

**NOTICE OF PUBLIC HEARING / INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

**PROPOSED ASHLAND YOUTH CENTER REDEVELOPMENT
PROJECT**

**16285-16343 East 14th Street
Ashland area of Unincorporated Alameda County**

Notice is hereby given that the Alameda County Board of Supervisors will hold a public hearing to consider adoption of a Mitigated Negative Declaration for, and approval of, the proposed Ashland Youth Center Project, a community facility and park. The site is designated Transit Corridor, under the Ashland Cherryland Business District Specific Plan.

A Mitigated Negative Declaration, which is a written statement indicating that the proposed project will not have a significant effect upon the environment if appropriate mitigation measures are imposed, is proposed to be adopted pursuant to the California Environmental Quality Act and State and County CEQA Guidelines. Possible environmental impacts of this project include construction effects due to dust, release of asbestos-containing materials or lead fittings or paint anticipated to be in the demolition debris, potential release of contaminated soil materials to be excavated from the site, polluted stormwater runoff, unsafe access features, and potential subsurface archeological resources. The review period for the Initial Study and Draft Mitigated Negative Declaration is from **April 28, 2009 to May 28, 2009**. If you challenge the proposed Ashland Youth Center Project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

Said public hearing will be held on the 2nd day of June, 2009, beginning at 9:00 a.m., in the Board Chambers of the Alameda County Board of Supervisors, 1221 Oak Street, fifth floor, Oakland, California. All persons interested in the matter may appear and be heard at this meeting. A final decision may be made on that date.

BOARD OF SUPERVISORS OF ALAMEDA COUNTY

TELEPHONE: (510) 670-5400

The Board Chambers are wheelchair accessible. If you need other accommodations, call Pat Brimer (voice) 670-5459 or TDD 834-0754; advance notice is requested.



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

ENVIRONMENTAL DOCUMENT TRANSMITTAL

(PUBLIC RESOURCES CODE '21080.4, 21080.6, 21092, 21092.3, 21152, 21161;
CALIF. CODE OF REGULATIONS '15062, 15072, 15073, 15075, 15082, 15085, 15087, 15094)

Chris Bazar
Agency Director

POST FOR 30 DAYS

Albert Lopez
Planning Director

TO: Alameda County Clerk-Recorder
Miscellaneous Filings
1106 Madison Street
Oakland, CA 94612
QIC CODE 20201

FOR CLERK'S USE ONLY

224
West Winton Ave.
Room 111

Hayward
California
94544

phone
510.670.5400
fax
510.785.8793

DATE: April 28, 2009

PROJECT: Ashland Youth Campus

FILING NO.

LOCATION: 16285-16343 East 14th Street, San Leandro, CA.

www.acgov.org/cda

1. **NOTICE OF EXEMPTION**

(Optional. May be filed by County or applicant *after* project approval. Starts a 35-day statute of limitations.)

- A. MINISTERIAL PROJECT
- B. DECLARED EMERGENCY / EMERGENCY PROJECT
- C. STATUTORILY OR CATEGORICALLY EXEMPT, per CEQA

2. **NOTICE OF INTENT - NEGATIVE DECLARATION**

(Filed after completion of an Initial Study stating that a project will not have a significant impact on the environment. 30-day review period.)

3. **NOTICE OF PREPARATION - ENVIRONMENTAL IMPACT REPORT**

(Filed as soon as it is known that an EIR will be prepared for a project. May include an Initial Study. 30-day review period.)

4. **NOTICE OF COMPLETION - ENVIRONMENTAL IMPACT REPORT**

(Filed as soon as is practical after completion of one of the documents listed below.)

- A. DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) (30 or 45-day review period)
- B. RECIRCULATED DRAFT EIR (30 or 45-day review period)
- C. FINAL EIR (10-day review period)
- E. OTHER: _____

5. **NOTICE OF DETERMINATION**

(Filed within 5 working days of making findings/determination. Starts a 30-day statute of limitations.)

- A. NEGATIVE DECLARATION - \$1,993.00 Dept. of Fish & Game Filing Fee*
- B. ENVIRONMENTAL IMPACT REPORT - \$2768.00 Dept. of Fish & Game Filing Fee*

THIS FORM AND FOUR COPIES OF THE CEQA DOCUMENTS MUST BE COMPLETED AND SUBMITTED WITH A \$50.00 FILING FEE TO THE ALAMEDA COUNTY CLERK'S OFFICE.

* Required by Section 711.4 (via Senate Bill 1535, 2006) of the California Fish and Game Code. If the project will have no adverse effect on fish and wildlife this fee may be waived by submitting a completed CERTIFICATE OF FEE EXEMPTION No Effect Finding with the Notice of Determination.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Ashland Youth Campus

Lead Agency: Alameda County Community Development Agency-Planning

Contact Person: Sonia Urzua

Mailing Address: 224 W. Winton Avenue, Room 111

Phone: 510-670-5400

City: Hayward

Zip: 94544

County: Alameda

Project Location: County: Alameda

City/Nearest Community: San Leandro

Cross Streets: 163rd Ave & E. 14th Street

Zip Code: 94578

Longitude/Latitude (degrees, minutes and seconds): -121 ° 29 ' 16.5" N / 38 ° 34 ' 30.9" W Total Acres: 1.64

Assessor's Parcel No.: 80C-0479-006-03, 80C-0479-006-04

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: 185

Waterways: Estudillo Canal

Airports: _____

Railways: Union Pacific RR

Schools: Edendale Middle School

Document Type:

CEQA:

 NOP Draft EIR

NEPA:

 NOI

Other:

 Joint Document Early Cons Supplement/Subsequent EIR EA Final Document Neg Dec

(Prior SCH No.) _____

 Draft EIS Other: _____ Mit Neg Dec

Other: _____

 FONSI**Local Action Type:** General Plan Update Specific Plan Rezone Annexation General Plan Amendment Master Plan Prezone Redevelopment General Plan Element Planned Unit Development Use Permit Coastal Permit Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____**Development Type:** Residential: Units _____

Acres _____

 Office: Sq.ft. _____

Acres _____

Employees _____

 Transportation: Type _____ Commercial: Sq.ft. _____

Acres _____

Employees _____

 Mining: Mineral _____ Industrial: Sq.ft. _____

Acres _____

Employees _____

 Power: Type _____

MW _____

 Educational: _____ Waste Treatment: Type _____

MGD _____

 Recreational: Park and Youth Center Hazardous Waste: Type _____ Water Facilities: Type _____

MGD _____

 Other: _____**Project Issues Discussed in Document:** Aesthetic/Visual Fiscal Recreation/Parks Vegetation Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement Coastal Zone Noise Solid Waste Land Use Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____**Present Land Use/Zoning/General Plan Designation:**

Transit Corridor

Project Description: (please use a separate page if necessary)

New park and youth center with job-training and counseling, classrooms, dance and music studios, limited health care and child care, café, exercise room and other services, located on 1.64 acres, southwest side of East 14th Street (16285-16343 inclusive), Ashland area of unincorporated Alameda County,

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- Air Resources Board
- Boating & Waterways, Department of
- California Highway Patrol
- Caltrans District #4
- Caltrans Division of Aeronautics
- Caltrans Planning
- Central Valley Flood Protection Board
- Coachella Valley Mtns. Conservancy
- Coastal Commission
- Colorado River Board
- Conservation, Department of
- Corrections, Department of
- Delta Protection Commission
- Education, Department of
- Energy Commission
- Fish & Game Region # _____
- Food & Agriculture, Department of
- Forestry and Fire Protection, Department of
- General Services, Department of
- Health Services, Department of
- Housing & Community Development
- Integrated Waste Management Board
- Native American Heritage Commission

- Office of Emergency Services
- Office of Historic Preservation
- Office of Public School Construction
- Parks & Recreation, Department of
- Pesticide Regulation, Department of
- Public Utilities Commission
- Regional WQCB # 2
- Resources Agency
- S.F. Bay Conservation & Development Comm.
- San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
- San Joaquin River Conservancy
- Santa Monica Mtns. Conservancy
- State Lands Commission
- SWRCB: Clean Water Grants
- SWRCB: Water Quality
- SWRCB: Water Rights
- Tahoe Regional Planning Agency
- Toxic Substances Control, Department of
- Water Resources, Department of
- Other: _____
- Other: _____

Local Public Review Period (to be filled in by lead agency)

Starting Date April 28, 2009 Ending Date May 28, 2009

Lead Agency (Complete if applicable):

Consulting Firm: _____ Applicant: Redevelopment Agency/ Hayward Area Parks and
 Address: _____ Address: 224 W. Winton Avenue, Room 111
 City/State/Zip: _____ City/State/Zip: Hayward, CA 94544
 Contact: _____ Phone: 510-670-5333
 Phone: _____

Signature of Lead Agency Representative:  Date: 4/27/09

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

MITIGATED NEGATIVE DECLARATION

Alameda County Community Development Agency
Alameda County Planning Department (Lead Agency)
224 West Winton Ave., Rm. 111
Hayward, California 94544
(510) 670-5400

1. *Project Name:* Ashland Youth Center
2. *Description, Location, and Assessor's Parcel Number(s):*
New park and youth center with job-training and counseling, classrooms, dance and music studios, limited health care and child care, café, exercise room and other services, located on 1.64 acres, southwest side of East 14th Street (16285-16343 inclusive), Ashland area of unincorporated Alameda County, bearing ten separate Assessor's Parcel Nos.: 80C-0479-006-03, 80C-0479-006-04, 80C-0479-006-08, 80C-0479-006-09, 80C-0479-006-14, 80C-0479-006-15, 80C-0479-006-16, 80C-0479-006-17, 80C-0479-006-18, & 80C-0479-006-19.
3. *Persons or Entity Undertaking Project:* Alameda County Community Development Agency/Redevelopment Agency and the Hayward Area Recreation and Park District.
4. *Responsible Agencies:* Alameda County Community Development Agency, General Services Agency, and Public Works Agency
5. *Findings:* Based on the prepared Initial Study, the Alameda County Planning Department finds that the proposed project could not have a significant effect on the environment.
6. *Date of Public Notice of Negative Declaration:* April 28, 2009
7. *End of Review Period:* May 28, 2009

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INTRODUCTION AND OVERVIEW

This Initial Study has been prepared to identify and evaluate the potential environmental effects of the proposed Ashland Youth Campus, a community facility and park in the Ashland area of unincorporated Alameda County. This document is intended to comply with the California Environmental Quality Act (CEQA, 1970, as amended) and serve its purposes, to inform governmental decision makers and the public about the potential environmental impacts of the Project, and identify specific mitigation measures or changes to the design that can be adopted to avoid those impacts or reduce them to levels that are not significant. The Project is being sponsored jointly by the Alameda County Redevelopment Agency (RDA) (a branch of the County's Community Development Agency) and the Hayward Area Recreation District (HARD), and as an activity directly or partly undertaken or financed in part by a governmental agency is subject to CEQA and not exempt. The Planning Department of the Community Development Agency prepared the Initial Study, and is the designated lead agency (i.e., responsible for its findings and compliance with CEQA).

Under CEQA, an Initial Study is typically required to determine if a project will have an adverse impact on the environment, and to determine which of three different types of documents must be adopted before a project is approved: 1) an environmental impact report, typically required if one or more impact cannot feasibly be avoided or reduced to a "less than significant" level); 2) a negative declaration, if no significant impacts are identified; or 3) a mitigated negative declaration, based on a determination in the Initial Study that although the project may result in potential environmental impacts, mitigation measures or other changes to the project's design or features have been agreed to by the project proponents, such that the significant impacts will be avoided or reduced to a less than significant level.

In this instance, the Initial Study has determined that the Project may be expected to have potentially significant impacts in the areas of geology and soils, hazards and hazardous materials, hydrology and water quality, and traffic and transportation. Furthermore, the Initial Study finds that compliance with applicable regulatory requirements, together with project-specific mitigation measures, all potentially significant environmental effects could be avoided or reduced to less-than-significant levels. As a result, a Mitigated Negative Declaration (MND) is proposed to be adopted by the Alameda County Board of Supervisors (as the Project's principal source of funding). The Initial Study also shows that the Project would either avoid or would not result in other potentially significant environmental effects with respect to other issues, including aesthetics, land use planning, population, housing and noise.

SUMMARY INFORMATION

1. Project Title: Ashland Youth Center
2. Lead Agency Name and Address: County of Alameda
Community Development Agency, Planning Department
224 W. Winton Avenue, Room 111
Hayward, CA 94544
2. Contact Person and Phone Number: Sonia Urzua, Senior Planner, (510) 670-5400
3. Project Location: Southwest side, East 14th Street (16285-16343 inclusive), Ashland area of unincorporated Alameda County, bearing ten separate Assessor's Parcel Nos. 80C-0479-006-03, 80C-0479-006-04, 80C-0479-006-07, 80C-0479-006-08, 80C-0479-006-09, 80C-0479-006-11,

80C-0479-006-15, 80C-0479-006-16, 80C-0479-006-18 & 80C-0479-006-19. See **Figures 1 and 2** (regional location and aerial view).

4. Project Sponsor's Name and Address: Alameda County Redevelopment Agency, 224 West Winton Ave., Rm. 110, Hayward, CA 94544, and Hayward Area Recreation and Park District (HARD), 1099 E Street, Hayward, CA, 94541
5. General Plan Designation: TC – Transit Corridor (Ashland-Cherryland Business District Specific Plan)
6. Zoning: TC (same as General Plan designation)
7. Description of Project: The Ashland Youth Center would include both a new park and the Youth Center building. The park will be approximately one and two-thirds acres in area and will include a concrete skate park located near East 14th Street, a small play area, picnic areas, grassy open space, an outdoor stage and a freestanding public restroom building. A pedestrian plaza with a site for a piece of public art will be located within the park adjacent to East 14th Street, directly opposite the existing T-intersection of 163rd Avenue at East 14th Street. The Hayward Area Recreation and Park District (HARD) is the sponsor and developer of the park, and will own and operate it as a public facility. It is expected that park construction will begin in June of 2009, and be completed by May 2010. The park will be open only during daylight hours. The overall site plan is shown in **Figure 3**.

The Ashland Youth Center will be located on an approximately 1.00 acre area southeast of the park, extending along East 14th Street for about 200 feet. Although detailed architectural plans have not yet been prepared, the conceptual plan is for a 30,200 square-foot, two-story building with an irregular shape, containing job training services, health care, counseling, limited child care services, a small café, dance and music production studios, classrooms, a game room and a variety of other recreational and occupational-development opportunities for local youth, with a focus on teen services. Three modest suites (about 2,700 square feet in total) are proposed on the second floor to be leased to non-profit, teen-oriented organizations. A County Office of Education classroom (Cal-Safe) is also proposed on the upper story. A small parking lot is planned to be located behind the Youth Center (on its south side), with approximately 17 stalls and separate ingress and egress to East 14th Street on the east side of the building. The Youth Center and its program elements were developed by the Alameda County Redevelopment Agency through a lengthy process of community outreach during 2007 and 2008 which identified a teen center as a primary need of the Ashland community. It is anticipated that the center will be completed in 2011. Preliminary floor plans are shown in **Figures 4 and 5**.

As conceptually planned, the building would have a maximum depth of about 150 feet back from East 14th Street. Over two-thirds of the building – about 22,400 square feet of the approximately 30,200 square feet – will be on the first floor, with only 7,800 square feet planned on the second floor. The second floor will be placed toward East 14th Street, where the building would have a height of approximately 28 feet, while on its south, east and west sides (not facing East 14th Street) the height would be about 16 to 18 feet. The roof of the first floor level, south of the enclosed second floor, will have a green roof, combining turf sod, drainage layers and water-proofing. A detailed landscaping plan for the surrounding exterior area has not been submitted, but preliminary information indicates the building will include a mix of ground covers and trees.

Vehicular access to the Center is planned on its northern side, about 150' northwest of the 163rd Avenue T-intersection with East 14th Street. This roadway will provide access to 53 public parking spaces within the Project site, and 58 spaces on an immediately adjacent portion of the

Edendale Middle School property (San Lorenzo School District). The parking on the school property will be shared between the school and the park. Ten parking stalls are planned along the access roadway near East 14th Street, and the remainder would be on the south side of the park and on the school property. The parking area on the south side of the park will have an emergency access connection to the parking area south of the youth center building, thus providing emergency vehicles with a complete loop of access around the park and the youth center.

The youth center is planned to be built using steel frame construction and a slab-on-grade foundation, and is also intended to be certified as meeting LEED (Leadership in Energy and Environmental Design) green building rating criteria. Conceptual floor plans for the center indicate that the northeast side of the building, parallel to East 14th Street, will be nearly flat with straight lines, the other sides will be irregular, comprised of a series of block forms arranged in a semi-circle or arc around the central atrium/‘living room’ extending upward into the second level. A 28-foot high curtain wall will serve as the main building entry into the atrium near the entry plaza (at 163rd Avenue). Portions of the roof will have green roof.

8. Project Site: The approximately 2.64-acre Ashland Youth Center Project site consists primarily of the former Holland Oil property (about 2.4 acres), which was previously used as a bulk fuel storage and gas and oil distribution facility, primarily between the early 1960s to the mid-1980s. The Holland Oil site is a five-sided ‘cut-diamond’ shape, with almost 420 feet of frontage on East 14th Street, and side lot lines that are about 140 to 150 feet in length. The rear property lines are at a diagonal angle to East 14th Street and generally aligned to the compass. The Project site is also planned to include two other parcels on the southeast side of the Holland Oil property which are currently occupied by a tavern and an auto glass shop facing East 14th Street, which together occupy about a quarter of an acre. The site has been cleared of structures, and is presently characterized by dirt, weeds, some heaped rubble, and scattered monitoring wells, and is fenced with a combination of chain link and wrought iron materials.

