposed project would not exceed ambient air quality standards.
NR-2.3 Emissions Reduction. The City shall require development projects that exceed Bay Area Air Quality Management District reactive organic gas (ROG), nitrogen oxide (NOX) operational thresholds to incorporate design or operational features that reduce emissions equal to at least 15 percent below the level that would be produced by an unmitigated project.	**Potentially Consistent.** As described in Section 3, *Air Quality*, emissions of criteria pollutants generated from the proposed project would not exceed ambient air quality standards.
NR-2.6 Greenhouse Gas Reduction in New Development. The City shall reduce potential greenhouse gas emissions by discouraging new development that is primarily dependent on the private automobile; promoting infill development and/or new development that is compact, mixed use, pedestrian friendly, and transit oriented; promoting energy-efficient building design and site planning; and improving the regional jobs/housing balance ratio.	**Potentially Consistent.** The proposed project would be located along the San Francisco Bay Trail. The Bay Trail is used for both recreational and commuting purposes. Commutes on the trail are primarily by bicycle from neighboring communities. Additionally, the proposed project would provide employment opportunities in an established industrial neighborhood that would likely be filled by residents in the region. The proposed industrial building would be constructed consistent with CalGreen Code for energy efficiency.
NR-2.7 Coordination with Bay Area Air Quality Management District. The City shall coordinate with the Bay Area Air Quality Management District to ensure projects incorporate feasible mitigation measures to reduce greenhouse gas emissions and air pollution if not already provided for through project design.	**Potentially Consistent.** As described in Section 3, *Air Quality*, emissions of criteria pollutants generated from the proposed project would not exceed ambient air quality standards. Emissions of GHG would be below thresholds, as described in Section 8, *Greenhouse Gas Emissions*.

NR-2.10 Zero-Emission and Low-Emission Vehicle Use. The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities throughout the City.	**Potentially Consistent.** The proposed project would be located along the San Francisco Bay Trail. The Bay Trail is used for both recreational and commuting purposes. Commutes on the trail are primarily by bicycle from neighboring communities. Two bike lockers and two bike stalls would also be provided on-site. Additionally, two parking spaces for electric vehicles would be provided on-site.
NR-2.16 Sensitive Uses. The City shall minimize exposure of sensitive receptors to toxic air contaminants (TAC), fine particulate matter (PM2.5), and odors to the extent possible, and consider distance, orientation, and wind direction when siting sensitive land uses in proximity to TAC- and PM2.5-emitting sources and odor sources in order to minimize health risk.	**Potentially Consistent.** The proposed project would not generate substantial sources of TAC, PM2.5 or odors. Additionally, the proposed project is not located adjacent to residential, school, hospital, or other sensitive receptors.
NR-2.17 Source Reduction Measures. The City shall coordinate with and support the efforts of the Bay Area Air Quality Management District, the California Air Resources Board, the U.S. Environmental Protection Agency, and other agencies as appropriate to implement source reduction measures and best management practices that address both existing and new sources of toxic air contaminants (TAC), fine particulate matter (PM2.5), and odors.	**Potentially Consistent.** The proposed project would not generate substantial sources of TAC, PM2.5 or odors.
NR-2.18 Exposure Reduction Measures for New Receptors. The City shall require development projects to implement all applicable best management practices that will reduce exposure of new sensitive receptors (e.g., hospitals, schools, daycare facilities, elderly housing and convalescent facilities) to odors, toxic air contaminants (TAC) and fine particulate matter (PM2.5).	**Potentially Consistent.** The proposed project would not involve the construction of hospitals, schools, daycare facilities, or elderly housing and convalescent facilities. No new sensitive receptors would be added to the area as a result of the proposed project.
NR-3.2 Interagency Restoration Coordination. The City shall coordinate with Hayward Area Shoreline Planning Agency, East Bay Regional Park District, Bay Conservation and Development Commission, California Coastal Commission, and other federal, state, and regional agencies to identify methods for acquiring and restoring baylands and marsh habitats, expanding the National Wildlife Refuge, and funding the purchase and restoration of wetland habitats.	**Potentially Consistent.** While the project would not involve regulatory agency acquisition of wetland habitat, it would create an approximately 32-acre area of wetland preserve.
NR-4.1 Energy Efficiency Measures. The City shall promote the efficient use of energy in the design, construction, maintenance, and operation of public and private facilities, infrastructure, and equipment.	**Potentially Consistent.** The proposed industrial building would be constructed consistent with CalGreen Code for energy efficiency.
NR-4.3 Efficient Construction and Development Practices. The City shall encourage construction and building development practices that	**Potentially Consistent.** The proposed industrial building would be constructed consistent with CalGreen Code for energy efficiency.

