

Appendix NOP

Notice of Preparation



NOTICE OF PREPARATION For a Draft Focused Environmental Impact Report

Board of Zoning Adjustments
Tony Breslin
Kenneth Pon
Rick C Solis
Michael Santos
Dylan M Boldt
Anthony Tejada
Luis Mendoza

Date: August 27, 2021
To: State Clearinghouse and Interested Parties and Organizations
Project Title: 1919 Williams Street Warehouse Project
Lead Agency: City of San Leandro
Community Development Department
835 East 14th Street
San Leandro, California 94577
Contact: Anne Wong, AICP, Associate Planner, Community Development Department
Public Review Period: August 27, 2021 through September 27, 2021 (31 days) in accordance with CEQA Guidelines Section 15082

Purpose of the Notice

The intent of this Notice of Preparation (NOP) is to inform agencies and interested parties that the City of San Leandro (City) is preparing a Draft Focused Environmental Impact Report (EIR) for the proposed 1919 Williams Street Warehouse Project in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15082. This NOP provides information about the project and its potential environmental effects and requests that comments be provided on the proposed scope and content of the Draft Focused EIR. A draft Initial Study will be included as an Appendix to the Draft Focused EIR.

Project Location

The project site is approximately 9.8 acres (426,891 square feet) in size and is located in the southwestern corner of Merced Street and Williams Street in the City of San Leandro. The project site is comprised of two adjoining parcels identified as Assessor's Parcel Numbers 77A-700-9-6 and 79A-332-2-9. Assessor Parcel Number 77A-700-9-6 encompasses the developed portion of the project site and the surface parking lot along the western and southern perimeter of the site. Assessor's Parcel Number 79A-332-2-9 is an undeveloped, vegetated parcel that abuts the southern length of Parcel 77A-700-9-6. The site address is 1919 Williams Street, San Leandro, California 94577. Figure 1 shows the location of the project site with respect to the larger Bay Area region and Figure 2 shows an aerial image of the project site.

Project Background

In 1952, the original 1919 Williams Street building was constructed with two uses: an office and a warehouse. In 1963, 1982, and 1985 respectively, additional sections were built to expand the warehouse portion of the building.

In April 2021, MacRostie Historic Advisors wrote a historic and architectural report titled "Historic Evaluation of 1919 Williams Street" evaluating the existing building. The report found that the existing building qualifies for listing in the California Register of Historical Events because it possesses significance under Criterion 3 (Architecture) and retains integrity as defined by the California Office of Historic Preservation.

In 2020, the applicant formally applied for a Conditional Use Permit and Site Plan Review. Based on the existing structure's potential for listing as a historical resource, the City has determined that a Focused EIR is required to analyze the impacts of the proposed project.

Project Description

The project would involve the demolition of the existing office and warehouse mixed-use building and associated surface parking followed by the construction of a 220,495 square-foot industrial warehouse and associated site improvements and landscaping. The proposed warehouse structure would have a maximum height of 47.5 feet and include 6,000 square feet of ground floor office space and 2,400 square feet of office space on the second floor. Additionally, the project would include the construction of 31 dock high loading doors¹ and surface parking. Surface parking would be comprised of 73 standard parking stalls, 59 compact parking stalls, five accessible standard stalls, one accessible van stall, one accessible standard electric vehicle stall, one accessible van electric vehicle stall, 15 electric vehicle charging stations, and 14 clean air/vanpool stalls. The project would require a Conditional Use Permit and Site Plan Review. Figure 3 shows a project concept schematic of the proposed project.

Potential Environmental Effects

An Initial Study will be prepared for the project. The City anticipates that the project would have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated for all environmental issue areas evaluated under CEQA except for cultural resources. The Draft Focused EIR will further evaluate the cultural and historical resources constraints of the project site and potential project impacts related to cultural and historical resources.