The site is located on the Bay flatlands, about half a mile southwest of the base of the Chabot Ridge, along the base of which is the nearest freeway, Interstate 580. The site elevation is about 40 feet above mean sea level, and is very level, with a slight slope to the northwest. Drainage flows northwest through a storm sewer to the Estudillo Canal, about a quarter of a mile away. East 14th Street, also established as State Route 185, extends about 16 miles to the northwest (partly as International Boulevard) through downtown Oakland, and about three-quarters of a mile to the southeast to Interstate 238, south of which it is named Mission Boulevard, extending about 16 miles through southern Fremont. As such, it is the longest single roadway in the East Bay, and is very extensively lined with commercial uses. In the project area, it has four traffic lanes, a painted center median with left turn pockets, on-street parking, and regular bus service. Sidewalks are provided along most of the roadway, but they vary widely in width and material, and lack curb protection in some locations.

9. Surrounding Land Uses: The property lies within a quite large block (almost 37 acres) bounded by Ashland Avenue on the west, East 14th Street on the northeast, and Delano Street to the south. The largest single use in the block (over 17 acres) is the Edendale Middle School property, which extends east of Ashland Avenue to the western and southern boundaries of the Project site. The school property encompasses the school buildings, a new gymnasium under construction just west of the Project site boundary, large paved playgrounds, four Little League-type baseball fields, a large general playing field and parking areas. Two of the baseball fields occupy a square area south of the Project site. South of the large play field is Edendale Park, a 1.1-acre Hayward Area Recreation and Park District facility, containing a playground and open grassy areas.

To the north of the school and the site, in a nearly six-acre triangular area formed by Ashland Avenue, East 14th Street and the school, uses include a 2.5-acre trailer park, a few single family homes, some small vacant properties and facing East 14th Street, a liquor store and assorted small businesses. A tire store and auto repair business lie directly northwest of the site, and to the southeast, between the site and Kent Avenue, is a commercial sign business. South of the site, between the school baseball fields and East 14th Street, is a 1.2-acre trailer park facing Kent Avenue. A carport for the trailer court extends 100' directly along a segment of the Project site's boundary. South of the trailer park along Kent Avenue there is a mixture of single family and duplex dwelling units, including a cul-de-sac, Santa Ana Street, which extends about 600' to the west with homes that back up to two of the Edendale baseball fields. Single family and duplex dwelling units extend along Delano Street west of Kent Avenue to Ashland Avenue.

Land uses on the opposite (northeast) side of East 14th Street include a mixture of shopettes and single-use commercial buildings (stores, restaurants and offices), including a liquor store near the intersection of 163rd Avenue and East 14th Street. Many uses have an auto-service focus, such as parts stores, audio equipment installers, body shops and mechanical repair shops. Beyond the strip of commercial uses facing East 14th Street is a residential neighborhood that includes a five-block area of single family residences between 163rd and 164th Avenues, and northeast of 163rd Avenue, a mixture of apartment buildings, condominiums and another trailer park. The area southeast of 164th Avenue contains many medium-density, two-story apartment buildings.

10. Access: The Project site currently has access only from East 14th Street, through one main driveway entry near the center of its street frontage, and a number of other driveway curb cuts, most of which are closed by fencing on the site. The site frontage has curb, gutter and sidewalk improvements, with a narrow dirt strip between the sidewalk and curb. The main driveway is directly opposite the terminus of 163rd Avenue at East 14th Street, which forms an unsignalized T-intersection. The T-intersection has no crosswalks; the nearest signal lights and crosswalks on East 14th Street are located 700' northwest of 163rd Avenue at 162nd Avenue and 700' to the southeast at Kent/164th Avenues. However, the center median on East 14th contains left turn pockets for vehicles turning both to northbound 163rd Avenue and southbound into the site. 163rd Avenue extends from East 14th Street directly to Interstate 580, and on- and off-ramps serving its eastbound direction. Access to and from westbound I-580 is by way of 164th Avenue and Foothill Boulevard. Most vehicles use 164th Avenue between I-580 and East 14th Street, because 164th Avenue has a signalized intersection at East 14th, south of which it continues as Kent Avenue. It (164th Avenue) also extends north of I-580 as Miramar Avenue into Castro Valley.

East 14th Street is served by three AC Transit bus lines (general, overnight and commuter), and another line crosses East 14th at Kent/164th. A Bay Area Rapid Transit (BART) station is located adjacent to Bayfair Mall, a large regional shopping mall inside the San Leandro city limits, about half a mile to the northwest.

11. Requested Actions and Required Approvals:

- Adoption of the Mitigated Negative Declaration by the County Board of Supervisors
- Approval of the Master Plan by the Board of Supervisors and the HARD Board
- Building Permits

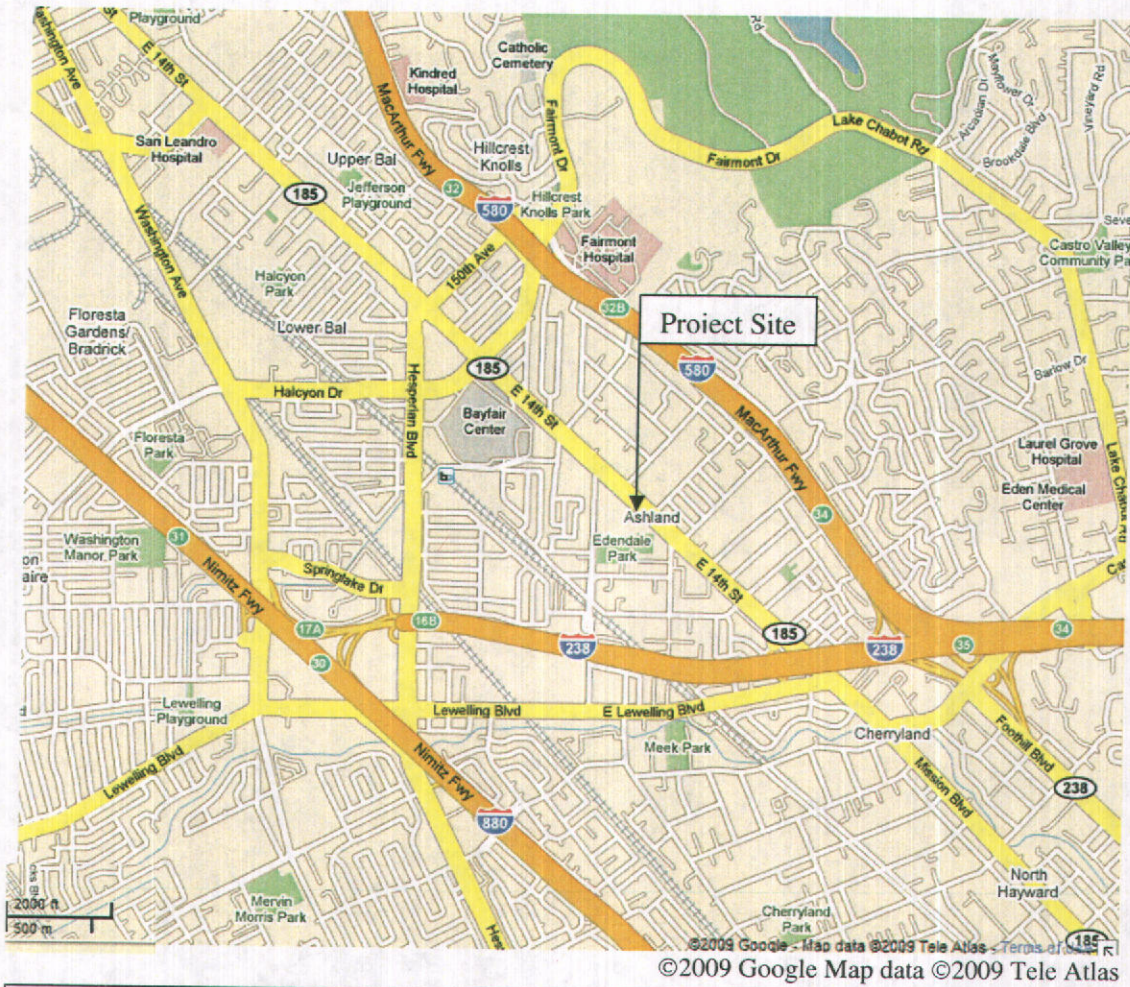


Figure 1. Regional Location



Figure 2. Aerial View

8. MASTER PLAN - Page 1

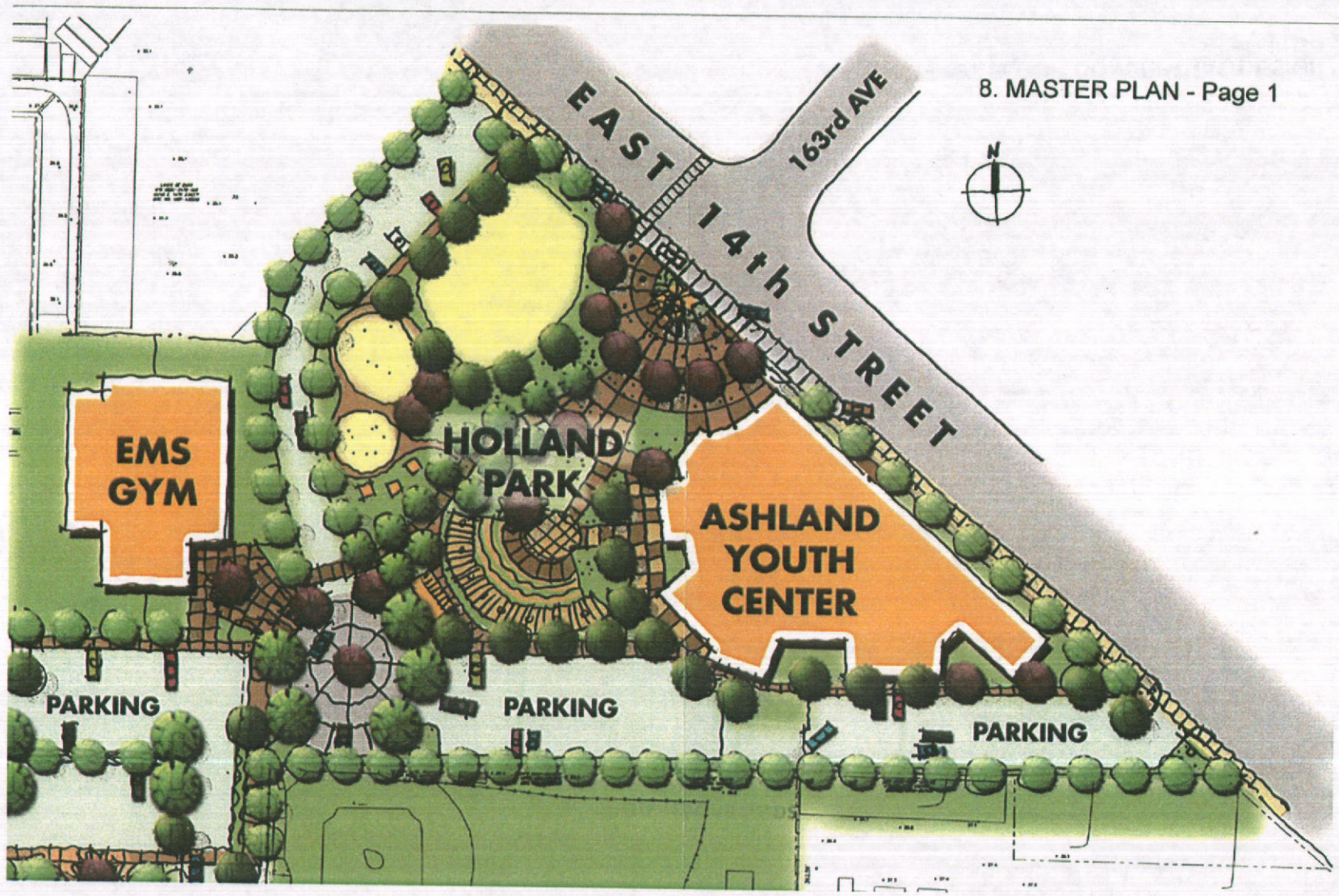
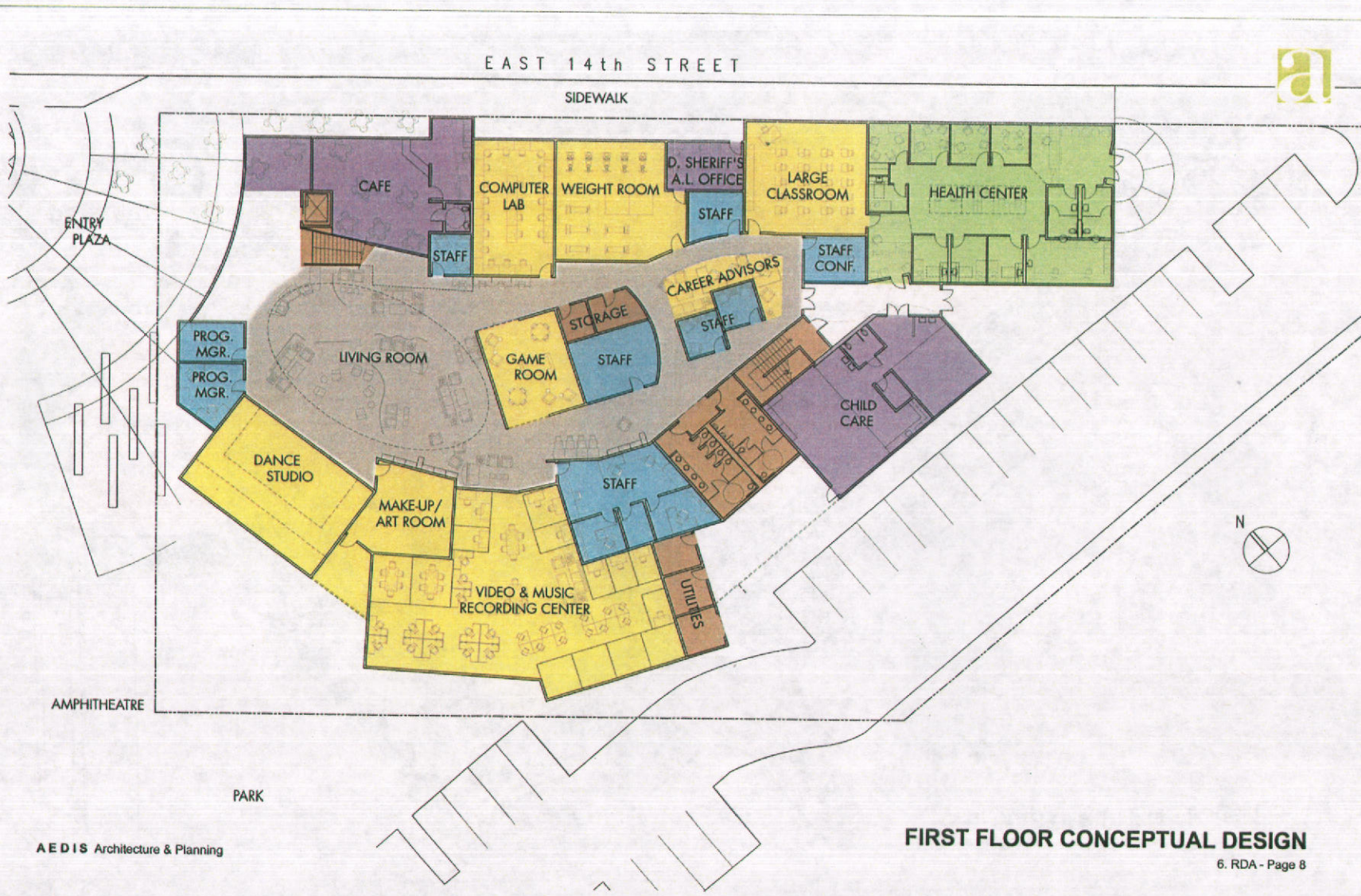