maximize the use of renewable resources and minimize the use of non-renewable resources throughout the lifecycle of a structure.	
NR-4.11 Green Building Standards. The City shall require newly constructed or renovated public and private buildings and structures to meet energy efficiency design and operations standards with the intent of meeting or exceeding the State's zero net energy goals by 2020.	**Potentially Consistent.** The proposed industrial building would be constructed consistent with CalGreen Code for energy efficiency.
NR-4.12 Urban Forestry. The City shall encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.	**Potentially Consistent.** The proposed project would not require removal of trees. The proposed project includes landscaping, which would incorporate native trees into the planting mix.
NR-5.1 Mineral Resource Protection. The City shall protect mineral resources in undeveloped areas that have been classified by the State Mining and Geology Board as having statewide or regional significance for possible future extraction by limiting new residential or urban uses that would be incompatible with mining and mineral extraction operations.	**Potentially Consistent.** The only mineral resource "sector" in the City designated by the State Mining and Geology Board is the La Vista Quarry, located in the area east of Mission Boulevard and Tennyson Road (City of Hayward 2014b). The project site is not in the La Vista Quarry. Therefore, the proposed project would not be incompatible within mining and mineral extraction operations in areas that have been classified by the State Mining and Geology Board as having statewide or regional significance.
NR-6.2 Saltwater Intrusion Prevention. The City shall prohibit groundwater withdrawals in industrial and commercial areas near the Bay shoreline which could result in saltwater intrusion into freshwater aquifers.	**Potentially Consistent.** The proposed project would not involve withdrawal of groundwater.
NR-6.3 Saltwater Slough and Marsh Sedimentation Protection. The City shall ensure that dredging and grading activities do not contribute to sedimentation of saltwater sloughs or marshes.	**Potentially Consistent.** As described in Section 10 *Hydrology and Water Quality*, mandatory implementation of a SWPPP would reduce erosion and the potential for sedimentation of water bodies during grading of the project site.
NR-6.5 Erosion Control. The City shall concentrate new urban development in areas that are the least susceptible to soil erosion into water bodies in order to reduce water pollution.	**Potentially Consistent.** As described in Section 10 *Hydrology and Water Quality*, mandatory implementation of a SWPPP would reduce erosion and the potential for sedimentation of waterbodies during project construction. During project operation, base soils susceptible to erosion would not be present because construction disturbance would be planted to restore vegetation cover or developed with impervious surface, such as asphalt parking.
NR-6.6 Stormwater Management. The City shall promote stormwater management techniques that minimize surface water runoff and impervious ground surfaces in public and private developments, including requiring the use of Low Impact Development (LID) techniques to best manage stormwater through conservation, onsite filtration, and water recycling.	**Potentially Consistent.** As described in Section 10 *Hydrology and Water Quality*, the proposed project would utilize on-site bioretention areas to capture and treat stormwater.
NR-6.12 Dual Plumbing Systems. The City shall encourage the installation and use of dual	**Potentially Inconsistent.** The proposed project does not include dual plumbing design.

plumbing systems in new buildings to recycle greywater.	
NR-6.15 Native Vegetation Planting. The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.	**Potentially Consistent.** The proposed project would include landscaping consisting of native plant species. No groundwater withdrawal is proposed for landscaping or otherwise.
NR-6.16 Landscape Ordinance Compliance. The City shall continue to implement the Bay Friendly Water Efficient Landscape Ordinance.	**Potentially Consistent.** The proposed project would be subject to the Bay Friendly Water Efficient Landscape Ordinance.
NR-7.1 Paleontological Resource Protection. The City shall prohibit any new public or private development that damages or destroys a historically- or prehistorically-significant fossil, ruin, or monument, or any object of antiquity.	**Potentially Consistent.** As described in Section 7, *Geology and Soils*, the proposed project is underlain by geologic units with low potential to yield substantial paleontological resources.
NR-7.2 Paleontological Resource Mitigation. The City shall develop or ensure compliance with protocols that protect or mitigate impacts to paleontological resources, including requiring grading and construction projects to cease activity when a paleontological resource is discovered so it can be safely removed.	**Potentially Consistent.** As described in Section 7, *Geology and Soils*, the proposed project is underlain by geologic units with low potential to yield substantial paleontological resources.
NR-8.3 Scenic Transportation Corridor Protection. The City shall protect the visual characteristics of transportation corridors that are officially designated as having unique or outstanding scenic qualities, including portions of I-580, I-880, and State Route 92.	**Potentially Consistent.** The proposed project would be visible from State Route 92. However, the proposed industrial building would be seen in context with other buildings of similar massing and appearance, and the proposed elevations would incorporate high quality materials and sculptural elements to create visual interest along the building frontage. Additionally, the proposed project would establish a preserve of approximately 32 acres, characterized by salt ponds and wetlands typical of the surrounding shoreline of the San Francisco Bay.
NR-8.4 Shoreline Views Protection. The City shall maintain and implement residential and non-residential design guidelines in order to protect existing views of the Bay shoreline.	**Potentially Consistent.** The proposed project must be constructed consistent with non-residential design guidelines.

Note: All policies listed in this table are from the Natural Resources Element of the City's General Plan. Policies from the Natural Resources Element not applicable to the project, such as policies pertaining to energy efficiency of the City's vehicle fleet, are not included in this table.

As shown in Table 12, the proposed project would be potentially consistent with most General Plan policies. The proposed project would be potentially inconsistent with Policy NR-6.10 and Policy NR-6.12. Policy 6.10 *encourages* rainwater catchment for reuse indoors and for landscaping. Policy NR-6.12 *encourages* dual plumbing systems in new buildings. However, as described in Section 19 *Utilities and Service Systems*, adequate water supplies would be available for the project and other foreseeable future growth in Hayward. The absence of rainwater catchment and a dual plumbing system in the proposed industrial building would not result in significant physical environmental impacts.

The **Hayward Regional Shoreline Adaptation Master Plan** was commissioned in 2019 by the H**ayward Area Shoreline Planning Agency (HASPA)** a joint powers agency consisting of representatives from the City of Hayward, East Bay Regional Park District, and Hayward Area Recreation and Park District. The Master Plan, still in draft form, will develop various multi-benefit strategies for the San Francisco Bay shoreline, its existing infrastructure, and the surrounding natural habitat in order to adapt to sea level rise. According to the Master Plan, the entire western component of the project site and low-lying portions of the eastern component of the project site will be susceptible to seawater inundation during future high tides (Hayward Area Shoreline Planning Agency 2019).

One of the stated goals of the Master Plan is reduce sea level rise risks to agency assets, such as the San Francisco Bay Trail. As described further in Section 10, *Hydrology and Water Quality* (see pages 73 and 74), inundation of the new, relocated segment of the San Francisco Bay Trail would not occur given its planned elevation of several feet above recorded king tide events in the area. Inundation of the proposed preserve area could occur, consistent with existing conditions. Although the preserve area could continue to be inundated, inundation would not result in significant environmental impacts, as described in Section 10, *Hydrology and Water Quality*. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. 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?