The Draft Focused EIR will describe the reasonably foreseeable and potentially significant adverse effects of the proposed project (both direct and indirect). The Draft Focused EIR will also evaluate the cumulative impacts of the project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The City anticipates that the proposed project could result in potentially significant environmental impacts in the cultural resources topic area which will be further evaluated in the Draft Focused EIR. The Draft Focused EIR will propose mitigation to avoid and/or reduce impacts deemed potentially significant, identify reasonable alternatives, and compare the environmental impacts of the alternatives to the impacts of the proposed project. Comments provided in response to the NOP and during the ensuing analyses may identify additional environmental topics to be evaluated.

When the Draft Focused EIR is completed, it will be available for review at the City's Community Development Department located at 835 East 14th Street, San Leandro, California.

Providing Comments

At this time, the City is soliciting comments on the scope of the Draft Focused EIR, including potential environmental impacts of the project and alternatives to be considered. This information will be considered when preparing the Draft Focused EIR's discussion of environmental impacts, mitigation measures, and alternatives. Because of time limits mandated by State law, comments must be received no later than **5:00 p.m. on September 27, 2021**, which ends the 31-day scoping period.

Comments may be submitted by U.S. mail or by email prior to the close of the scoping period.

Mail comments to:

¹ Dock high loading refers to an overhead door that is approximately four feet above the ground level, allowing convenient access to load and unload shipping containers to and from a warehouse space (Eric Hughes n.d.).

Anne Wong
Community Development Department
City of San Leandro
835 East 14th Street
San Leandro, California 94577

Email comments to Anne Wong at: awong@sanleandro.org.

For comments submitted via email, please include “NOP Comments: 1919 Williams Street Warehouse Project” in the subject line and the name and physical address of the commenter in the body of the email.

All comments on environmental issues received during the public scoping period will be considered and addressed in the Draft Focused EIR, which is anticipated to be available for public review in the spring of 2022. This NOP, the Initial Study, and other public review documents for this project will be available for viewing online. These documents will also be available for review at the Community Development Department office at 835 East 14th Street during regular business hours.

For questions regarding this notice, please contact Anne Wong at awong@sanleandro.org at the contact information provided above.

Anne Wong

Anne Wong, AICP
Associate Planner,
Community Development Department
City of San Leandro