Figure 3. Overall Project Site Plan – Park and Youth Center

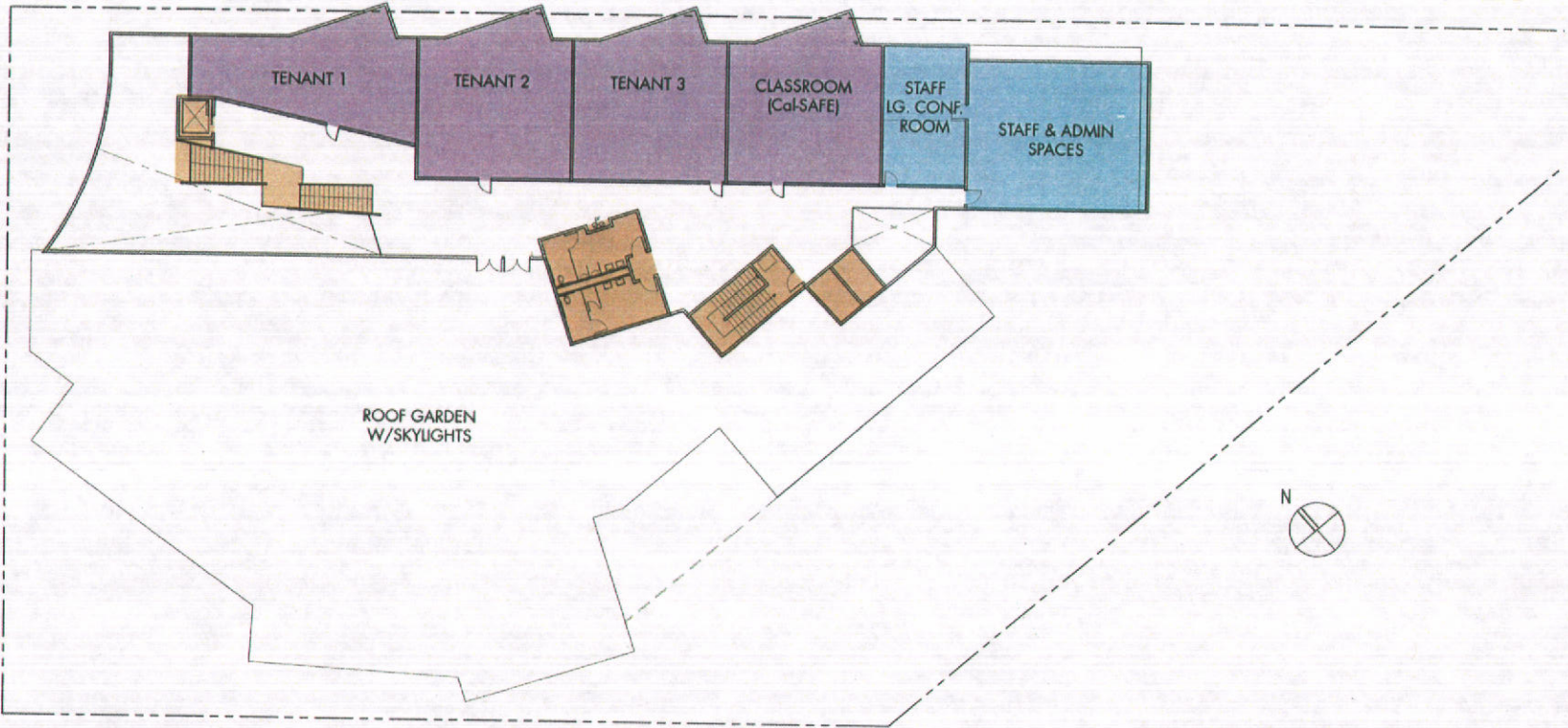


FIRST FLOOR CONCEPTUAL DESIGN

6. RDA - Page 8

AEDIS Architecture & Planning

Figure 4. Building Floor Plan, 1st Floor



SECOND FLOOR CONCEPTUAL DESIGN

6. RDA - Page 9

AEDIS Architecture & Planning

Figure 5. Building Floor Plan, 2nd Floor

POTENTIALLY AFFECTED ENVIRONMENTAL FACTORS

The California Environmental Quality Act (Guidelines) identifies the following environmental factors, in alphabetical order, as potentially subject to the effects of projects. The factors checked below (☒) are the topic areas in which the proposed Ashland Youth Campus Project may have potentially adverse effects, and on which the Initial Study/Mitigated Negative Declaration is focused. Unmarked factors (☐) were determined to have no potential to be significantly or adversely affected by the Project based on the nature of the project, such as agricultural resources, due to the urban nature of the site and the proposal. However, in the Environmental Checklist which follows, general statements and citations are provided to explain why such factors would not be affected by the Project.

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

ENVIRONMENTAL DETERMINATION:

On the basis of this Initial Study evaluation which follows:

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 mitigation measures have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

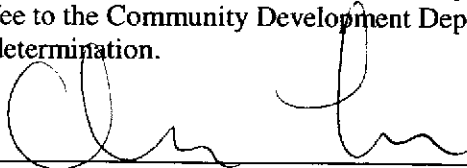
I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

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

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



Pursuant to the State Guidelines for Implementation of CEQA, the determination of the Planning Director may be appealed to the County Planning Commission by submitting a written appeal with the applicable fee to the Community Development Department within ten (10) calendar days following this date of the determination.



Albert Lopez, Planning Director

Date 4/27/09

ENVIRONMENTAL CHECKLIST

EVALUATION OF ENVIRONMENTAL IMPACTS:

As required by CEQA, the Initial Study incorporates an Environmental Checklist to identify in very simple form the potential environmental impacts of any given project. The Environmental Checklist is based on sample questions in Appendix G of the CEQA Guidelines. The questions are intended to highlight and focus on specific project impacts, and accommodate brief discussion and evidentiary support for determinations that the Project would have no discernible effects or impacts on certain environmental factors (e.g., scenic highways, agriculture, mineral resources). The sample questions encompass a variety of individual concerns within 16 different broad environmental categories, such as air quality, cultural resources, land use and traffic, arranged in alphabetical order.

Appendix G also provides specific direction and guidance for preparing responses to the Environmental Checklist. Each question in the Checklist essentially requires a “yes” or “no” reply as to whether or not the project will have a potentially significant environmental impact of a certain type, and, following a Checklist table with all of the questions in each major environmental heading, citations, information and/or discussion that supports that determination. The Checklist table provides, in addition to simple “yes” and “no” responses, two “conditional no” responses, including “less than significant with mitigation” and “less than significant”, each of which is discussed below:

- a) Potentially Significant Impact. Checked if a discussion of the existing setting (including relevant regulations or policies pertaining to the subject) and project characteristics with regard to the environmental topic demonstrates, based on substantial evidence, supporting information, previously prepared and adopted environmental documents, and specific criteria or thresholds used to assess significance, that the project will have a potentially significant impact of the type described in the question.¹
- b) Less Than Significant With Mitigation. Checked if the discussion of existing conditions and specific project characteristics, also adequately supported with citations of relevant research or documents, determine that the project clearly will or is likely to have particular physical impacts that will exceed the given threshold or criteria by which significance is determined, but that with the incorporation of clearly defined mitigation measures into the project, that the project applicant or proponent has agreed to, such impacts will be avoided or reduced to less-than-significant levels.
- c) Less Than Significant Impact. Checked if a more detailed discussion of existing conditions and specific project features, also citing relevant information, reports or studies, demonstrates that, while some effects may be discernible with regard to the individual environmental topic of the question, the effect would not exceed a threshold of significance which has been established by the Lead or a Responsible Agency. The discussion may note that due to the evidence that a given impact would not occur or would be less than significant, no mitigation measures are required.

¹ *Note:* for this subject application, this reply is not given for any question, because all of the impacts are expected to be mitigated to less-than-significant levels with changes agreed to by the project proponents. CEQA requires that if the Checklist makes a determination that the project will have one or more potentially significant environmental impacts (and the project proponent does not agree to changes that would change the reply to “Less Than Significant With Mitigation”), an environmental impact report (EIR) is required.

- d) No Impact. Checked if brief statements (one or two sentences) or cited reference materials (maps, reports or studies) clearly show that the type of impact could not be reasonably expected to occur due to the specific characteristics of the project or its location (e.g. the project falls outside the nearest fault rupture zone, or is several hundred feet from a 100-year flood zone, and relevant citations are provided). The referenced sources or information may also show that the impact simply does not apply to projects like the one involved. A response to the question may also be "No Impact" with a brief explanation that the basis of adequately supported project-specific factors or general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a basic screening of the specific project).

The discussions of the replies to the Checklist questions must take account of the whole action involved in the project, including off-site as well as on-site effects, both cumulative and project-level impacts, indirect and direct effects, and construction as well as operational impacts. Except when a "No Impact" reply is indicated, the discussion of each issue must identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance, with sufficient description to briefly explain how they reduce the effect to a less than significant level.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D) of the Guidelines). In this case, a brief discussion should identify the following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
- b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) **Mitigation Measures.** For effects that are "Less than Significant with Mitigation," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

As used in this Initial Study, the term 'Applicant' refers to the Alameda County Redevelopment Agency, unless otherwise and expressly referring to the Hayward Area Recreation and Park District (or HARD).

ENVIRONMENTAL CHECKLIST

1. AESTHETICS Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Have a substantial adverse effect on a scenic vista.				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings.				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.			X	

Scenic Vistas, Scenic Highways and Visual Character: There are no major scenic vistas along East 14th Street, due mainly to the flat topography and the commercial development that borders the roadway. Views to the northwest along East 14th extend into infinity, while those to the southeast are marked partly by the I-238 bridge over East 14th and in the far distance, the Hayward Hills. Both views are dominated by a concentration of overhead power and communication lines on the southwest side (bordering the subject site), ameliorated very slightly by tall trees scattered in the neighborhood. The streetscape along East 14th Street in front of the site is not enhanced with street trees or other vegetation or special features. The Chabot Ridge hills to the northeast form the most prominent and attractive visual element in the area and is visible from most locations within the project site, but only through the aforementioned overhead power and communication lines. East 14th Street is not designated as a scenic highway; the nearest scenic highway is I-580 about half a mile northeast of the site. The open portion of the site itself contains no features of interest. The existing tavern has somewhat attractive arched windows with a Spanish-Mediterranean design, but which is not particularly unique. The auto glass building is nondescript.

In summary, the proposed project would not block any scenic vista, because the only possible vista towards the Chabot Ridge is compromised as a vista by the existing overhead power and communication lines, and there would be *no impact*. There would be *no impact* on I-580 scenic highway, because the park and youth center would lie below the horizon and behind most intervening development. With regard to the visual character of the site and its surroundings, the proposed project would substantially change the visual character of the open portion of site from one of a former industrial yard to a public use with recreational, educational, counseling, day care and other uses including a café and non-profit offices. The two-story structure may contrast moderately with the low-rise commercial development on various other sites along East 14th Street, but would primarily add substantial distinctiveness to the character of the street, and complement the other buildings. There would be *no impact* on visual character on the site and surroundings.

Light and Glare. The building design would establish some new large windows adjacent to the street, but does not appear to be likely to increase daytime glare. The introduction of new light sources within the site, such as lights needed for security around the building, on the internal driveway and parking areas, and possibly on some recreational areas would not be expected to have a noticeable effect on night time sky views, due to the very high level of existing nighttime light. Standard installation of lighting would provide adequate, safe lighting for the site while minimizing light and glare to adjacent neighbors, with cut-off shields on outdoor or driveway lighting to direct lighting from the site away from the night sky and adjacent property. The impact on light and glare would be *less than significant*.

2. AGRICULTURE RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract.				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.				X

Agriculture. The site contains less than 3 acres, and the project represents infill development in a highly developed area. Neither the site nor any adjacent land is located on any map of prime, unique or other protected category of farmland, including lands under Williamson Act contracts. The use of the site for any agricultural use has not occurred for almost a century. There would be *no impact* on agricultural resources.

3. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?			X	

Air Quality. The project site is subject to the Bay Area Clean Air Plan (CAP), first adopted by the Bay Area Air Quality Management District (BAAQMD) in 1991, and as required by state law, updated typically every three years, with the last update in 2005 as a focused Ozone Strategy. A new 2009 update is being prepared. The current Ozone Strategy/CAP is primarily intended to address the continuing "non-attainment" status of the Bay Area with respect to both state and federal ozone standards. Although the

Bay Area has "attainment" status for state and federal standards on carbon monoxide (CO), sulphur dioxide (SO₂), nitrogen dioxide (NO₂) and one of two particulate matter standards (PM-10 – 10-micron diameter particles), it has not met the requirements of two state particulate matter standards, including PM-10 and PM-2.5 (2.5-micron diameter particles). Small projects which generate less than 550 pounds per day of CO, or 80 pounds per day of reactive organic gases (ROG, which contribute to the formation of ozone), nitrogen oxides (NOX), or PM-10 due to construction activity (dust and exhaust from construction equipment) or from vehicle trips are considered as generating minimal amounts of air pollution, and as consistent with the CAP. However, based on the BAAQMD estimate that a retail discount store of 87,000 square feet could exceed the threshold of 80 pounds per day of ROG on an operational basis due to vehicle trips generated (about 4,200 vehicle trips per day)², the proposed Project, which Planning staff estimate could generate 460 vehicle trips per day (see Section 15, Transportation and Traffic), would clearly have a *less than significant* impact of direct operational increases in criteria pollutants.

Project Construction Impacts. The Project would initially require demolition of existing structures at the southeastern corner, which may contain asbestos, lead fittings or lead-based paint. Demolition without using appropriate procedures to contain these potentially harmful components from being released into the atmosphere would be a *potentially significant* impact (Impact 1.a). During subsequent grading and construction, the project would result in short-term air quality impacts due to the generation of particulate matter, both by diesel construction vehicles and equipment, and disturbance of soils through excavation, grading, and construction vehicle travel on unpaved surfaces and tracking of soils onto paved roads. The BAAQMD does not require quantitative analysis of construction impacts of projects, but instead considers the absence of mitigation measures to control dust to be a *potentially significant* impact, and to conflict with the current Bay Area CAP (Impact 1.b).

- ◆ *MITIGATION MEASURE 1-A: Demolition Permit.* Prior to any demolition activity, the Project contractor shall obtain the required permits from the BAAQMD for removal of any harmful contaminants.
- ◆ *MITIGATION MEASURE 1-B: Dust Control Measures.* The Project contractor shall prepare and implement a construction dust mitigation plan. An appropriate dust mitigation plan shall, at a minimum, include the following:
 - Provision of equipment and staff for watering of all exposed or disturbed soil surfaces, as well as parking and staging areas, at least twice daily, with an appropriate non-toxic dust palliative or suppressant added to the water before application;
 - Covering of all soil, sand, debris or other loose material being transported in trucks;
 - Watering or covering of stockpiles of debris, soil, sand or other materials that can be blown by the wind;
 - Suspension of dust-generating activities during periods of high wind (over 15 mph);
 - Completion of landscaping at the earliest possible date; and
 - Regular sweeping of paved construction area of all mud and debris, and on adjacent streets if visible.
 - County ordinances and policies require the contractor to control dust and keep adjoining public streets and private drives clean of project dirt, mud, materials and debris, to the satisfaction of the Director of Public Works. All construction Best Management Practices (BMP) shall be used.

² Bay Area Air Quality Management District, *Assessing the Air Quality Impacts of Projects and Plans*, December 1999, p. 25.

The implementation of Mitigation Measures 1.A and 1.B would reduce the potential impacts of releases of contaminated construction material into the environment, and excessive dust and particulate materials from construction of the project to a *less-than-significant* level.

Greenhouse Gas Emissions and Global Climate Change. Greenhouse gases (GHGs) are a class of pollutants or emissions generated by human activities that have been determined to be contributing to global warming, or the greenhouse effect of warming the Earth's surfaces and water bodies. These pollutants accumulate in the uppermost layers of the atmosphere and increase the glass-like effect in these layers and cause excessive trapping of heat in the lower levels. The potential outcome of continued global warming as a result of further growth of GHGs is not entirely known, but rising sea levels and unknown climate changes such as appear probable over the course of the 21st Century and beyond. The most visible signs at the present time include thawing of ice caps and permafrost, loss of sea ice and its habitat, and in temperate latitudes, more severe storms, drought conditions and melting glaciers. Although some "natural" greenhouse effects are essential to maintaining a habitable climate on Earth, human activity has caused increased concentrations of GHGs.

The principal GHGs include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃), and water vapor (H₂O). Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing associated with agricultural practices and landfills. Man-made GHGs include fluorinated gases such as hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulfur hexafluoride (SF₆) which are byproducts of certain industrial processes.

In 2006 the California legislature adopted the California Global Warming Solutions Act (Assembly Bill AB 32) to reduce GHG emissions, based on objectives outlined by Governor's Executive Order S-3-05 (2005) that: (a) by 2010 emissions shall be reduced to 2000 levels; (b) by 2020 emissions shall be reduced to 1990 levels; and (c) by 2050 emissions shall be reduced to 80 percent of 1990 levels. As required by AB 32 to establish, by January 1, 2008, a statewide GHG emissions cap for 2020, the California Air Resources Board (CARB) adopted a 2020 GHG emission limit of 427 million metric tons of carbon dioxide equivalent (MMTCO₂e) of greenhouse gases. Formal rules and regulations must be adopted by January 1, 2011 to go into effect in January 2012. The focus of AB 32 is to achieve the maximum technologically feasible and cost-effective GHG emission reductions. Although the "scoping plan" to implement the GHG reduction goals includes an extensive list of over 70 measures, very few requirements are currently in place, and few would apply directly to the subject Project.

In addition to AB 32, Senate Bill 97 approved in 2007 amended California law to require that the CEQA guidelines be revised to ensure that the GHG emissions of projects subject to CEQA are evaluated and that mitigation of such emissions or their effects is . The Governor's Office of Planning and Research (OPR) has prepared Draft revisions to the Guidelines to the state Resources Agency, which must certify and adopt as final guidelines on or before January 1, 2010. Pending the final adoption of these Guidelines CEQA does not require a detailed evaluation of the Project's contribution to GHG emissions. However, the primary principle embodied in the Draft revisions to the Guidelines, and adopted by Planning staff for the purpose of assessing the Project's impact, is the extent to which the Project complies with regulations or requirements adopted to reduce or mitigate greenhouse gas emissions, or incorporates measures to reduce its cumulative contribution to such emissions. The Draft Guidelines also allow a qualitative analysis for projects with limited emission factors such as the subject Project.

The construction and occupation of commercial developments, which the proposed Project is in many ways comparable to, may contribute to GHG emissions. GHG emissions occur in connection with many activities associated with development, including the use of construction equipment and building materials, vegetation clearing, natural gas usage, electrical usage (since electricity generation by conven-

tional means is a major contributor to GHG emissions), water use (which relies on the use of electricity for pumping), and transportation. However, the Project as proposed includes a very substantial list of features which are expected to counteract its contribution to GHGs, including its local serving nature, inclusion of large amounts of open space, pervious pavements, stormwater treatment features, a “green building” (LEED-certification) status with a green roof and use of sustainable building materials. For these reasons, the Project’s contribution to GHG emissions are considered to be *less than significant*.