According the California Department of Conservation, the La Vista Quarry is the only mineral resource in the City that is of regional significance (California Department of Conservation 1987). The La Vista Quarry is located in the area east of Mission Boulevard and Tennyson Road, approximately 4.4 miles east of the project site. The La Vista Quarry is also the only identified locally important mineral resource site described in the City's General Plan (City of Hayward 2014b).

The project site was historically used to produce salt, which is a mineral. Saltwater from the San Francisco Bay was captured in ponds on-site, and then allowed to evaporate, leaving mineral salt in the dry ponds. The proposed project would demolish the former salt plant facilities and create a preserve within the 32-acre western component of the site containing former evaporation ponds. However, the source of mineral salt, which is saltwater in the San Francisco Bay, would remain and be unaffected by the proposed project. Additionally, while once important to the local community, salt production is not of particular value to the region and the residents of the state.

Because the project site is not a known mineral resource area of regional importance, and the nearest such area is approximately 4.4 miles from the project site, the proposed project would have no impacts on mineral resources.

NO IMPACT

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13 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?	☐	☐	☐	■

Fundamentals of Noise

The unit of measurement used to describe a noise level is the decibel (dB). However, the human ear is not equally sensitive to all frequencies within the sound spectrum. Therefore, a method called "A-weighting" is used to filter noise frequencies that are not audible to the human ear. A-weighting approximates the frequency response of the average young ear when listening to most ordinary everyday sounds. When people make relative judgments of the loudness or annoyance of a sound, their judgments correlate well with the "A-weighted" levels of those sounds. Therefore, the A-weighted noise scale is used for measurements and standards involving the human perception of noise. In this analysis, all noise levels are A-weighted, and "dBA" is understood to identify the A-weighted decibel.

Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. A 10 dB increase represents a 10-fold increase in sound intensity, a 20 dB change is a 100-fold difference, 30 dB is a 1,000-fold increase, etc. Thus, a doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; a halving of the energy would result in a 3 dB decrease.

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two equivalent noise sources combined do not sound twice as loud as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, whether an increase or decrease; that a change of 5 dBA

is readily perceptible; and that an increase (decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013a).

Certain land uses and groups are more sensitive to noise than others. These uses and groups, referred to as sensitive noise receptors, including things like residences, schools, nursing homes, libraries, and recording studios. There are no sensitive noise receptors, such as residences or nursing homes, within proximity to the project site.

Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs, and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors has been developed. The noise descriptors used for this analysis are the one-hour equivalent noise level (L_{eq}), the community noise equivalent level (CNEL) and the day-night average noise level (DNL).

- The L_{eq} is the level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time-varying sound. For example, $L_{eq(1h)}$ is the equivalent noise level over a 1-hour period and $L_{eq(8h)}$ is the equivalent noise level over an 8-hour period. $L_{eq(1h)}$ is a common metric for limiting nuisance noise whereas $L_{eq(8h)}$ is a common metric for evaluating construction noise.
- The CNEL is a 24-hour equivalent sound level. The CNEL calculation applies an additional 5 dBA penalty to noise occurring during evening hours, between 7:00 p.m. and 10:00 p.m., and an additional 10 dBA penalty is added to noise occurring during the night, between 10:00 p.m. and 7:00 a.m. These increases for certain times are intended to account for the added sensitivity of humans to noise during the evening and night.
- The DNL (or L_{dn}) is another 24-hour equivalent sound level, which applies an additional 10 dBA penalty to noise occurring during the night, between 10:00 p.m. and 7:00 a.m. (U.S. HUD 2009).

Propagation

Sound from a small, localized source (approximating a “point” source) radiates uniformly outward as it travels away from the source in a spherical pattern, known as geometric spreading. The sound level decreases or drops off at a rate of 6 dBA for each doubling of the distance.

Traffic noise is not a single, stationary point source of sound. Over a given time interval, the movement of vehicles makes the source of the sound appear to emanate from a line (line source) rather than a point. The drop-off rate for a line source is 3 dBA for each doubling of distance.

Vibration

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hz. The frequency of a vibrating object describes how rapidly it oscillates. The normal frequency range of most groundborne vibration that can be felt by the human body starts from a low frequency of less than 1 Hz and goes to a high of about 200 Hz (Crocker 2007).

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction

activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (Federal Transit Administration [FTA] 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2013b). When a building is impacted by vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may amplify the vibration level due to structural resonances of the floors and walls.

Vibration amplitudes are usually expressed in peak particle velocity (PPV) or RMS vibration velocity. The PPV and RMS velocity are normally described in inches per second. PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings (Caltrans 2013b).

Caltrans has published applicable guidelines for vibration annoyance caused by transient and intermittent sources, as shown in in Table 13.

Table 13 Caltrans Criteria for Vibration Analysis

	Maximum PPV (in/sec)	
Human Response	**Transient Sources[1]**	**Continuous/Frequent Intermittent Sources[1]**
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

[1] Caltrans defines transient sources as those that create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources can include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Source: Caltrans 2013b

In addition, Caltrans has published guidelines for structural damage from vibration, as shown in Table 14.

Table 14 Caltrans Criteria for Vibration Damage

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: Caltrans 2013b

Regulatory Setting

The City's noise regulations are established in Chapter 4, Article 1 of the Hayward Municipal Code. Section 4-1.03.1 of the Hayward Municipal Code states that "no person shall produce or allow to be produced by human voice, machine, device, or any other combination of same, on commercial or industrial property, a noise level at any point outside of the property plane that exceeds 70 dBA. More stringent requirements are provided for commercial or industrial property that abut residential property.