Attachments

Figure 1 Project Location

Figure 2 Project Site

Figure 3 Project Concept Schematic

Figure 1 Project Location



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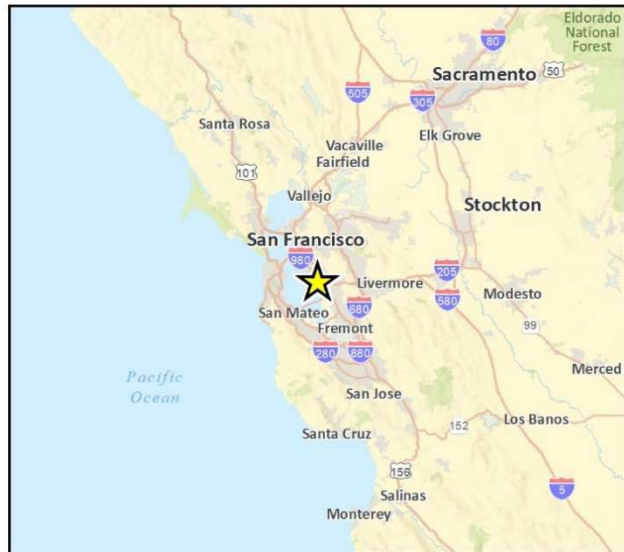
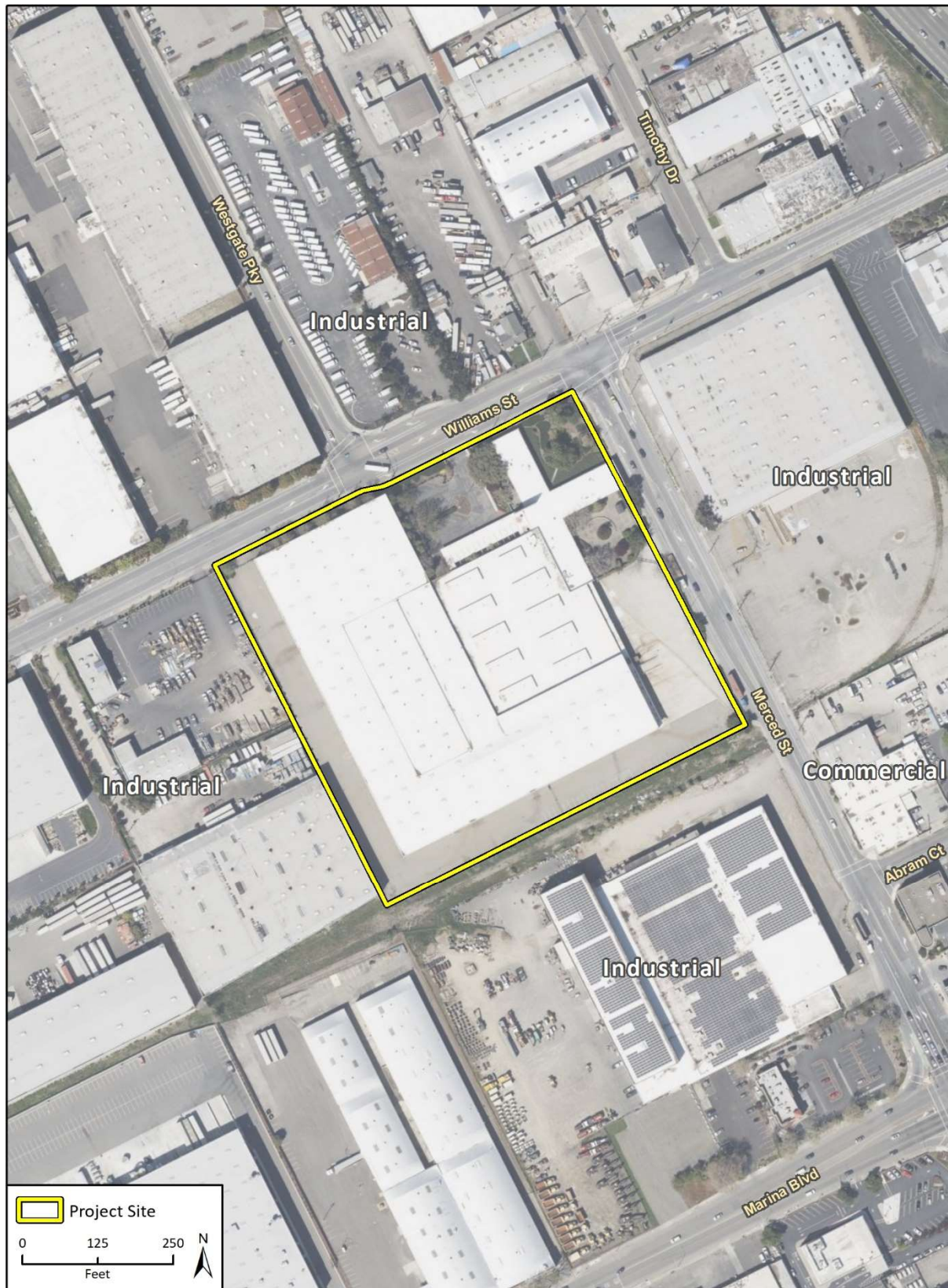