Cumulative Impacts. Projects which result in measurable increases in air pollutants, even if their direct impact is less than significant, may contribute cumulatively to regional increases in air pollutant emissions, and existing violations of clean air standards. However, the BAAQMD considers projects that are within jurisdictions with general plans that are consistent with the 2000 CAP (based on inclusion of appropriate policies aimed at reducing emissions), are also considered to be consistent with the CAP. The Eden Area Plan, incorporated into the Alameda County General Plan, is considered to be consistent with the Bay Area CAP. Because the project is consistent with the Eden Area Plan, and the Housing Element of the General Plan (see discussion under Land Use and Planning), the proposed rezoning would have a *less than significant* cumulative impact on air quality.

In summary, the project as mitigated would not conflict with or obstruct implementation of the Bay Area CAP, violate or contribute to existing or projected air quality violations, or result in cumulative increases of criteria pollutants. In addition, although the Project site is located near the Edendale Middle School, which represents a sensitive receptor from which construction-related dust could have an adverse effect, the dust control measures identified above would ensure a *less than significant* cumulative impact due to construction activities.

The planned café could generate food aromas or cooking smells. However, any commercial cooking facility would be required to meet air quality standards as a condition of its business license. Other uses which could generate adverse odors or fumes, such as a dry cleaners would also be subject to Air District requirements. Therefore, the project would have a *less than significant* impact on sensitive receptors or as a result of objectionable odors.

4. BIOLOGICAL RESOURCES Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				x
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 Game or US Fish and Wildlife Service?				x
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				x

4. BIOLOGICAL RESOURCES Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
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?				<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				<input checked="" type="checkbox"/>
g) Result in conversion of oak woodlands that will have a significant effect on the environment?				<input checked="" type="checkbox"/>

Biological Resources: The site is surrounded by commercial and residential development at medium to high densities, with the minor exception of the open space of the adjacent Edendale Park. The site is substantially disturbed, with mainly non-native grasses and weeds, and a small number of trees. There does not appear to be any possibility that the site represents important habitat for any species identified as a candidate, sensitive, or special status species, including those species identified in any County General Plan document, County policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. There are no wetlands or other water bodies on the site, and therefore no effects on water-related habitat would be anticipated. Similarly, due to the limited vegetative cover and trees, and surrounding urban development, the Project would not affect migratory patterns of any wildlife.

There is no Habitat Conservation Plan or similar habitat conservation plan for the Project area. The nearest channel of water is the Estudillo Canal, an engineered drainage channel located about a quarter mile northwest of the Project site. The Canal flows westerly to the Bay and is almost entirely concrete-lined with very limited habitat value. The watershed upstream from the Canal nearest the Project site extends over more than a square mile, and is characterized by highly urban and commercial land uses. Runoff from the site during and after construction would have a very limited effect on habitat downstream on Estudillo Canal, and requirements for protection of stormwater quality and runoff reduction (see Section 8, Hydrology and Water Quality) are expected to minimize such effects to an insignificant level. In summary, therefore, the project would have *no impact* on biological resources.

5. CULTURAL RESOURCES Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5.			<input checked="" type="checkbox"/>	

5. CULTURAL RESOURCES Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5.		x		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.		x		
d) Disturb any human remains, including those interred outside of formal cemeteries.		x		

Historical Resources: The California Environmental Quality Act (CEQA, 1970, as amended, Section 21084.1) identifies historic resources as those listed in or eligible for listing in the California Register of Historic Resources, based on a range of criteria, such as association with events or patterns of events that have made significant contributions to broad patterns of historical development in the United States or California, including local, regional, or specific cultural patterns (California Register Criterion 1). Alternatively, structures which are directly associated with important persons in the history of the state or the country (Criterion 2), which embody the distinctive characteristics of type, period or other aesthetic importance (Criterion 3), or which has the potential to reveal important information about the prehistory or history of the state or the nation (such as archaeological sites) may qualify as a historic resource (Criterion 4). In addition to meeting at least one of the above criteria, the structure must typically be over 50 years old (a state guideline rather than a statutory requirement) and have retained historic integrity sufficient to be clearly evident as a historic resource through a combination of location, design, setting, materials, workmanship, feeling and association with historic patterns. The definition of "integrity" in this context is based on criteria established by the National Register of Historic Places, which include, in basic terms, historical patterns and events (Criterion A), association with important persons in the past (Criterion B) and distinctive characteristics unique to a type, period, style, method of construction, the work of a recognizable master builder, or possessing high artistic value (Criterion C).

The Project site is not identified on the 2003 Alameda County *Parks and Historic Sites Directory*, nor is it listed in the 2007 *Preliminary List of Properties Recommended for Inclusion in the Proposed Alameda County Register*. The cultural resources discussion in the 2006 *Eden Area General Plan Draft EIR* also did not identify the site or any of its related buildings as having potential historic significance. However, one of the parcels within the Project site, in the easternmost corner, contains one single-story, wood-frame, light industrial building built in approximately 1910. Although the original structure is over 50 years in age, a historic resource profile completed for the building (state Department of Parks and Recreation form 523) found that it had been altered substantially with a variety of more contemporary materials, and based on its site and ownership history, does not appear to be associated with past significant events, have an association with a significant person, consist of an important architectural style or builder, and would not yield important historic or prehistoric information.³ For these reasons, the future demolition of this structure would have *no impact* on a historical resource as defined by CEQA.

Archaeological and Paleontological Resources, and Human Remains. As noted above, structures or artifacts that have the potential to reveal important information about the history and pre-history of California or the region may represent a historic resource, for which their loss or damage would be a

³ DPR523A: 16349 E 14th Street, prepared February 2009 by Christina Dikas, Page & Turnbull, Inc., 724 Pine Street, San Francisco, CA 94108

potentially significant impact. General knowledge of the history of the San Lorenzo area does not provide extensive evidence of local use by prehistoric people or early historic settlers or ranchers, although the general area may have been used as a hunting area or travel corridor. To determine the need for site-specific studies to assess the potential for discovering artifacts of pre-Western settlement (i.e., under the Spanish Missions, Mexican land grants or thereafter), Staff uses *Archaeology in Alameda County: A Handbook for Planners* (1976), which includes a map that identifies extreme, high, moderate and low levels of archaeological sensitivity throughout the County based on known sites and professional interpretation of natural features. The map in the *Handbook* identifies most of the vicinity (from across most of Castro Valley west towards the Bay shoreline) as having "moderate" archaeological sensitivity.

However, a general area roughly south of Delano Street to San Lorenzo Creek, and west of Kent Avenue is identified as having an "extreme" degree of archaeological sensitivity. Although the Project site is roughly 750' north of Delano Street, the boundary of the "extreme" area of sensitivity is intended to be very general, and due to soil contamination that requires a substantial amount of excavation, it is preferable to anticipate that the project would have a *potentially significant* impact on archaeological, as well as paleontological resources (Impact 2). Although the "moderate" rating of the site does not warrant a pre-construction site investigation, it is reasonable to expect that grading on the site may unearth significant archaeological or historical remains that were previously undiscovered. Section 15064.5 of CEQA requires certain basic measures to be completed in the event of discovery of archaeological or paleontological resources (including human remains). These procedures provide for temporary protection of any resource that is discovered until a determination can be made about its importance. The procedures are also considered necessary to address a *potentially significant*, albeit unanticipated, potential of discovering presently unknown human remains that may have been interred outside of formal cemeteries.

- ◆ *MITIGATION MEASURE 2: Cultural Resource Protection Procedures.* The Applicant or the contractor shall provide for grading and trenching crews to implement the following procedures:
 - Immediately halt or relocate excavations and contact a qualified archaeologist to inspect the site. If the archaeologist determines that potentially significant archaeological materials or human remains are encountered, the archaeologist must record, recover, retrieve, and/or remove any archaeological materials;
 - The archaeologist must study any archaeological resources found onsite and publish data concerning these resources;
 - If human remains are found on the site, Applicant must notify the Ohlone Most Likely Descendants, as designated by the California Native American Heritage Commission; the coroner shall be called and the archaeologist shall provide safe and secure storage of these remains while on-site, in the laboratory and otherwise, and shall consult with the Native American representatives regarding either onsite reburial of the remains or other arrangements for their disposition;
 - The archaeologist shall provide a copy of documentation of all recovered data and materials found on-site to the regional information center of the California Archaeological Inventory (CAI) for inclusion in the permanent archives, and another copy shall accompany any recorded archaeological materials and data.
 - If any historic artifacts are exposed, the archaeologist shall record the data and prepare a report to be submitted to the local historical society.
 - Monitoring for these measures must be performed by Applicant on a continual basis during construction. At the completion of work, Applicant will submit a summary of findings to the Planning Director for review and for the final record.

Implementation of the above requirements will reduce the potential loss of cultural resources to a *less than significant* level.

6. GEOLOGY AND SOILS	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking. iii) Seismic-related ground failure, including liquefaction. iv) Landslides. 		X	X	X
b) Result in substantial soil erosion or the loss of topsoil.				X
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.		X		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.		X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.				X

Geological Hazards: Specific details on the potential for exposure of people and structures to earthquake hazards and other underlying geological and soil conditions on the Project site have not been fully assessed at the present time, because the architectural plans for the youth center, including its foundation design, have not yet been finalized, and are not expected to be prepared until after HARD and the County Board of Supervisors have approved the Master Plan and youth center funding. However, the site is in the seismically-active San Francisco Bay Area, and the Hayward Fault, which has been identified on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist, is approximately 0.5 miles northeast of the site. The Hayward Fault is the nearest identified active earthquake fault. Other major faults in the Bay Area include the San Andreas Fault System, approximately 16 miles southwest of the site, and the Calaveras Fault, roughly 9.5 miles to the northeast.

The site itself is not located within a fault zone (i.e., directly above an area in which surface faulting is anticipated to occur, based on studies in the region). In addition, soil analyses in the *Site Assessment Report* (December 11, 2008) prepared by Ninyo and Moore, (discussed in the following Initial Study section, Hazards and Hazardous Materials), did not identify any fault or fault trace within or adjacent to the site. As a result, the risk of a surface rupture of a known earthquake would be *less than significant*. Nonetheless, due to the proximity of the Hayward Fault, the site is considered susceptible to *potentially significant* strong seismic ground shaking (Impact 3.a), and as discussed further below, is known to be in an area of potential liquefaction that in the event of a major earthquake could result in *potentially significant* seismically-related or -induced ground failure (Impact 3.b). Due to the level nature of the site and surroundings for approximately a mile in all directions, and which is reflected in the state seismic hazard maps, there would be *no impact* or potential for any landslide hazard on the site.

Within the region, the site is located on the alluvial plain of the East Bay shoreline, which has been determined to be especially susceptible to strong ground shaking and structural instability due to liquefiable soils, in which saturated, loose granular sand layers, and in some cases silty soils, change from a rigid structure to a near-liquid condition without shear strength, or the ability to support overlying soil layers or structures. Liquefaction hazards are generally limited to the upper 40 feet of soil and earth layers, but can result in sand 'boils' at the surface as well as lurching, differential settlement and lateral spreading of the topmost soil and structures. The state seismic hazard map shows the area including and around the site as potentially subject to liquefaction, although this determination was based on regional geological information rather than direct site sampling.

Based on the state mapping information, a site-specific study of the soils and geological characteristics of the site must be completed before construction drawings are approved by the County. Such studies typically require investigation to a depth of 40 feet. Although no analysis has been prepared at the present time of susceptibility to liquefaction, four 40 foot-deep soil borings (and five other shallow borings) were conducted by Ninyo and Moore Inc. in 2008 for preparation of the *Site Assessment Report*. The results of one boring (DB-1A) to define the underground sediment layers and lithology found a shallow surface of clayey, gravelly sand fill material of 1 or 2 feet in depth at the surface, underlain by sandy clay to approximately 5 feet below the ground surface. Between 5 and 14 feet below the surface were several layers of clayey sand and clean sand. Brown silty sandy clay of varying density was found at an approximate depth of between 15 and 34 feet below the ground. At depths of 34 to 37 feet, a deeper silty sand was detected, with grey silty clay at between roughly 37 and 40 feet below ground – the furthest extent of sampling (p. 10 of the *Site Assessment Report*). Although the Ninyo & Moore analysis did not include any geotechnical interpretation of the information on these sedimentary layers, evidence of layers of sand are indicated. In overall terms, in the absence of a site-specific soil and geological investigation, and the lack of a foundation design for the youth center building or other structures on the park site, (e.g., restrooms, skate park, trellises, etc.), the Project is deemed to have a **potentially significant** impact due to seismic-related ground failure, including liquefaction (Impact 3.b).

Unstable and Expansive Soils: Soil sampling on the site and its analysis must also address the potential for settlement (including differential settlement in which portions of a given building settle differently than other portions) resulting from earthquake vibrations, heavy traffic or structural loads. Typically, soils at the near-surface level with a high clay content are considered as a moderately expansive soil that does not easily support pavement. The sediment layer information in the Ninyo & Moore *Site Assessment Report* indicate the presence of clayey soils, and although there is no conclusive interpretation of the soil conditions on the site, the Project is deemed to have a **potentially significant** impact due to the likelihood of expansive soils occurring on the site (Impact 3.c).

- ◆ **MITIGATION MEASURE 3-A: Seismic Design Parameters.** The Applicant shall prepare a *geotechnical engineering study* for the Project to assess the specific seismic and soil conditions occurring on the site, including potential liquefaction hazards, expansive soils. The *study* shall provide recommendations for the building and pavement design to account for potential seismic activity and provide a design that complies with the latest edition of Uniform Building Code and related California building practices. The design shall also incorporate the recommendations of qualified consultants that may be retained by either the Alameda County Public Works Agency, Grading Department or the General Services Agency.
- ◆ **MITIGATION MEASURE 3-B: Foundation Design Parameters.** The Applicant shall address potential liquefaction hazards, together with the related risks of differential settlement and expansive soils by designing the foundations, structural bearing walls and beams, and underground utility connections to include appropriate features such as, but not limited to, tying isolated column footings to concrete flatwork and floor slabs, compacting subgrade soils to meet appropriate water-content guidelines, use of capillary breaks and/or vapor barriers, and similar measures. Pavements areas such as the skate

park, amphitheatre, driveways and parking areas shall be designed to withstand severe seismic disruption, with appropriate compaction, site preparation, grading, drainage, utility trenching, pipe bedding, and concrete work. The contractor shall enable the authors of the *geotechnical engineering study* to review final project plans prior to construction and report to the Director of Public Works on the adequacy of the plans.

Implementation of Mitigation Measures 3-A and 3-B would reduce the potential impacts of geological hazards (Impacts 3.a, 3.b and 3.c) to *less than significant* levels.

Other Geology-Related Issues: Due to the level nature of the site and surroundings, there would be *no impact* or potential for substantial soil erosion or the loss of topsoil. There also would be *no impact* with regard to soil compatibility with septic tanks or waste water disposal systems because a sewer system is available for the disposal of wastewater.

7. HAZARDS AND HAZARDOUS MATERIALS Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.				X
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.		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.		X		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.				X

Hazardous Materials: The majority of the project site was used between the 1960s and 1980s as a bulk fuel storage and distribution facility (Holland Oil), and contained 8 separate underground storage tanks (USTs), 20 above-ground tanks, as well as a vehicle maintenance garage and a warehouse, each of which represented a potential source of residual soil and groundwater contamination. Holland Oil ceased

operations in the mid 1980s, and beginning in 1990 a series of soil and groundwater tests and studies were conducted. Monitoring wells were installed and the USTs were removed in 1998. Sampling results before 2001 detected gasoline, diesel and kerosene-related constituents in soil areas of the former USTs, at levels which the Alameda County Department of Environmental Health (Hazardous Materials Section) (ACDEH) determined would require further analysis to assess the magnitude, distribution (laterally and vertically) and stability of contaminants that had been detected before, including gasoline, diesel and kerosene-classed petroleum hydrocarbons. The ACDEH continues to have an oversight role in reviewing all test results and activities to prepare the site for the future park and public use as currently proposed.

A *Site Assessment Report* (Ninyo and Moore, 2008)⁴ provides detailed information and reporting data from both the past monitoring and new soil studies at both shallow and deeper elevations. The *Report* describes in detail the detected levels of petroleum hydrocarbons and derivatives, including gasoline, diesel fuel, and a variety of volatile organic compounds (benzene, toluene and similar compounds referred to as BTEX, and methyl tertiary butyl ether, or MTBE). The deep boring indicated the affected soil extended from near the ground surface to approximately 14.5 feet below ground. The area around the former USTs was the most affected area, generally in the southwest quadrant and over 100 feet from East 14th Street. The eastern and northern areas had very minimal levels of total petroleum hydrocarbons (TPHs as diesel or gasoline), primarily limited to shallow soils, that appeared to be the result of isolated, random fuel spills during the period in which Holland Oil operated on the site. In most of the northern and eastern samples, the potential contaminants were not detected at or above laboratory reporting limits. The *Report* concluded that the presence of TPHs were generally limited to the areas around the USTs as the source of contamination. In addition, it was determined that a plume of TPH groundwater contamination was stable and that only low concentrations of TPH as gasoline have migrated outside of the site. No significant quantity of TPH appeared in the deeper water bearing zones, and soil vapor analysis of the eastern area of the site resulted in a finding of no hazardous conditions. Further testing to observe trends and changes in soil contamination levels was suggested through the middle of 2009.

Impacts: The proposed use of the site is for a mixture of park, playground and recreational facility uses, as well as a commercial-type structures for use by teen students, young mothers, non-profit agencies, and therefore no substantial quantities of hazardous materials would be transported to or from the site, used on the site, or disposed on or from the site, other than general domestic waste such as cleaning materials, and minor amounts of insect sprays, paints and fertilizer materials. Most maintenance equipment, fertilizers, paint or insecticides would be retained off-site by the facility operators (HARD and the Teen Center operational staff). As discussed further below, soil material that has been deemed contaminated by potentially hazardous materials such as petroleum derivatives will be exported from the site to an approved landfill prior to the commencement of construction. Although an estimated 175 to 200 truck trips will be required to carry the contaminated soil off the site, that activity will be concentrated during a short period of time, and does not represent routine transport of such materials, and therefore the potential for creating a hazard to the public or the environment through their movement is considered *less-than-significant*. Planning Department staff have also determined that the site is not on the state Cortese List of sites containing hazardous waste materials (<http://www.dtsc.ca.gov/database/Calsites>) compiled pursuant to Government Code Section 65962.5, and as a result, there would be *no impact* or potential hazard to the public or the environment due to state-designated sites of toxic or hazardous waste.

Based on existing soil conditions on the site as defined in the Ninyo and Moore *Site Assessment Report*, without appropriate soil remediation, treatment or removal, there would be a *potentially significant* risk and hazard of exposing the public and the environment to harmful levels of total petroleum hydrocarbons (TPH), either generally or from its various individual constituents. Such risks may result from accident or upset conditions, if the TPH remained in place, or during excavation to prepare the site or to remove and

⁴ Ninyo and Moore, Geotechnical and Environmental Sciences Consultants, *Site Assessment Report*, Dec. 11, 2008.

transport contaminated soil (Impact 4.a). The Occupational Safety and Health Administration has set an exposure limit of 500 parts of petroleum distillates (TPH) per million parts of air.⁵ In addition, because of the health risks to humans of regular or repeated exposure to hydrocarbons, which may adversely affect the central nervous system, headaches and dizziness and various other possible health effects, and because young persons are more sensitive to such exposure, the possible emission of TPHs during grading and excavation activity directly bordering the Edendale Middle School would be *potentially significant* (Impact 4.b).

Mitigation: A Draft Corrective Action Plan (CAP) for remediation of the contaminated soil was prepared for HARD (Amicus Consulting, March 6, 2009), based on the evidence provided in the Ninyo and Moore Site Assessment Report that contamination of the shallow soils by TPHs is not compatible with the Project use. The Project objective includes eliminating any land use limitations from both the park area and the youth center building site. The specific objectives of the CAP are to guide removal of sediments containing the highest concentrations of hydrocarbon compounds, with the benefit of enabling deeper soil materials to revert naturally to an inert state, and furthermore, to remove or grade the shallow soils or sediments around the former USTs and the defined footprint of the Holland Oil facility to prevent the exposure of park visitors and workers to TPH-bearing material. The authors of the CAP propose to use U.S. Environmental Protection Agency (EPA) "National Contingency Plan" (NCP) criteria to evaluate the effectiveness of the program, such as ensuring overall protection of human health and the environment, long-term effectiveness, reduction of toxicity or volume of the contaminant, practicality, and acceptance by both relevant governmental agencies and the community.

An analysis of alternatives to accommodate development of the site eliminated simple capping or sealing of the site, without any removal, because the residual mass of hydrocarbon compounds would continue to affect groundwater quality. Another alternative, to excavate a substantial quantity of soil and carry out a soil amendment program (to accelerate the biological degradation of the TPHs) before replacing it on the site, was also rejected as not absolutely certain to prevent exposure, and would require a substantial period of additional time for the amendment process to be completed. The preferred means of achieving the NCP criteria would consist of excavation, removal of contaminated materials, and importing clean fill material to backfill the excavated areas. This alternative would meet all nine NCP criteria, including human health and safety, environmental protection, restoration of the site to conditions appropriate for the future park use, permanent restoration, reduction or elimination of the contaminants and their source, as well as short-term effectiveness, cost and practicality.

- ◆ **MITIGATION MEASURE 4: Soil Removal and Clean Fill Replacement Program.** The Applicant shall initiate a *Soil Removal and Clean Fill Replacement Program* as outlined in the *Draft Corrective Action Plan*, subject to final approval and oversight by ACDEH, to remove all contaminated soils in Areas A, B & C as shown in **Figure 6**, as well as other contaminated soils at shallow depths identified by the ACDEH, and replace such excavated material with new clean fill material.

The *Program* will require a detailed schedule and project management, including obtaining required permits, profiling the excavated materials for acceptance by the destination landfill, and sampling of soil materials after the excavation to assess effectiveness. Other requirements include monitoring of ambient air quality (using hand held instruments), and dust suppression if warranted due to dry and/or windy conditions before the excavated material is exported from the site. Excavation and removal is expected to occur in a short period during California's dry season, and therefore weatherization (covering), extra securitization, and storm water runoff controls are not anticipated to be required.

⁵ Agency for Toxic Substances and Disease Registry (ATSDR). 1999. Toxicological Profile for total petroleum hydrocarbons (TPH) (<http://www.atsdr.cdc.gov/toxprofiles/tp123.html>). Atlanta, GA: U.S. Department of Health and Human Services, Public Health Service.

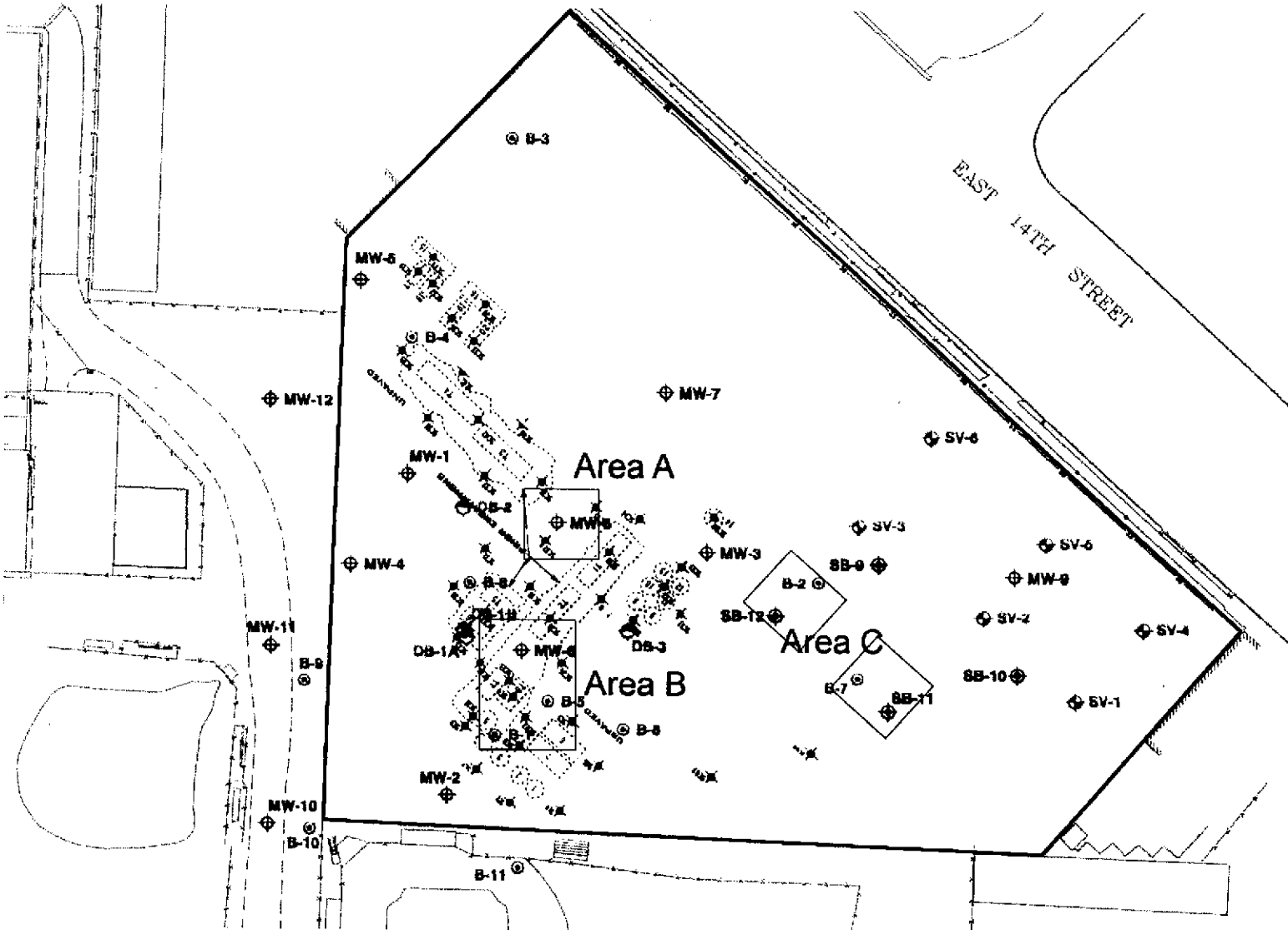


Figure 6. Remedial Excavation Boundaries

Three main areas will be excavated in stages, beginning with Areas A & B, material from which would be stockpiled in Area C. Areas A and B, which lie within the future picnic grounds and play area (in the HARD jurisdiction) will be backfilled with clean fill materials delivered by trucks that will in turn carry the excavated materials to a designated, ACDEH-approved landfill site. Once Areas A and B Area have been backfilled and compacted, Area C will be excavated and materials stored on an adjacent ground surface area. After export of the excavated material from Area C, the adjacent ground surface area would be scraped of loose material and also exported to the approved landfill. Area B and two excavations in Area C will each have excavation dimensions of about 36 feet on each side, while Area A will be excavated in a rectangular shape with dimensions of roughly 45 feet by 60 feet. Areas A and B will be excavated to a depth of 10 feet, and the two Area C excavations will initially be to six feet in depth. The maximum anticipated volume of excavated materials is about 2,500 cubic yards.

Once excavation is completed, sampling of the sidewalls and bottom of the excavation will be taken to determine that the remaining soil meets appropriate criteria. Based on the planned use of the site for recreational uses with paving and landscaping, the residential use standard adopted by the San Francisco Bay Regional Water Quality Control Board (RWQCB) (using *Environmental Screening Levels* criteria) is considered appropriate for the Project site. In the event that the samples from the sidewalls and bottom of the Area C excavations exceed the target concentrations of gasoline or diesel-range hydrocarbons (greater than 100 mg/kg), and judged necessary by the ACDEH, the excavations will be enlarged (and/or deepened) and resampled and the requires excavation enlargement. Backfilling of the excavations, with clean, imported fill material, shall be done with suitable equipment to achieve the appropriate compaction standards of the Alameda County Grading Ordinance.

In order to minimize exposure of area residents to upset and accident conditions, or to fugitive soil particles, the remediation contractor shall utilize East 14th Street between the site and the Lewelling Avenue on-ramps to Interstate I-238, about three-quarters of a mile to the southeast (and in turn to I-580 or I-880, depending on the destination). Hauling during peak commute hours (7-9 AM and 4-6 PM) shall not be allowed.

Implementation of Mitigation Measure 4 would reduce the potential for exposure to the public of contaminated soils through upset or accident conditions (Impact 4.a), or exposure due to the proximity of the contaminated soil to a school (Impact 4.b), to *less-than-significant* levels.

Airport-Related Hazards: The nearest airports to the site include the Hayward Air Terminal, located approximately two miles southwest of the site, and Oakland International Airport which is located about five and a half miles west of the site. The *Alameda County Airport Land Use Policy Plan*, adopted July 16, 1986, identifies safety zones for both of these airports as substantially distant from the site. No safety hazard would be associated with these airport facilities for people visiting or working at the Project site, and there would be *no impact* of the Project on aircraft safety. Due to the distance between the site and Oakland International Airport, there would be no impact to persons visiting or working on the Project site from that airport, or to operations at that airport. There is no private airstrip in the vicinity of the project site, and there would be *no impact* on such considerations.

Emergency Response Plans and Wildland Fires: The project would not impair implementation of any adopted emergency response plan or emergency evacuation plan, and no impact would be anticipated on such considerations. The site is surrounded by urban development, considerably distant from any wildlands, and there would no likelihood that wildfires would be a hazard either to future residents on the project site, or to adjacent properties as a result of the project. There would be *no impact* on such considerations.

<p>8. HYDROLOGY AND WATER QUALITY Would the project:</p>	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Violate any water quality standards, conflict with water quality objectives, fail to meet waste discharge requirements, or otherwise cause significant degradation of beneficial uses of surface water bodies or groundwater, including public uses, aquatic, wetland and riparian habitat?		x		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				x
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (i.e. within a watershed)?		x		
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff (e.g., due to increased impervious surfaces) in a manner which would result in flooding on- or off-site (i.e. within a watershed)?		x		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems due to changes in runoff flow rates or volumes?			x	
f) Result in a significant increase in pollutant discharges to receiving waters (marine, fresh, and/or wetlands) during or following construction (considering water quality parameters such as temperature, dissolved oxygen, turbidity, and typical stormwater pollutants, e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?		x		
g) Result in an increase in any pollutant for which a water body is listed as impaired under Section 303(d) of the Clean Water Act?				x
h) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			x	
i) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				x
j) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				x
k) Inundation by seiche, tsunami, or mudflow?				x

Water Quality Standards: The California State Water Resources Control Board (SWRCB) is responsible for establishing water quality standards in California, and the San Francisco Regional Water Quality Control Board (RWQCB) is responsible for regulating discharges of wastes and stormwater runoff to San Francisco Bay. The RWQCB completed the most recent review and update of the Water Quality Control Plan (*Basin Plan*) for the San Francisco Bay region in 2007. Consistent with state law, the *Basin Plan* includes a statement of beneficial water uses to be protected, water quality objectives (or standards), strategies and schedules for achieving those objectives, and waste discharge requirements.

The United States Environmental Protection Agency (EPA) is also responsible for setting standards and regulating activities that affect water quality, under the federal Clean Water Act (Federal Water Pollution Control Act Amendments of 1972, as amended, and commonly known as the Clean Water Act). The Clean Water Act established the National Pollution Discharge Elimination System (NPDES), which is used by the state, regional and local agencies (such as Alameda County) to regulate discharges from both point sources (such as industrial sources) and non-point sources (such as urban runoff). Section 303(d) of the federal Clean Water Act requires states to identify water bodies that are not attaining water quality standards, and to establish total maximum daily loads (TMDLs) for pollutants causing the impairment. As such, TMDLs establish a special kind of water quality standard applicable where the EPA has recognized a given water body as failing to meet water quality standards or objectives. The Estudillo Canal is not by itself listed as an impaired water body, but lower San Francisco Bay into which it drains is listed for a wide range of contaminants, such as DDT, dioxin compounds, mercury, and polychlorinated biphenyls (PCBs).

The RWQCB primarily regulates non-point discharges by issuing permits for stormwater runoff to municipalities and counties, contingent on the implementation of controls and practices (Best Management Practices, or BMPs) to protect water quality. The RWQCB's *Basin Plan* requires that new development of one acre or more provide permanent, post-construction measures to protect water quality to reduce pollution and the rate of runoff which typically results from new impervious surfaces such as roads and roof tops. To comply with the *Basin Plan*, Alameda County established a Clean Water Program and adopted a *Stormwater Quality Management Plan* (SQMP), which in turn establishes requirements for ...

The Alameda Countywide Clean Water Program has identified a variety of resources for developing appropriate BMPs, including its Preamble to the State BMP Handbooks, the *2003 California BMP Handbooks for New Development and Redevelopment, Start at the Source and Using Site Design Techniques to Meet Water Quality Standards for New Development*.

Construction Impacts: Construction of the Project would require a substantial degree of excavation, stockpiling and grading activities. During construction, discharges of stockpiled fill materials or erosion of exposed soil into local storm drains and culverts during rainstorms could have adverse water quality impacts on neighboring properties, local roadways, storm drainage facilities such as Estudillo Canal, and San Francisco Bay. The RWQCB requires the developer of any proposal to disturb one or more acres of land to apply for a "General Permit for Stormwater Discharges Associated with Construction". The General Permit requires that the applicant submit a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB and Alameda County Public Works Agency's Grading Department and Clean Water Program, the latter of which is responsible for implementing the NPDES requirements. Without proper measures in the SWPPP to control stormwater flows during construction, the Project would have a *potentially significant* impact due to violation of standards, conflict with objectives, failure to meet discharge requirements or degradation of the beneficial uses of surface waters in the Bay Area (Impact 5.a).

- ◆ *MITIGATION MEASURE 5-A: Storm Water Quality Control Plan – Construction Phase.* As required by the NPDES and the Alameda County Clean Water Program, the contractor shall prepare a Storm

Water Quality Control Plan, as a general program for complying with the federal, state and local requirements for protection of water quality. Copies of the NOI and the SWPPP must be submitted to the Grading Department prior to issuance of a grading permit or prior to any land disturbance on the site. The NOI and the SWPPP serve to identify BMPs which the developer will use to prevent discharge of contaminated materials into public drainage facilities, both during and after construction. The SWPPP will include:

- Specifications for best management practices (BMPs) that will be implemented during project construction to minimize the potential for accidental releases or contamination, and to minimize runoff from the construction areas, including storage and maintenance areas and building materials laydown areas. Measures should include dust control, such as water spraying or application of dust suppressants, and gravel covering of high-traffic areas, temporary storage of excavated soil material, and controls on the release of groundwater generated by dewatering.
- A description of a plan for communicating appropriate work practices to field workers.
- A plan for monitoring, inspecting and reporting any release of hazardous materials.

Implementation of Mitigation Measure 5-A, with approval by the Alameda County Clean Water Program, would reduce the potential impact due to Project construction to a *less than significant* level.

Post-Construction Impacts: Once developed with the park and the Youth Center building, the site would be expected to generate storm water runoff containing typical urban contaminants, such as litter, bacteria, vehicle oil discharges, pesticides and fertilizers. Such contaminants normally represent potentially adverse sources of polluted runoff, and while such urban runoff may be very limited by itself, it can be considerable when combined with other pavement and development (new and preexisting) in the same watershed. The Project does not have any proposed features that would directly degrade water quality. Contaminated soils that have been extensively documented on the site will be excavated and removed from the site and replaced with new, clean fill material, thereby eliminating the potential for future stormwater flows from the site to degrade water quality in groundwater. Its community-serving use and location near transit services may also minimize the effects of the Project development. However, the potential increase in impervious surfaces and amount of stormwater runoff from the site that would be expected from the construction of the new structures and paving could offset the benefit of its use and location. Possible impacts include alteration of the existing drainage pattern of the area, including through off-site erosion or siltation in the Estudillo Canal or San Francisco Bay, downstream flooding, exceeding the capacity of existing and/or planned stormwater drainage systems, and contributing additional sources of polluted runoff.

In anticipation of the requirements of the County's Clean Water Program and understanding the potential for adverse effects on water quality, or violation of standards and requirements, a *Draft Storm Water Quality Control Plan* has been prepared for the Project which outlines the features intended to minimize storm water runoff effects following construction. The main elements of the *Plan* include a green roof over 40 percent of the Youth Center building, five landscaped bio-swales bordering the driveways and parking areas located around the south and west sides of the site, and use of porous or pervious paving materials in the central area of the park. The *Plan* estimates that the proposed parking and driveways on the site amount to a total of about 0.78 acres, which have been divided into five areas for each of the five bio-swales. Design parameters for the swales are provided, such as side slope, depth, width (across top and bottom) and length, and other hydraulic design calculations. However, the *Plan* has not yet been reviewed or approved by the Alameda County Clean Water Program, which will require the *Plan* to be approved in conjunction with detailed grading and construction plans. Until the *Storm Water Quality Control Plan* has been approved by the County, stormwater runoff from the Project site should be considered a *potentially significant* impact (Impact 5.b) that could result in violation of water quality standards and objectives.

- ◆ **MITIGATION MEASURE 5-B: Storm Water Quality Control Plan – Post-Construction Phase.** The Project contractor shall provide a detailed description of measures to monitor stormwater runoff after the Project has been completed. Specific recommended conditions of approval identified by the Clean Water Program include:
 - Specifications for BMPs that will be incorporated into the project itself to minimize runoff of pollutants after project completion. Although the Clean Water Program normally favors landscape features to control the rate and quality of runoff, other types of measures may be considered by the Clean Water Program to achieve compliance such as pervious materials for the uncovered parking areas. The stormwater treatment system that is installed must be maintained, and conditions of approval must provide for a maintenance agreement and/or on the deed prior to final approval of the project. All landscaping irrigation should also be designed to minimize runoff, and should incorporate the use of native and/or pest resistant plants to minimize the need for pesticides and fertilizers, which can result in storm water contamination.
 - Completely covering trash enclosures and recycling areas;
 - Providing grading and drainage controls to prevent drainage to and from trash and recycling areas;
 - Connecting drains from trash and recycling areas to the sanitary sewer, subject to approval by the Oro Loma Sanitary District, and prohibiting any connection to the storm drain from trash and recycling areas; and
 - Stenciling or embossing the concrete, or affixing an iron placard on all storm drain inlets, where storm water runoff from the site may enter the storm drain system, with the message "NO DUMPING! DRAINS TO BAY," or other approved wording.

Implementation of Mitigation Measure 5-B would reduce the potential operational impacts on water quality due to quality and quantity of stormwater runoff (Impact 5.b) to a *less than significant* level.

Groundwater Supplies, Flooding and Other Potential Inundation: Although the Project would increase the amount of impervious surface at the site, in the context of the total area of the groundwater basin affected, such interference with groundwater recharge is relatively inconsequential, particularly due to the minimal use of groundwater in the vicinity for human use. The Project would not draw directly from local groundwater sources, nor would it contribute substantially toward the depletion of any groundwater resources. The site is not located in a 100-year flood hazard area as mapped on Flood Insurance Rate Map (FIRM) or the Alameda County Public Works Agency 100-year flood delineation map. As required by the County Grading Ordinance, the applicant will be required to obtain approval of the design, grading and construction of the grading work; however there would be *no impact* due to potential effects on groundwater, flooding or related hazards. As a direct result of its location outside a flood hazard area, the project would not place structures which would impede or redirect flood flows within such an area, nor would there be any potential exposure of people or structures to a significant risk of loss, injury or death involving flooding. There are no large-scale levees or dams upstream or uphill from the site which could fail in a way that would result in hazards to people or structures on the site. Lastly, impacts due to inundation by seiche, tsunami, or mudflow are not potential hazards on the site, and there would be *no impact* due to such hazards .

9. LAND USE AND PLANNING Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Physical Division of a Community: New development or other physical structures, such as a freeway or very large vertical structure (e.g., a hospital or a school) may adversely divide an established community if it results in street closures, or is especially inconsistent with its surroundings. The project site occupies a relatively small portion of a very large block through which there is no street or pedestrian access, bounded by East 14th Street on the northeast, Kent Street on the east, Delano Street on the south and Ashland Avenue on the west. Although such a large block of land may represent an internal barrier to neighborhood cohesion, because it limits access from its interior and edges, such large blocks are very typical of the Ashland area, based on its agricultural history and incremental subdivision. There is no existing pattern of pedestrian or other travel across the site between East 14th Street and either Ashland Avenue or Delano Street, due to the privately-owned land and fenced-in development along East 14th Street. There are no cross-block pedestrian connections elsewhere within the block.

The existing restricted access separates the commercial uses along East 14th Street from the remainder of the block, which includes Edendale Middle School, a mixture of low-density residential uses, with some mobile-home uses. Although the Project would not provide for new public vehicular access between East 14th Street and Ashland Avenue (except for school employee vehicles), new access will be provided for pedestrians and bicycles through the middle of the block, thereby *eliminating* a barrier between various commercial uses on East 14th Street and the residential neighborhoods along Ashland Avenue. The Project provide pedestrian access from the thoroughfare to the existing Edendale Park. The new park site will also provide access and space to allow for the construction of a new multi-use gymnasium fully funded by the San Lorenzo Unified School District. There would be *no impact* of creating any new physical division of the neighborhood or the community.

Conflict with Land Use Plans: The site is within the Ashland area of unincorporated Alameda County, and as it borders East 14th Street, is also within the boundary of the *Ashland/Cherryland Business District Specific Plan (ACBD)*, adopted in 1995. The ACBD designates the site as TC/Transit Corridor, which is a designation intended to benefit from having frontage on a transit system corridor – East 14th Street – but is not meant to be as intensively developed as the TA/Transit Access designation. The TC designation allows both small and large scale, high intensity retail and offices as primary uses, as well as walk-in storefront office and health care and professional office uses. Uses that are allowed by the C-1 (Commercial) District as defined by the Alameda County Zoning Ordinance can be approved as conditional uses. The two guiding land use concepts of the TC designation are that: 1) the predominant characteristic of the use must be storefront retail with a professional office or residential use located on upper stories and/or to the rear of each site; and 2) any ground floor office use must be for walk-in, non-appointment types of uses and are not to detract from retail intensity.

On October 15, 2007, the Alameda County Planning Commission received and approved a *General Plan Conformance Report*, consistent with state Government Code Section 65402 that applies to redevelopment agencies. The *Report* determined that the planned use of the site for a community center – or youth center, would be consistent with the overall goals and objectives of the ACBD Specific Plan, and that the change of the land use to a community center from the requirement for storefront retail and allowing walk-in type office uses, including requirements for office or residential uses, would not constitute a conflict with the ACBD Specific Plan. Therefore, there would be *no impact* or policy conflict with the ACBD Specific Plan or any other applicable Alameda County land use plan, policy or regulation.

Conflict with Habitat Conservation Plan or Natural Community Conservation Plan: There are no habitat conservation plans which apply to the project site, and there would be *no impact* on such plans.

10. MINERAL RESOURCES Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
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?				X

Mineral Resources: The site contains no known mineral resources, and it is unlikely that the underlying soils would have any extractive value. Extraction would also be infeasible due to the small project site. The Conservation Element of the Alameda County General Plan does not identify any mineral resources in the vicinity. (Alameda County, Conservation Element of the Alameda County General Plan, Adopted by the Alameda County Board of Supervisors November 23, 1976, pp. 1-78 to 1-84.), and as a result there would be *no impact* on mineral resources.

11. NOISE Would the project result in:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.			X	

11. NOISE Would the project result in:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.			X	
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, exposure of people residing or working in the project area to excessive noise levels.			X	
f) For a project in the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels.				X

Noise: New development may result in either new noise disturbing existing residents or other land uses, or in the introduction of persons into existing environments with high noise levels. Temporary noise resulting from construction activity may also be significant. The threshold of significance for these effects is determined by state law, embodied in the *Alameda County General Plan Noise Element*. The *Noise Element* provides definitions for specific concepts of environmental noise, such as Ldn, the day-night average noise level measured in decibels (dB), which is weighted to give more significance to nighttime noise. Other key terms include the dBA (weighted-average decibels), and Community Noise Equivalent Level (CNEL), which is based on a complex series of calculations to measure average community noise levels such as generated by a major roadway, transit corridor or airport runway. Another term is L10, defined as the level of sound exceeded 10 percent of the time, such as during the morning and evening peak hour traffic commute periods. For example, Interstate 880 through Hayward is described in the Noise Ordinance as having a CNEL of 65 dB-L10, that is approximately 1,600 feet wide, well beyond its right of way. Definitions of noise terms are also provided in the County *Noise Ordinance* (Chapter 6.60 of the Alameda County General Ordinance, as amended).

The *Noise Element* establishes countywide goals, objectives and principles (or policies) to protect residents against excessive, unnecessary and unreasonable noises, and promotes compatibility among land uses through protection of sensitive land uses from unwanted noise. Separate policies for unincorporated areas authorize the County to adopt regulations on noise pollution, including high noise levels, frequencies and duration of noise. In general, however, the focus of the *Noise Element* is on incompatible land uses, and exposure to other sources of unwanted noise such as freeways.

Alameda County's Noise Ordinance prohibits specific noise levels of between 45 and 70 dBA from being exceeded for greater than a cumulative number of minutes, with more limitations during nighttime than during daytime, and lower limits for noise exposure within commercial areas. For example, the exterior noise level for residential, school, hospital or public library uses may not exceed 60 dBA for more than 5 minutes in any one hour time period between 7 a.m. and 10 p.m., or 55 dBA for more than 15 minutes during the same period of time. The Ordinance, however, exempts construction activities from such limits, provided they are limited to the hours of 7 a.m. and 7 p.m. on weekdays, and between 8 a.m. and 5 p.m. on Saturdays and Sundays (Section 6.60.040 and Table 6.60.040A and 6.60.040B, General Ordinance).

Construction Noise: Because construction, as a temporary activity limited to the hours set by the Noise Ordinance is exempted from the noise standards the project would have a *less than significant* impact on or conflict with the local noise ordinance during construction. However, with regard to the more basic question of whether or not people would be exposed to a substantial temporary or periodic increase in ambient noise levels during construction, as compared to existing levels in the project vicinity, general construction activity typically produce maximum noise levels of about 80 to 85 dBA at a distance of 50 feet, and equipment such as trucks, backhoes, graders, cranes, concrete mixers, power drills and saws may result in maximum noise levels of between 75 and 91 dBA at a distance of 50 feet. The effect of such activities and decibel levels at distances of less than 100 feet, even inside residences, may include interference with normal speech during the daytime. However, at distances of over 100, and increasingly at distances of 150 and 200 feet, the noise impact is more moderate.

The grading required for the project, in particular the below-grade excavation work to remove contaminated soils, would be a major component of the anticipated construction noise, located in close proximity to school classrooms (within 100'), could expose students at the Edendale Middle School to disturbing noise levels. Major grading and excavation should be completed within three to four weeks, and could be scheduled for the summer vacation period(s), in order to avoid some or most impacts on the school. Although building construction may continue for several months, during some portion of the academic year, the building itself will be over 200' from the school. Therefore, the construction noise generated by the project, compared to existing ambient noise levels is deemed to be a *less than significant* temporary impact.

Post-Construction Noise. The uses would be compatible with the adjacent commercial uses, and hence the project would have a *less than significant* impact as a result of generating any substantial permanent or ongoing periodic increases in ambient noise levels in the project vicinity compared to existing conditions.

12. POPULATION AND HOUSING Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Population and Housing: The project would result in no new dwelling units, and would not displace any existing dwelling units, and therefore would have *no impact* on population or housing. The new facilities would serve local needs, but would not induce new growth that is not inconsistent with plans for the area.

13. PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Fire protection?				X
b) Police protection?			X	
c) Schools?				X
d) Parks?			X	
e) Other public facilities?				X

Fire Protection: The Alameda County Fire Department (ACFD) provides fire protection services for the unincorporated areas of Alameda County, including the Ashland area. Fire protection by the ACFD also includes provision of services related to hazardous materials, paramedic services, urban search and rescue, fire prevention, building code enforcement, risk management and public education, all of which contribute to prevention of fires, accidents and injuries before they occur. The Department operates 2 battalions, 16 fire stations, 16 engine companies, and 4 ladder truck companies. The first response station for emergencies at the project site would be an ACFD Station on 164th Avenue, located about half a mile east of the site. The project represents a limited increment in the amount of development in the vicinity, and the cost of providing fire protection to the site would be provided through property taxes paid by area residents. There would be *no impact* on fire protection services which would require the construction of new facilities, or compromise the service level or response time of the ACFD. All ACFD standards would be required to be met.

Police Protection. The Alameda County Sheriff's Office provides police protection in the project area, as well as other unincorporated areas of the county. The Sheriff provides numerous other services, including operations of the County Office of Emergency Services, operating the two County jails, Coroner services, and other duties. The Project will include an office and a weight room for cooperative physical education programming between officers and youth. The building and park area represents a modest burden on the ability of the Sheriff's Office to police the grounds and facilities, and respond to service calls. The cost of providing police protection to the site would be provided, at least in part, through property taxes paid by area property owners. The project would not require the construction of new facilities to meet service demands, and the impact on Sheriff's Office services or facilities would be *less than significant*.

School Facilities. The San Lorenzo Unified School District (SLUSD) provides public school services in the Project vicinity. The Project itself does not involve or require the construction of new school facilities that the SLUSD would be required to maintain. The Project would not reduce the service level of the District, and there would be *no impact* on school services and facilities.

Parks. Park facilities in the area are provided by the Hayward Area Recreation and Park District (HARD), a special use district serving Hayward and the unincorporated areas of Unincorporated Alameda County and San Lorenzo. The District operates over 100 separate park facilities. The Project represents a substantial new responsibility by the District to provide recreational and open space services to the Ashland area, but it has been programmed into the District's budget and would not require the development of new park facilities, or adversely affect the District's service levels. As a result there would be *less than significant* impacts on park facilities.

Other Facilities. The Alameda County Public Works Agency provides for roadway maintenance and design, management of flood control projects, and a variety of other facilities and services in the unincorporated areas of Alameda County. The County of Alameda provides the majority of other governmental services in the Ashland area. The cost of providing roadway maintenance, flood control and other services would be provided through property taxes paid by existing area residents. As a result, there would be *no impact* on roadway, flood control or other facilities and services, and the project would not adversely affect the County's levels of service for these facilities and services. However, the development would be required to meet the Agency's requirements for improvements to drainage, lighting, etc., and to provide for their maintenance.

14. RECREATION Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) 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.				<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.				<input checked="" type="checkbox"/>

Recreation. Recreational facilities for unincorporated Alameda County are provided by the Hayward Area Recreation and Park District (HARD), also discussed above under the heading of *Public Services – Parks*. The proposed project would not represent an increase in the use of an *existing* recreational facility, or change the way existing facilities are used, so as to cause deterioration of such facilities, or to require the development of new facilities. The District, as one of the Applicants, proposes a mixture of new recreational facilities to provide new services where they are presently lacking, but no adverse physical effects on the environment from such a recreational facility, or increased use of existing recreation facilities other than those identified in this Mitigated Negative Declaration. There would be *no impact* on recreational facilities.

15. TRANSPORTATION AND TRAFFIC Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			<input checked="" type="checkbox"/>	

15. TRANSPORTATION AND TRAFFIC Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				x
c) Result in a change in air traffic patterns, including either an increase in air traffic levels or a change in location that results in substantial safety risks?				x
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		x		
e) Result in inadequate emergency access?			x	
f) Result in inadequate parking capacity?			x	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				x

Substantial Increase in Traffic: The following analysis of traffic and transportation is based primarily on a letter report, *Traffic Study for Ashland Youth Center in Alameda County, CA*, prepared for the project by TJKM Transportation Consultants, dated April 17, 2009, incorporated into this Initial Study by reference. The analysis also incorporates evaluation by County Planning Department and Public Works Agency staff. The discussion is arranged under the major headings of existing conditions and Project impacts.

Existing Conditions: Access to the site is exclusively from East 14th Street, which is a major arterial roadway designated as California State Highway 185, with a posted speed limit of 35 miles per hour and an average daily traffic (ADT) load of over 25,000. In the Project vicinity, it has a 100'-wide right-of-way that accommodates four travel lanes, a painted yellow median providing left-turn pockets, and parallel parking on both sides of the street. Other important roadways in the vicinity include 163rd Avenue, which forms an unsignalized T-intersection at East 14th Street directly across from the site. 163rd Avenue extends to the northeast directly to Interstate 580, and on- and off-ramps serving the eastbound direction on that freeway; access to and from westbound I-580 is by way of 164th Avenue and Foothill Boulevard.

164th Avenue extends from East 14th Street through an underpass beneath I-580 to Foothill Boulevard, beyond which it extends as Miramar Avenue into Castro Valley. At East 14th, 164th Avenue terminates at a signalized intersection with Kent Avenue, which extends half a mile to the south. Ashland Avenue extends south of East 14th Street beyond Interstate 238 to Lewelling Boulevard, and does not intersect with any street north of East 14th. Between Ashland Avenue and 163rd Avenue along East 14th Street, 162nd Avenue extends north of East 14th to Liberty Street. Except for East 14th, all of the roadways in the vicinity are two-lane roadways, and most have 60'-wide rights-of-way. On East 14th Street, there are signalized intersections at Ashland, 162nd, 164th/Kent, as well as at various intersections to the north and south. The unsignalized intersection of East 14th Street and 163rd Avenue provides left-turn pockets from East 14th both onto 163rd and into the site, but does not include crosswalks.

Bus service is provided on East 14th Street, 164th Avenue, Kent Avenue and Ashland Avenue. The Bayfair BART station is located about a mile to the northeast. There are no designated bike lanes or routes in the vicinity, although there are approved plans to designate a bike route on East 14th Street, and provide bike lanes on Ashland Avenue and other nearby streets. Sidewalks are provided along almost all of the streets, but on some individual lots in the area they are indistinguishable from the adjacent surface parking lots, or

in deteriorated condition. Although most sidewalks are 8' to 10' wide, the sidewalk on East 14th Street bordering the subject site itself is only about 4' wide, with an unplanted 'landscape' strip between the sidewalk and the curb. Substantial sidewalk and 'streetscape' improvements border East 14th Street west of 162nd Avenue, including street trees, benches, and landscaped, raised center medians. The County Redevelopment Agency is developing a program to finance and install streetscape improvements on East 14th Street in the Project vicinity (but separately from the Project), including bike lanes, widened sidewalks, street trees and landscaping of a raised center median, new crosswalks where absent (such as at 163rd Avenue). Because East 14th Street is a State Highway, the state Department of Transportation (Caltrans) will be required to review and approve any such program. At the present time, there is no proposal to install signalization or other improvements at East 14th Street and 163rd Avenue.

The Project area along East 14th Street is subject to the Ashland and Cherryland Business Districts Specific Plan (ACBD), adopted in 1995, and which established Level of Service (LOS) "D" as the minimum standard for acceptable congestion (or average delay) for intersections. As a standard means of representing traffic load, capacity, congestion and average delay, an intersection may perform between LOS A (free flowing conditions with insignificant delays of less than 10 seconds at signalized intersections) and LOS F (operations with extreme congestion and delays of more than 80 seconds at signalized intersections). LOS D, which is the minimum acceptable congestion level accepted by the County Public Works Agency, is characterized by average delays of 35 to 55 seconds at signalized intersections, or 25 to 35 seconds at unsignalized intersections. At unsignalized intersections, the LOS is based partly on the delay at the approach that is controlled by a stop sign. The LOS is also based on peak hour conditions, typically the weekday PM peak hour, but some studies may also include the weekday AM peak hour or weekend AM or PM peak hours. Most importantly from the perspective of evaluating the possible effects of projects on traffic, the LOS forms a threshold of significance, such that if a project causes the LOS to deteriorate to an unacceptable LOS, it represents a significant impact that must be mitigated by suitable means.

The *Traffic Study* prepared by TJKM Consultants for the Project included a traffic count and calculations for the PM peak hour at East 14th Street and 163rd Avenue showing that it currently operates at LOS C, which represents, for an unsignalized intersection, moderate delays that average between 15 and 25 seconds. The average delay for traffic on southbound 163rd Avenue on the approach to East 14th Street was calculated to be 16.7 seconds, as an average of both left- and right-hand turning movements.

Project Impacts: The proposed Project would result in a new on-site driveway entry from East 14th Street, located 100' northwest of the intersection of East 14th and 163rd Avenue. The driveway and parking would serve the Youth Center, including the park facilities (skate park, amphitheatre, picnic and play areas), and also the new Edendale Middle School Gymnasium located directly west of the site on the school property. The parking and driveway will also serve the needs of those driving to the soccer and/or baseball fields on the school property. Projected new vehicle trips to the site and adjoining parking were calculated from standard demand factors for the new Gym, the soccer field, and from a comparable youth center facility in Oakland, California (the Youth Uprising Center). The anticipated peak hour trip generation from these uses is shown below in **Table 1**. Planning staff estimate the Project would generate a total of approximately 460 trips per day, of which about 15 percent would occur during the peak hour. The rate of peak hour trip generation shown in **Table 1** is solely for peak hour trips and was determined by the author of the *Traffic Study*.

With the projected future traffic volumes (69 PM Peak Hour trips) with completion of the Project, the *Traffic Study* calculated that the study intersection of East 14th Street and 163rd Avenue would operate at LOS C or better, based on a increased average delay of less than four seconds, from 16.7 to 20.4 seconds. As a result there would be a *less than significant* impact on the existing traffic load and capacity of the street system, including both the number of vehicle trips and the capacity of roads and intersections.

Table 1
Trip Generation for Ashland Youth Center and Adjacent Uses

Land Use of Proposed Project (ITE Code) Size Unit	Size	Unit	Weekday PM Peak Hour				Weekend Peak Hour			
			Rate	In	Out	# of trips	Rate	In	Out	# of trips
Gymnasium (495)	11.73	ksf	1.45	6	11	17	1.48	10	7	17
Youth Center*	30.2	Ksf	*	15	16	31	*	15*	16*	31*
Soccer Field	1	Field	20.67	14	7	21	28.73	27	30	57
Total				35	34	69		35	34	69

Source: ITE Trip Generation Manual, 8th Edition (2008); * Data collected at Youth Uprising Center in Oakland, without a specific trip generation rate. The Oakland facility is not open during the weekends, whereas the Project would operate during weekends, and therefore the Weekend Peak Hour figures are estimated to be the same as during the week. Other notes: ksf = 1,000 square feet.

Construction Impacts: Prior to construction, an estimated maximum of 2,500 cubic yards of excavated soil material is intended to be removed from the site, which will require between 40 and 50 long-bed trailer truck trips per day over the course of about a week (175 to 200 trucks total, depending on the carrying capacity of the various trucks). To minimize traffic effects and potential for upset and accident conditions, Mitigation Measure 5 requires that the contractor use East 14th Street between the site and the Lewelling Avenue on-ramps to Interstate I-238, about three-quarters of a mile to the southeast (and in turn to I-580 or I-880, depending on the destination), and limit hauling to non-peak hours (9 AM to 4 PM only). This measure will also ensure that construction-related truck traffic has a *less than significant* impact on traffic congestion.

Other access features of the proposed project include a separate driveway about 120' northwest of the 164th/Kent Avenue intersection (and over 300' from 163rd Avenue), to serve a small parking area with 17 stalls located behind the Youth Center building. The driveway will extend along the south side of the site and connect to the main parking areas further to the west. The *Traffic Study* observed that in order to provide for safe sight distance for vehicles exiting both this small parking lot and the main parking driveway, and meet the *Caltrans Highway Design Manual* guidelines that establish a safe stopping sight distance of 250' for a posted speed of 35 mile per hour, a minimum 100' of parking restrictions should be provided in the direction of on-coming traffic for both the main and secondary driveways. Planning staff also suggest that such areas be restricted from being used for pick-up and drop-off purposes or queuing for the pick-up/drop-off zone, because stopped vehicles would obstruct views of oncoming vehicles. Failure to provide safe stopping sight distance is considered a *potentially significant* impact of increasing hazards due to a design feature (Impact 6.a).

The Project also proposes an 80' to 100' long pick-up and drop-off segment along East 14th Street. On a qualitative basis, the authors of the *Traffic Study* suggest that the length of the drop-off segment may be inadequate and that the area between the designated pick-up and drop-off area (or loading zone) also be reserved for vehicles pulling over to pick-up or drop-off students or others, to ensure that they are not queuing in the travel lanes on East 14th Street. Failure to allow for adequate vehicle queuing for the pick-up and drop-off segment, due to the high volumes of traffic and speeds on East 14th Street, is considered a *potentially significant* impact of increasing hazards due to a design feature (Impact 6.b).

The *Traffic Study* determined that the planned main driveway, 100' from the T-intersection of East 14th and 163rd Avenue, would be too close to the T-intersection to allow left turns either from East 14th into the driveway, or out of the driveway to westbound East 14th, because they would interfere with vehicles using the existing pocket for turning left onto 163rd Avenue (it extends approximately 150' west of the T-intersection). For this reason, the *Traffic Study* authors believed such left turns should be restricted.

In contrast, the *Traffic Study* determined that the easterly, secondary driveway could accommodate left turn movements in or out, without conflicting with the left-turn pocket for vehicles turning left onto 164th Avenue. For this reason, it appeared that this driveway would and should allow for full access without restriction. Although the center median on East 14th Street allows for left turns on an informal basis, it was recommended in the *Traffic Study* to establish a left turn pocket with a minimum length of about 75' to provide access from westbound East 14th Street into the secondary driveway. The *Traffic Study* also noted that appropriate and safe stopping sight distance and driveway geometry at this driveway would be required. Safe sight distance requires that neither the Youth Center building or on-street parking obscure views of eastbound traffic, and the driveway must be at a right angle to East 14th Street. Were the design of the driveway, building and on-street parking limitations inadequate in these regards, it would be considered a *potentially significant* impact of increasing hazards due to a design feature (Impact 6.c).

Planning staff also note that the result of preventing left turns in and out of the main driveway will be that vehicles traveling westbound on East 14th Street will be required to enter the Project site through the secondary driveway. The option of making a U-turn at the signalized intersection on East 14th Street at 162nd Avenue is possible, and there is a left-turn signal at that location that could allow U-turns. However there are "bulb-out" sidewalks at 162nd Avenue, provided as part of streetscape improvements to shorten the length of the crosswalks, that constrict the turning radius for U-turn maneuvers. However, assuming most westbound vehicles traveling to the site make the left-hand turn into the secondary driveway, the impact of such U-turns is deemed to be a *less than significant* impact. Preventing left turns out of the main driveway onto East 14th Street will require vehicle drivers to avoid using the main driveway, and instead use the secondary driveway. It may be noted that at 164th Avenue there are no curb "bulbouts" that would constrict most U-turn maneuvers from eastbound 14th Street. The estimated 18 peak hour trips which would have to make such U-turns is also considered to be a *less than significant* impact.

The *Traffic Study* also notes that the existing left-turn pocket serving the existing site driveway that is aligned with 163rd Avenue should be removed because that driveway would be eliminated. In addition, the main driveway requires a design that will accommodate adequate width and turning radii for service and emergency vehicles, including waste management trucks, delivery trucks, fire engines and small school buses. The driveway needs to have a minimum width between stalls of 26', and pedestrian access within the parking areas should be clearly designated with appropriate signage and pavement markings. These aspects of site access may also be considered *potentially significant* impacts of increasing hazards due to design features (Impact 6.d).

For the residents living on the north side of East 14th Street that walk to the facility, adequate signage should be provided to direct them to use the existing crosswalks at the signalized intersection of East 14th Street and Kent Avenue. Planning staff expect, however, that the Redevelopment Agency's streetscape program to improve the portion of East 14th Street between 162nd and 164th Streets will result in placement of a crosswalk at the T-intersection of 163rd Avenue and East 14th Street. Failure to prevent pedestrians from crossing East 14th Street without the benefit of a crosswalk or signal such as those provided at 162nd and 164th Streets, would be considered a *potentially significant* impact of increasing hazards due to design features (Impact 6.e).

- ◆ **MITIGATION MEASURE 6: Final Project Access Design Review.** The final design for circulation and access within the site shall be reviewed by the Alameda County Public Works Agency Road

Design section, and by the author(s) of the *Traffic Study* prior to preparation of final grading and construction plans. The access design review shall address all aspects of ingress and egress from the Project site and circulation patterns along East 14th Street, including:

- Restrictions on parking and queuing on East 14th Street adjacent to the main and secondary driveway entries.
- Extending the length of the pick-up and drop-off segment of East 14th Street.
- Providing a left-turn pocket on East 14th Street to serve the secondary driveway.
- Providing safe stopping sight distance and right-angle geometry for the secondary driveway.
- Eliminating the left turn pocket that currently serves the Project site entry at 163rd Avenue.
- Providing adequate width and turning radii on both driveways.
- Ensuring safe pedestrian circulation across driveways and through parking lots.
- Providing measures to prevent or minimize pedestrians from crossing East 14th Street except at designated crosswalks or signals, including streetscape improvements to provide a crosswalk at 163rd Street and East 14th Street.

The review shall make recommendations to the Redevelopment Agency for possible vehicle, pedestrian and bicycle circulation features of the streetscape improvement project on East 14th Street. Changes to left turn pockets shall be reviewed and approved by Caltrans.

Implementation of Mitigation Measure 6 would reduce the potential impacts of increased hazards due to access and circulation design features to a *less than significant* level.

Parking. The Project site itself is proposed to include a total of 60 parking stalls, and a 58-space parking lot on the adjacent Edendale Middle School property will be directly interconnected for use after school hours on weekdays, and during the weekends. An additional 28 parking spaces are located on the school property near Ashland Avenue, but adjacent to the proposed soccer field. Therefore there will be a total of approximately 146 parking stalls available. On-street parking is also available on Ashland Avenue adjacent to the soccer fields and the Edendale Middle School, and along portions of East 14th Street. The following summarizes the parking demand for each use:

Gymnasium – During the school period (8 a.m. to 3 p.m.) the gymnasium will be used by students with no public access. After school hours and on weekends, Hayward Area Recreational District (HARD) would operate the gymnasium and it will be open to public. Based on the Institute of Transportation Engineers (ITE) Parking Generation, 3rd Edition, the estimated number of parking demand for a Recreational Community Center (ITE Code #495) is 3.83 per 1,000 square feet. Therefore, the estimated number of parking stalls needed for the gymnasium is 45 stalls.

Youth Center – TJKM conducted a parking occupancy survey during a typical weekday between 3 p.m. and 6 p.m. at the Youth Uprising Center in Oakland. This facility is not open during the weekends. The number of occupied stalls during the p.m. peak hour was 43. The proposed youth center is very similar in characteristics to the Youth Uprising Center; therefore it is expected to have similar parking demand of 43 during the p.m. peak hour.

Soccer Fields – Assuming that there are 12 players per team, and one referee, and five spectators, there will be 30 cars parked for each game.

Baseball fields – Assuming that there are 12 players per team, there will be approximately 24 cars parked for each game. This will be a total of 72 cars for the 3 baseball fields, if there are simultaneous baseball games occupying all the existing fields.

Assuming that all the different activities occur at the same time, the total number of parking demand is expected to be approximately 190 stalls. It is expected that a large number of trips to the proposed Gymnasium and the Youth Center will be generated from the adjacent Edendale Middle School after school hours, as was observed at the Youth Uprising Center in Oakland, which is adjacent to a high school. It is also expected that public transit would be utilized by a substantial proportion of students from other schools to get to this site. During tournaments and games, many patrons would carpool or walk from the adjacent neighborhoods to the site. Therefore, it was assumed that the parking demand would be 0.75 vehicle per user⁶, which would yield a parking demand of 143 stalls for this facility. It is concluded that the proposed 126 parking stalls, combined with available on-street parking and parking on the Edendale school property accessed from Ashland Avenue would provide adequate parking supply for the highest demand of 143 parking stalls. The impact on parking would be *less than significant*.

Congestion Management Agency Standards. The Alameda County Congestion Management Agency (ACCMA), is an information and funding conduit for Alameda County and its cities, and operates numerous programs to address traffic congestion through planning and the use of federal and state transportation funds. Among the ACCMA's programs is the designation of a network of roadways on which Level of Service E or better must be maintained, and providing land use review to ensure that new projects do not cause the LOS for the network to be exceeded. The ACCMA considers projects which generate more than 100 p.m. peak hour trips to have the potential to adversely impact the LOS on the CMA network; projects with fewer trips, such as the proposed project, would have *no impact* on the CMA network LOS.

Safety and Emergency Access Considerations. The project would provide for adequate emergency vehicle access and there would be a *less than significant* impact on safety or emergency access.

Alternative Transportation. The project would support alternative transportation because it is located on a bus route, and is located within a mile of a major transit node combining local and regional (i.e., limited stop express service) bus service with rapid transit (Bay Area Rapid Transit, or BART), at Bayfair BART. There would be *no impact* as a result of conflict with policies, plans or programs related to alternative transportation.

Other Considerations. The project would have *no impact* on air traffic patterns.

16. UTILITIES AND SERVICE SYSTEMS Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.				X

⁶ Information obtained from the following website (as of April 16, 2009): <http://www.seattleschools.org/area/facilities/RogersPlayfield/JRParkingStudy.pdf>

16. UTILITIES AND SERVICE SYSTEMS Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste.				X

Regional Water Quality Control Board Requirements. The San Francisco Regional Water Quality Control Board establishes standards for the generation of wastewater to and from wastewater treatment facilities, and regulates the discharge of industrial pollutants into treatment facilities, and requires such facilities to meet specific standards for water discharged into San Francisco Bay and the Pacific Ocean. The project would not generate any industrial-type wastewater, but would instead have wastewater characteristics typical of general commercial land uses. There would be *no impact*.

New/Expanded Water or Wastewater Treatment Facilities. Domestic water treatment service in unincorporated Alameda County is provided by the East Bay Municipal Utilities District (EBMUD). The water requirements of the project would be typical of other commercial development, and would not require any unusually large amount of water. When development plans are finalized, the contractor must contact EBMUD's Water Service Division to determine specific water supply and delivery system requirements. There would be *no impact* on regional water treatment facilities.

The Oro Loma Sanitation District (OLSD) provides wastewater treatment service and maintains sewer mains in the San Lorenzo and Hayward Acres area, including the project vicinity. The District has indicated that the sanitary sewer system has sufficient capacity to accommodate additional development. As a result, there would be *no impact* of the project on regional wastewater treatment or transmission facilities. The Project contractor will be responsible for the placement of all new sewage lines from the site to the main line, located in the East 14th Street right-of-way.

New/Expanded Storm Water Drainage Facilities. The Alameda County Flood Control and Water Conservation District storm drain system was developed to accommodate full development of the area, including the Project site, and has sufficient capacity to accommodate the increase in runoff. There would be *no impact* on the capacity of stormwater drainage systems. The site is currently covered with open ground, and therefore, as discussed under the heading of Hydrology and Water Quality, there will be an increase in runoff. However, the vicinity is already served by storm drainage mains which are sized to accommodate the planned development. On-site features to reduce the rate and amount of stormwater runoff, required by the Clean Water Act and the County's Clean Water Program are expected to reduce the effects of stormwater runoff, and the additional demand on facilities would be *less than significant*.

Water Supplies. Water in the project vicinity is provided by EBMUD, which is regularly concerned with water supply and water conservation. Water conservation measures, related to bathroom fixtures, landscaping materials and other characteristics of water consumption are incorporated into the Uniform Building Code, as required by Title 24 of the California Code of Regulations. New development, including the project, is required to meet these standards, and thereby avoid excessive, uncontrolled water consumption. The Project will be required by EBMUD to incorporate water-conserving fixtures and landscaping, and the Project contractor will also be responsible for installing any local infrastructure improvements needed to accommodate the project's water needs. All landscaped areas will be required to meet the Alameda County Landscape Water Conservation Guidelines. The park areas can be supplied adequately with present local resources. Demand for domestic water use is considered to constitute a *less than significant* level of new demand.

The Alameda County Fire Department requires that new development meet the requirements of the Uniform Fire Code, such as for fire hydrants which provide 1500 gallons per minute (gpm) of water pressure. EBMUD also requires new development to meet the County's Uniform Fire Code standards. Applications for water service from EBMUD include a fire flow form which must be approved by the County Fire Department. Interior fire sprinklers must meet the requirements of NFPA 13 (National Fire Protection Association code) for spacing, flows, pressure, and other factors. The water lines adjacent to the Project site, alongside East 14th Street are considered to be adequate to meet the fire flow requirements of development in the project vicinity, although the fire protection engineer working with the civil engineers for the Project is responsible for calculating the engineering requirements to obtain the needed fire flow. The project would have *no impact* on water supply.

Solid Waste Disposal Capacity. Solid waste generated in unincorporated Alameda County is collected by a private waste hauling and disposal company, Waste Management of Alameda County. Currently, three active permitted landfills serve Alameda County's solid waste disposal needs: Altamont Sanitary Landfill and Vasco Road Sanitary Landfill in Livermore, and Tri-Cities Recycling and Disposal Facility in Fremont. The California Integrated Waste Management Board (CIWMB) states that the total combined permitted remaining capacity of these landfills is 110,113,205 cubic yards. Based on the capacity of the landfills and the anticipated disposal rates associated with the project, the impact of the project on landfill capacity is considered *less than significant*. Furthermore, the project would comply with all federal, state, and local statutes and regulations related to solid waste, resulting in *no impact* due to waste disposal law violations.

Construction Impacts. Prior to construction, a substantial quantity of excavated materials – a maximum anticipated volume of about 2,500 cubic yards – will be removed and disposed of a landfill, presumably one of those in Alameda County. The excavated soil material would be characterized for levels of contamination before being loaded onto long-bed trailer trucks to ensure the soil is acceptable for disposal as waste in the landfill. It is expected that the volume of excavated soil would not adversely effect landfill capacity or burden waste management services, and the Project would have a *less than significant* effect associated with solid waste transport and disposal.

Compliance with Solid Waste Regulations. The California Integrated Waste Management Board is responsible for ensuring that solid waste facilities in the state are operated correctly (and that closures do not result in long-term environmental hazards). The Board also has responsibilities for guaranteeing the proper storage and transportation of solid wastes, by providing standards for toxic materials contained in solid waste generated by urban and industrial development. The characteristics of solid waste generated by the project would consist primarily of typical commercial wastes, and would be very unlikely to contain any hazardous materials. The impact would be *less than significant*.

	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
17. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
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.)		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion: The project could affect water quality within downstream fish habitat portions of Estudillo Canal and in San Francisco Bay. However, as conditioned to implement the required mitigation measures, and meet all other requirements of the Alameda County General Ordinance, the project would have a *less than significant* impact on the quality of the environment, and would not cause any fish or wildlife population to drop below self-sustaining levels, nor threaten to eliminate a plant or animal community, nor reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of California history or prehistory.

The project could have individually limited but cumulatively considerable and adverse impacts, including effects on air quality, storm water runoff, all of which may be reduced to *less than significant* levels with the implementation of the required mitigation measures and all other requirements of the Alameda County General Ordinance.

The project could have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, including air quality, geological considerations, minor flooding, loss of cultural resources, and noise. With the implementation of the required mitigation measures and all other requirements of the Alameda County General Ordinance, all of the identified impacts on the natural environment would be reduced to a level that is *less than significant*.

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11. Ninyo and Moore, Geotechnical and Environmental Sciences Consultants, *Site Assessment Report*, 16301 East 14th Street. Dec. 11, 2008.
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14. United States Federal Emergency Management Agency – Federal Insurance Administration, *Flood Insurance Rate Map*, Alameda County, California (Unincorporated Areas), Community-Panel number 60001 0090A, Effective 2002.
15. U.S. Department of Health and Human Services, Public Health Service – Agency for Toxic Substances and Disease Registry. *Toxicological Profile for total petroleum hydrocarbons (TPH)* (<http://www.atsdr.cdc.gov/toxprofiles/tp123.html>). 1999, Atlanta, GA.

MITIGATION MEASURES

TO BE INCLUDED IN THE PROJECT AND AGREED TO BY THE PROJECT SPONSOR

The following mitigation measures are required to reduce potentially significant impacts of the proposed project to a "Less Than Significant" or "No Impact" level. These mitigation measures shall be made conditions of approval for the project. For every mitigation measure, the Permittee will be responsible for implementation actions, schedule, funding and compliance with performance standards, unless otherwise stated in the measure.

- 1-A. *Demolition Permit.* Prior to any demolition activity, the Applicant shall obtain the required permits from the BAAQMD for removal of any harmful contaminants.
- 1-B. *Dust Control Measures.* The Project contractor shall prepare and implement a construction dust mitigation plan. An appropriate dust mitigation plan shall, at a minimum, include the following:
 - Provision of equipment and staff for watering of all exposed or disturbed soil surfaces, as well as parking and staging areas, at least twice daily, with an appropriate non-toxic dust palliative or suppressant added to the water before application;
 - Covering of all soil, sand, debris or other loose material being transported in trucks;

- Watering or covering of stockpiles of debris, soil, sand or other materials that can be blown by the wind;
 - Suspension of dust-generating activities during periods of high wind (over 15 mph);
 - Completion of landscaping at the earliest possible date; and
 - Regular sweeping of paved construction area of all mud and debris, and on adjacent streets if visible.
 - County ordinances and policies require the Applicant or successor to control dust and keep adjoining public streets and private drives clean of project dirt, mud, materials and debris, to the satisfaction of the Director of Public Works. All construction Best Management Practices (BMP) shall be used.
2. *Cultural Resource Protection Procedures.* The applicant or the contractor shall provide for grading and trenching crews to implement the following procedures:
- Immediately halt or relocate excavations and contact a qualified archaeologist to inspect the site. If the archaeologist determines that potentially significant archaeological materials or human remains are encountered, the archaeologist must record, recover, retrieve, and/or remove any archaeological materials;
 - The archaeologist must study any archaeological resources found onsite and publish data concerning these resources;
 - If human remains are found onsite, Applicant must notify the Ohlone Most Likely Descendants, as designated by the California Native American Heritage Commission; the coroner shall be called and the archaeologist shall provide safe and secure storage of these remains while on-site, in the laboratory and otherwise, and shall consult with the Native American representatives regarding either onsite reburial of the remains or other arrangements for their disposition;
 - The archaeologist shall provide a copy of documentation of all recovered data and materials found on-site to the regional information center of the California Archaeological Inventory (CAI) for inclusion in the permanent archives, and another copy shall accompany any recorded archaeological materials and data.
 - If any historic artifacts are exposed, the archaeologist shall record the data and prepare a report to be submitted to the local historical society.
 - Monitoring for these measures must be performed by Applicant on a continual basis during construction. At the completion of work, Applicant will submit a summary of findings to the Planning Director for review and for the final record.
- 3-A *Seismic Design Parameters.* The Applicant shall prepare a geotechnical engineering study for the Project to assess the specific seismic and soil conditions occurring on the site, including potential liquefaction hazards, expansive soils. The study shall provide recommendations for the building and pavement design to account for potential seismic activity and provide a design that complies with the latest edition of Uniform Building Code and related California building practices. The design shall also incorporate the recommendations of qualified consultants that may be retained by either the Alameda County Public Works Agency, Grading Department or the General Services Agency.
- 3-B. *Foundation Design Parameters.* The Applicant shall address potential liquefaction hazards, together with the related risks of differential settlement and expansive soils by designing the foundations, structural bearing walls and beams, and underground utility connections to include

appropriate features such as, but not limited to, tying isolated column footings to concrete flatwork and floor slabs, compacting subgrade soils to meet appropriate water-content guidelines, use of capillary breaks and/or vapor barriers, and similar measures. Pavements areas such as the skate park, amphitheatre, driveways and parking areas shall be designed to withstand severe seismic disruption, with appropriate compaction, site preparation, grading, drainage, utility trenching, pipe bedding, and concrete work. The contractor shall enable the authors of the geotechnical engineering study to review final project plans prior to construction and report to the Director of Public Works on the adequacy of the plans.

4. *Soil Removal and Clean Fill Replacement Program.* The Applicant shall initiate a Soil Removal and Clean Fill Replacement Program as outlined in the Draft Corrective Action Plan, subject to final approval and oversight by ACDEH, to remove all contaminated soils in Areas A, B & C as shown in Figure 6, as well as other contaminated soils at shallow depths identified by the ACDEH, and replace such excavated material with new clean fill material.

The Program will require a detailed schedule and project management, including obtaining required permits, profiling the excavated materials for acceptance by the destination landfill, and sampling of soil materials after the excavation to assess effectiveness. Other requirements include monitoring of ambient air quality (using hand held instruments), and dust suppression if warranted due to dry and/or windy conditions before the excavated material is exported from the site. Excavation and removal is expected to occur in a short period during California's dry season, and therefore weatherization (covering), extra securitization, and storm water runoff controls are not anticipated to be required.

Three main areas will be excavated in stages, beginning with Areas A & B, material from which would be stockpiled in Area C. Areas A and B, which lie within the future picnic grounds and play area (in the HARD jurisdiction) will be backfilled with clean fill materials delivered by trucks that will in turn carry the excavated materials to a designated, ACDEH-approved landfill site. Once Areas A and B Area have been backfilled and compacted, Area C will be excavated and materials stored on an adjacent ground surface area. After export of the excavated material from Area C, the adjacent ground surface area would be scraped of loose material and also exported to the approved landfill. Area B and two excavations in Area C will each have excavation dimensions of about 36 feet on each side, while Area A will be excavated in a rectangular shape with dimensions of roughly 45 feet by 60 feet. Areas A and B will be excavated to a depth of 10 feet, and the two Area C excavations will initially be to six feet in depth. The maximum anticipated volume of excavated materials is about 2,500 cubic yards.

Once excavation is completed, sampling of the sidewalls and bottom of the excavation will be taken to determine that the remaining soil meets appropriate criteria. Based on the planned use of the site for recreational uses with paving and landscaping, the residential use standard adopted by the San Francisco Bay Regional Water Quality Control Board (RWQCB) (using Environmental Screening Levels criteria) is considered appropriate for the Project site. In the event that the samples from the sidewalls and bottom of the Area C excavations exceed the target concentrations of gasoline or diesel-range hydrocarbons (greater than 100 mg/kg), and judged necessary by the ACDEH, the excavations will be enlarged (and/or deepened) and resampled and the requires excavation enlargement. Backfilling of the excavations, with clean, imported fill material, shall be done with suitable equipment to achieve the appropriate compaction standards of the Alameda County Grading Ordinance.

In order to minimize exposure of area residents to upset and accident conditions, or to fugitive soil particles, the remediation contractor shall utilize East 14th Street between the site and the

Lewelling Avenue on-ramps to Interstate I-238, about three-quarters of a mile to the southeast (and in turn to I 580 or I-880, depending on the destination). Hauling during peak commute hours (7-9 AM and 4-6 PM) shall not be allowed.

5-A. *Storm Water Quality Control Plan – Construction Phase.* As required by the NPDES and the Alameda County Clean Water Program, the contractor shall prepare a Storm Water Quality Control Plan, as a general program for complying with the federal, state and local requirements for protection of water quality. Copies of the NOI and the SWPPP must be submitted to the Grading Department prior to issuance of a grading permit or prior to any land disturbance on the site. The NOI and the SWPPP serve to identify BMPs which the developer will use to prevent discharge of contaminated materials into public drainage facilities, both during and after construction. The SWPPP will include:

- Specifications for best management practices (BMPs) that will be implemented during project construction to minimize the potential for accidental releases or contamination, and to minimize runoff from the construction areas, including storage and maintenance areas and building materials laydown areas. Measures should include dust control, such as water spraying or application of dust suppressants, and gravel covering of high-traffic areas, temporary storage of excavated soil material, and controls on the release of groundwater generated by dewatering.
- A description of a plan for communicating appropriate work practices to field workers.
- A plan for monitoring, inspecting and reporting any release of hazardous materials.

5-B. *Storm Water Quality Control Plan – Post-Construction Phase.* The Project contractor shall provide a detailed description of measures to monitor stormwater runoff after the Project has been completed. Specific recommended conditions of approval identified by the Clean Water Program include:

- Specifications for BMPs that will be incorporated into the project itself to minimize runoff of pollutants after project completion. Although the Clean Water Program normally favors landscape features to control the rate and quality of runoff, other types of measures may be considered by the Clean Water Program to achieve compliance such as pervious materials for the uncovered parking areas. The stormwater treatment system that is installed must be maintained, and conditions of approval must provide for a maintenance agreement and/or on the deed prior to final approval of the project. All landscaping irrigation should also be designed to minimize runoff, and should incorporate the use of native and/or pest resistant plants to minimize the need for pesticides and fertilizers, which can result in storm water contamination.
- Completely covering trash enclosures and recycling areas;
- Providing grading and drainage controls to prevent drainage to and from trash and recycling areas;
- Connecting drains from trash and recycling areas to the sanitary sewer, subject to approval by the Oro Loma Sanitary District, and prohibiting any connection to the storm drain from trash and recycling areas; and
- Stenciling or embossing the concrete, or affixing an iron placard on all storm drain inlets, where storm water runoff from the site may enter the storm drain system, with the message "NO DUMPING! DRAINS TO BAY," or other approved wording.

6. *Final Project Access Design Review.* The final design for circulation and access within the site shall be reviewed by the Alameda County Public Works Agency Road Design section, and by the author(s) of the *Traffic Study* prior to preparation of final grading and construction plans. The access design review shall address all aspects of ingress and egress from the Project site and circulation patterns along East 14th Street, including:
- Restrictions on parking and queuing on East 14th Street adjacent to the main and secondary driveway entries.
 - Extending the length of the pick-up and drop-off segment of East 14th Street.
 - Providing a left-turn pocket on East 14th Street to serve the secondary driveway.
 - Providing safe stopping sight distance and right-angle geometry for the secondary driveway.
 - Eliminating the left turn pocket that currently serves the Project site entry at 163rd Avenue.
 - Providing adequate width and turning radii on both driveways.
 - Ensuring safe pedestrian circulation across driveways and through parking lots.
 - Providing measures to prevent or minimize pedestrians from crossing East 14th Street except at designated crosswalks or signals, including streetscape improvements to provide a crosswalk at 163rd Street and East 14th Street.

The review shall make recommendations to the Redevelopment Agency for possible vehicle, pedestrian and bicycle circulation features of the streetscape improvement project on East 14th Street. Changes to left turn pockets shall be reviewed and approved by Caltrans.

Mechanism for Including Measures in the Project/Monitoring Program: All measures shall become conditions of approval for the project. Monitoring shall be accomplished as provided in each measure, or as modified by the conditions of approval.

MANDATORY FINDINGS OF SIGNIFICANCE

For the findings required by the California Environmental Quality Act, all of the impacts cited would either be less than significant or would be mitigated to a less than significant level by the application of mitigation measures specified in each of the sections above.

AGREEMENT BY PROJECT SPONSOR

Applicant, whose name is undersigned, understands the mitigation measures set forth above and agrees to be bound by them if they are adopted as a result of project approval.

Eileen Dalton
Applicant's Signature

4-28-09
Date

Eileen Dalton
Applicant's Printed Name