Section 4-1.03.4 of the Hayward Municipal Code states that during construction no individual piece of equipment shall produce a noise level exceeding 83 dBA at 25 feet from the source. In addition, construction noise shall not exceed 86 dBA at any point outside of the property plane. This section also limits construction, alteration, or repair of structures and any landscaping activities to the hours below:

- Sundays and holidays between 10:00 a.m. and 6:00 p.m.
- Monday through Saturday between 7:00 a.m. and 7:00 p.m.

Policy HAZ-8.22 of the City's General Plan requires a vibration impact assessment for proposed projects in which heavy-duty equipment would be used (e.g., pile driving, bulldozing) within 200 feet of an existing structure or sensitive receptor.

Impact Assessment

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?

The proposed project could generate temporary noise increases during construction and long-term increases associated with project operation; however, as discussed below, both construction-related and operational noise would be less than significant.

Construction

Construction of the proposed project would require activities such as excavation. Heavy machinery, such as a backhoe, would be used for these activities. Heavy machinery would generate noise during various stage of construction. The Federal Transit Administration (FTA) has published typical noise levels of numerous pieces of heavy machinery used for construction (FTA 2018). The typical noise

levels of construction equipment, as reported by the FTA, is provided in Table 15. Table 15 also shows expected noise levels at 25 feet from the source, based on an attenuation rate of 6 dBA per doubling of distance from the source.

Table 15 Construction Equipment Noise Levels

Equipment	Typical Noise Level at 50 Feet from Source (dBA)	Typical Noise Level at 25 Feet from Source (dBA)
Air Compressor	80	83
Backhoe	80	83
Compactor	82	85
Concrete Mixer	85	88
Concrete Pump	82	85
Concrete Vibrator	76	79
Crane, Derrick	88	91
Crane, Mobile	83	86
Dozer	85	88
Generator	82	85
Grader	85	88
Impact Wrench	85	88
Jack Hammer	88	91
Loader	80	83
Paver	85	88
Pile-driver (Impact)	101	104
Pneumatic Tool	85	88
Pump	77	80
Rail Saw	90	93
Rock Drill	95	98
Roller	85	88
Saw	76	79
Scarifier	83	86
Scraper	85	88
Shovel	82	85
Truck	84	87

Source: FTA 2018

Section 4-1.03.4 of the Hayward Municipal Code states that during construction no individual piece of equipment may produce a noise level exceeding 83 dBA at 25 feet from the source. In addition, construction noise shall not exceed 86 dBA at any point outside of the property plane. As shown in Table 15, some construction equipment noise would exceed 83 dBA at 25 feet from the source, such as a dozer, roller, and truck.

Construction activities would begin soon after entitlements are granted and would be completed in approximately 12 to 18 months. Construction would be conducted between the hours of 7 a.m. and 7 p.m. on weekdays, when most people are awake. Construction work would not typically or routinely occur on weekends. If circumstances do require occasional construction work on weekends, work would be restricted to Saturdays between the hours of 7:00 AM and 7:00 PM. Additionally, there are no sensitive noise receptors, such as residences or nursing homes, within proximity to the project site. Because construction would occur during the day when people are less sensitive to noise, and because there no sensitive receptors in proximity to the project site, construction noise impacts would be less than significant.

Operation

Employment at the proposed industrial building would generate new vehicle trips and incrementally increase traffic on area roadways, which would increase roadway noise. Approximately 20 to 25 employees would work on-site. Assuming each employee commutes separately, the addition of 25 vehicle trips in the morning and evening hour would be a negligible increase in traffic volume on area roadways considering State Route 92 is just north of the site, parallel with Point Eden Way. Generally, a doubling of traffic (i.e., 100 percent traffic increase) increases noise levels by approximately 3 dBA, which is the human level of perception for an increase in noise (FTA 2018). The proposed project would not double traffic on area roadways. Therefore, vehicle trips generated by operation of the project would not generate noticeable increases in ambient noise levels.

The primary on-site noise sources associated with operation of the proposed project would include vehicle circulation noise (e.g., engine startups, alarms, parking) at the on-site parking lot; and, heating, ventilation, and air conditioning (HVAC) equipment at the proposed industrial building. Typical noise sources associated with parking lots include tire squealing, door slamming, car alarms, horns, and engine start-ups. The proposed project includes approximately 79 parking spaces, located primarily on the west side of the proposed industrial building, but also on the north side. The parking spaces would be as close as 40 feet from the project site property boundary. Table 16 shows typical noise levels of various parking lot sources at a distance of 40 feet from parking spaces. These are instantaneous noise levels which would occur for short bursts of time during the use of cars on the project site.

Table 16 Maximum Noise Levels from Parking Lot Activity

Source	Maximum Noise Level (dBA) at 50 Feet*	Maximum Noise Level (dBA) at 40 Feet**
Autos at 14 mph	50	51
Car Alarm Signal	69	70
Car Alarm Chirp	54	55

Car Horns	69	70
Door Slams or Radios	64	65
Talking	36	37
Tire Squeals	66	67

*Source: Gordan Bricken & Associates, 1996. Estimates are based on actual noise measurements taken at various parking lots.
**Based on attenuation rate of 6 dBA per doubling of distance using measurements from 50 feet distance.

As shown in Table 16, parking lot noise sources would not exceed 70 dBA at the site boundary. Additionally, the nearest existing industrial building to the closest proposed parking space would be more than 200 feet away, resulting in additional noise attenuation of the levels shown in Table 16. Therefore, operational parking lot noise would not exceed noise standards established in Hayward Municipal Code Section 4-1.03.1 for industrial property.

Mechanical equipment includes HVAC equipment typically located on the roof of a building or within an interior mechanical room. Noise levels from large-scale rooftop-mounted commercial HVAC systems are typically in the range of 60 to 70 dBA L_{eq} at a distance of 15 feet from the source (Illingworth & Rodkin, Inc. 2009). It is assumed that HVAC equipment for the proposed industrial building would not exceed this reference noise level for large-scale commercial facilities. At its closest point, the proposed industrial building would be located approximately 50 feet from the site boundary. At this distance, HVAC equipment would generate an estimated noise level of up to 60 dBA L_{eq}, without accounting for a shielding effect by rooflines and landscaping. Therefore, HVAC equipment noise would not exceed 70 dBA at the site boundary. The proposed wetland preserve would not generate operational noise. Operation of the proposed project would not result in noise levels inconsistent with Hayward Municipal Code Section 4-1.03.1. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction of the proposed project would intermittently generate vibration on and adjacent to the project site. Vibration-generating equipment may include bulldozers and loaded trucks to move materials and debris, and vibratory rollers for paving. It is assumed that pile drivers, which generate strong groundborne vibration, would not be used during construction. Vibration-generating equipment on the project site would be used as close as approximately 100 feet from the nearest existing structure to the project site. The nearest existing structure is an office/industrial building of modern construction to the east of the project site. Table 17 provides typical vibration levels for construction equipment based on data from the Federal Transit Administration (2018).

Table 17 Vibration Source Levels for Construction Equipment

	in/sec PPV				
Equipment	**25 feet**	**50 feet**	**100 feet**	**150 feet**	**200 feet**
Air Compressor	0.045	0.023	0.011	0.008	0.004
Backhoe	0.04	0.02	0.01	0.007	0.004

Equipment	in/sec PPV				
	25 feet	50 feet	100 feet	150 feet	200 feet
Compactor (ground)	0.057	0.028	0.014	0.01	0.005
Concrete Mixer	0.071	0.036	0.018	0.013	0.009
Dump Truck	0.025	0.013	0.006	0.004	0.003
Excavator	0.045	0.023	0.011	0.008	0.004
Flat Bed Truck	0.02	0.01	0.005	0.004	0.003
Front End Loader	0.036	0.018	0.009	0.006	0.005
Generator	0.045	0.023	0.011	0.008	0.004
Paver	0.113	0.057	0.028	0.02	0.014
Pickup Truck	0.023	0.011	0.006	0.004	0.003
Pneumatic Tools	0.071	0.036	0.018	0.013	0.009
Roller	0.04	0.02	0.01	0.007	0.004
Saw	0.013	0.006	0.003	0.002	0.001

Source: Federal Transit Administration 2018

Note: Values in table were converted to in/sec PPV from VdB.

As shown in Table 17, at a distance of 100 feet, vibration levels would be below 0.028 PPV in/sec for all construction equipment. This level of vibration would be below the Caltrans criteria for vibration damage to modern industrial/commercial buildings, which is 0.5 PPV in/sec (see Table 14). There are no sensitive receptors in proximity to the project site, such as residences where people may sleep and notice vibration. Operation of the proposed project would not involve uses that generate vibration. Therefore, because construction vibrations would not exceed Caltrans criteria at the nearest neighboring structures and operation would generate no vibration, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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?

The proposed project is not located within the vicinity of a private airstrip or an airport land use plan. There are no public airports or public use airports within two miles of the project site. The Hayward Executive Airport is the nearest airport to the project site and is located approximately 2.5 miles to the north. The Oakland International Airport is located approximately 5 miles northwest of the project site. The proposed project would not expose people within the project site to excessive noise levels associated with aircraft or airport operations. There would be no impact in this regard.

NO IMPACT

14 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 (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	■	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

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)?

The project site currently contains no operational businesses or structures that could be safely occupied by a business. The proposed industrial building would generate new business and jobs on the project site. However, the local workforce would be expected to fill many if not most jobs created by the proposed project. The proposed project is not a large technology campus or medical facility or similar type of development that would create jobs that attract people to relocate to the region from other areas of the state or country. Therefore, the proposed project would not directly induce substantial population growth in the area.

The project site would not require extension of roads. The proposed project includes a new driveway from existing Point Eden Way. The driveway would serve only the proposed project. Similarly, the proposed project would include new utility connections, but these connections would serve only the proposed project. Utility connections would be to existing utility mains within Point Eden Way, adjacent to the project site. Therefore, the proposed project would not indirectly induce substantial population growth in the area. Impacts would be less than significant.

LESS THAN SIGNIFICANT

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project site contains no existing housing. People do not reside on the project site. Therefore, the proposed project would displace no existing people or housing. The proposed project would have no impact in this regard.

NO IMPACT

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15 Public Services

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:				
1	Fire protection?	☐	☐	■	☐
2	Police protection?	☐	☐	■	☐
3	Schools?	☐	☐	☐	■
4	Parks?	☐	☐	■	☐
5	Other public facilities?	☐	☐	☐	■

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The project site is located approximately two miles west of Hayward Fire Department- Fire Station 4. According to Google Maps, the driving time between Fire Station 4 and the project site is approximately 8 minutes. However, Google Maps does not account for emergency response travel, such as traffic moving aside to let fire vehicles safely and quickly pass. The proposed industrial building would be next to existing similar development to the east and would not substantially increase the geographic response area for the Hayward Fire Department. Therefore, the existing Hayward Fire Department- Fire Station 4 would be adequate for serving the project site, and the construction of new or altered fire protection facilities would not be required. The proposed wetland preserve on the western portion of the site would not result in additional demand for fire protection services as current conditions within this area would remain unchanged by the project. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Community Safety Element of the City's General Plan contains policies to address the adequacy of police protection services and facilities. Policy CS-2.3 states that the City shall maintain optimum staffing levels for both sworn police officers and civilian support staff in order to provide quality police services to the community. The proposed project does not include new residential development that would increase the population of Hayward. Therefore, the service population of the Hayward Police Department would not increase as a result of the proposed project. New police officers or civilian support staff would not be required as a result of the proposed project.

General Plan Policy CS-2.4 states that the City shall strive to arrive at the scene of Priority 1 Police Calls within 5 minutes of dispatch, 90 percent of the time. The Hayward Police Department is located at 300 W. Winton Avenue in Hayward, approximately 2.9 miles northeast of the project site. According to Google Maps, the driving time between The Hayward Police Department and the project site is approximately 8 minutes. However, Google Maps does not account for emergency response travel, such as traffic moving aside to let police vehicles safely and quickly pass. The project site is adjacent to existing office and light industrial development that would require similar response times from the Hayward Police Department on Winton Avenue. Additionally, police officers are often on patrol at various locations in the City, allowing the nearest officer or officers to the scene to respond. The construction of new or altered police facilities would not be required to provide police protection services to the project. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The proposed project does not include new residential development that would directly increase the population of Hayward. Additionally, as described in Section 14, *Population and Housing*, the proposed project would not result in substantial indirect increases in population through employment. Because the proposed project would not substantially induce population growth, there would be no result substantial increase in school enrollment. The construction of new or altered school facilities would not be required. The proposed project would have no impact in this regard.

NO IMPACT

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

There are no parks on the project site. The proposed project would not physically alter existing parks. The San Francisco Bay Trail is located on the eastern edge of the eastern component of the project site, within APN 461-0085-020-01. The proposed project includes a land swap for East Bay

Regional Park District to relocate the Bay Trail from the current location along the eastern property line to meander along the southern property line and then to turn north to run along the western property line of APN 461-0085-020-02, until ending at its current location on Point Eden Way. However, the trail itself is not a park. Additionally, potential environmental impacts associated with the trail realignment are evaluated throughout this Initial Study as a component of the proposed project. Additionally, the project applicant would be required to adhere to Chapter 10, Article 16 of the Hayward Municipal Code, which requires industrial development to pay applicable park impact fees.

Because the project would not induce substantial population growth and would be subject to applicable park impact fees, it would not result in increased use of parks or demand for parks. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The proposed project does not include new residential development that would directly increase the population of Hayward. Additionally, as described in Section 14, *Population and Housing*, the proposed project would not result in substantial indirect increases in population through employment. Because the proposed project would not substantially induce population growth, there would be no result substantial increase demand for public facilities, such as libraries and court services. The construction of new or altered public facilities would not be required. The proposed project would have no impact in this regard.

NO IMPACT

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16 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?	☐	☐	■	☐

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?

The proposed project does not include new residential development that would directly increase the population of Hayward. Additionally, as described in Section 14, *Population and Housing*, the proposed project would not result in substantial indirect increases in population through employment. Because the proposed project would not substantially induce population growth, there would be no result substantial increase in use of existing recreational facilities in the area. Further, the proposed site plan incorporates over 800 square feet of passive recreation area including a shaded outdoor dining area for employees. The San Francisco Bay Trail currently and would traverse the project site. Persons working in the proposed industrial building may use the outdoor recreation area and the trail for outdoor open space on breaks or use the trail to commute to work via active transportation modes such as bicycling. However, an incremental increase in people walking or bicycling on the Bay Trail would not result in substantial physical deterioration or accelerated deterioration of the trail. Additionally, the project would be subject to the City's requirements for provision of park impact fees for industrial development. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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?

As described in the Project Description, the proposed project includes a land swap for East Bay Regional Park District to relocate the San Francisco Bay Trail from the current location along the eastern property line to meander along the southern property line and then to turn north to run along the western property line of APN 461-0085-020-02. The potential environmental impacts associated with the trail realignment are evaluated throughout this Initial Study as a component of the proposed project. No additional mitigation measures are required beyond those identified in other analysis sections of this Initial Study. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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17 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 section 15064.3, subdivision (b)?	■	☐	☐	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	■	☐
d. Result in inadequate emergency access?	☐	☐	■	☐

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

There are no transit stops on Point Eden Way. Point Eden Way is not part of a public transit route. Therefore, the proposed project would have no impacts on transit.

The project site is on Point Eden Way, which is part of the existing local roadway network in Hayward. The proposed project would not require modifications to Point Eden Way, such as improvements to intersections of Point Eden way with other public streets. The proposed industrial building would generate new vehicle trips, which could increase traffic delay on the surrounding local roadway network. However, pursuant to Section 15064.3(a) of the CEQA Guidelines, "effects on automobile delay shall not constitute a significant environmental impact." Therefore, impacts on the roadway circulation would be less than significant.

Point Eden Way has no pedestrian sidewalks. Therefore, the proposed project would have no impacts on pedestrian sidewalks, as sidewalks do not occur near the project site. However, the San Francisco Bay Trail is in the eastern portion of the project site and serves as a regional bicycle and pedestrian trail. The proposed project would involve realignment of the trail to a different portion of the project site so that the trail would be adjacent to salt pond and wetland preserve area rather than aligned between the proposed industrial building and existing development to the east and so that the trail would not have to cross the project driveway (see Figure 8).

During construction of the realignment, trail users would have to detour around the project site, resulting in a temporary delay and inconvenience to users. Additionally, the proximity of the proposed industrial building to the trail may incentivize some project employees to commute to work on bicycle via the trail. This would incrementally increase usership of the trail. However, given

that detours would be temporary, and that the project would have 20 to 25 employees, and not all would commute on the trail, impacts to bicycle and pedestrian facilities would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

CEQA Guidelines Section 15064.3(b) indicates that land use projects would have a significant impact if the project resulted in vehicle miles traveled (VMT) exceeding an applicable threshold of significance. The City of Hayward has developed screening criteria to provide project applicants with a conservative indication of whether a project could result in potentially significant VMT impacts. If the screening criteria are met by a project, the applicant would not need to perform a detailed VMT assessment for their project. The City's screening criteria for industrial employment uses, such as the proposed project, states that projects must be located in areas with below average VMT per employee and/or within 0.5 mile of a major transit stop or corridor. Projects must also include low VMT-supporting features that produce low VMT per employee. According to the City's screening criteria, the project site is in an area of Hayward where VMT per employee is average to 15 percent above average. The project site is not in an area with below average VMT per employee or within 0.5 mile of a major transit stop or corridor. Therefore, the proposed project does not meet applicable VMT screening criteria.

The project site is currently vacant and contains remnant structures of the former salt production operation and associated facilities, such as salt ponds. Because salt production no longer occurs on-site, effectively no VMT is currently generated from the project site. Development of the proposed industrial building on-site would create new land uses and employees would commute to and from the site. Vehicle trips generated by the proposed project would therefore be new VMT in addition to existing VMT in the Hayward. Impacts would be potentially significant and will be evaluated further in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

The proposed project would not modify existing curves or the roadway geometry of Point Eden Way. The driveway for the proposed industrial building would be located at the cul-de-sac end of Point Eden Way, which would minimize the potential for intersection conflicts with passing traffic.

The proposed industrial building would be used primarily as a warehouse for storage of containers. Containers would be delivered via tractor trailer or other large delivery trucks. However, Point Eden Way is a public road designed to accommodate all legal vehicles, including large trucks. Additionally, existing adjacent development currently generates large truck trips on Point Eden Way. For example, a bus and coach company is located adjacent to the project site. Therefore, vehicles associated with the proposed project would not be an incompatible use on existing roadways. The proposed preserve on the western component of the site would not result in vehicle trips of any kind, including from large or incompatible equipment and vehicles. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project result in inadequate emergency access?

The proposed industrial building would provide a driveway that encircles the entire building. The driveway would be designed and constructed to accommodate large trucks and equipment, such as fire trucks and ambulances. The San Francisco Bay Trail would be located adjacent to the driveway, making it easily accessible if emergency access to the trail is necessary. Emergency access would be adequate. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or 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. 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	☐	■	☐	☐
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	■	☐	☐

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is:

1. 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
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB

52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 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)?*

b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 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 Section 5024.1?*

Traditionally, the San Francisco Bay and its tributary streams and rivers were gathering places for Native American tribes. While no tribal cultural resources are known to occur on the project site, given its proximity to the shoreline of the San Francisco Bay, there could be unknown resources, particularly subsurface resources. Construction of the proposed project would require excavation and grading, which could damage or destroy tribal cultural resources, if present. However, impacts from the unanticipated discovery of tribal cultural resources during project construction would be less than significant with Mitigation Measure TCR-1.

Mitigation Measure

The following mitigation measure would reduce impacts regarding disrupting tribal cultural resources to a less than significant level.

TCR-1 Unanticipated Discovery of Tribal Cultural Resources

In the event that cultural resources of Native American origin are identified during construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.

LESS THAN SIGNIFICANT IMPACT

19 Utilities and 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 wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	■	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

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?

The proposed project would not require the relocation of water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities. These utilities exist within the right-of-way of Point Eden Way. The proposed project would require construction of new connections to the utilities within Point Eden Way. Additionally, new bioretention areas would be constructed on-site for stormwater treatment on the eastern component of the project site. The potential environmental impacts associated with the construction of utility connections and on-site

bioretention areas evaluated throughout this Initial Study as a component of the proposed project. For example, Section 5 *Cultural Resources*, identifies potentially significant impacts to cultural resources due to excavation required for project construction. Construction of new utility connections would require excavation. Mitigation measures provided in this Initial Study would reduce some potentially significant impacts of the proposed project to less than significant. Those that cannot be reduced will be further evaluated in an Environmental Impact Report.

LESS THAN SIGNIFICANT IMPACT

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?

The proposed project would receive its water from the City of Hayward. The City of Hayward provides water for residential, commercial, industrial, governmental, and fire suppression uses. The City owns and operates its own water distribution system and receives its water from the Hetch Hetchy system, owned and operated by the San Francisco Public Utilities Commission (SFPUC) (City of Hayward 2020c). Emergency water supplies are available through connections with Alameda County Water District (ACWD) and East Bay Municipal Utility District (EBMUD) in case of disruption of delivery (City of Hayward 2014a).

The City's Urban Water Management Plan (UWMP) assesses Hayward's water supply reliability, and describes the City's anticipated water demand, water shortage contingency plans, and water conservation strategies. The UWMP is based on the growth projections in the City's General Plan. Major water system projects in the near-term focus on replacing and renovating existing water storage reservoirs to increase storage capacity and improve structural reliability. Hayward has also made extensive efforts to improve the seismic safety of the water system, including seismic retrofits of several reservoirs and improvements to pipes at fault line crossings (City of Hayward 2016).

As determined in the City's UWMP, there is adequate water supply available to serve anticipated growth in Hayward, as envisioned by the City's General Plan. The proposed industrial building would be located on the portion of the project site designated Industrial Technology and Innovation Center (IC). Therefore, the industrial building would be consistent with the General Plan. The relocation of the San Francisco Bay Trail and establishment of the preserve on other areas of the project site would not generate demand for water supply. Therefore, there would be sufficient potable water supply to accommodate the anticipated demand increases resulting from the proposed project. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The proposed project would connect to the City of Hayward Sanitary District sanitary sewer system. Sanitary sewage from the City's system is treated at the Hayward Water Pollution Control Facility (WPCF). The EIR prepared and certified for the City's General Plan found that there was adequate capacity at the WPCF to serve development envisioned in the General Plan, based on the General Plan land use designations. The proposed industrial building would be consistent with the IP District zoning designation of the eastern component of the project site. Other components of the proposed project, including relocation of the San Francisco Bay Trail and establishment of the preserve would not generate wastewater. Therefore, the proposed project is consistent with the General Plan and

would not generate growth beyond that anticipated in the General Plan. Because the proposed project is consistent with the General Plan, and the WPCF has capacity for growth consistent with the General Plan, there would be adequate capacity at the existing WPCF for the proposed project. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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?

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The City of Hayward provides weekly garbage collection and disposal services through a franchise agreement with Waste Management, Inc. (WMI), a private waste management company. WMI subcontracts with a local non-profit, Tri-CED Community Recycling, for residential collection of recyclables. Altamont Landfill is the designated disposal site in the franchise agreement, which is approximately 25 miles northeast of the project site. Altamont Landfill is a Class II facility that accepts municipal solid waste from various cities, including Hayward. The landfill occupies a 2,170-acre site of which 472 acres are permitted for landfill. The landfill has a maximum permitted capacity of 124.4 million tons and permitted daily throughput of 11,150 tons. As of 2014, the landfill had 65.4 million tons of remaining capacity (Cal Recycle 2019).

According to the California Emissions Estimator Model (CalEEMod), an industrial park use generates approximately 1.24 tons of solid waste per year for each 1,000 square feet of industrial building. Office and warehouse uses generate less solid waste than industrial park (South Coast Air Quality Management District 2017). Therefore, to provide the most conservative analysis, the entire proposed building was considered industrial, including the office space. The proposed building would be approximately 113,730 square feet, resulting in approximately 0.4 ton of solid waste daily.[2] The 0.4 ton generated from the proposed project would be approximately substantially less than 1 percent of the total permitted daily throughput of 11,150 tons. This incremental increase in solid waste would not exceed the capacity of the Altamont Landfill. The proposed preserve on the western component of the site would not generate solid waste.

Hayward Municipal Code Chapter 5, Article 10 requires that for construction and demolition projects that generate significant debris, 100 percent of all asphalt and concrete and 50 percent of remaining materials must be recycled. Construction activities associated with the proposed project would be required to comply with this requirement. Further, the proposed project would comply with regulations related to solid waste, as mandated by law. For these reasons, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

2 Formula: (113,730 s.f / 1,000 s.f.) X 1.24 tons per year / 365 days per year = 0.003 tons per day

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20 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 downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	■

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?

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?

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?

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 downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is not within or near state responsibility areas or lands classified as very high fire hazard severity zones. The nearest state responsibility area or land classified as very high fire hazard severity zone is at Garin Regional Park (California Department of Forestry and Fire Protection 2020). Garin Regional Park is approximately 4.5 miles east-northeast of the project site. Numerous firebreaks, such as freeways and urban development without wildland fuels exist between Garin Regional Park and the project site. The project site is bound by State Route 92 to the north and mostly inundated tidal marshland to the south. Therefore, the risk of wildfire on the project site is low. There would be no impacts in this regard.

NO IMPACT

21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a. 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. 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. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■	□	□	□

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?

As described in Section 4, *Biological Resources*, the proposed project would have potentially significant impacts on special-status wildlife species. Additionally, as described in Section 5, *Cultural Resources*, the proposed project would involve the demolition of a historic resource. Impacts would be potentially significant and will be further evaluated in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

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)?

Cumulative impacts associated with some of the resource areas are addressed in the individual resource sections above: Air Quality, Greenhouse Gases, Water Supply, and Solid Waste (CEQA Guidelines Section 15064(h)(3)) and would be less than significant. Some of the other resource areas were determined to have no impact in comparison to existing conditions and therefore would not considerably contribute to cumulative impacts, such as Mineral Resources and Agricultural Resources. As such, cumulative impacts in these issue areas would also be less than significant (not cumulatively considerable).

As described in Section 4, *Biological Resources*, the proposed project would have potentially significant impacts on special-status wildlife species and wetlands. Other nearby projects in the area, if any, could also impact special-status wildlife species, including their habitat. Cumulative impacts would be potentially significant and will be further evaluated in the Environmental Impact Report.

As described in Section 5, *Cultural Resources*, there would be potential for project construction to encounter previously unknown cultural resources, resulting in damage or destruction of the resource. Cultural resources, are generally site specific, occurring in one location, such as the historic Oliver Salt Works facilities. Therefore, potentially significant impacts of the proposed project would not combine with cultural impacts of other reasonably foreseeable projects in the area. Nonetheless, the proposed project would have potentially significant impacts on cultural resources on the project site, which will be further evaluated in the Environmental Impact Report. Impacts to previously unknown tribal cultural resources on the project site, if any, would be reduce to less than significant with implementation of Mitigation Measure TCR-1, described in Section 18, *Tribal Cultural Resources*. Therefore, cumulative impacts of the proposed project on tribal cultural resources would also be less than significant.

As described in Section 9, *Hazards and Hazardous Materials*, the proposed project would be located on potentially contaminated soils, which could result in significant impacts. The soil contamination is localized to the project site. Therefore, other reasonably foreseeable projects would be unlikely to disturb the contaminated soils. Accordingly, the direct impacts of the proposed project are also the cumulative impacts of the project and will be further evaluated in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Effects to human beings are generally associated with air quality, noise, traffic safety, geology/soils and hazards/hazardous materials. As discussed in this Initial Study, implementation of the proposed project would result in less than significant environmental impacts with respect to these issue areas with mitigation incorporated, with the exception of hazards and hazardous materials. Construction of the proposed project would have potential to expose workers to potentially hazardous materials associated with contaminated soils. Additionally, occupants of the proposed industrial build could be exposed to hazardous vapors from contamination. Impacts would be potentially significant and will be further evaluated in the Environmental Impact Report.

POTENTIALLY SIGNIFICANT IMPACT

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