Fig. 1 Regional Location

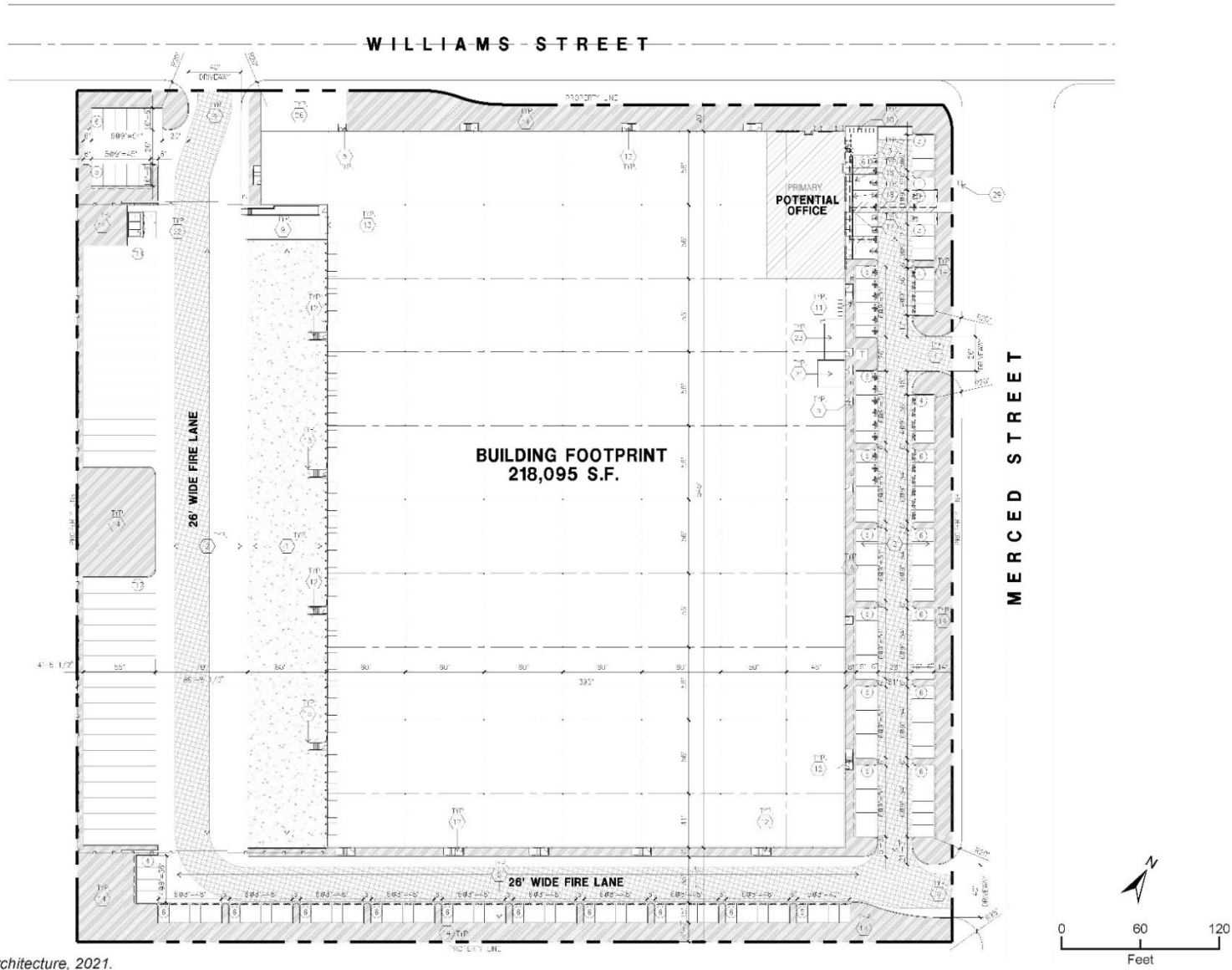
Figure 2 Project Site



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Fig. 2 Project Site

City of San Leandro
Notice of Preparation for a Draft Focused Environmental Impact Report
Figure 3 Project Concept Schematic



Source: HPA Architecture, 2021.



NATIVE AMERICAN HERITAGE COMMISSION

September 10, 2021

City of San Leandro
Planning Dept.

SEP 20 2021

RECEIVED

Anne Wong, AICP, Associate Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

CHAIRPERSON
Laura Miranda
Luiseño

Re: 2021080547, 1919 Williams Street Project EIR, Alameda County

VICE CHAIRPERSON
Reginald Pagaling
Chumash

Dear Ms. Wong:

SECRETARY
Merri Lopez-Keifer
Luiseño

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

PARLIAMENTARIAN
Russell Attebery
Karuk

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides 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. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).


The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Katy.Sanchez@nahc.ca.gov.

Sincerely,



Katy Sanchez
Associate Environmental Planner

cc: State Clearinghouse

September 16, 2021

Anne Wong, Associate Planner
Community Development Department
City of San Leandro
835 East 14th Street
San Leandro, California 94577

Re: Notice of Preparation for a Draft Focused Environmental Impact Report – 1919
Williams Street Warehouse Project, San Leandro

Dear Ms. Wong:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of a Draft Focused Environmental Impact Report for the 1919 Williams Street Warehouse Project located in the City of San Leandro (City). EBMUD has the following comments.

WATER SERVICE

EBMUD's Central Pressure Zone, with a service elevation between 0 and 100 feet, will serve the proposed development. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the project. Engineering and installation of water services require substantial lead time, which should be provided for in the project sponsor's development schedule.

EBMUD's Standard Site Assessment Report indicate the potential for contaminated soils or groundwater to be present within the project site boundaries. The project sponsor should be aware that EBMUD will not install piping or services in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may be hazardous to the health and safety of construction and maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping or services in areas where groundwater contaminant concentrations exceed specified limits for discharge to the sanitary sewer system and sewage treatment plants. The project sponsor must submit copies to EBMUD of all known information regarding soil and groundwater quality within or adjacent to the project boundary and a legally sufficient, complete, and specific written remediation plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of contaminated soil and groundwater.

EBMUD will not design piping or services until soil and groundwater quality data and remediation plans have been received and reviewed and will not start underground work

until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists, or the information supplied by the project sponsor is insufficient, EBMUD may require the project sponsor to perform sampling and analysis to characterize the soil and groundwater that may be encountered during excavation, or EBMUD may perform such sampling and analysis at the project sponsor's expense. If evidence of contamination is discovered during EBMUD work on the project site, work may be suspended until such contamination is adequately characterized and remediated to EBMUD standards.

WATER CONSERVATION

The project presents an opportunity to incorporate water conservation measures. EBMUD requests that the City include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:KTL:grd
sb21_294 1919 Williams Street Warehouse Project NOP response letter

California Department of Transportation

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



September 27, 2021

SCH #: 2021080547
GTS #: 04-ALA-2021-00604
GTS ID: 24099
Co/Rt/Pm: ALA/880/23.17

Anne Wong, Associate Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: 1919 Williams Street Warehouse Project – Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)

Dear Anne Wong:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the August 2021 NOP.

Project Understanding

The proposed project would demolish the existing office and warehouse mixed-use building and associated surface parking to construct a 220,495-square-foot warehouse and associate site improvements and landscaping. This 9.8-acre project site is in vicinity of Interstate (I)-880.

Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses the vehicles miles traveled (VMT) impact of a land use project, please review Caltrans' Transportation Impact Study Guide ([link](#)).

If the project meets the screening criteria recommended in the Office of Planning and Research's (OPR) Technical Advisory to be presumed to have a less-than-significant VMT impact and therefore exempt from detailed VMT analysis, please provide justification to support the exempt status in align with the OPR's recommendation. Projects that do not meet the screening criteria should include a detailed VMT analysis in the DEIR, which should include the following:

- VMT analysis pursuant to the recommended methodologies in the OPR's Technical Advisory. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential safety issues for all road users should be identified and fully mitigated.
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Lead Agency

As the Lead Agency, the City of San Leandro is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Anne Wong, Associate Planner
September 27, 2021
Page 3

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Yunsheng Luo at Yunsheng.Luo@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please email LDIGR-D4@dot.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Mark Leong". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

MARK LEONG
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse