CITY OF
HAYWARD
HEART OF THE BAY

MAY 15 2001

Notice of Completion and Notice of Availability of Draft Environmental Impact Report

To: **Public Agencies, Property Owners, and Other Interested Parties**

Subject: **Draft Environmental Impact Report for the Cannery Area Design Plan**

The public is invited to review and comment as to the adequacy of the Draft Environmental Impact Report (DEIR) and proposed mitigation measures within the document for the proposed Cannery Area Design Plan and related amendments to the General Plan and Zoning Ordinance. The Design Plan establishes a framework for the transformation of an older, industrial area in the heart of the city into a new neighborhood containing a mix of housing densities, retail and office commercial, a new school and community center, and expanded parks and recreational facilities.

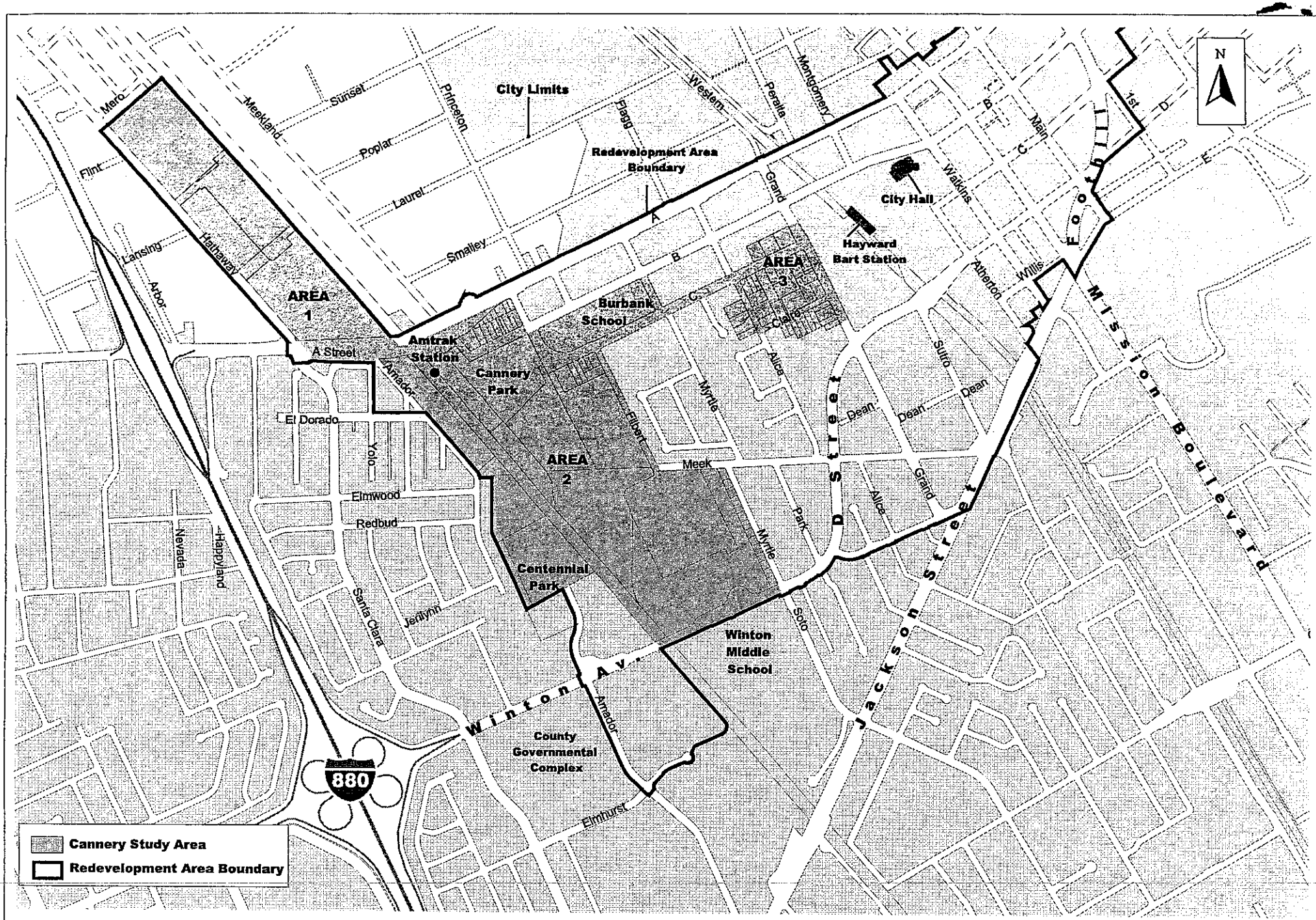
The Cannery Area Design Plan study area comprises approximately 120 acres and is located west of the Downtown area. The study area includes three distinct subareas (see Attachment A). Area 1 is generally bounded by West A Street, Hathaway Avenue, Mero Street, and the Union Pacific railroad tracks. Area 2 is generally bounded by A Street, Amador Street, Winton Avenue, and the Myrtle/Meek/Filbert alignment. Area 3 is generally bounded by Grand Street and those properties along both sides of C Street, Alice Street and Claire Street.

Because the proposed project may cause significant environmental impacts an Environmental Impact Report (EIR) is required pursuant to the California Environmental Quality Act (CEQA) and City implementing guidelines. The following are listed in the DEIR as potentially significant impacts of the proposal: 1) air quality; 2) wetland and riparian habitat; 3) archeological and historic resources; 4) seismic hazards; 5) hazardous materials and groundwater contamination; 6) flooding; 7) displacement of housing and businesses; 8) noise and ground vibration; 9) parks; and 10) schools.

A copy of the Draft EIR may be reviewed at the Main City Library, 835 "C" Street, and the Weekes Branch, 27300 Patrick Avenue, and at the City of Hayward Community and Economic Development Department, 777 "B" Street, Hayward, CA. **At their meeting on Thursday, May 31, 2001, the Planning Commission will review the Draft EIR and will provide an opportunity for public comment on the Draft EIR. The meeting will be at 7:30 p.m., in the City Council Chambers, City Hall at 777 "B" Street, Hayward, CA.** Written comments may be submitted at the meeting or mailed to the Community and Economic Development Department at the address below.

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING DIVISION

777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4200 • FAX: 510/583-3649 • TDD: 510/247-3340



Cannery Study Area

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List of Exhibits

1.0 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATIONS

Table 1 below summarizes the environmental impacts and mitigations which are discussed in detail in the remainder of this Draft Environmental Impact Report.

Summary of Environmental Impacts and Mitigations

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.1-1	**Aesthetics:** Approval of the Design Plan and eventual construction of new development pursuant to the Plan would be an aesthetic improvement for the project area, since older, blighted buildings and uses would be phased out in favor of newer residential, office, open space and public and quasi-public buildings and land uses. New uses and buildings would be consistent with the Design Plan and would also be subject to design review approval by the City of Hayward (*beneficial impact*).	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.1-2	**Views and Vistas:** Approval of the Design Plan and eventual construction of new development pursuant to the Plan would represent an improvement for residents and visitors to access views and vistas off the project site. Development envisioned in the Design Plan would generally result in less intense development with lower building heights and more public open spaces (*beneficial impact*).	No mitigation measures are required.	
4.1-3	**Landform and topography**: No impacts with regard to landform or topographic changes are anticipated with regard to approval and implementation of the proposed Design Plan. The project area is already fully developed and any previous significant topographic features have been removed to accommodate existing or historic buildings and land uses (*no impact*).	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.1.4	**Light and Glare:** Implementation of the proposed Design Plan would generate incrementally new sources of light and glare within and adjacent to the project area. However, since the Cannery Area is already largely urbanized with existing sources of light and glare, this impact is anticipated to be less-than-significant *(less-than-significant impact).*	No mitigation measures are required.	
4.2-1	**Air quality construction impacts:** The effects of project construction activities anticipated as a result of implementing the Cannery Area Design Plan would increase dustfall and locally elevated levels of PM_{10} downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties *(potentially significant impact)*	**Mitigation Measure 4.2-1:** Future demolition and development projects within the Cannery Area shall incorporate dust control measures into grading, demolition and construction plan specifications, to include but not be limited to frequent watering of the site, use of soil stabilizers, hydroseeding of graded areas and other measures that comply with BAAQMD recommendations for dust control.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.2-2	**Local long-term air quality impacts:** Incremental increases in air pollution could be anticipated with the construction of the proposed project, however, such increases would be below the standard of air quality significance through the year 2025, as established by the BAAQMD (*less-than-significant impact).*	**Mitigation Measure 4.2-2:** Future development projects within the Cannery Area shall incorporate the following measures: a) Voluntary Transportation System Management Plans should be encouraged for new employers within the project area to reduce the use of single occupant vehicles. b) Other measures shall be included as part of individual development projects, such as construction of sidewalks on abutting streets, installation of bus stops, pedestrian pathways and similar items.	**Less-than-significant**
4.2-3	**Permanent regional air quality impacts:** Based on consistency between City population growth projections, controls on toxics and odors and consistency with BAAQMD Transportation Control Measures, less-than-significant impacts are proposed regarding long-term permanent air quality (*less-than-significant impact*).	No mitigation measures are needed.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.3-1	**Wetland and riparian habitat impact:** Development activities on properties within the project area and within the drainage area of Sulphur Creek could have a potentially significant impact to Sulphur Creek itself and associated riparian plant and animal species that may be found within the Creek (*potentially significant impact).*	**Mitigation Measure 4.3-1**: For development and redevelopment applications on properties that abut Sulphur Creek, applicants shall: a) Obtain a reconnaissance-level report from a qualified biologist regarding the presence or absence of riparian, or endangered or special-status plant or animal species within the Creek adjacent to the development application. b) If such plant or animal species are identified, the report shall identify the type, location and status of the species within the Creek area.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
		c) If warranted, a biological resource plan shall be prepared for the approval of the City of Hayward, California Department of Fish and Game, U.S. Fish and Wildlife Service and other local, state or federal agencies as applicable. The biological resource plan shall include specific steps to be taken to reduce any potential impacts to riparian, endangered or special-status species to a less-than-significant level. d) All necessary permits and agreements shall be obtained from local, state and federal biological regulatory agencies prior to commencement of construction on the site.	
4.3-2	**Plant and animal species and habitats:** Approval of the proposed Design Plan and construction of new buildings and facilities within the project area would remove existing vegetation, but would provide replacement landscaping as part of new development. Replacement landscaping would continue to provide habitat for local animal species *(less-than-significant impact)*	No mitigation measures are needed.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.4-1	**Archeological and Native American resources:** Although no prehistoric or archeologically significant resources have been identified within the project area, construction of new buildings, structures, underground utility lines and similar facilities under the auspices of the Cannery Design Plan could result in disturbance to archeological and/or Native American underground resources *(potentially significant impact)*.	**Mitigation Measure 4.4-1:** All future development projects within the Cannery Area shall be evaluated as part of normal CEQA-level review to identify potential impacts to subsurface archeological or Native American artifacts. If an archeological or Native American artifact is identified, work on the project shall cease until a resource protection plan conforming to CEQA Appendix K is prepared by a qualified archeologist and approved by the Hayward Community and Economic Development Director. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately.	**Less-than-significant**
4.4-2	**Historical resources:** Although the one historic landmark within the project area, the water tower, would be preserved as part of the proposed Design Plan, relocation of Myrtle Street as called for in the Plan, may impact the historic house located at 24072 Myrtle Street *(potentially significant impact)*.	**Mitigation Measure 4.4-2:** Plans for the realignment of Myrtle Street near 24072 Myrtle shall be reviewed by a qualified architectural historian to ensure that less-than-significant impacts would occur to this historic property.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.5-1	**Seismic hazard:** During a major earthquake on a segment of one of the nearby faults, moderate to strong ground shaking can be expected to occur within the project area. Strong shaking during an earthquake could result in damage to buildings, roads, utility lines and other structures with associated risk to residents, employees and visitors in the area *(potentially significant impact)*.	**Mitigation Measure 4.5-1:** Site specific geotechnical investigations shall be required for each building constructed in the development plan area. Design and construction of structures shall be in accordance with the seismic design requirements of the Uniform Building Code (UBC), which includes near fault factors. The site specific geotechnical investigation should further investigate the presence of potentially liquefiable material at the site.	**Less-than-significant**
4.5-2	**Expansive soils:** New development occurring within the Cannery Area based on the proposed Design Plan may be subject to foundation damage caused by liquefaction, differential settlement and similar hazards related to expansive soils *(potentially significant impact)*.	**Mitigation Measure 4.5-2:** For each building constructed in the development plan area, the required site specific geotechnical investigation shall address expansive soils and provide appropriate engineering and construction techniques to reduce potential damage to buildings.	**Less-than-significant**
4.5-3	**Site grading and excavation:** Approval of the proposed Cannery Area Design Plan and subsequent construction based on the Plan would cause increased amounts of site grading and excavation for construction as properties within the project area are redeveloped. Grading operations would proceed based on grading and excavation plans approved by the City of Hayward *(less-than-significant impact)*.	No mitigation measures are needed.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.6-1	**Demolition activities:** Demolition of existing buildings, utility facilities and other older facilities could release potentially hazardous material into the atmosphere including asbestos containing materials (ACMs) and lead-based paints (LBPs), potentially resulting in health hazards to construction employees and local visitors and residents (*potentially significant impact*).	**Mitigation Measure 4.6-1.** Prior to commencement of demolition activities within the project area, project developers shall contact the Alameda County Environmental Health Department and the Hazardous Materials Division of the Hayward Fire Department, for site clearances and facility closure with regard to demolition and removal of hazardous material from the site. This shall include worker safety plans.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.6-2	**Hazardous materials:** Construction of new residential and other uses under the auspices of an approved Design Plan could result in a potentially significant human health hazard as a result of existing and potentially undocumented contaminated soils and groundwater within the project area (*potentially significant impact*).	**Mitigation Measure. 4.6-2.** Soil and Water Management Plans (SWMPs) shall be prepared for individual site development and redevelopment plans within the project area. SWMPs shall be prepared by a state-certified environmental professional and shall include, at minimum, a description of soils to be graded or disturbed as part of the project, detailed soil and water sampling to see if contaminations are present, procedures for removing contaminations (if found) and a list of agencies to be notified if contaminants are found. Closure letters and permits shall be obtained from appropriate agencies if site contamination is found. Special attention shall be paid to the following individual sites within the project area:	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation

- Area 1: Owens Brockway glass plant, Costco parcel (including the Tire Center), warehouse at 22300 Hathaway Avenue, general testing for soil-borne pesticides and agriculture residue.
- Area 2: Cannery Park, vacant parcel between Cannery Park and the railroad tracks, United Can, Cannery Court, Select Foods, Centennial Park and the former Shell Oil gas station

In addition, additional research and testing shall be performed on each individual parcel for which a development application is submitted regarding the presence of undocumented private water wells. If found, water wells shall be closed per the standards of the City of Hayward and Alameda County Environmental Health Department.

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.6-3	**Contaminated groundwater:** Site grading, trenching or other activities that would have the potential to disturb site soils in Area 2 have the potential to release potentially hazardous contaminated water that could impact construction workers, residents and site visitors (*potentially significant impact).*	**Mitigation Measure 4.6-3: Prior to issuance of grading plans for any property within Area 2, additional groundwater investigations shall be conducted to identify the source(s) of contaminated groundwater plumes to the satisfaction of the City or Agency. If required, based on recognized health and safety standards, remediation efforts shall be undertaken to reduce groundwater contamination to a less-than-significant level.**	**Less-than-significant**
4.6-4	**Groundwater vapors:** Vapors released from contaminated underground plumes could have a potentially negative health effect on future site residents and visitors (*potentially significant impact).*	**Mitigation Measure 4.6-4:** Future site construction shall incorporate vapor barriers and venting of underground spaces, including garages.	**Less-than-significant**
4.7-1	**Flooding:** Portions of the project area are located within 100-year flood hazard areas, which would result in damage to buildings and other improvements during a 100-year storm (*potentially significant impact).*	**Mitigation 4.7-1:** The City shall obtain a revision of the flood hazard maps published by FEMA prior to occupancy of any buildings within the project area currently mapped as within the 100-year flood zone. This is to be done by filing a Letter of Map Revision (LOMR) with FEMA. Approval of the LOMR will ensure that the entire site complies with local and Federal flood protection requirements.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.7-2	**Soil erosion:** During construction, short-term increases of soil erosion could result as the project area is stripped of the limited natural vegetation and exposure to wind and water erosion (*potentially significant impact).*	**Mitigation Measure 4.7-2:** Individual project developers within the project area shall prepare an erosion and sedimentation control plan for implementation throughout project construction. The plan should be prepared in accordance with City of Hayward and RWQCB design standards. It is recommended that this plan, at a minimum, include the following provisions: a. Existing vegetated areas should be left undisturbed until construction of improvements on each portion of the development site is actually ready to commence; b. All disturbed areas should be immediately revegetated or otherwise protected from both wind and water erosion upon the completion of grading activities; c. Stormwater runoff should be collected into stable drainage channels, from small drainage basins, to prevent the buildup of large, potentially erosive stormwater flows;	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
		d. Specific measures should be implemented to control erosion from stockpiled earth and exposed soil; e. Runoff should be directed away from all areas disturbed by construction; f. Sediment ponds or siltation basins should be used to trap eroded soils before runoff is discharged into on-site or offsite drainage culverts and channels. g. To the extent possible, project sponsors should schedule major site development work involving excavation and earth moving for construction during the dry season.	
4.7-3	**Non-point source pollution:** The quality of stormwater runoff from the project area would be expected to gradually improve as existing older industrial and warehouse sites are redeveloped using Best Management Practices (BMPs) required by the City of Hayward to improve surface water quality. BMPs would reduce debris, landscaping chemicals, and heavy metals, oil and gas residues, and other items that reduce water quality (*beneficial impact).*	No mitigation measures required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.7-4	**Stormwater runoff:** Redevelopment of the project area under the auspices of the Cannery Area Design Plan would reduce the amount of stormwater runoff from the project area, since existing large warehouses and associated parking lots would transition to a mix of housing, retail and office uses. New land uses would have more pervious surfaces than presently exist, allowing greater recharge of the underground water table and a smaller amount of stormwater runoff (*beneficial impact*).	No mitigation measures required.	
4.8-1a	**On-site land use impacts:** Approval and implementation of the proposed Design Plan would convert the project area from a predominantly warehouse and light industrial area to a residential neighborhood. Since the project area lies within a redevelopment area with identified blighted conditions, construction of new uses and facilities would represent a *beneficial impact* on surrounding uses.	No mitigation measures required.	
4.8.1b	**Business and housing displacement:** Approval and implementation of the proposed Design Plan would facilitate displacement of existing older businesses and residences within the project area (*potentially significant impact).*	**Mitigation Measure 4.8-1b:** Businesses and residences displaced to implement the proposed Design Plan shall be provided relocation assistance by the Hayward Redevelopment Agency consistent with City, state and federal requirements.	**Less-than-significant**

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4.8-2	**Surrounding land use impacts.** The majority of existing land uses surrounding the proposed Design Plan area are low density, single family residential. Approval and implementation of the Design Plan envisions primarily higher density residential uses; however, the proposed arrangement of land uses within the Design Plan would provide buffering and land use consistency with surrounding uses. The proposed Design Plan would therefore result in less-than-significant land use impacts to surrounding uses (*less-than-significant impact*).	No mitigation measures required.	
4.8-3	**Regulatory impacts:** Approval and implementation of the proposed Design Plan, including the proposed General Plan Amendment and rezonings, would be consistent with the goals and policies of the Hayward General Policies Plan, Growth Management Element, Burbank Neighborhood Plan, Santa Clara Neighborhood Plan and the Hayward Zoning Ordinance (*no impact).*	No mitigation measures required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.9-1	**Construction noise impacts:** Future residents within the Cannery area and nearby residential neighborhoods could be subject to short-term but potentially significant noise due to demolition of existing buildingsand improvements and construction of new buildings, public projects and associated improvements within the project area *(potentially significant impact).*	**Mitigation Measure 4.9-1:** Individual project developers shall submit a Construction Noise Management Plan that identifies measures to be taken to minimize construction noise on surrounding developed properties. Noise Management Plans shall be approved by the City of Hayward Community and Economic Development and Public Works Departments prior to issuance of grading permits and shall contain, at minimum, a listing of hours of construction operations, use of mufflers on construction equipment, limitation on on-site speed limits, identification of haul routes to minimize travel through residential areas and identification of noise monitor. Specific noise management measures shall be included in appropriate contractor specifications.	**Less-than-significant**
4.9-2	**Ground-borne vibration impacts:** Ground-borne vibration from trains and/or BART operations as well as short-term demolition and construction operations could disturb residents of future residences adjacent to these areas *(potentially significant impact).*	**Mitigation Measure 4.9-2:** For any residential development proposed within 100 feet of the Union Pacific or BART tracks, a vibration analysis shall be prepared by a qualified consultant to identify the extent of vibration, consistency with City vibration standards and specific methods to reduce ground-borne vibration to a less-than-significant level.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.9-3	**Permanent noise impacts:** Residential dwellings proposed to be constructed as part of the Design Plan could be exposed to future noise levels above the conditionally acceptable to normally unacceptable noise levels as set forth in the Noise Element of the General Plan. Noise sources include a combination of increased vehicle noise and noise generated by operation of non-residential land uses. This would include a potential for increased railroad noise levels for existing single family residences lying west of the existing Select Foods warehouse west of the UPRR railroad tracks south of A Street (*potentially significant impact*).	**Mitigation Measure 4.9-3:** Site-specific acoustic reports shall be prepared by qualified acoustical consultants for individual residential projects at the time development plan applications (including but not limited to subdivision maps and Site Development Plans for apartment projects) are filed with the City of Hayward. The acoustic reports shall include detailed identification of noise exposure levels on the individual project site and a listing of specific measures to reduce both interior and exterior noise levels to normally acceptable levels, including but not limited to glazing and ventilation systems, construction of noise barriers and use of structures to shield noise.	**Less-than-significant**
4.10-1	**Housing and population:** Approval and implementation of the proposed Design Plan would facilitate the addition of a maximum of 962 dwelling units and approximately 2,886 residents to the City of Hayward. Since proposed land uses and construction of the dwellings would generally be consistent with regional housing and population projections used for planning infrastructure needs, this impact would be less-than-significant (*less-than-significant impact*).	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.10-2	**Housing affordability:** Although prices or rental rates of the proposed dwelling units have not been established, given the proposed density and City of Hayward Redevelopment Agency housing affordability requirements, approval of the Cannery Area Design Plan would contribute to meeting the City's fair share allocation of affordable housing units (*beneficial impact*).	No mitigation measures are required.	
4.10-3	**Employment:** The project site would generate approximately 1,249 jobs at full built out of land uses envisioned in Design Plan area, plus an unknown number of short-term construction jobs. A number of existing warehouse and light industrial jobs would either be lost, or the job transferred to a new facility outside the project area. This amount of employment growth is generally consistent with ABAG's regional employment projections. Since this amount of employment growth is being planned as part of a mixed use, transit-oriented project, a less-than-significant impact is expected (*less-than-significant impact.*)	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.10-4	**Jobs-housing balance:** Approval and construction of the proposed project would contribute to a slight improvement in the local jobs/housing balance by reducing the number of employee generating light industrial and warehouse jobs and replacing these older uses with housing units and more employed residents (*less-than-significant impact*).	No mitigation measures are required.	
4.11-1	**Project related traffic**: Approval and implementation of the proposed Design Plan would increase the total number of vehicular trips within the project area by 5174 trips. However, the number of peak hour trips at major project intersections would not exceed City of Hayward traffic operation standards. (*less-than-significant impact*).	No mitigation measures are required.	
4.11-2	**Truck traffic:** New land uses proposed within the Cannery Area would result in less truck traffic than existing warehouse and light industrial uses *(beneficial impact).*	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.11-3	**Cumulative traffic:** Approval and implementation of the proposed Design Plan would increase the estimated future vehicular trips in the year 2010 and beyond, however, less-than-significant impacts would result at study intersections during morning and evening peak hour periods (*less-than-significant impact*).	No mitigation measures are required.	
4.11-4	**Public transit:** Approval and construction of the proposed Design Plan would result in an incremental increase in the use of public transit facilities near the project area, as existing warehouse and light industrial uses are transformed into higher density residential neighborhoods near local and regional transportation hubs. The increase in public transit ridership is consistent with the City's policy to encourage transit-oriented development. The increased ridership is expected to enhance the existing infrastructure and should provide the opportunity for AC Transit and BART to recover operating expense from the farebox. No need for additional transit service is foreseen *(beneficial impact).*	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.11-5	**Parking impacts:** Construction of new residential uses that would be allowed under the proposed Design Plan would be required to provide on-site parking to meet standards established in the Hayward Zoning Ordinance and the proposed Design Plan to ensure that overflow parking would not impact adjacent uses and nearby streets *(less-than-significant impact).*	No mitigation measures are required.	
4.12-1	**Fire protection:** Approval and implementation of the proposed Design Plan would increase the number of calls for service for fire protection and emergency medical response. The risk of danger to people and property would also be increased through construction of new residences with an associated larger on-site resident population. However, compliance with current Fire and Building Codes for all new buildings would reduce this impact to a less-than-significant level *(less-than-significant impact).*	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.12-2	**Police protection:** Approval and implementation of the proposed Design Plan is expected to increase calls for police services, specifically regarding burglary, theft and neighborhood and domestic disturbances. Future staffing will be reviewed and supplemented, as appropriate, as part of the City's budgeting process *(less-than-significant impact).*	No mitigation measures are required.	
4.12-3	**Solid waste disposal:** Based on discussions with City of Hayward Utility Division staff approval and implementation of the proposed Design Plan would increase the amount of solid waste entering the waste stream. Additional quantities of solid waste, including construction debris could be accommodated at the nearest landfill. Additional capital equipment and personnel would be funded from user fees and charges *(less-than-significant impact).*	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4-12-4	**Water demand:** Approval and implementation of the proposed Design Plan would generate an incremental increase in water demand to accommodate new residential land uses. Since the City of Hayward has long-term water agreements in place, increased water demand would be less-than-significant (*less-than-significant impact).*	No mitigation measures are required.	
4-12-5	**Wastewater generation and treatment**: Approval and implementation of the proposed Design Plan would generate increased wastewater flows through City facilities. According to City Public Works Department staff, existing and planned wastewater collection and treatment facilities can accommodate the buildout of the project (*less-than-significant impact).*	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.12-6	**Wastewater disposal:** Approval and implementation of the proposed project would generate an increase in the amount of treated effluent leaving the City's wastewater treatment plant. Based on discussions with City staff, the local wastewater disposal system is anticipated to be adequate to accommodate full buildout of new residential and non-residential uses envisioned in the Design Plan. Disposal of increased quantities of treated wastewater would be less-than-significant (*less-than-significant impact).*	No mitigation measures are required.	
4-12-7	**Electrical and natural gas systems:** Approval and implementation of the proposed Design Plan would result in incremental increases in the demand for electrical power and natural gas; however, the primary power provider has indicated that urban uses have occupied the site for a number of years and capacity exists to serve planned uses. Existing and future uses on the site may be subject to periodic rolling blackouts and brownouts until a reliable, long-term energy supply can be secured (*less-than-significant impact*).	No mitigation measures are required.	

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.12-8	**Telecommunication facilities:** Approval and implementation of the proposed Design Plan would increase the demand for telecommunication facilities within the project area. However, existing facilities can be extended to serve the site with no increases anticipated in staffing so the impact to telecommunication services would be less-than-significant (*less-than-significant impact.)*	No mitigation measures are required.	
4.13-1	**Parks and recreation facilities:** Approval and implementation of the proposed Design Plan would increase the demand for local and community park and recreation facilities within the Cannery Area. New and upgraded park and community facilities are included within the Design Plan as well as enhanced access to existing facilities and a new community center. With joint use agreements, additional parkland can be provided. However, the increased parkland acreage would still not be sufficient to meet existing standards. In addition, methods must be identified to fund the proposed parks and related facilities *(potentially significant impact).*	**Mitigation Measure 4.13-1:** Developers of future residential projects shall pay required park in-lieu fees or contribute in other ways, as deemed acceptable by HARD and the City, to the construction of related facilities, such as the proposed community center or pedestrian overcrossing of the UPRR tracks near Centennial Park.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.13-2	**Schools:** Implementation of the proposed Design Plan project would generate an estimated range of 163-201 elementary school students, 64-78 middle school students and 64-79 high school students at project buildout. The Design Plan calls for expansion of the Burbank School Site and construction of a new elementary school to accommodate the projected enrollment. However, methods must be identified to fund the proposed acquisition and construction *(potentially significant impact).*	**Mitigation Measure 4.13.1:** Prior to approvals of land use entitlements for individual development projects within the Cannery Area by the City of Hayward, including but not limited to tentative subdivisions, site plans and other approvals, the project proponent shall pay school mitigation fees to the City in effect at the time building permits are granted or provide other mitigation as found acceptable by the school district.	**Less –than-significant**

2.1 Purpose and Overview of the Environmental Review Process

This document is a Draft Environmental Impact Report (to be known hereafter in this document as the DEIR), prepared pursuant to the California Environmental Quality Act of 1970 (CEQA), as amended. This DEIR describes existing environmental conditions within and adjacent to the proposed project area within the City of Hayward. The DEIR also includes measures which could be incorporated into the project to mitigate (lessen) anticipated environmental impacts to a level of insignificance or eliminate them entirely. Finally, this DEIR identifies and analyzes feasible alternatives to the proposed project, cumulative impacts of this and other projects on the environment, and other mandatory elements as required by CEQA.

Responses to comments received regarding this DEIR during the public review period will be included in the Final Environmental Impact Report (FEIR). Together, the DEIR and FEIR constitute the full Environmental Impact Report (EIR) for the project.

As provided in CEQA and implementing guidelines, public agencies are charged with the responsibility of avoiding or minimizing environmental damage to the fullest extent feasible. In fulfilling this responsibility, public agencies must balance a variety of objectives, including economic, environmental and social factors. As an informational document to local officials, governmental agencies and members of the public, the purpose of the EIR is to serve as a disclosure document, identifying potential impacts, mitigation measures and alternatives.

Approval of the EIR by the lead agency does not constitute approval of the underlying project, in this instance, the adoption of the proposed Cannery Area Design Plan project and associated General Plan Amendment and zoning reclassification.

2.2 Lead Agency

The City of Hayward is the lead agency for preparation of the EIR, as defined by Section 21067 of CEQA. This means that the City of Hayward is designated as the public agency which has the principal responsibility for approving or carrying out the proposed project and for assessing likely environmental effects of the proposal.

Preparation of this EIR is in accord with CEQA, including all amendments thereto, and Guidelines for Implementation of the California Environmental Quality Act.

Methodologies used for determining standards of significance for each impact category analyzed in the EIR are based on CEQA Guidelines and are described in Section 4 of this DEIR. By applying appropriate significance criteria, impacts under each environmental topic have been categorized as either "significant" or "less than significant." Methods used to determine the level of significance of potential impacts vary depending on the environmental topic, as described in the individual subsections.

2.4 Program EIR

This EIR is considered as a Program EIR, in that it describes general impacts and mitigation measures for the proposed Cannery Area Design Plan. Since implementation of the proposed project would require subsequent land use actions, including but not limited to such entitlements as Site Plan Reviews, subdivision maps, conditional use permits and other entitlements that would be consistent with the Cannery Area Design Plan, additional environmental reviews may be required pursuant to CEQA.

Use of Program EIRs are allowed pursuant to Section 15168 of the CEQA Guidelines. The scope of environmental analysis in a Program EIR is limited to those topics that can be identified at the time the EIR is prepared without being highly speculative. It is anticipated that additional environmental review would occur as individual requests for specific land use entitlements are requested in the future. It is further envisioned that this Program EIR would be used as the basis for any further environmental documentation.

2.5 Previous Environmental Documentation

This EIR relies on environmental setting, impacts and mitigation measures contained in the "Environmental Impact Report for the Downtown Hayward Redevelopment Plan Amendment" prepared by Wagstaff and Associates in 1998 (SCH 98042024). The EIR was adopted by the Hayward Redevelopment Agency by Resolution No. RA-89-15 on October 27, 1998.

This EIR addressed potential impacts of adding approximately 370 acres of land to be under the jurisdiction of the Downtown Hayward Redevelopment Plan. Copies of the Environmental Impact Report for the Downtown Hayward Redevelopment Plan Amendment are available for review at the City of Hayward Community and Economic Development Department, 777 "B" Street, Hayward, during normal business hours.

2.6 Topics Not Addressed in the EIR

The following environmental topics have been deemed not to have a potential for significant environmental impacts and therefore are not addressed in this document.

- *Agricultural Resources*: The project site is located in an urbanized area, has not been used for agricultural production and is not encumbered by a Williamson Act Land Conservation Agreement.

- *Energy and Mineral Resources*: New construction would be built to the most recent building codes and standards to ensure maximum conservation of energy resources. No unusual quantities of mineral resources are anticipated to be needed.

2.7 Content and Organization of the Document

Sections 15122 through 15132 of the CEQA Guidelines describe the content requirements of EIRs. EIRs must include:

- a description of the proposed project, including objectives to be achieved by the project;
- a description of existing environmental conditions;
- an analysis of the anticipated impacts on the environment should the project be built or carried out as proposed;
- feasible measures which can be taken by the proponent or the City to lessen or mitigate identified environmental impacts;
- project alternatives, including the "no project" alternative;
- significant irreversible environmental changes;
- growth inducing impacts;
- cumulative impacts, including environmental impacts of the proposed project viewed over time in conjunction with related past, present and reasonably foreseeable probable future projects whose potential impacts may compound or interrelate with the proposed project.

2.8 Notice of Preparation

The City of Hayward has completed a Notice of Preparation (NOP) for the proposed project and has circulated the NOP to all Responsible Agencies, other public agencies and interested citizens as required by CEQA. Copies of the NOP and responses received by the Lead Agency during the NOP review period are included within the appendix of this document (Appendices 8.1 and 8.2).

3.1 Project Location and Context

Exhibit 1 shows the location of Hayward in relation to surrounding communities and other major features. Exhibit 2 depicts the location of the proposed project area in relationship to major community features, streets and transportation corridors.

The proposed project area is located within the central portion of Hayward (see Exhibit 3) and is composed of three smaller areas, as follows:

- *Area 1* is the northerly most portion of the project area and includes approximately 37 acres of land. Area 1 is bordered on the south by A Street, extends along the west side of the Union Pacific railroad tracks and east of Hathaway Avenue. The northerly boundary of Area 1 consists of the southerly extent of residential uses along Mero Street.

- *Area 2* is located south of Area 1 and is bordered by A Street on the north and Winton Avenue to the south. Union Pacific railroad tracks traverse the area, which is bordered on the west by Amador Street and on the east by Myrtle Street, Meek Avenue and Filbert Street. Area 2 includes 67 acres of land.

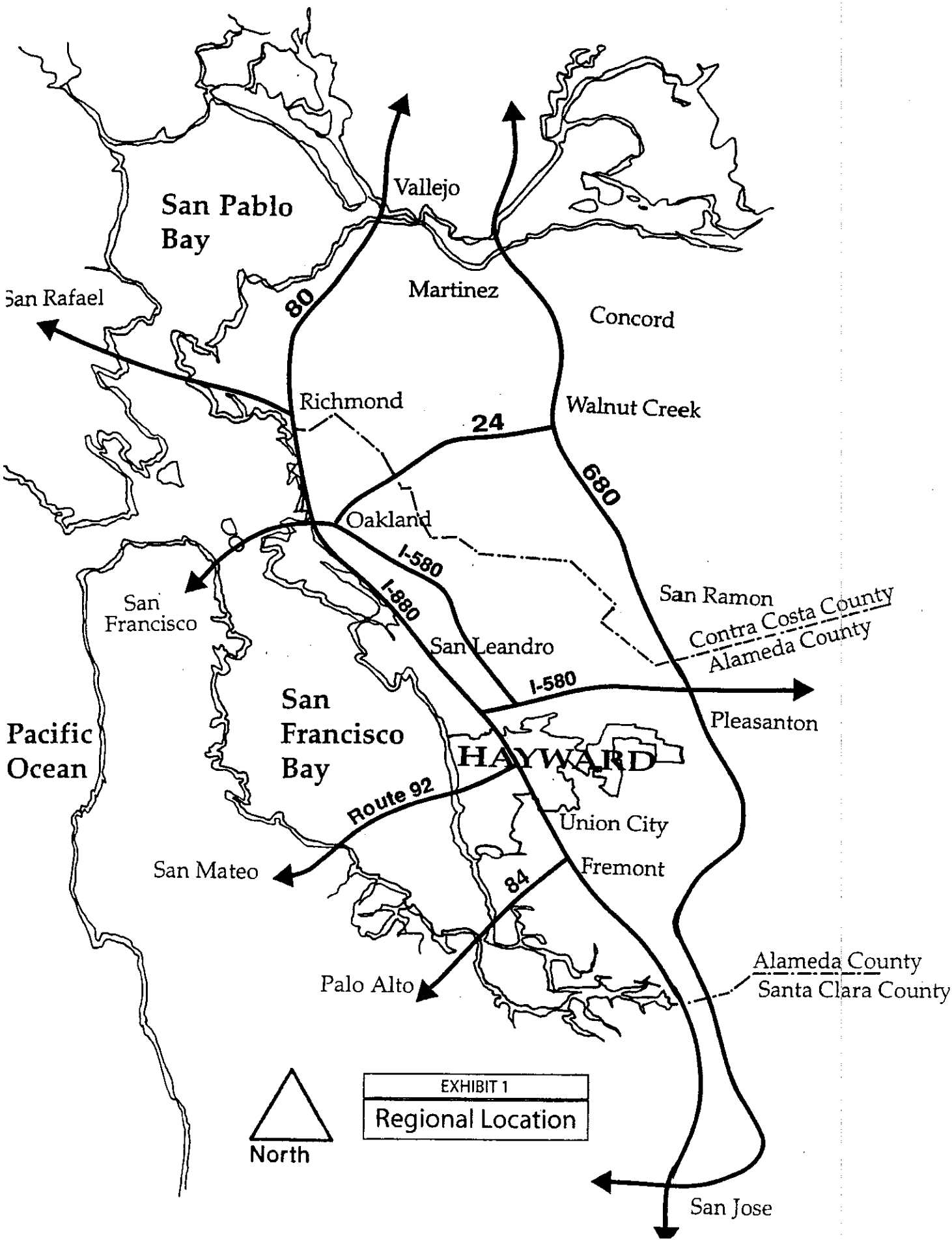
- *Area 3* sited east of Area 2 and consists of 10.25 acres of land bounded by C Street on the north, Claire Street to the south, Alice Street to the west and Grand Street to the east.

The Hayward Cannery area has been developed with a combination of light industrial and warehouse buildings and was used primarily for food processing for a number of years. Refer to the Land Use section of the EIR (Section 4.8) for a complete discussion of land uses within the project area.

Exhibit 4 is an aerial photograph of the project site and immediately surrounding area.

3.2 Site History

Predominant land uses have included cannery, food processing and relating uses, dating back to the 1890's. At that time, the Hunt Foods packing facility located in Area 2 was considered the largest tomato processing and cannery


San Pablo Bay
Vallejo
San Rafael
80
Martinez
Concord
Richmond
24
Walnut Creek
680
Oakland
I-580
I-880
San Ramon
Contra Costa County
Alameda County
San Francisco
San Leandro
I-580
Pleasanton
Pacific Ocean
San Francisco Bay
HAYWARD
Route 92
Union City
San Mateo
Fremont
84
Palo Alto
Alameda County
Santa Clara County
San Jose
North
EXHIBIT 1
Regional Location

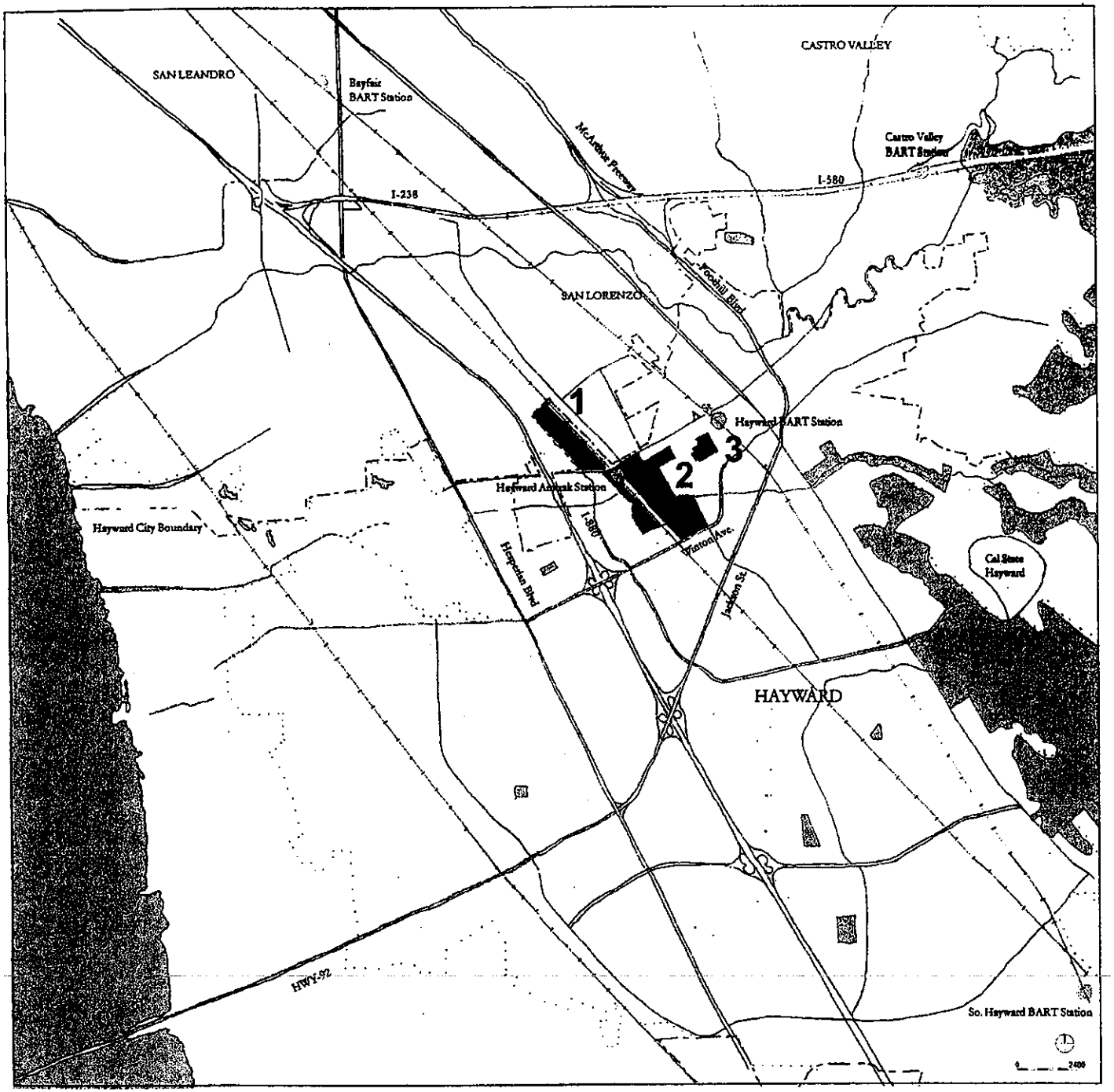
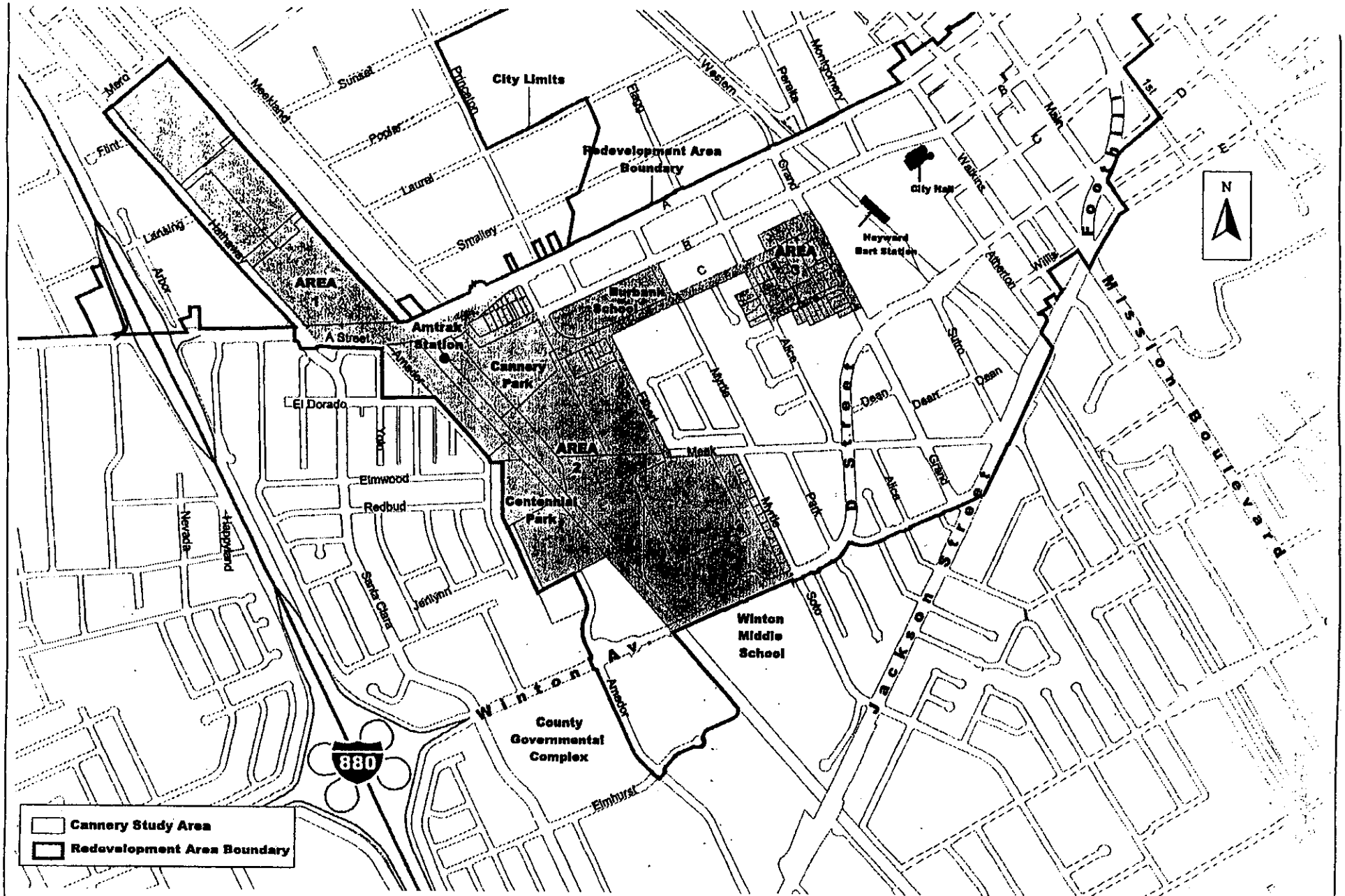


EXHIBIT 2

Project Setting



Cannery Study Area

EXHIBIT 3

Aerial of Cannery Study Area

EXHIBIT 4

500 0 500 1000 1500 Feet

operation in the world. The cannery used tomatoes and other fruits and vegetables grown in Hayward and other portions of central Alameda County as the basis of their business. Hunt Foods later merged with Wesson Packing to be known as Hunt-Wesson Foods.

Operations at the cannery reached a peak in 1961, when the facility processed 12 million pounds of tomatoes per day and employed approximately 5,000 workers.

Other food related industries also located in and around the project area, including the Owens Brockway glass manufacturing facility at 22302 Hathaway Avenue and Select Foods, located at 22700 Amador Street.

Food processing in the Hayward area waned in the mid-1960's, as local agricultural fields were converted to residential subdivisions and major agricultural operations moved to the San Joaquin Valley.

In 1979, the Hunt Wesson packing plant ceased operations and many of the buildings were demolished. Ownership of the main packing plant was transferred to United Can, which continued operations on the site until closure in early 2001.

Other parcels of land within the project area were developed for light industrial and automobile repair uses, especially within Area 3, which generally has smaller parcel sizes.

3.3 Project Description

Overview

The proposed project includes approval of the Hayward Cannery Area Design Plan as well as an amendment to the General Plan and changes to the Hayward Zoning Map and Zoning Ordinance to assist in implementing the Design Plan. Although no specific construction is proposed as part of the project, approval of the Design Plan is intended to transform the Cannery area from older light industrial, warehouse and similar uses into a new neighborhood in the heart of Hayward. Existing buildings would be demolished as warehousing and manufacturing operations cease and are replaced with new residential buildings. Residential development would generally be of higher density than historically constructed in Hayward and would include a mix of small-lot single family residential, multi-family residential and townhouse development types. A live-work component is also planned. Densities are proposed to range from 10 dwellings/acre to a maximum of 30 units/acre.

Other land uses envisioned in the Design Plan include offices and retail commercial. Public and quasi-public facilities are also planned to support the proposed new neighborhood, including expanded local parks, an enlarged local elementary school (Burbank School) and a community center.

The existing street network surrounding the project area would essentially remain, however, it is anticipated that new local residential streets would be needed to provide access to new residential development. New streets would generally be designed in a grid block pattern consistent with existing street networks. The Design Plan also calls for a new north-south collector street that would connect Meekland Avenue at the north end of Area 2 with Soto Road at the south end. The Plan also calls for the realignment of Filbert Street and Meek Avenue within Area 2.

Future environmental reviews will be completed on specific development applications to ensure compliance with this Program EIR and CEQA.

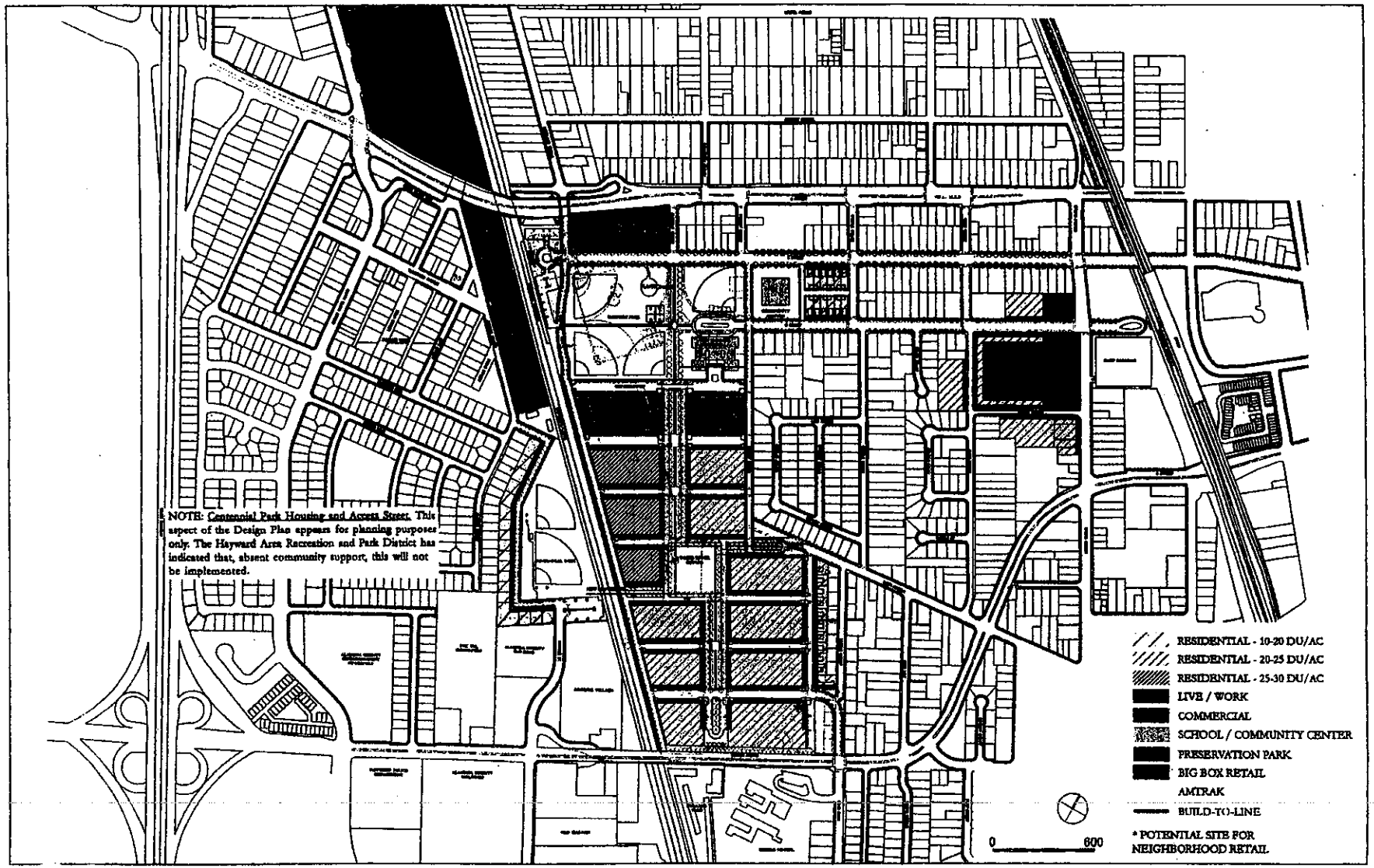
Proposed land uses

The Design Plan has been prepared by the City of Hayward and Hayward Redevelopment Agency. The intent of the project is to create a new residential neighborhood within an older area of the community, taking advantage of the close proximity of the area to the Hayward BART station, Amtrak train station and nearby major freeway and arterial roadway connections.

The intent of the Design Plan is that existing manufacturing and warehouse uses within Area 1, north of A Street would gradually transition into commercial uses. Area 2 would transition from light industrial uses to a combination of higher density residential uses east of the Union Pacific railroad tracks. The large existing warehouse complex on the west side of the railroad tracks would be adapted to contain live-work lofts. The focus element of Area 2 would be a central water tower plaza/square, built around an existing tower structure originally used as part of cannery operations. Other uses within Area 2 would include Preservation Park in the northerly portion of the Area, which would provide a site for historic buildings that may need to be removed from their existing locations. Cannery Park, an existing park within Area 2 would be enlarged. Burbank Elementary School, in the northerly portion of Area 2 would be replaced with a larger facility and the existing Burbank School site converted to residential uses and a community center.

Area 3, located east of the first two Areas, is proposed to be redeveloped to accommodate a mix of townhouses, office and commercial uses. Existing service commercial and light industrial uses would be gradually phased out.

Table 2 is a summary of maximum development potential within the Cannery area for the entire project. Exhibit 5 is the proposed land use component of the Cannery Area Design Plan.



Proposed Design Plan

EXHIBIT 5

Residential uses

Residential uses would occupy the majority of properties within the project area. Table 1 indicates that a maximum of residential development would range from 695 to 824 dwelling units. In addition, a range of 110 to 138 live-work lofts are planned for Area 2 west of the UP railroad tracks.

Table 2. Land Use Development Summary

Land Use	Acreage	Development Potential
Residential	35.9	786-962
Single-Family	7.2	*64-85*
Townhouses	23.4	*433-532*
Multi-Family	5.3	*179-207*
Live-Work	10.0	*110-138*
Commercial/Office	7.9	200,000 sq. ft.
Commercial/Retail	36.5	240,000 sq. ft.
Open Space/Public Facilities	29.5	community center, school/parks

Source: Hayward Planning Department

Residential development would include a few areas of single family residential on small lots at a density of 10-15 dwellings per net acre. Townhouses would be constructed within Areas 2 and 3 with a density range of 20-25 dwellings per net acre. Townhouses are envisioned as two-story structures on individual "for sale" lots with a two-car garage on the ground floor of the dwelling unit. Medium Density housing types would have a density range of 20-25 dwellings per net acre.

Office and retail uses

Office uses are proposed to be located within Areas 2 and 3, specifically within the live-work lofts on the west side of the UP railroad tracks in Area 2 (67,000 square feet) and on the north and south sides of C Street west of Grand Street within Area 3 (200,000 square feet).

Office uses are also envisioned to be housed within restored historic structures within the Preservation Park portion of the project.

Retail uses would be limited to neighborhood-supporting commercial establishments on the north side of Winton Avenue and also near Cannery Park and the Amtrak station within Area 2.

Parks and open space uses

Two parks exist within the Cannery Area, both owned and maintained by the Hayward Area Recreation District (HARD). Cannery Park is the more northerly of the two, sited on the south side of B Street within Area 2.

Cannery Park currently includes 6.8 acres of land and is proposed to be expanded in conjunction with expansion of the Burbank School site.

Centennial Park is found north of the terminus of Amador Street, west of the UP railroad tracks in Area 2.

Both parks are proposed to be linked by a linear park and pedestrian overpass, which would also serve adjacent residential areas.

A 2.5-acre plaza is proposed to be created in Area 2 as a public gathering place for neighborhood residents around an historic water tower.

Public/Quasi-Public uses

Major public and quasi-public uses anticipated to be constructed within the Cannery Area include a new community center on 2 acres on land on the site of the present Burbank School. Some of the current Burbank Elementary School building(s) would be converted and upgraded to serve as the community center.

To meet the need for increased educational facilities within the project area, Burbank Elementary School is proposed to be moved to larger facilities immediately south of the current location and east of Cannery Park. The new school would contain approximately 60,000 square feet in a two-story configuration. The acreage of the combined Cannery Park and Burbank School would be 15 acres of land.

The Design Plan also envisions expansion of the Amtrak station located south of "A" Street to include an enclosed station and additional on-site parking.

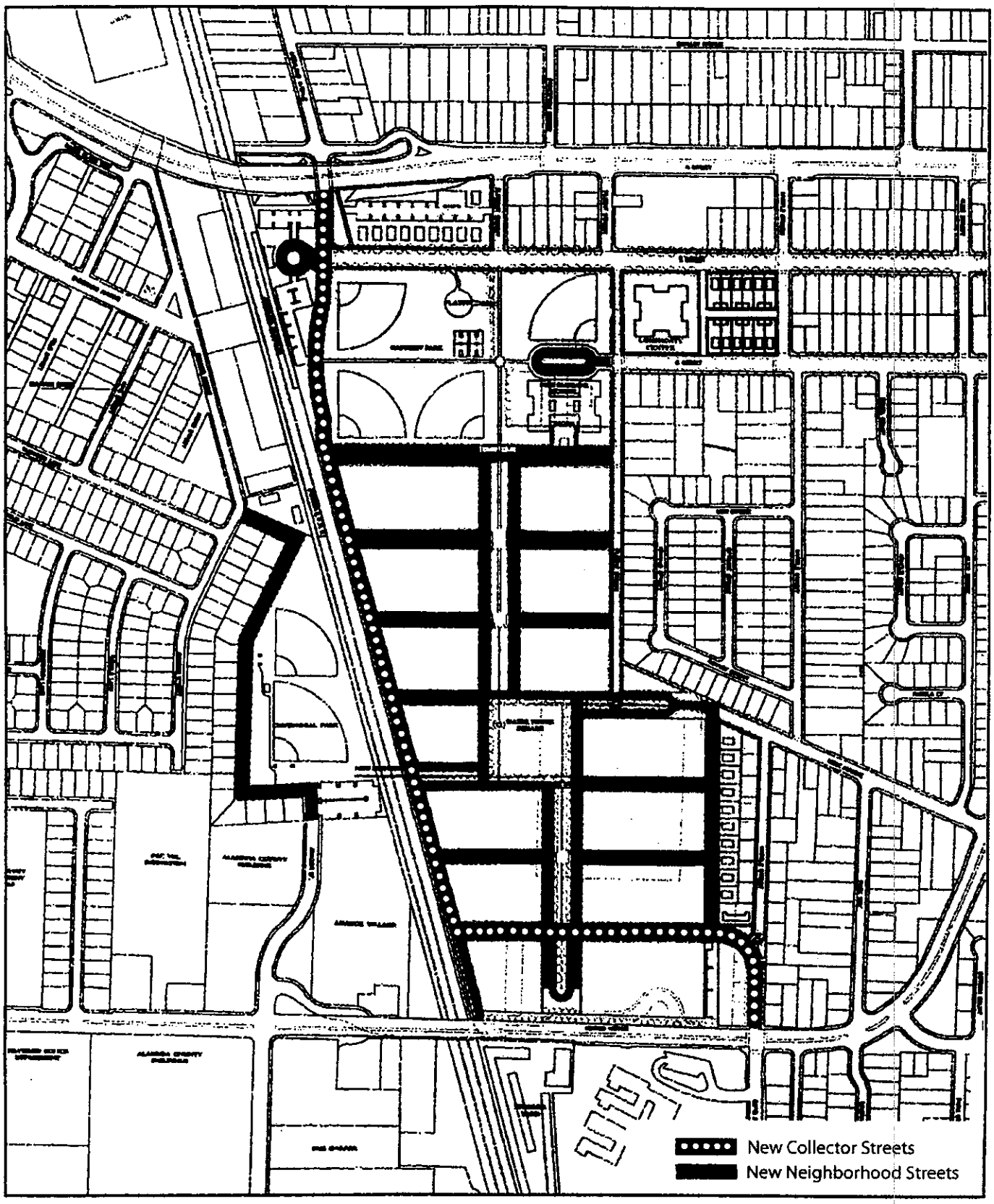
Street system

Primary vehicular access to the project area would be provided by "A" Street and Winton Avenue in an east-west direction and Grand Street and the new collector street in a north-south direction.

New local residential streets would generally be designed in a grid block pattern consistent with existing street networks. Burbank Street would be closed south of B Street and C Street would be closed west of Filbert Street.

Exhibit 6 shows the proposed new street network.

Non-vehicular access will continue to be provided by BART, which operates the main Hayward station directly east of Area 3; Amtrak, which operates a station in Area 2; and AC Transit.



Proposed Circulation System EXHIBIT 6

A more complete discussion of local and regional streets and roads is contained in the Transportation and Circulation section of the EIR (Section 4.11).

Phasing

The proposed Concept Plan represents an "end state" for future development within the project area. Specific development projects would be undertaken by private development interests in compliance with the approved Design Plan. Certain public improvements would likely be undertaken in connection with private development by the City of Hayward, Hayward Redevelopment Agency, Hayward Area Recreation and Parks District, Hayward Unified School Districts and other governmental agencies.

No precise time frame therefore exists regarding timing or locations of public improvements envisioned in the Design Plan.

Land use entitlements

The following land use entitlements are proposed by the City of Hayward in order to assist in implementing the Cannery Area Design Plan.

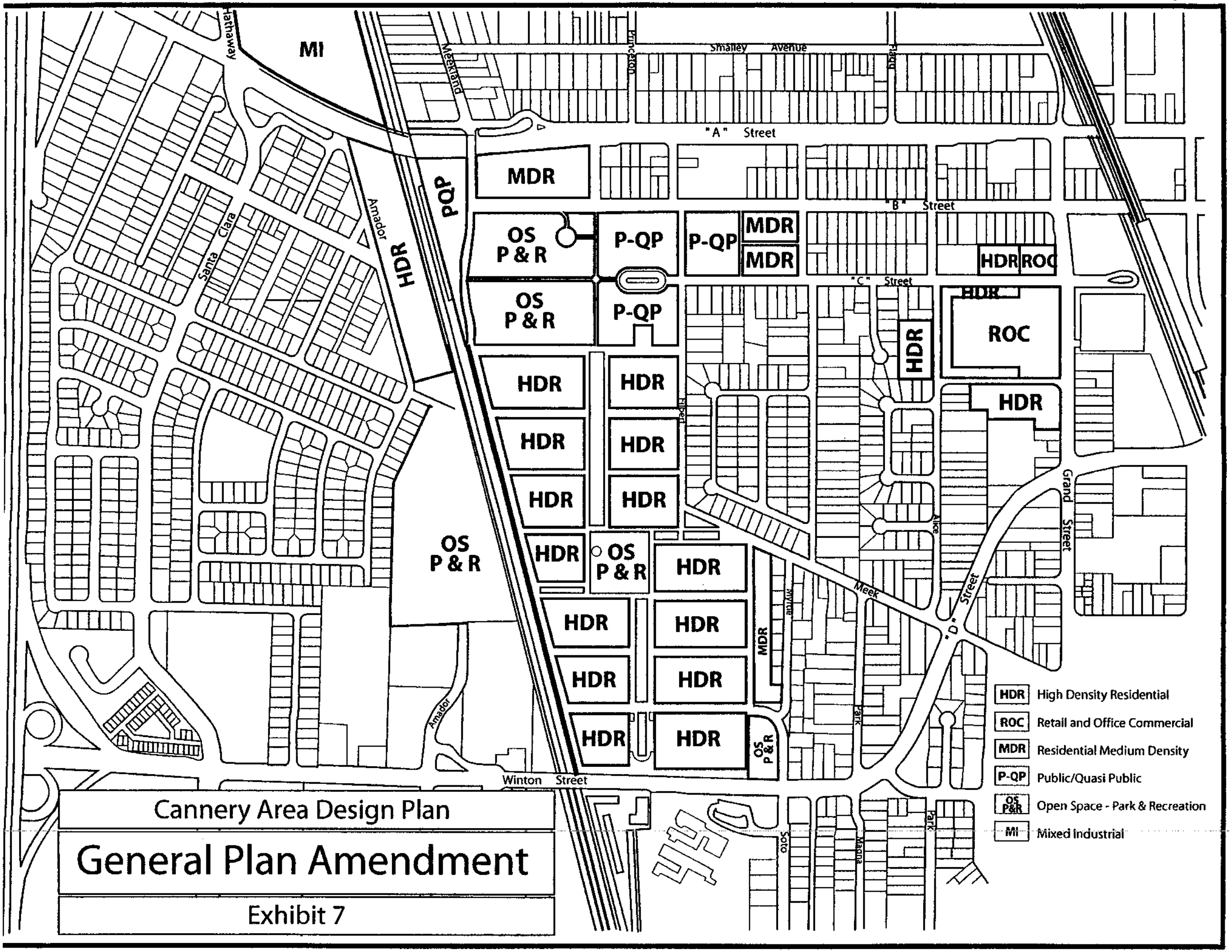
General Plan Amendment

The General Plan Policies Map would be changed for portions of Areas 2 and 3. The "Mixed Industrial" land use designation in Area 2 would be changed to a combination of "High Density Residential," "Medium Density Residential," "Public/Quasi-Public," and "Open Space/Parks and Recreation." The General Plan Land Use Map would also change the "High Density Residential" and "Retail and Office Commercial" designations within Area 3.

Exhibit 7 depicts proposed General Plan land use designations within the project area.

Zoning Ordinance Changes

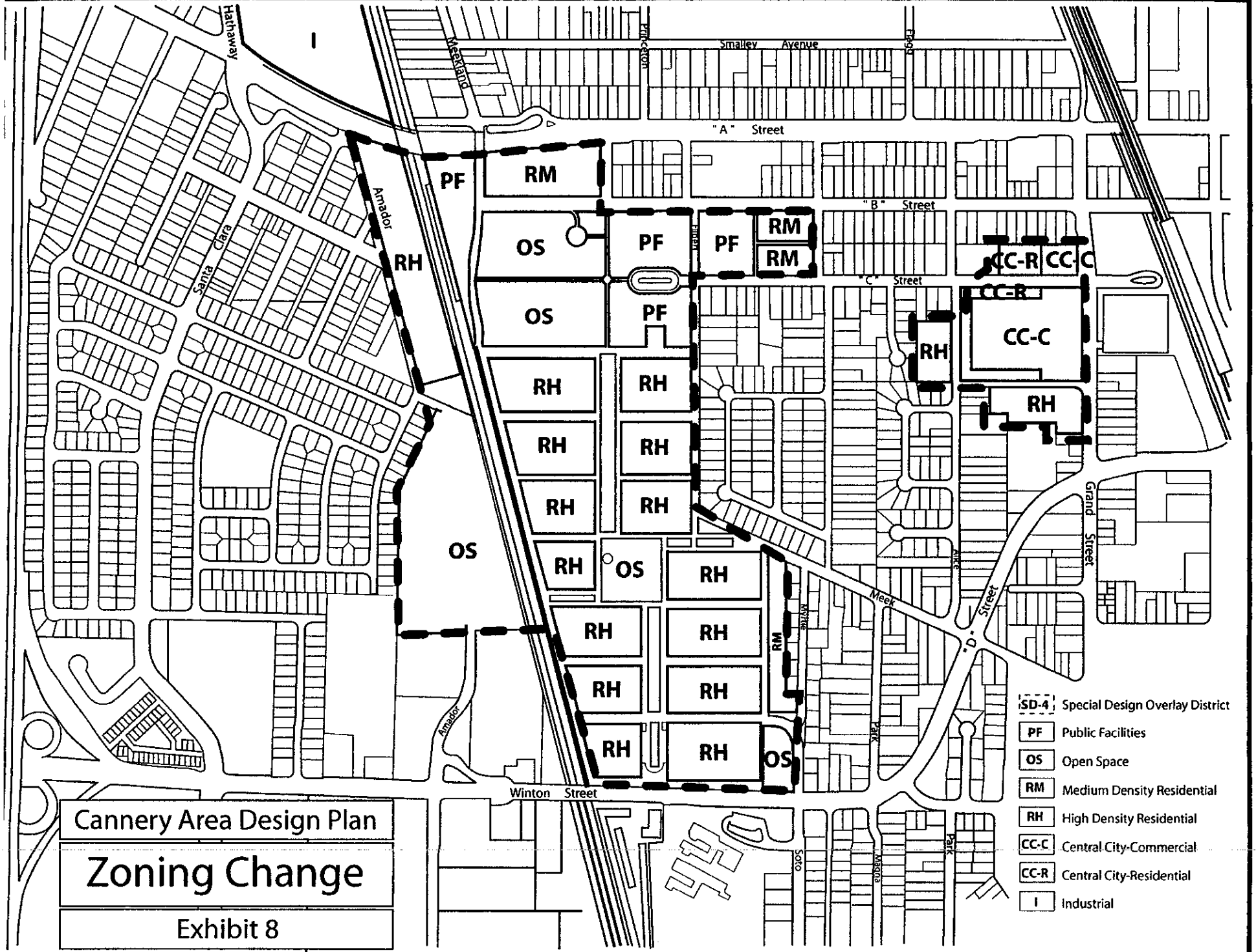
A Zoning Ordinance Text Change is also proposed for approval by the City of Hayward. The proposed Text Change would establish the SD-4 (Special Design) overlay zoning district within the project area in order to provide an orderly transition from industrial land uses to residential and commercial uses envisioned in the Design Plan. The overlay district would prohibit expansion or significant alteration of existing uses and buildings without approval of a Use Permit by the City of Hayward. The overlay district would also require any new residential or commercial development to be considered pursuant to the provisions of the Planned Development District in a manner consistent with the Cannery Area Design Plan. At the same time that the SD-4 District is created, a Zone Change would be considered to apply the overlay district to those parcels of land in the project area currently within the Industrial and Central City zoning districts. Exhibit 8 shows proposed zoning designations within the project area.



Cannery Area Design Plan

General Plan Amendment

Exhibit 7



Cannery Area Design Plan

Zoning Change

Exhibit 8

Prior to constructing specific individual development projects within the project area, applicants must obtain approval of some or all of the following land use entitlements: subdivision maps, site plans, use permits, all granted by the Planning Commission after a public hearing. Should these levels of entitlements be granted, applicants must then apply for demolition permits, grading and building permits, utility connections and similar ministerial permits typically granted by the City of Hayward. Demolition permits are also required prior to removing buildings and structures.

In some instances, applicants may be required to obtain permits and entitlements from other agencies, such as Streambed Alteration Agreements (California Department of Fish and Game), Nationwide Permits for discharges into creeks and streams (U. S. Army Corps of Engineers), Notices of Intent (State Water Resources Control Board), and approvals for stormwater runoff (Regional Water Quality Control Board). The need for any or all of the above permits will be determined on a case-by-case basis depending on the size and location of the development application.

3.3 Project Objectives

Objectives to be achieved through the approval and development of the project include:

1) To promote the conversion of older light industrial and warehouse uses, that are no longer economically feasible, to a state-of-the-art, urban-scale residential neighborhood containing up to 962 residential dwellings including 138 live-work units.
2) To plan for the ultimate construction of up to 267,000 square feet of retail and office uses that will support both new residential development within the Plan area and other portions of the community.
3) To provide for a grid of new streets in a block pattern as the basis of the new neighborhood that also integrates appropriately with existing nearby streets.
4) To promote improved roadway access into the Cannery Area so that through vehicular traffic volumes are reduced for new and future residents.
5) To promote a pedestrian-friendly environment near downtown Hayward where residents and visitors may walk or use other non-vehicular modes of transportation.
6) To provide incentives for land owners to remediate identified soil and groundwater contamination conditions.
7) To provide locations for new public facilities, including a 25,000 square foot Community Center, expanded Burbank Elementary School, a 2.5-acre Water Tower Plaza and improvements to Cannery Park and Centennial Park.
8) To provide a central location, Preservation Park, as a home for historic buildings and structures that could otherwise be lost.

3.4 Actions Addressed in EIR

Specific actions addressed in this Environmental Impact Report include:

1) Certification of the EIR;
2) Consideration of the Hayward Cannery Area Design Plan;
3) Consideration of a General Plan Amendment to change land use designations with the Cannery Area to be consistent with land uses proposed within the Cannery Area;
4) Consideration of a Zoning Ordinance Amendment to create a new overlay zoning district and to apply the new overlay district to portions of the Cannery Area.

Topics Addressed in the DEIR
This section of the DEIR identifies specific environmental areas which may be affected as a result of the implementation of the proposed project. The impact areas are discussed individually in subsections 4.1 through 4.13:

4.1 Aesthetics and Light and Glare
4.2 Air Quality
4.3 Biological Resources
4.4 Cultural Resources
4.5 Geology and Soils
4.6 Hazards
4.7 Water and Hydrology
4.8 Land Use
4.9 Noise
4.10 Population and Housing
4.11 Transportation and Circulation
4.12 Utilities and Public Services
4.13 Schools and Parks

Each topic area is covered in the following manner:

A. Environmental Issues
An overview of issues related to the topic area.

B. Environmental Setting
A discussion of existing conditions, facilities, services and general environmental conditions on and around the project sites.

C. Environmental Impacts
An identification and evaluation of potential impacts on the environment, should the project be constructed as proposed. Standards of environmental significance will also be listed which set forth the basis on which the identification of environmental impacts will be made. Standards of significance for this DEIR are based on such standards listed in the California Environmental Quality Act.

Environmental impacts addressed in this document include the following:

- *Potentially significant impact*, which means that the identified impact would exceed the environmental standards of significance. In some instances, impacts may be positive rather than adverse.

- *Beneficial impact,* where implementation of the proposed project would result in improved environmental conditions.
- *Less-than-significant impact,* which means that although an impact could be considered significant, it would not exceed the minimum environmental thresholds of significance.
- *No impact,* means that no environmental impact would be expected for a particular environmental topic.

D. Mitigation Measures and Impacts After Mitigation
An identification of specific efforts and measures which can be incorporated into the project to reduce identified environmental impacts to a level of insignificance.

4.1 AESTHETICS AND LIGHT AND GLARE

ENVIRONMENTAL ISSUES

Visual impacts would include obstruction of views and vistas or the creation of an aesthetically offensive view to the public. The potential effects of new light and glare sources are also addressed.

ENVIRONMENTAL SETTING

Built environment
The project area is almost fully developed with a combination of warehouse, light industrial, service commercial and other land uses. Major visual features within each Area of the Design Plan boundary include:

- Area 1: The northerly-most area is dominated by large warehouse and light industrial buildings, including a Costco membership wholesale facility, Owens Brockway Glass manufacturing facility and other large warehouse buildings. Other visual features include surface parking lots associated with warehouse buildings, business signs, property line fencing, overhead utility wires, and an overpass structure for "A " Street immediately to the south. Surrounding land uses include Union Pacific railroad tracks to the east and a combination of residential and light industrial/service commercial uses to the west.

- Area 2: Area 2 contains a mix of large light industrial/warehouse structures, the Hayward Amtrak Station located immediately south of A Street west of Meekland Avenue, two parks (Cannery Park located in the northerly portion of Area 2) and Centennial Park located in the southerly portion of the Area), Burbank Elementary School, older residential uses and vacant parcels. Other features include surface parking lots, business signs, fencing, the existing water tower in the approximate center of the Area, and overhead utility lines.

- Area 3: The easterly-most site is dominated by a mix of automobile service and other small businesses on small lots with outdoor vehicle storage, business signs, overhead utility lines and similar features. Several older single family residences also exist in Area 3.

Taken as a whole, the Cannery Area is characterized as a declining older industrial area. In 1998, the Hayward Redevelopment Agency declared the project area to be blighted and in need of upgrading in terms of land uses and aesthetics.

Views and vistas
Views of the Hayward foothills to the east are available from many of the properties within the project area, however, the height of many of the existing warehouses and light industrial buildings limit views of the foothills from residences west of Area 1.

Existing landforms
The project area is generally flat with a gradual slope to the west, towards the Bay. The Cannery area has been graded over the past 100+ years to accommodate existing structures, roads and other built features. No significant geologic features or formation therefore exist.

Light and glare
The project area has been developed for numerous years and several business owners have added exterior lighting on their properties for security purposes. In addition, the City of Hayward has installed street lighting on many if not all of the public streets within the project area. Lighting has also been installed by the Hayward Area Recreation District (HARD) within Centennial Park to allow for evening sports activities.

Regulatory framework
In addition to existing zoning requirements, the City Redevelopment Agency adopted the Downtown Hayward Design Plan, revised to September 1999, for the purpose of regulating development in the downtown area. A portion of Area 3 is contained within the Downtown Design Plan boundary. The Downtown Plan regulates such features as development intensity and density, on-site open space and setbacks, lot coverage, building height and parking.

STANDARDS OF SIGNIFICANCE

The following standards of significance are used to assess potential environmental impacts related to view obstruction, aesthetics and light and glare.

- Be incompatible with the scale or visual character of the surrounding area;
- Eliminate or substantially alter significant visual features, view corridors or public vista points;
- Result in substantial alteration of natural landforms;
- Create significant new sources light and glare in the project vicinity.

ENVIRONMENTAL IMPACTS

Aesthetic conditions
The intent of the Cannery Area Design Plan is to improve an acknowledged blighted condition within the project area. Pursuant to the Plan, older and

unaesthetic buildings and land uses would be replaced with a mix of well-designed residential complexes, offices, parks, open spaces and public and semi-public uses.

The Design Plan also contains recommendations for the improvement of streets and roads within the project area through the addition of landscaped parkways and building setbacks on individual lots that do not currently exist. Existing overhead wires would be removed and non-conforming business signs removed.

Future buildings, including adaptive re-use of existing structures to new uses, will be subject to design review by the City of Hayward to ensure consistency with the Design Plan as well as overall acceptability of building design, use of colors and materials, landscaping and signs.

Impact 4.1-1 (aesthetics): **Approval of the Design Plan and eventual construction of new development pursuant to the Plan would be an aesthetic improvement for the project area, since older, blighted buildings and uses would be phased out in favor of newer residential, office, open space and public and quasi-public buildings and land uses. New uses and buildings would be consistent with the Design Plan and would also be subject to design review approval by the City of Hayward (*beneficial impact and no mitigation measures required*).**

Views and vistas

Implementation of the Design Plan area would result in the replacement of warehouses and other light industrial buildings with a combination of dwelling units, offices, public and quasi-public uses, parks and other uses. Although the precise location, height or siting of individual buildings within the project area is not known at this time, it is likely that access to views and vistas of the nearby Hayward Hills would be improved, since the height and intensity of new development would be less than under the existing development configuration. Based on current City of Hayward zoning standards, new residential development will be required to adhere to setback, height and building coverage requirements, which are generally more stringent than the industrial standards that governed the development of existing warehouse and light industrial buildings.

The proposed Design Plan would also provide for more public open areas from which to enjoy distant views, including an expanded Cannery Park, the Water Tower Square and other smaller greenways throughout Area 2.

Impact 4.1-2 (views and vistas): **Approval of the Design Plan and eventual construction of new development pursuant to the Plan would represent an improvement for residents and visitors to access views and vistas off the project site. Development envisioned in the Design Plan would generally result in less**

intense development with lower building heights and more public open spaces (*beneficial impact and no mitigation measures required*).

Landform and topography
Minimal amounts of site grading are anticipated to accommodate proposed buildings and other structures envisioned in the Design Plan, primarily since existing topography is generally flat. Minor amounts of fill may be needed to ensure that future residents and improvements are located outside of a 100-year flood plain and to improve individual site drainage. However, since no significant topographic features exist within the project area, no impacts would result.

Impact 4.1-3 (landform and topography): No impacts with regard to landform or topographic changes are anticipated with regard to approval and implementation of the proposed Design Plan. The project area is already fully developed and any previous significant topographic features have been removed to accommodate existing or historic buildings and land uses (*no impacts and no mitigation required*).

Light and glare
Construction of new buildings and the adaptive reuse of existing buildings within the project area would add exterior lighting for safety and security purposes. It is likely that new streetlights may be added as well, both along new streets proposed within the plan and as may be retrofitted by the City for existing streets.

Since the project area is already urbanized, street lights and exterior lighting currently exists. Redevelopment of the area is therefore not anticipated to add significant new amounts of lighting to the area.

As part of future City reviews of individual development projects, it is anticipated that the City will examine proposed lighting plans to ensure that light and glare from new light fixtures will not spill over onto adjacent streets or properties.

Impact 4.1-4 (light and glare): Implementation of the proposed Design Plan would generate incrementally new sources of light and glare within and adjacent to the project area. However, since the Cannery Area is already largely urbanized with existing sources of light and glare, this impact is anticipated to be less-than-significant (*less-than-significant impact and no mitigation measures required).*

MITIGATION MEASURES

None required.

4.2 AIR QUALITY

ENVIRONMENTAL ISSUES

This EIR section describes the impacts of the proposed project on local and regional air quality.

The information contained in this section is based on an air quality analysis prepared by Donald Ballanti, Certified Meteorologist, for the Downtown Hayward Redevelopment Plan Amendment in 1998.

ENVIRONMENTAL SETTING

Air pollution climatology
The project site is within the San Francisco Bay Area Air Basin, a large, shallow air basin ringed by hills with a number of sheltered valleys around the perimeter. Two primary sea-level gaps in the hills exist: the Golden Gate and the Carquinez Straits. These two gaps provide important sources of ventilation for the Bay Area.

Northwest and westerly winds are the most common in Hayward. Winds from these directions carry pollutants released by autos and factories from upwind areas, particularly during the summer months. Winds are lightest on the average in fall and winter. During the fall and winter seasons, there are periods of several days when winds are very light and local pollutants can build up.

Pollutants can be diluted by mixing in the atmosphere both vertically and horizontally. Vertical mixing and dilution is often suppressed by inversion conditions when a warm air traps cooler air closer to the surface. During the summer, inversions are generally elevated above ground level, but are present over 90% of the time in both morning and afternoon. In winter, surface-based inversions dominate in the morning hours and frequently dissipate by afternoon.

Topography can restrict horizontal dilution and mixing of pollutants by creating a barrier to air movement. The Santa Cruz Mountains and Hayward Hills on either side of San Francisco Bay restrict horizontal dilution, and this alignment of the terrain also channels winds from the north to south, carrying pollution from the greater East Bay toward Hayward.

The combined effects of moderate ventilation, frequent inversions that restrict vertical dilution and terrain that restricts horizontal dilution give Hayward a moderate potential for atmospheric pollution.

Ambient air quality standards

Both the U. S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants which represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. Table 2 (next page) identifies the major criteria pollutants, characteristics, health effects and typical sources.

The federal and California ambient air quality standards are summarized in Table 3 for important pollutants. The federal and state ambient standards were developed independently with differing purposes and methods, although both federal and state standards are intended to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and PM_{10}.

Table 3. Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standard	State Standard
Ozone	1-Hour 8-Hour	0.12 PPM 0.08 PPM	0.09 PPM --
Carbon Monoxide	8-Hour 1-Hour	9 PPM 35 PPM	9.0 PPM 20.0 PPM
Nitrogen Dioxide	Annual Average 1-Hour	0.05 PPM --	-- 0.25 PPM
Sulfur Dioxide	Annual Average 24-Hour 1-Hour	0.03 PPM 0.14 PPM --	-- 0.05 PPM 0.25 PPM
PM10	Annual Average 24-Hour	50 _g/m^3 150 _g/m^3	30 _g/m^3 50 _g/m^3
PM2.5	Annual 24-Hour	15 _g/m^3 65 _g/m^3	-- --
Lead	30-day avg. 3-month avg.	--- 1.5 _g/m^3	1.5 _g/m^3 --

PPM = Parts per Million

_g/m^3 = Micrograms per Cubic Meter

Source: Donald Ballanti

The U.S. Environmental Protection Agency in 1997 adopted new national air quality standards for ground-level ozone and for fine Particulate Matter. The existing 1-hour ozone standard of 0.12 PPM will be phased out and replaced by an 8-hour standard of 0.08 PPM. New national standards for fine Particulate Matter (diameter 2.5 microns or less) have also been established for 24-hour and annual averaging periods. The current PM_{10} standards were retained, but the method and form for determining compliance with the standards were revised.

Implementation of the new ozone and Particulate Matter standards has been complicated by a lawsuit. On May 14, 1999 the Court of Appeals for the District of Columbia Circuit issued a decision ruled that the Clean Air Act as applied in setting the new public health standards for ozone and particulate matter, was unconstitutional as an improper delegation of legislative authority to the Environmental Protection Agency. The decision has been appealed, but the legal status of the new standards will probably remain uncertain for some time.

Ambient air quality

The project is within the nine-county Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) operates a network of air quality monitoring sites in the region, including one in Hayward, which measures a single pollutant, ozone. The closest multi-pollutant monitoring sites are located in downtown Oakland and Fremont. Table 4 shows a summary of air quality data for this monitoring site for the period 1993-1996. Data are shown for ozone, carbon monoxide, PM_{10} and nitrogen dioxide. The number of days exceeding each standard are shown for each year.

Table 4. Air Quality Data for Hayward, Fremont and Oakland, 1994-1996

Pollutant	Standard	Station	Days Exceeding Standard		
			1994	1995	1996
Ozone	Federal 1-Hour	Hayward Fremont Oakland	0 0 0	2 2 0	0 0 0
Ozone	State 1-Hour	Hayward Fremont Oakland	1 4 0	7 10 0	2 2 0
Carbon Monoxide	State/Federal 8-Hour	Hayward Oakland	0 0	0 0	0 0
PM_{10}	State 24-Hour	Fremont	3	1	1
PM_{10}	Federal 24-Hour[1]	Fremont	0	0	0

Source: Downtown Hayward Redevelopment Plan Amendment EIR, 1998

Table 4 shows that the federal ambient air quality standards for most criteria pollutants are met in the East Bay. Concentrations of ozone and PM_{10}, do, however, exceed the state standard.

Attainment status

The federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate air basins within the state where the federal or state ambient air quality standards are not met as "nonattainment areas." Because of the differences between the federal and state standards, the designation of nonattainment areas is different under the federal and state legislation.

The Bay Area is currently a nonattainment area for the federal 1-hour ozone standard. Under the California Clean Air Act the Bay Area is a nonattainment area for ozone and PM_{10}.

To meet federal Clean Air Act requirements, the District has adopted an Ozone Attainment Demonstration Plan. In addition, to meet California Clean Air Act requirements, the District has also adopted and updated a Clean Air Plan addressing the California ozone standard. The control strategy contained in these

plans include new limits on emissions from industry, prohibitions on sources of hydrocarbons, regional transit and HOV programs, buy back programs for older vehicles and educational programs.

The California Legislature, when it passed the California Clean Air Act in 1988, recognized the relative intractability of the PM_{10} problem with respect to the state ambient standard and excluded it from the basic planning requirements of the Act. The Act did require the CARB to prepare a report to the Legislature regarding the prospect of achieving the State ambient air quality standard for PM_{10}. This report recommended a menu of actions, but did not recommend imposing a planning process similar to that for ozone or other pollutants for achievement of the standard within a certain period of time.

Sensitive receptors

The Bay Area Air Quality Management District defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to located. These land uses include residences, schools playgrounds, child-care centers, retirement homes, convalescent homes, hospitals and medical clinics. The project area includes numerous residences, schools, and other uses that could be considered sensitive receptors.

STANDARDS OF SIGNIFICANCE

The Bay Area Air Quality Management District's document *BAAQMD CEQA Guidelines* (BAAQMD, June, 1999) establishes thresholds of significance for construction and operation phases of projects.

The BAAQMD significance threshold for construction dust impacts is based on the appropriateness of construction dust controls. The *BAAQMD CEQA Guidelines* provide feasible control measures for construction emission of PM_{10}. If the appropriate construction controls are to be implemented, then air pollutant emissions for construction activities would be considered less-than-significant. The Bay Area Air Quality Management District's document *BAAQMD CEQA Guidelines* establishes the following significance criteria for the operation of projects:

- A project contributing to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of 9 parts per million (ppm) averaged over 8 hours or 20 ppm for 1 hour would be considered to have a significant impact.
- A project that generates criteria air pollutant emissions in excess of the BAAQMD annual or daily thresholds would be considered to have a significant air quality impact, both singularly and cumulatively. The current thresholds are 15 tons/year or 80 pounds/day for Reactive Organic Gases (ROG), Nitrogen Oxides (NOx) or PM_{10}.

- Any project with the potential to frequently expose members of the public to objectionable odors would be deemed to have a significant impact.
- Any project with the potential to expose sensitive receptors or the general public to substantial levels of toxic air contaminants would be deemed to have a significant impact.

ENVIRONMENTAL IMPACTS

Three potential air quality impacts are identified: short term construction impacts, long term operational impacts and cumulative regional impacts.

Short-term construction impacts
Construction dust would affect local and regional air quality at various times during the build-out period of the Project. The dry, windy climate of the area during the summer months combined with the fine, silty soils of the region create a high potential for dust generation. Emissions during the grading phase of construction are primarily associated with the exhaust of large earth moving equipment and the dust which is generated through grading activities. Emissions in later stages of construction are primarily associated with construction employee commute vehicles, asphalt paving, mobile equipment, stationary equipment, and architectural coatings.

The effects of construction activities would be increased dustfall and locally elevated levels of PM_{10} near the construction activity. Depending on the weather, soil conditions, the amount of activity taking place, and nature of dust control efforts, these impacts could affect existing or future residential areas within or near the project.

Impact 4.2-1 (construction impacts): **The effects of project construction activities anticipated as a result of implementing the Cannery Area Design Plan would increase dustfall and locally elevated levels of PM_{10} downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties (*potentially significant impact and mitigation required*).**

Long-term local impacts
Approval and implementation of the project would generate greater amounts of onsite and offsite traffic volumes, increasing local levels of carbon monoxide. Long-term local air quality impacts of intensified land use that would be allowed pursuant to the Cannery Area Design Plan were previously addressed in the 1998 Redevelopment EIR.

The CALINE-4 screening procedure was used to estimate maximum one- and eight-hour concentrations or carbon monoxide, corresponding to the one- and eight-hour averaging times specified in the state and federal ambient air quality standards for carbon monoxide. The analysis included existing (1998) and future buildout (2010) conditions.

The analysis found that existing concentrations met the one-hour standard, but a violation of the eight-hour state and federal ambient air quality standard was identified near the Mission Boulevard/Jackson Street/Foothill Boulevard intersection was identified. Buildout concentration of carbon monoxide are dependent on the levels of traffic, congestion and the emission rate from the vehicle fleet. Emission rates from vehicles in California have been dropping and will continue to drop in the future due to increasingly stringent vehicle emission standards. Future buildout concentrations of carbon monoxide is therefore predicted to be below state and federal ambient standards.

Impact 4.2-2 (local long-term air quality impacts): Incremental increases in air pollution could be anticipated with the construction of the proposed project, however, such increases would be below the standard of air quality significance through the year 2025, as established by the BAAQMD (*less-than-significant impact, although mitigation measures are recommended*).

Permanent regional impacts
The 1998 Downtown Redevelopment EIR identified permanent, regional air quality impacts as a potentially significant impact. Several aspects of this potential impact included consistency between the Downtown Redevelopment Plan and the BAAQMD Clean Air Plan

- Consistency of the Redevelopment Plan with the BAAQMD Clean Air Plan assumptions. City-wide population growth projections between the *Bay Area 1994 Clean Air Plan* (which were based on the Association of Bay Area Governments (ABAG) *Projections '94*) and the City of Hayward's Circulation Element of the General Plan, which uses *Projections '96*, were generally consistent. The 1998 Redevelopment EIR concluded that approval and implementation of the Downtown Redevelopment Plan Amendment was consistent with the *Clean Air Plan*.
- Consistency of the Redevelopment Plan with Odors and Toxics. Policies contained in the General Policies Plan of the Hayward General Plan require the establishment of buffer areas around existing and proposed land uses that would emit air pollutants and/or odors. The proposed Design Plan would facilitate transition of older industrial and sites containing potentially hazardous materials to non-industrial uses and would therefore be consistent with the Hayward General Plan.
- Consistency with Clean Air Plan Transportation Control Measures. The regional strategy for improving clean air, contained in the Bay Area Clean Air Plan, identifies a number of Transportation Control Measures, including voluntary, employer-based Trip Reduction Programs, improving bicycle access and facilities, improving arterial roadway traffic management, adopting local clean air plans, facilitating pedestrian travel and promoting traffic calming measures. The 1998 Redevelopment Plan Amendment identified a mitigation measure (discussed below) to

eliminate inconsistencies between redevelopment agencies and the Clean Air Plan. The proposed Design Plan contains a number of features to promote non-automobile transportation within the project area, including construction of a pedestrian overcrossing of the UP railroad tracks at Centennial Park and construction of several greenways within Area 2 throughout proposed residential neighborhoods.

Impact 4.2-3 (permanent regional air quality impacts): **Based on consistency between City population growth projections, controls on toxics and odors and consistency with BAAQMD Transportation Control Measures, less-than-significant impacts are proposed regarding long-term permanent air quality (*less-than-significant impact and no mitigation required*).**

MITIGATION MEASURES

The 1998 Downtown Redevelopment Plan EIR contains two mitigation measures to reduce potential air quality impacts to less-than-significant levels. These measures would apply to future individual development projects within the Cannery area. Adopted mitigation measures include:

- AQ-1: Require individual construction projects within the redevelopment area to implement dust control measures, including watering of the site, paving or applying soil stabilizers, frequent sweeping of nearby streets and paved areas, hydroseed graded areas and other.
- AQ-2: Promote voluntary Transportation System Management Plans (TSM) for new employers within the expanded redevelopment area. The City and/or Redevelopment Agency should also encourage mixed-use projects, provision of pedestrian-friendly facilities (such as sidewalks) and other methods to encourage non-automobile transit.

These two mitigation measures are hereby included in the Cannery Area EIR to ensure that future development projects meet air quality standards.

Mitigation Measure 4.2-1 (construction air quality impacts): **Future demolition and development projects within the Cannery Area shall incorporate dust control measures into grading, demolition and construction plan specifications, to include but not be limited to frequent watering of the site, use of soil stabilizers, hydroseeding of graded areas and other measures that comply with BAAQMD recommendations for dust control.**

Mitigation Measure 4.2-2 (local long-term impacts): **Future development projects within the Cannery Area shall incorporate the following measures:**

a) **Voluntary Transportation System Management Plans should be encouraged for new employers within the project area to reduce the use of single occupant vehicles.**

b) **Other measures shall be included as part of individual development projects, such as construction of sidewalks on abutting streets, installation of bus stops, pedestrian pathways and similar items.**

SIGNIFICANCE AFTER MITGATION

Air quality impacts would be reduced to a level of less-than-significant after adherence to the mitigation measure.

4.3 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES

This section describes the methods used to assess biological resources within the project area, including regulatory requirements, plant and wildlife resources, the presence or potential presence of special-status species, and potential impacts to biological resources on the site and measures to mitigate these impacts.

ENVIRONMENTAL SETTING

Existing plant and animal species
The Downtown Hayward Redevelopment Plan Amendment EIR found the project area to be generally urban in nature. Vegetation is limited to ornamental, introduced species of trees, shrubs and groundcover found as part of building landscaping, local parks and vacant sites. Animals were found to include those species adapted to urban environments, including various bird species, small rodents and mammals and reptiles.

The project site is not located with a Habitat Conservation Plan or Natural Community Conservation Plan area.

Existing wetlands
A portion of Sulphur Creek extends through the Cannery project area in a general east to west direction. Although a significant portion of the creek has been contained in underground pipes, portions of the creek continue to flow in an open, engineered channel. The creek area may constitute a jurisdictional wetland area and contain a riparian habitat for plants and animals.

Exhibit 9 shows the location of Sulphur Creek through the project area.

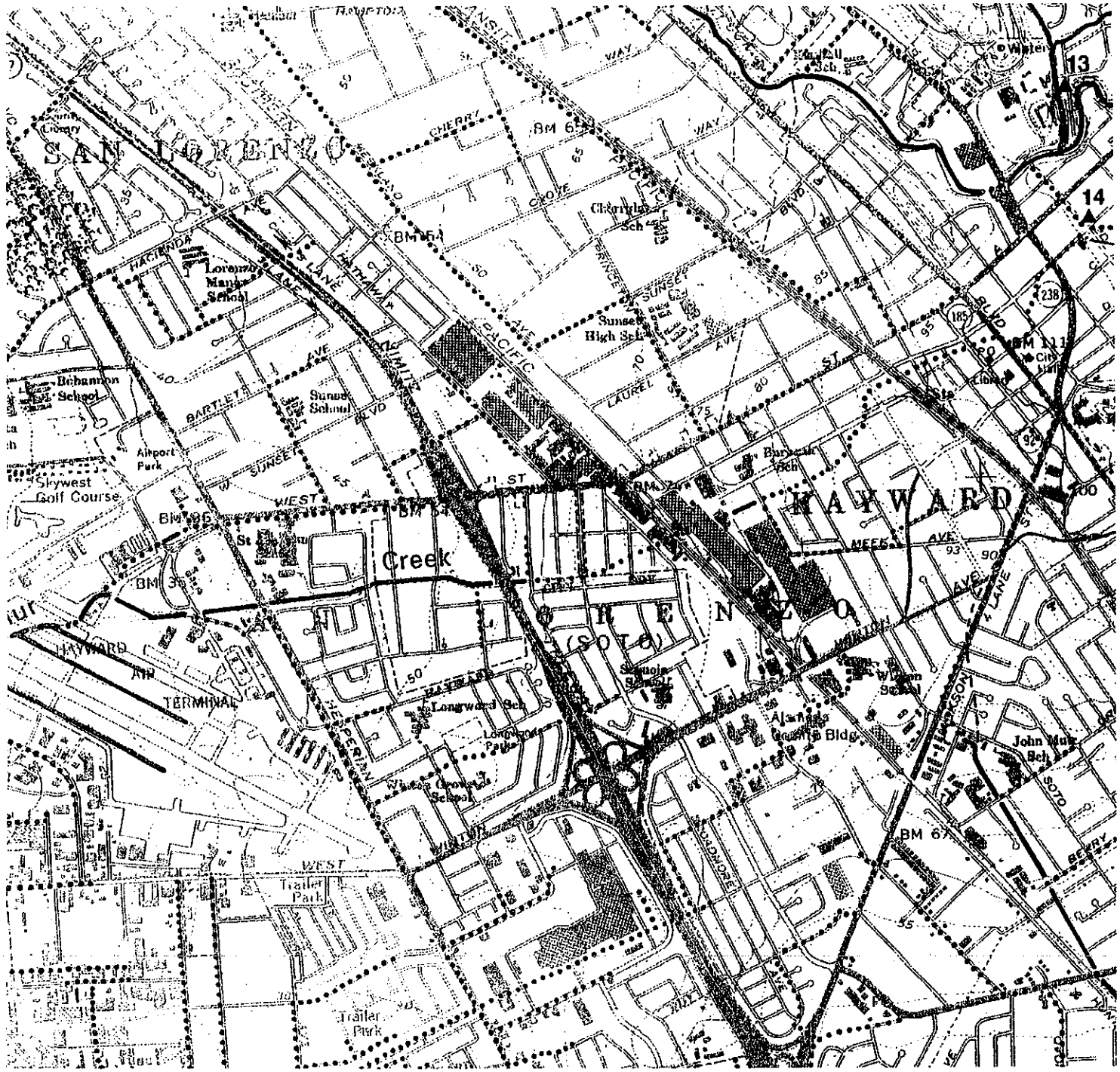


EXHIBIT 9

Sulphur Creek

Engineered Channel

Storm Drain or Culvert

Regulatory framework

U.S. Fish and Wildlife Service

Federal Endangered Species Act - The U.S. Fish and Wildlife Service (Service) has jurisdiction over species that are formally listed as threatened or endangered under the Federal Endangered Species Act. The Endangered Species Act protects listed wildlife species from harm or "take." The term "take" is broadly defined as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." An activity is defined as a "take" even if it is unintentional or accidental.

Section 9 of the Endangered Species Act and its applicable regulations restrict certain activities with respect to endangered and threatened plants. However, these restrictions are less stringent than those applicable to fish and wildlife species. The provisions prohibit the removal of, malicious damage to, or destruction of any listed plant species "from areas under federal jurisdiction." Listed plants may not be cut, dug up, damaged or destroyed, or removed from any other area (including private lands) in knowing violation of a state law or regulation.

An endangered plant or wildlife species is one that is considered in danger of becoming extinct throughout all, or a significant portion of its range. A threatened species is one that is likely to become endangered within the foreseeable future. The Fish and Wildlife Service also maintains a list of species proposed for listing. Proposed species are those species for which a proposed rule to list as endangered or threatened has been published in the *Federal Register*. In addition to endangered, threatened, and proposed species, the Service maintains a list of candidate species. Candidate (formerly category 1 candidate) species are those species for which the Service has on file sufficient information to support issuance of a proposed listing rule.

Any activities that could result in take of a federally listed species will require an Section 10 take permit from the U.S. Fish and Wildlife Service before allowing take activities to commence. Should another federal agency, such as the U.S. Army Corps of Engineers (Corps) under the Clean Water Act, acting as the lead agency be involved with permitting the project, Section 7 of the Endangered Species Act requires the federal lead agency to consult with the Service before permitting any activities that may take listed species.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act provides for protection for migratory bird species, birds in danger of extinction, and their active nests (including their eggs and young). Habitat features (*e.g.*, trees, shrubs, burrows, and man-made structures (power poles)) along proposed routes provide suitable nesting sites for migratory birds. Contractors/civilians are required to obtain a

depredation permit from U.S. Fish and Wildlife Service to disturb nesting migratory birds.

California Department of Fish and Game

California Endangered Species Act. The California Department of Fish and Game has jurisdiction over threatened or endangered species that are formally listed by the State under the California Endangered Species Act. The California Endangered Species Act is similar to the federal Endangered Species Act both in process and substance; it is intended to provide additional protection to threatened and endangered species in California. The California Endangered Species Act does not supersede the federal Act, but operates in conjunction with it. Species may be listed as threatened or endangered under both acts (in which case the provisions of both state and federal laws would apply) or under only one act.

Under Fish and Game Code 2050 -2068, the California Endangered Species Act policy is to conserve, protect, restore, and enhance any threatened or endangered species and its habitat (including acquiring lands for habitat). Compliance with the California Endangered Species Act is required because the project area is within habitats historically or currently occupied by state-listed species. If project field assessments indicate that there is a likelihood of "take" of these species, consultation with the California Department of Fish and Game is required to be in compliance with Fish and Game Code 2050 and 2091.

The California endangered species laws prohibit the take of any plant listed as threatened, endangered, or rare. In California an activity on private lands (such as development) will violate Section 9 of the federal Endangered Species Act if a plant species, listed under both state and federal endangered species laws, is intentionally removed, damaged, or destroyed.

The Department of Fish and Game maintains informal lists of *species of special concern*. These species are broadly defined as plants and wildlife that are of concern to the Department because of population declines and restricted distributions, and/or they are associated with habitats that are declining in California. These species are inventoried in the California Natural Diversity Data Base.

Streambed Alteration Agreement. The California Department of Fish and Game requires that a proponent of a project notify the Department if project activities would substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated as such by the Department under Fish and Game Code Section 1600, a streambed alteration agreement could be required from the Department to conduct stream line construction activities (pouring concrete in augured holes and installing pipe supports) adjacent to and in creeks, channels, sloughs crossed by the linear

elements of the project. If project activities are likely to affect areas under California Department of Fish and Game jurisdiction, a streambed alteration agreement is required.

California Native Plant Society

The California Native Plant Society has developed lists of plants of special concern in California (Skinner and Pavlik 1994). A List IA plant is a species, subspecies, or variety that is considered to be extinct. A List 1B plant is considered rare, threatened, or endangered in California and elsewhere. A List 2 plant is considered rare, threatened, or endangered in California but is more common elsewhere. A List 3 plant is a species for which the California Native Plant Society lacks necessary information to determine if it should be assigned to a list or not. A List 4 plant has a limited distribution in California.

All of the plant species on List 1 and List 2 meet the requirements of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for state listing. Therefore, List 1 and 2 species should be considered under CEQA. Some List 3 plant species also meet the requirements of these portions of the Fish and Game Code and are eligible for state listing. Few List 4 plants are eligible for listing but may be locally important and their listing status could be elevated if conditions change.

U.S. Army Corps of Engineers

Clean Water Act. The Clean Water Act addresses water pollution through permitting to control and eventually eliminate water pollution. The Clean Water Act establishes regulations and permitting requirements regarding construction activities that affect storm water, dredge and fill material operations, and water quality standards. This regulatory program requires that discharges to surface waters be controlled under the National Pollutant Discharge Elimination System permitting requirements. The permitting requirements apply to sources of water runoff, industrial and public facilities.

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers is responsible for regulating the discharge of fill material into waters of the United States. Jurisdiction falls within the San Francisco District of the Corps. Waters of the United States and their lateral limits are defined in 33 CFR (Code of Federal Regulations) Part 328.3 (a). The term "waters" includes wetlands and non-wetland bodies of water that meet specific criteria as defined in the Code of Federal Regulation (CFR). The definition of "waters of the U.S." includes "...intrastate lakes, rivers, streams (including intermittent streams)... the use, degradation or destruction of which could affect interstate or foreign commerce..." and tributaries of water defined as "waters of the United States." Areas that meet the definition of "waters of the U.S." or the definition of wetlands would be under U.S. Army Corps of Engineers jurisdiction. Wetlands that are not adjacent to waters of the United States are termed "isolated wetlands" and may be subject to Corps jurisdiction.

In addition, under Section 401 of the Clean Water Act if project activities affect "waters of the U.S.," a water quality certification waiver is also required from the California Regional Water Quality Control Board.

In general, a Corps permit must be obtained before placing fill in wetlands or other waters of the U.S. The type of permit depends on the amount of acreage and the purpose of the proposed fill and is subject to discretion from the Corps. There are two categories of Corps permits: individual and nationwide (general) permits. Where specified activities would have minimal adverse impacts, nationwide permits may be used. Eligibility for a nationwide permit simplifies the permit review process. Nationwide permits cover construction and fill of waters of the U.S. for a variety of routine activities such as minor road crossings, utility line crossings, streambank protection, recreational facilities and outfall structures.

Regional Water Quality Control Board

Pursuant to Section 401 of the Clean Water Act, projects that apply for a Corps permit for discharge of dredge or fill material, and projects that qualify for a Nationwide Permit, must obtain water quality certification from the Regional Water Quality Control Board (RWQCB) that the project will uphold state water quality standards. Alternatively, the RWQCB may elect to notify an applicant that the State may issue Waste Discharge Charge Requirements in lieu of a Section 401 certification for a project.

STANDARDS OF SIGNIFICANCE

Project effects on biological resources would be considered significant if it results in any of the following:

- a substantial 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 the U.S. Fish and Wildlife Service.
- a substantial effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.
- substantial effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.
- substantially interfere with movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impeded use of native wildlife nursery sites.
- conflict with any local policies or ordinances protecting biological resources.

- conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

ENVIRONMENTAL IMPACTS

Wetlands and riparian habitat
Future development and redevelopment of properties within the project area abutting Sulphur Creek could have the potential to significantly impact Sulphur Creek and the associated riparian habitat within the creek area. Potential impacts could include direct loss of riparian plant and animal species, loss of habitat and degradation of surface water quality due to flows of unfiltered or untreated stormwater into the Creek.

Impact 4.3-1 (wetland and riparian habitat impacts): Development activities on properties within the project area and within the drainage area of Sulphur Creek could have a potentially significant impact to Sulphur Creek itself and associated riparian plant and animal species that may be found within the Creek ***(potentially significant impact and mitigation is required).***

Plant and animal species and related habitats
Approval and construction of new buildings, roads, parks, public facilities within the Cannery Area under the auspices of the Design Plan would remove existing vegetation and disrupt existing animal species and their habitats. At the same time, new buildings, parks and open space areas constructed within the project area would include new trees, shrubs and groundcover as required by the Design Plan. New landscaping would thus provide replacement ornamental landscaping for plantings anticipated to be lost and would also allow habitat for local animal species presently living in and adjacent to the project area.

Impact 4.3-2 (plant and animal species and habitats): Approval of the proposed Design Plan and construction of new buildings and facilities within the project area would remove existing vegetation, but would provide replacement landscaping as part of new development. Replacement landscaping would continue to provide habitat for local animal species (*less-than-significant impact and no mitigation is required*).

MITIGATION MEASURES

The following measure shall be followed to ensure that impacts to riparian plants and animals and their respective habitats are reduced to a less-than-significant level.

Mitigation Measure 4.3-1 (wetland and riparian habitat impacts): For development and redevelopment applications on properties that abut Sulphur Creek, applicants shall:

a) **Obtain a reconnaissance-level report from a qualified biologist regarding the presence or absence of riparian, or endangered or special-status plant or animal species within the Creek adjacent to the development application**
b) **If such plant or animal species are identified, the report shall identify the type, location and status of the species within the Creek area.**
c) **If warranted, a biological resource plan shall be prepared for the approval of the City of Hayward, California Department of Fish and Game, U.S. Fish and Wildlife Service and other local, state or federal agencies as applicable. The biological resource plan shall include specific steps to be taken to reduce any potential impacts to riparian, endangered or special-status species to a less-than-significant level.**
d) **All necessary permits and agreements shall be obtained from local, state and federal biological regulatory agencies prior to commencement of construction on the site.**

SIGNIFICANCE AFTER MITIGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

4.4 CULTURAL RESOURCES

ENVIRONMENTAL ISSUES

This section of the EIR addresses potential impacts to historical, archeological cultural resources.

ENVIRONMENTAL SETTING

(Note: The following information has been taken from the 1998 Downtown Hayward Redevelopment Plan Amendment EIR.)

Archeological resources

Before the arrival of Spanish explorers in the 18th century, Hayward and much of the surrounding region was occupied by a Native American group known as the Constantan. These people lived along the coast and bays as well as the coastal valleys of central northern California. The coastal environment served as a major source for a variety of food and building materials. In the Hayward area, main Constantan settlements were located where streams emerged from the hills on plains adjacent to the Bay, including the site of downtown Hayward.

Archeological evidence suggests that there has been sustained human use of general area for at least 5,000 years.

Spanish explorers who arrived during the late 1760's and 1770's, were the first Europeans to traverse the San Francisco Peninsula and interior areas. Hayward's recorded history began with encounters between the Spanish and Costanoan people. The Hayward area became part of the grazing lands of the Mission San Jose (established in 1797), which was maintained until the Mexican Revolution, when the lands were divided among soldiers and local office holders.

The Gold Rush of 1849 brought many English-speaking squatters into the area, including William Hayward, for whom the City is named. He established a store and hotel for the growing settlement. The Spanish-Mexican ranch era closed as land litigation costs, taxes and high-interest loans forced the sale and foreclosure of the ranchero property.

From 1860, the city grew rapidly, spurred by the development of agriculture, including fruit orchards, other produce and ornamental flowers. The City also supported freight shipping, shellfish harvesting and salt extraction. During the early years of the City, the pastoral character of the community spawned a resort trade, a destination for recreation and leisure.

Between 1890 to 1940, residential subdivisions were developed in the area, with housing construction spurred in the 1940's by WWII and wartime related industrial activity in the region. From the 1960's, much of the city's industrial infrastructure was constructed, including major water and sewer facilities and major roadways.

A number of buildings and associated structures from the Victorian era and early 20th century remain, including within the downtown area. Hayward's agricultural and recreational past also manifests itself in the remaining grazing land, equestrian trails, community gardens and nurseries.

Cultural resource records search
As part of the 1998 Downtown Hayward Redevelopment Plan Amendment EIR, the Northwest Information Center at Sonoma State University was contacted to identify recorded archeological, historical and other cultural resource sites.

Northwest Information Center records indicate the presence of two Native American archeological sites within the existing redevelopment area, but not the project area: (1) CA-ALA-58, which consists of groundstone and human remains and (2) Ca-ALA-566, which consists of stone tools, fire altered rock, shell and human remains that are buried under pavement and alluvium.

Native American archeological sites in this portion of Alameda County tend to be situated at the base of hills and on broad terraces near sources of water. Sites

have been found under a few inches to several feet of alluvium, or under pavement or structures. Based on the presence of recorded resources and the environmental setting of the project area, the project area is anticipated to have a low potential for containing unrecorded Native American sites.

Historic structures
Older editions of the United States Geological Survey (USGS) Hayward quadrangle maps indicated that some historic buildings were located within the project area. Although some of these buildings may have been removed, their archeological remains may still be present. Based on the presence of archeological remains in the City's redevelopment area, including the project area, the Northwest Information Center considers the project area to have a moderate possibility of containing historic archeological sites.

The California Office of Preservation's *Historic Properties Directory* lists sites that are:

- on (or determined eligible for) the National Register;
- on or determined to be eligible for the California Register;
- designated as a State Historic Landmark;
- designated as a State Historic Point of Interest;
- otherwise determined to be of historic interest, such as thorough a local inventory.

The Northwest Information Center identifies 50 sites in or near the project area listed in the Directory, of which six are also listed on the California Register, four have been determined to be eligible for listing on the California Register, and thirteen are listed in the California Inventory of Historic Resources, an older inventory no longer maintained by the State. One additional site is listed in the California Inventory of Historic Resources but not the Historic Properties Survey.

None of the 50 sites listed in the Historic Properties Directory have been formally listed on the National Register of Historic Places. No State Landmarks or State Historic Points of Interest have been identified in the project area.

The City of Hayward has identified the Hunt's water tower as a historic significant structure as well as one architecturally or historically significant building, located at 24072 Myrtle Street, adjacent to the project area. This building is a Victorian era dwelling and was listed as a historic resource on April 6, 1976.

Relevant regulatory programs
The Hayward General Plan contains the following applicable policies that pertain to cultural resources:

- Policy: Historic resources will be utilized to enhance city image (General Policies Plan, page II-14)
- Encourage rehabilitation of valued buildings or districts with matching grants or loans (General Policies Plan, Strategy 4, page Ii-14)
- Utilize zoning, design guidelines, and site and architectural review to protect the character of historic districts or sites (General Polices Plan, Strategy 7, page II-14)
- Continue to acquire historic sites as parks (General policies Plan, Strategy 7, page II-14)
- Increase the visibility of historic sites with signage, distinctive landscaping and alignment of roads or paths where possible (General Policies Plan, Strategy 8, page II-14)
- Encourage adaptive reuse of Victorians and other vintage buildings as professional offices, restaurants, shops or lodging in appropriate locations (General Policies Plan, Strategy 10, page II-14)

The Burbank Neighborhood Plan (adopted July 26, 1988) contains policies for the portion of the project area generally located south of A Street and east of the Union Pacific Railroad tracks. The Burbank Neighborhood Plan contains the following policy and strategy related to cultural resources: "Strategy C: Require public review should demolitions be proposed for architecturally significant buildings (such as Victorians at the entry to the Burbank neighborhood between Watkins and Montgomery)."

Several other historic resource surveys have been completed in the downtown Hayward area. These are summarized below:

- *Marks Historic Rehabilitation District* (1992). The Marks Historic Rehabilitation District (Marks District) was established by the City in 1992, pursuant to the Marks Historic Rehabilitation Act of 1976. The District does not include specific properties within the project area.
- *Downtown Hayward Historic Properties Evaluation* (1993). This report did not include an evaluation of individual structures or districts but did conclude that the Marks District, as a whole, was not eligible for inclusion into the National Register of Historic Places but that seven properties appeared eligible for individual listing in the National Register and one may become eligible.
- *Downtown Hayward Amenities Program* (1984). This effort included an historic properties assessment focused on blocks between A and D Streets from Foothill Boulevard to Atherton Street. The report concluded that designation of all or a part of this area as a National Register district was not a possibility, but also noted that two important clusters of historic structures existed concentrated principally along B Street and near the old City Hall.

- *Historic Preservation Ordinance* (1989). The City adopted an Historic Preservation Ordinance in 1989, although there was no action taken to adopt a local historic district in the downtown area. This Ordinance provides for the designation of historic structures, sites or districts and outlines procedures for approval of alterations and demolition of significant structures. One structure has been designated as historic under the Ordinance within the project area which is the water tower located in Area 2 of the proposed Design Plan. The Victorian-era dwelling at 24072 Myrtle Street has also been listed as a historic resource.
- *B Street Special Design Streetcar District* (1989). This overlay district, adopted as part of the Burbank Neighborhood Plan, begins near the Downtown BART station and extends along B Street as far as Meekland Avenue. Its purpose is to provide for the conservation and compatible development of areas within the City of historic or architectural character. The Guidelines specify requirements for landscape, siting and architecture that apply in addition to the requirements of the underlying district.

STANDARDS OF SIGNIFICANCE

The project, or follow-on construction based on the approved project, would have a significant impact if one or more of the following were to occur:

- Eliminate important examples of major periods of California history or prehistory;
- Disrupt, alter, or adversely affect a prehistoric or historic archeological site or a property
- Result in an adverse physical or aesthetic change to a prehistoric or historic building, structure or object;
- Potentially cause a physical change that would affect unique ethnic cultural values; or
- Have the potential to cause damage to an important archeological resource as defined in Appendix K of the CEQA Guidelines, as follows:
  * Is associated with an event or person of recognized significance in California or American history, or recognized scientific importance in prehistory;
  * Can provide useful information which is both of demonstrable public interest and useful in addressing consequential and reasonable or archeological research questions;
  * Has a special or particular quality such as oldest, best example, largest or last surviving example of its kind;
  * Is at least 100 years old and possesses substantial stratigraphic integrity; and
  * Involves important research questions that historical research has shown can be answered only with archeological methods.

ENVIRONMENTAL IMPACTS

Archeological resources
Although no records exist as to the presence of archeological resources, there is a possibility of unrecorded archeological or Native American artifacts within the project area, especially given the presence of Sulphur Creek through the project area.

Impact 4.4-1 (archeological and Native American resources): **Although no prehistoric or archeologically significant resources have been identified within the project area, construction of new buildings, structures, underground utility lines and similar facilities under the auspices of the Cannery Design Plan could result in disturbance to archeological and/or Native American underground resources *(potentially significant and mitigation is required).***

Historic resources
Based on information contained in the Redevelopment Plan EIR, the proposed Design Plan would not affect identified historic resources, or resources which may be eligible to be listed on historic registers.

The one listed historic resource within the proposed plan area is the water tower structure in Area 2, which would be preserved as the central focal point for this portion of the planning area.

The proposed Design Plan also includes a component intended to assist in the preservation of historic and potentially historic buildings and resources: Preservation Park. Proposed to be located within Area 2, Preservation Park would offer a home for historic and potentially historic homes to be relocated within the community rather than demolished.

Impact 4.4-2 (historic resources): **Although the one historic landmark within the project area, the water tower, would be preserved as part of the proposed Design Plan, relocation of Myrtle Street as called for in the Plan, may impact the historic house located at 24072 Myrtle Street *(potentially significant and mitigation is required).***

MITIGATION MEASURES

Mitigation Measure 4.4-1 (archeological and Native American resources): **All future development projects within the Cannery Area shall be evaluated as part of normal CEQA-level review to identify potential impacts to subsurface archeological or Native American artifacts. If an archeological or Native American artifact is identified, work on the project shall cease until a resource protection plan conforming to CEQA Appendix K is prepared by a qualified archeologist and approved by the Hayward Community and Economic Development Director. Project work may be resumed in compliance with such**

plan. If human remains are encountered, the County Coroner shall be contacted immediately.

Mitigation Measure 4.4-2 (historic resources): Plans for the realignment of Myrtle Street near 24072 Myrtle shall be reviewed by a qualified architectural historian to ensure that less-than-significant impacts would occur to this historic property.

SIGNIFICANCE AFTER MITIGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

4.5 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES

This section of the DEIR addresses soil conditions, existing topographic and geologic features, potential impacts related to site grading and the potential for seismic-related hazards. Information contained in this section is based on information previously presented in the Downtown Redevelopment EIR.

ENVIRONMENTAL SETTING

Regional geologic and topographic conditions
Hayward is located on the eastern side of San Francisco Bay, a region of varied geographic composition and topographic elevations. Hayward exhibits three distinct geologic zones: properties near the Bay in the western portion of the community (the baylands), the major urbanized portion of the community below the elevation of 500 feet above seal level (Bay plain) and the Hayward Hills, which are part of the Diablo Range and have elevations up to 1,500 feet in the eastern portion of Hayward.

The Cannery Area site is located within the Bay plain with general topographic elevations between 95 to 100 feet above mean sea level.

Local soils consist of Quaternary alluvium which are sediments caused by erosion from nearby hills in the last million years. Soils are composed of silts, sands, clays and gravels to an estimated depth of approximately 50 feet. The alluvium is presumed to be underlain by rocks of the Franciscan formation: igneous, sedimentary and metamorphic rocks ranging from 70 to 140 million years old.

Local soils
Soils native to the area are the Yolo silt loam, Danville and Los Osos silty clay loam, Azule clay loam, Botella load, and Xerothents-Altamont complex. Native

soils are characterized by slow drainage and can be floodprone. The majority are very deep, well-drained soils with moderate to slow permeability.

With the exception of fill materials, local soils have moderate to high shrink-swell potential (i.e. the potential for shrinking of clay soils when dry and swelling when wet). As a result, foundations constructed on these soils have the potential to shift and crack depending on the amount of rainfall. Foundations not designed to drain water away from buildings may increase the potential for differential settlement (uneven settling of land surface) and shrink-swell beneath the foundation. Roadbeds, walkways, driveways, patios and porches generally show more damage due to soil movement than buildings, since these structures are lighter and move more easily. Soil movement can also cause sewer pipes to leak, triggering more soil expansion and thus more leakage.

Seismic hazards

The project is located within the seismically active San Francisco Bay Region. A number of major earthquake faults in the region are capable of generating strong earthquakes (magnitudes of 6.0 + on the Richter scale).Major earthquake faults include the San Andreas (approximately 20 miles to the west), Hayward (within the City of Hayward) and Calaveras (approximately 10 miles to the east). A moderate to strong seismic event on the Hayward fault is expected to generate the strongest ground shaking in the Hayward area. The East and West Chabot fault traces, located east of the project area, are currently defined as inactive and are believed to be of ancient local faulting.

Recent data gathered by the United States Geological Survey suggests a 36 to 50 percent probability of a 7.5-magnitude earthquake on the Hayward fault by the year 2010. A major earthquake with an 8.0 + magnitude on the Bay area segments of the San Andreas Fault is expected every 100 years.

No properties within the project area are contained within an Earthquake Fault zone as identified by the California Department of Mines and Geology. Such a zone does exist east of the project site within the City of Hayward.

Potential seismic hazards within the project area include moderate to strong groundshaking and ground rupture. Other, lesser hazards include liquefaction (the transformation of granular materials, such as loose, wet sand, into a fluid-like state such as quicksand) and subsidence (sinking of ground surface because of settling of compressible earth). The degree of hazard depends on the location of the seismic epicenter, the magnitude and duration of groundshaking, the nature of topography, the type of building construction and groundwater conditions. The project site is relatively flat and is not prone to landsliding or seismically induced slope instability. Based on information contained in the 1998 Redevelopment Plan Amendment EIR, the risk of ground failure due to liquefaction appears low due to the moderately dense, clayey nature of the underlying materials and low groundwater table.

STANDARDS OF SIGNIFICANCE

The following standards of significance are used to assess potential environmental impacts related to geological, landform and topographic issues of the proposed project:

- Exposure of people and property to the risk of harm from geological hazards and/or soil or seismic conditions;
- Presence of an Earthquake Safety Zone (formerly Alquist-Priolo Seismic Study Zone), an active fault or an area characterized by surface rupture that could be related to fault activity;
- Increases over present levels of soil erosion.

ENVIRONMENTAL IMPACTS

Should the Cannery Area Land Use Plan/Design Guidelines project be approved and implemented, the following environmental impacts are anticipated: site grading and excavation, seismic risk, liquefaction and expansive soils. These impacts would be applicable to all developments proposed in the proposed development plan. Potential soil erosion impacts are discussed in Section 4.7 Drainage and Water Quality.

As noted in the Environmental Setting section, the Bay area is one of the most seismically active areas in the world. Approval and construction of the proposed Land Use Plan would expose additional people and improvements on the site to seismic risk.

Impact 4.5-1 (seismic hazard): **During a major earthquake on a segment of one of the nearby faults, moderate to strong ground shaking can be expected to occur within the project area. Strong shaking during an earthquake could result in damage to buildings, roads, utility lines and other structures with associated risk to residents, employees and visitors in the area** (*potentially significant impact and mitigation required*).

Impact 4.5-2 (expansive soils): **New development occurring within the Cannery Area based on the proposed Design Plan may be subject to foundation damage caused by liquefaction, differential settlement and similar hazards related to expansive soils** (*potentially significant impact and mitigation required*).

Impact 4.5-3 (site grading and excavation): **Approval of the proposed Cannery Area Design Plan and subsequent construction based on the Plan would cause increased amounts of site grading and excavation for construction as properties within the project area are redeveloped. Grading operations would proceed based on grading and excavation plans approved by the City of Hayward** (*less-than-significant impact and no mitigation required*).

MITIGATION MEASURES

The following mitigation measure is recommended to reduce potential seismic hazards to a less than significant level.

Mitigation Measure 4.5-1 (seismic hazard): Site specific geotechnical investigations shall be required for each building constructed in the development plan area. Design and construction of structures shall be in accordance with the seismic design requirements of the Uniform Building Code (UBC). The site specific geotechnical investigation should further investigate the presence of potentially liquefiable material at the site.

The following mitigation measure is recommended to reduce potential expansive soils impacts to a less than significant level.

Mitigation Measure 4.5-2 (expansive soils): For each building constructed in the development plan area, the required site specific geotechnical investigation shall address expansive soils and provide appropriate engineering and construction techniques to reduce potential damage to buildings.

SIGNIFICANCE AFTER MITIGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

4.6 HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES

This section of the EIR addresses potential soil, groundwater and structural contamination. Information contained in this section is based on data taken from case file documents of the Hayward Fire Department, Alameda County Department of Environmental Health and the California Regional Water Quality Control Board (San Francisco Region).

ENVIRONMENTAL SETTING

Area 1

Portions of Area 1, primarily in the southern end of site, have been used for industrial purposes since the early 1900s, first as the Pacific Vinegar & Pickle Works as early as 1903, followed by Hunt Wesson Foods which reportedly began large-scale cannery operations in approximately 1923. The site housed canning areas, processing areas, salt tanks, vinegar tanks, pickling areas, boiler houses, dryer room, compressor areas, generator house, fuel storage, an electrical substation, electrical shop, and machine shop areas. These operations were

expanded in approximately 1949 to include glass container manufacturing operations that continue to be conducted today at the Owens Brockway facility in the central portion of Area 1.

The cannery was demolished in 1984, and a Price Club retail warehouse began occupation of the 22300 Hathaway Avenue warehouse, followed by the construction of a new Price Club store (current Costco Retail Center) in 1992.

The industrial history of Area 1, along with the current industrial operations conducted within the area, lend itself to several potential environmental issues. These include the following:

Owens Brockway Glass (2302 Hathaway). Soil and groundwater contamination has been identified at the Owens Brockway glass plant. Petroleum hydrocarbon contamination in the soil of up to 10,000 ppm (parts per million) TPH-d (Total Petroleum Hydrocarbons as diesel) at 30 feet bgs (below ground surface) in the area of the 1993 diesel pipeline release, and up to 3,900 ppm TPH-g (Total Petroleum Hydrocarbons as gasoline) at 21.5 feet bgs in the vicinity of the former 1,000-gallon gasoline UST have been identified. Benzene was identified in the soil in the vicinity of the 1993 pipeline release at up to 0.086 ppm. In addition, ethylbenzene and xylene were also detected in soil in the vicinity of the former 1,000-gallon gasoline UST (underground storage tank) at a depth of 21.5 feet bgs at 15 ppm and 23 ppm, respectively. During the most recent groundwater monitoring conducted in 1996, petroleum hydrocarbons were identified at up to 500 ppb TPH-g; 3,900 ppb (parts per billion) TPH-d; 5 ppb benzene; and 1 ppb ethylbenzene. These levels were primarily located in the area of the 1993 diesel pipeline release, and decreased in downgradient wells to nondetect for TPH-g and BTEX (toluene and xzylene), and 210 ppb for TPH-d.

No additional investigation work has been conducted at the Owens Brockway site since 1996. Although a closure request has been submitted to the Hayward Fire Department (HFD), the LUST (leaking underground storage tank) case remains open. Based on available data, petroleum hydrocarbons in soil and groundwater contamination at Owens Brockway exceeds RBSLs (Risk-Based Screening Levels). The contamination does appear to be limited in extent to the general area of the releases. Although the RBSLs do not necessarily represent cleanup levels, a preliminary screening utilizing these values indicates additional investigation and potentially remediation may be required prior to site redevelopment.

Owens Brockway Warehouse (22302 Hathaway Avenue). This site was part of the historic cannery operations, and has housed various structures and served as storage or equipment areas. No records of environmental investigation of this parcel were available to determine potential impacts from historical uses was available. However, additional investigation may be necessary prior to site redevelopment.

Costco Retail Center (22330 Hathaway Avenue). An electrical substation was identified on historical maps of the cannery site in the location of the current Costco Retail Center. It appears the substation was located near and partially beneath the northeast corner of the current Costco building. A review of site investigation reports conducted during the development of the site by Price Club did not identify testing for PCBs (polychlorinated biphynels). Based on available information, there is a potential for PCBs to be present on site from historic activities.

Historic cannery operations occupied the Costco Retail Center parcel. Three historic USTs from former cannery operations were removed from the site, and extensive remediation, including the removal of 30,160 cubic yards of soil, was conducted. A majority of the remediation work was performed in the southern portion of this lot, in the area of one of the historic USTs (UST No. 3). More limited remediation was conducted in the northern portion of the site, surrounding the other two historic USTs (UST No.1 and No.2). The site was issued regulatory closure in 1994. There is a potential that previously unidentified environmental impacts may remain on site from historic cannery operations, particularly in the northern portion of the parcel. A UST on Sanborn maps in the northern portion of the site was identified in the approximate location of UST No. 1. However, some inconsistencies are indicated in the exact location and tank dimensions between the Sanborn maps and the UST removal reports. Therefore, it cannot be confirmed that the Sanborn tank is the UST that was removed.

In addition, other historic operations of potential concern, such as a machine shop, were located in the northern portion of the Costco site. The location of much of the historic operations in the northern portion of the site would be beneath the existing building. Currently, the proposed redevelopment plans indicate no changes in land use for the Costco site. However, in the event that an alternate land use is considered, the potential for environmental impacts in the northern portion of the Costco site should be reevaluated.

A former tire center is located on the Costco parcel. The tire center was constructed in approximately 1985. No records were identified at the HFD for this past operation. However, based on similar operations, hazardous material use is considered likely. In addition, automobile lifts were apparently present in the building. There is a potential that the lifts were hydraulic and used hydraulic oils. However, based on the date of construction of the building, it is unlikely the hydraulic fluids contained PCBs. Based on available information, further investigation of the former tire center may be required.

Many of the buildings on site have the potential to contain ACMs (asbestos containing materials) and LBP (lead based paint). The only definitive method of determining whether ACMs or LBP are present is to collect samples for laboratory analysis. If ACMs or LBP are identified, professionally trained and

certified individuals may be required during demolition, or during remodeling or renovation procedures, which may disturb these materials.

North Portion of Area 1. Past agricultural land use in the northern portions of Area 1 may have resulted in the use of various pesticides, including DDT and other pesticides acceptable for use in the past but currently believed to pose potential environmental concerns. Of particular concern is mixing and storage areas, where concentrated forms of the pesticides may have been handled and stored.

Area 2

The eastern portion of Area 2, bordered by the Union Pacific railroad tracks, has been used for industrial purposes since the early 1890s, primarily as the Hunt Brothers Canning Company. The northern portion of the cannery was developed the earliest. The central portions of the cannery, housing the existing United Can facility and the Filbert warehouse, were constructed by 1948, and 1954, respectively. Cannery operations expanded to the southern area of the site in 1956, with the construction of the 24 Cannery Court building. Hunt Brothers eventually merged with Wesson packing company. During the peak of the cannery operations, the Hayward plant was the largest fruit and vegetable canning facility in the world. By 1961, the plant was capable of handling 12 million pounds of tomatoes per day, and employed nearly 5,000 workers.

Site uses have reportedly included warehousing, canning, labeling, packaging, cold storage, fruit processing, tin plating, boiler houses, transformer areas, fuel storage, electrical shops, and machine shop areas. Full production at the site ceased in approximately 1979, after the surrounding fruit orchards had been replaced by homes, and the tomato processing operations were moved to Oakdale. Many of the older site buildings were demolished at that time, and the remaining structures in the northern portions of the cannery had been demolished by approximately 1991. The facility continued to operate in reduced capacity under United Can as a can manufacturing operation. United Can is currently undergoing the closure process. Can manufacturing operations reportedly halted at the end of December 2000, and the facility is planned for complete closure in 2001.

The western portion of Area 2 consists of one primary parcel, currently occupied by Select Foods, cold storage facility. This parcel has been used for industrial purposes since at least 1923. The Luthy Battery Manufacturer was located on the southern portion of this parcel in 1923, and Gillig Auto Body Manufacturer appeared in this area by 1948. This northern portion of this parcel has been occupied by a cold storage facility, under various ownership since approximately 1948.

Other historic land uses in Area 2 have included orchards, residential areas, a gas station, stores, an open air theater and the Burbank School.

The industrial history of Area 2, along with the current industrial operations conducted on the site lend itself to several potential environmental issues. Many of the buildings within the project area have the potential to contain ACM and LBP (lead-based paint). The only definitive method of determining whether ACMs or LBP are present is to collect samples for laboratory analysis at the time of site development or redevelopment. If ACMs or LBP are identified, professionally trained and certified individuals may be required during demolition, or during remodeling or renovation procedures, which may disturb these materials.

Specific sites addressed in this EIR include:

Cannery Park. Cannery operations were conducted in the Cannery Park area of the site since the 1890s. Historic industrial activities at Cannery Park may have resulted in previously unidentified environmental impacts. Former activities of potential concern include a transformer house near the center of the site, hazardous material storage in the northeastern portion of the site, and transformers and a lift truck repair shop in the southeastern area of the site. In addition, other undocumented areas of concern may be present.

Vacant Parcel (Between Cannery Park and Railroad Tracks). Two USTs were previously located on the vacant parcel from historic cannery operations conducted on the site. A 30,000-gallon concrete fuel oil tank, and a 4,000-gallon redwood UST containing oily water were removed in 1990, and contaminated soil was excavated from the site. Soil analytical data indicates up to 5,700 ppm TPH-d and up to 14,000 ppm TOG (Total Oil and Gas) remained in the soil on site following remediation activities. In addition, TPH-d was found in the groundwater at 600 ppb (parts per billion) during the final groundwater monitoring event at the site. Due to the low levels of contaminants in the groundwater shown to be decreasing over time, case closure was issued to the site in 1997. However, based on available data, it appears that soil and groundwater contamination was left in place which exceeded applicable RBSLs. Although these values are not necessarily cleanup criteria, it appears further investigation is warranted to address potential risks to future unrestricted land use prior to site redevelopment.

A limited soil investigation was performed at three former electrical transformer locations. PCBs were detected at up to 1.49 ppm in the soil. Based on available data, it appears no further investigation or remediation of the PCBs was conducted. The PCB contamination remaining on the vacant parcel exceeded RBSLs, set at 0.22 ppm. Although these values are not necessarily cleanup criteria, it appears further investigation is warranted to address potential risks to future unrestricted land use prior to site redevelopment.

Cannery operations were conducted in this area of the site since the 1890s. Historic industrial activities at the vacant parcel may have resulted in previously unidentified environmental impacts. Former activities of potential concern include a machine shop and solvent storage area in the southeastern area of the site. In addition, other undocumented areas of concern may be present. Further investigation of this site may be needed.

United Can Company. Cannery operations on this portion of Area 2 date back to before the turn of the 20th century. The current and former site operations may have adversely impacted the soil and/or groundwater quality beneath the site. Onsite operations included cooking, canning and warehousing operations, can manufacturing, boilers and associated fuel oil tanks to provide heat for cooking operations, electrical transformers for onsite electrical service, and ancillary machine shop and trucking operations. In addition, several current areas of potential concern were observed during the site reconnaissance, including aboveground lacquer storage tanks, and outdoor hazardous material and hazardous waste storage areas. An existing UST containing butyl cellusolve is also present on site.

A release occurred from a 500-gallon sump located at the Lift Truck Shop, in the southeast end of the main United Can building. PCE (perchlorethlene) and oil and grease were detected in the soil beneath the sump. In May 1996, the sump was removed, and soil samples taken from the excavation yielded only low levels of PCE at up to 5.3 ppm.

Groundwater is found at approximately 45 feet bgs at the site, and was not encountered during the Lift Truck Sump investigation. Based on available information, it appears the lateral extent of the contamination was limited to the immediate vicinity of the sump. The Lift Truck Sump case remains an open release site. Although the PCE contamination remaining in soil was at relatively low levels, the concentration did exceed RBSLs, and though these values are not necessarily applicable as cleanup criteria, further investigation may be warranted to address potential risks to future unrestricted land use prior to site redevelopment.

Cannery Court (24 Cannery Court). The largest area of known environmental concern identified in the Cannery Redevelopment Area is the chlorinated VOCs (Volatile Organic Compounds) previously identified in the groundwater in the southern portion of Area 2. The presence of the VOCs in groundwater beneath this portion of Area 2 could adversely impact unrestricted use of this area. Vapor-phase VOCs present in soil gas in equilibrium with a groundwater plume can migrate upward through the soil column and adversely affect indoor air quality in enclosed structures located above the plume. Groundwater investigations concluded that the VOCs originated from an upgradient off-site source, and there was no evidence the Cannery Court site was contributing to the plume. The RWQCB (Regional Water Quality Control Board) concurred with the

Cannery Court site's conclusions regarding an off-site source, and all monitoring wells were abandoned at the site by 1997. There is currently no ongoing investigation regarding the VOC plume underlying the Cannery Court site. A review of prior groundwater results indicates potentially two different plumes, a PCE/TCE plume centered along Myrtle Street and a 1,1,1-TCA/1,1-DCE plume centered a little to the north along Meek Avenue. The distribution of the PCE/TCE plume suggests a possible distant source, but the 1,1,1-TCA/1,1-DCE plume is very narrow and could represent a more nearby source. VOCs in the groundwater exceed applicable RBSLs. However, based on discussions with the RWQCB, the RBSLs for chlorinated VOCs are based on drinking water MCLs (Maximum Contaminant Levels), as these values are considered the most conservative level of risk. At the Cannery Court site, a primary concern for the residential development of the site is the accumulation of VOCs in indoor air, as a result of groundwater contamination. Based on a preliminary comparison of indoor air quality risks, it appears that chlorinated VOC levels in the groundwater do not represent a significant risk to human health from indoor air impacts. The RBSLs based on drinking water impacts could be addressed through restricting groundwater use at the Cannery Court site. However, these results are based on data from 1994, and since no source has been identified, the potential for an upgradient source continuing to contribute to the plume(s) exists. Discussions with the RWQCB indicate further definition of upgradient VOC concentrations would be required to fully evaluate the potential future risks from the VOCs in the groundwater, and the associated impacts to residential development of this area prior to site redevelopment.

Three USTs were removed from the 21 Cannery Court site, and soil was excavated to a depth of 10 feet, which was considered the practical limit of excavation due to the close proximity to the building. Soil and groundwater samples collected downgradient of the prior USTs detected no petroleum hydrocarbons, and indicated that the contamination appeared to be limited to the immediate vicinity of the prior fuel dispensing island. Total extractable hydrocarbons in the soil were found at up to 3,700 ppm, and in the groundwater at up to 120 ppb. In 1997, the site was issued closure for the existing industrial use. The petroleum hydrocarbon contamination remaining at Cannery Court exceeded RBSLs. Although these values are not necessarily cleanup criteria, it appears further investigation is warranted to address potential risks to future unrestricted land use prior to site redevelopment.

PCBs were identified in the soil in a triangular-shaped area northwest of the 21 Cannery Court building. PCB-contaminated soil above the screening level for industrial use of 1 ppm was removed from the site. However, soil containing PCBs above the screening level for residential standards of 0.22 was left in place.

Cannery operations on this portion of Area 2 have been conducted since the 1950s, and a furniture refinishing area was identified in the northeastern portion of the 24 Cannery Court building in approximately 1990. In addition, agricultural

land use was conducted on the site prior to this time. Although extensive investigations have been conducted at this site as part of the UST and VOC groundwater plume investigations, current and historic industrial activities at Cannery Court may have resulted in previously unidentified environmental impacts.

Based on limited soils results, past agricultural land use in the southern portion of Cannery Court has resulted in the use of DDT and potentially other pesticides. Of particular concern is potential mixing and storage areas, where concentrated forms of the pesticides may have been handled and stored. Further investigation may be required prior to redevelopment of this site.

Select Foods Inc. (22700 Amador Street) Two 10,000-gallon diesel USTs and one 8,000-gallon diesel and gasoline UST were removed in 1999 from the Select Foods site. Approximately 390 tons of petroleum-contaminated soil was removed following tank removal, but contaminated soil persisted beyond a depth of 26 feet, the total depth of the excavation. Soil samples from the base of the excavation contained up 2,500 ppm TPH-g, 42 ppm ethylbenzene, 320 ppm total xylenes, and100 ppm TPH-d. No records of groundwater testing were identified. The case is currently open with the ACDEH (Alameda County Department of Environmental Health).

Current and former site operations, including existing and removed AST/USTs from current site operators, former operations by Gillig Brothers auto body manufacturing, and Luthy Company battery manufacturing facility, may have adversely impacted the soil and/or groundwater quality beneath the site. Further investigation may be needed prior to site redevelopment.

Centennial Park. Past agricultural land use in the Centennial Park may have resulted in the use of various pesticides, including DDT and other pesticides acceptable for use in the past but currently believed to pose potential environmental concerns. Of particular concern is mixing and storage areas, where concentrated forms of the pesticides may have been handled and stored.

Shell Oil Gas Station. A Shell Oil Company gas station existed at 101 A Street (initially known as 109 A Street) from 1960 to 1980, at the southeast corner of A Street and Meekland Avenue. There are no records of an environmental investigation after this station was closed, and thus no information on whether contaminated soil or groundwater may still exist.

Area 3

Area 3 comprises the eastern industrial area of the Cannery Redevelopment Area, and encompasses approximately 10.25 acres of mixed industrial, commercial, and residential land uses.

The current redevelopment plans for Area 3 include office and commercial land use along Grand Street, live/work areas, and high-density residential areas. Portions of Area 3 have reportedly been used for industrial purposes since approximately the 1920s, when the first industrial structures were built. The various industrial and commercial operations have been relatively small, and few major environmental concerns have been noted.

The industrial and commercial history of Area 3, along with the current industrial and commercial operations conducted on the site lend themselves to several known and/or potential environmental concerns. These include the following:

- Soil and groundwater contamination by petroleum hydrocarbons has been identified at a former UST location on the Bigham-Taylor Roofing property (22721 Alice Street). Relatively high concentrations of TPH-g and benzene were noted in the most-recent groundwater sample, and the disposition and volume of excavated soil has not been documented.

- The gravel-bottomed sump in a paint booth at 512 Claire Street represents a possible route of release of hazardous substances to soil and groundwater. The sump has reportedly never been pumped out.

- The current and historic industrial activities at Shalo's Refinishing (554 C Street) may have resulted in previously unidentified environmental impacts. Hazardous materials used in these operations have included chlorinated solvents, and Hayward Fire Department has identified a variety of deficiencies regarding chemical and hazardous waste storage, housekeeping, and documentation.

- The existence of relatively high concentrations of PCE and TCE in a groundwater contaminant plume approximately 1,200 feet to the northeast (upgradient in terms of groundwater flow) is a concern for Area 3. These chemicals are relatively resistant to degradation, and may have migrated with the contaminant plume to affect groundwater beneath a portion of Area 3.

- At several sites (570 C St., 22721 Alice St., 529 C St.), Hayward Fire Department hazardous materials inspections have identified a variety of deficiencies regarding storage, housekeeping, and documentation. Such deficiencies may have resulted in environmental contamination. However, there are no records of environmental investigation conducted at the sites in question to determine potential impacts from historic practices.

STANDARDS OF SIGNIFICANCE

The proposed project would be considered to result in a potentially significant impact if it would directly or indirectly contribute to a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the project area.

ENVIRONMENTAL IMPACTS

A number of potentially significant soils and groundwater contamination situations within each of the three Areas have been identified based on previous site use and historic operations. Since the proposed Design Plan envisions the Cannery area transitioning from a primarily warehouse and light industrial area to a new residential, there could be potentially significant impacts to future residents and visitors to the site should the proposed Design Plan be approved and constructed.

Demolition impacts
Potential impacts could include the release of ACMs, LBPs and other hazardous materials during demolition of existing structures. This could potentially result in a health hazard to construction employees and visitors to the area. Many of the existing buildings and uses within the project area were constructed when asbestos was a common building material and lead was used in the manufacture of paint. Removal of older electrical substations and utility installations on the site could also release potentially hazardous materials into the atmosphere.

The possibility of demolition-related hazardous materials could affect sites within all three areas of the proposed Design Plan.

Impact 4.6-1 (demolition activities): **Demolition of existing buildings, utility facilities and other older facilities could release hazardous and potentially hazardous material into the atmosphere including asbestos containing materials (ACMs) and lead-based paints (LBPs), potentially resulting in health hazards to construction employees and local visitors and residents (*potentially significant impact and mitigation required*).**

Release of hazardous materials
Construction of new dwelling units within project area under the auspices of an approved Design Plan could have the potential to release potentially hazardous material during site grading and excavation operations that may include contaminated soil. Based on the information contained in the above Environmental Setting section, a number of properties in each of the three Areas have been identified as containing one or more potentially hazardous materials. There is also a potential of human contact with contaminated groundwater. Release of these materials or contact with humans could result in potential health hazards to future site residents and visitors.

Impact 4.6-2 (hazardous materials): **Construction of new residential and other uses under the auspices of an approved Design Plan could result in a potentially significant human health hazard as a result of existing and potentially undocumented contaminated soils and groundwater within the project area (*potentially significant impact and mitigation required*).**

Contaminated groundwater
Two plumes of contaminated groundwater have been identified underneath properties within Area 2. These include a VOC (volatile organic compound) plume identified under Cannery Court and a PCE/TCE plume centered along Myrtle Street. Based on currently available information, it is believed that the source of the second plume lies off the project area. Future grading, trenching or similar soil disturbances on properties within Area 2 that could release potentially hazardous water and expose site construction workers, residents and site visitors to hazardous substances.

Impact 4.6-3 (contaminated groundwater): **Site grading, trenching or other activities that would have the potential to disturb site soils in Area 2 have the potential to release potentially hazardous contaminated water that could impact construction workers, residents and site visitors (*potentially significant impact and mitigation required*).**

Impact 4.6-4 (groundwater vapors): **Vapors released from contaminated underground plumes could have a potentially negative health effect on future site residents and visitors (*potentially significant impact and mitigation required*).**

MITIGATION MEASURES

Mitigation Measure 4.6-1 (demolition activities): **Prior to commencement of demolition activities within the project area, project developers shall contact the Alameda County Environmental Health Department and the Hazardous Materials Division of the Hayward Fire Department, for required site clearances and facility closure with regard to demolition and removal of hazardous material from the site. This shall include worker safety plans.**

Mitigation Measure 4.6-2 (hazardous materials): **Soil and Water Management Plans (SWMPs) shall be prepared for individual site development and redevelopment plans within the project area. SWMPs shall be prepared by a state-certified environmental professional and shall include, at minimum, a description of soils to be graded or disturbed as part of the project, detailed soil and water sampling to see if contaminants are present, procedures for removing contaminants (if found) and a list of agencies to be notified if contaminants are found. Closure letters and permits shall be obtained from appropriate agencies if site remediation is found. Special attention shall be paid to the following individual sites within the project area:**

- **Area 1: Owens Brockway glass plant, Costco parcel (including the Tire Center), warehouse at 22300 Hathaway Avenue, general testing for soil-borne pesticides and agriculture residue.**
- **Area 2: Cannery Park, vacant parcel between Cannery Park and the railroad tracks, United Can, Cannery Court, Select Foods and Centennial Park, former Shell Oil gas station site.**

In addition, additional research and testing shall be performed on each individual parcel for which a development application is submitted regarding the presence of undocumented private water wells. If found, water wells shall be closed per the standards of the City of Hayward and Alameda County Environmental Health Department.

Mitigation Measure 4.6-3 (contaminated groundwater): Prior to issuance of grading plans for any property within Area 2, additional groundwater investigations shall be conducted to identify the source(s) of contaminated groundwater plumes to the satisfaction of the City or Agency. If required, based on recognized health and safety standards, remediation efforts shall be undertaken to reduce groundwater contamination to a less-than-significant level.

Mitigation Measure 4.6-4 (groundwater vapors): Future site construction shall incorporate vapor barriers and venting of underground spaces, including garages (*potentially significant impact and mitigation required*).

IMPACTS AFTER MITIGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

4.7 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES

This section of the EIR addresses potential impacts related to flooding, increased stormwater runoff and water quality.

ENVIRONMENTAL SETTING

Climate

The City of Hayward has a Mediterranean climate, characterized by warm summers and moderately cool winters. Average annual temperatures range from approximately 40 to 75 degrees Fahrenheit. Average annual rainfall is approximately 25 inches, falling between November and April.

Local and regional drainage
The project area is located on the Bay plain, which is the most heavily developed portion of the community. Stormwater runoff is generally accommodated in an underground drainage system owned and maintained by the City of Hayward within local and arterial streets and highways. Runoff is collected in the local system and transported via a regional drainage system maintained by the Alameda County Flood Control and Water Conservation District for ultimate discharge into San Francisco Bay.

Major water courses in and around the project vicinity include San Lorenzo Creek that flows in an open channel from the Hayward Hills to the Bay northeast of the project area. Sulphur Creek is a smaller watercourse flowing underground through portions of the project area. This creek extends along B Street to Foothill Boulevard as a 10.5 by 5.8 foot concrete-reinforced arch, then meanders to C Street at Main Street in the downtown area. Sulphur Creek then extends under the BART station area to a point near Claire and Alice Street, where it flows through a 54-inch diameter pipe. Near the Burbank School site, Sulphur Creek flows within an open channel for a short stretch before re-entering an underground culvert. Sulphur Creek meanders in a generally westerly direction, towards San Francisco Bay, after leaving the Cannery project area.

Flooding
A small portion of the project area is located within the 100-year flood plain, as shown on Exhibit 10. This area includes portions of the Select Foods property west of the Union Pacific railroad tracks. A larger portion of the project area lies within a 500-year flood plain and is generally located between the Union Pacific railroad tracks and the BART line south of B Street and encompasses much of the Cannery Park site and Burbank School.

Water quality
Water quality in California is regulated by the U.S. Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES), which controls the discharge of pollutants to water bodies from point and non-point sources. In the San Francisco Bay area, this program is administered by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Federal regulations issued in November 1990 expanded the authority of the RWQCB to include permitting of stormwater discharges from municipal storm sewer systems, industrial processes, and construction sites that disturb areas larger than five acres. The City of Hayward is a co-permittee of the Alameda County Clean Water Program, which is a coordinated effort by local governments in Alameda County to improve water quality in San Francisco Bay.

In 1994, the RWQCB issued a set of recommendations for New and Redevelopment Controls for Storm Water Programs. These recommendations

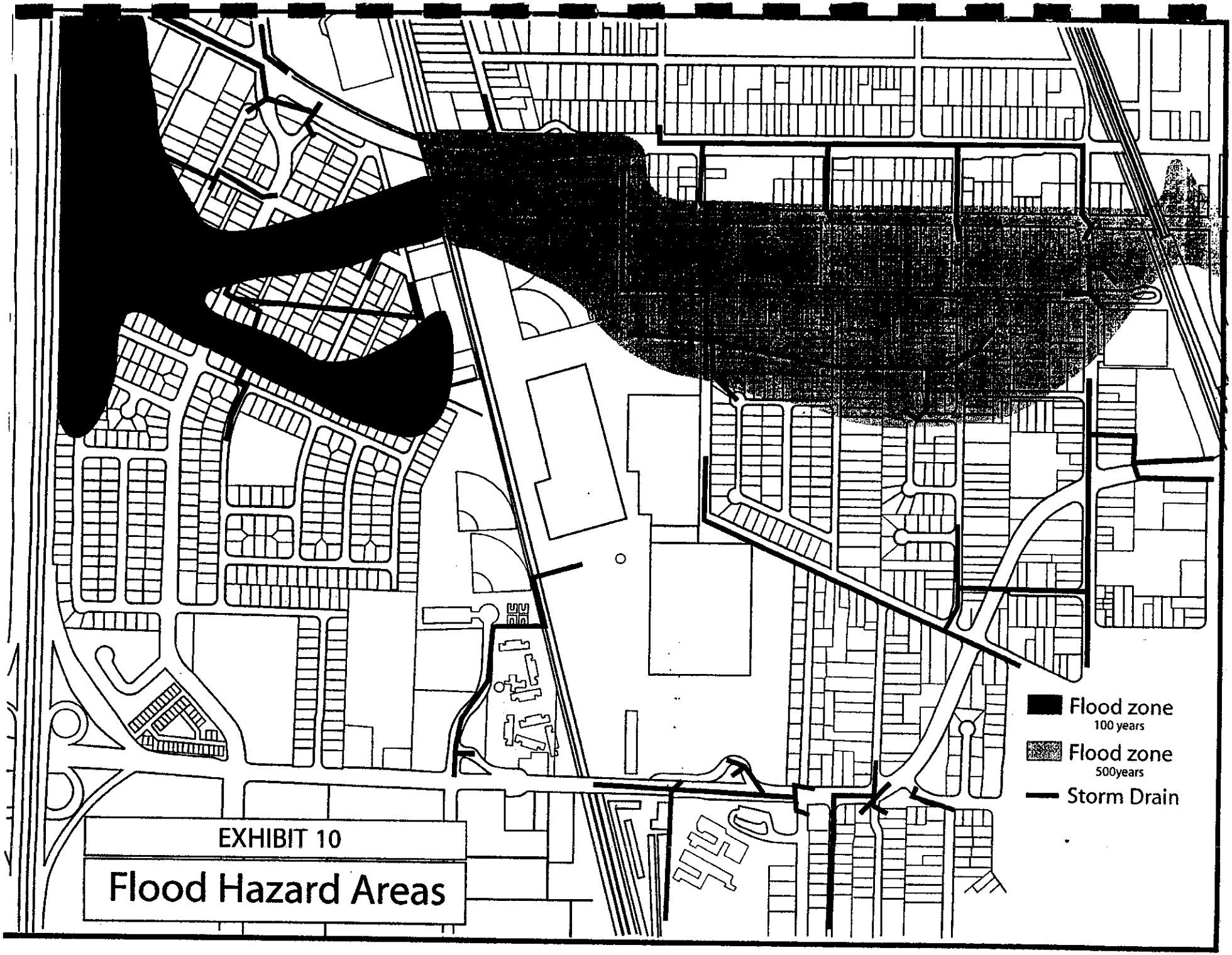


EXHIBIT 10

Flood Hazard Areas

include policies that define watershed protection goals, set forth minimum non-point source pollutant control requirements for site planning, construction and post-construction activities, and establish criteria for ongoing reporting of water quality constriction activities. Watershed protection goals are based on policies identified in the San Francisco Bay Basin Water Quality Control Plan (Basin Plan), and the entire program relies on the implementation of Best Management Practices to limit pollutant contact with stormwater runoff at its source and to remove pollutants before they are discharged into receiving waters. The California Stormwater Quality Task Force has published a series of Best Management Practices handbooks for use in the design of source control; and treatment programs to achieve the water quality objectives identified by the Basin Plan for the beneficial uses o surface waters, groundwaters, wetland and marshes.

For inland surface waters around the Bay, beneficial uses are primarily limited to wildlife habitat, and the Basin Plan's related water quality objectives specify that the presence or concentration of listed constituents shall not cause a nuisance or adversely affect beneficial uses. A partial list of these constituents includes floating material, suspended material, settleable material, oil and grease, biostimulatory substances, sediment, pH, dissolved oxygen, bacteria, and toxic substances that are lethal to or that produce other detrimental responses in aquatic organisms.

Existing surface water quality is affected by a number of pollutants generated from existing industrial, commercial, residential and open space uses within the project area and the remainder of the community, including but not limited to petrochemicals (oil and grease), yard and landscape chemicals (herbicides, pesticides and fertilizers), erosion from construction sites and similar sources.

STANDARDS OF SIGNIFICANCE

The following standards of significance are used to assess potential environmental impacts related to drainage and water quality issues of the proposed project:

- Exposure of people and structures to new or increased flooding hazards;
- Loss of flood carrying capacities within downstream storm drain facilities and receiving waters;
- Decline in local surface or groundwater quality as a result of project development, including impacts from future occupants of the project as well as construction-related impacts;
- Decline in the quantity of available groundwater;
- Loss of existing riparian or sensitive wetland habitat.

ENVIRONMENTAL IMPACTS

Should the project be approved and implemented, the following environmental impacts are anticipated: flooding, soil erosion, potential degradation of water quality from non-point source pollution, an overall decrease in stormwater runoff.

Flooding
Portions of Area 2 are located within a 100-year flood plain area.

Impact 4.7-1 (flooding): Portions of the project area are located within 100-year flood hazard areas, which would result in damage to buildings and other improvements during a 100-year storm (*potentially significant impact and mitigation required).*

Soil erosion
Since disturbance of the soil is anticipated to implement new land uses envisioned in the proposed Design Plan, a potential for erosion of earthern material and construction debris from individual sites exist. Soil erosion would have the effect of degrading surface water quality within Sulphur Creek, San Lorenzo Creek and other nearby bodies of water.

Impact 4.7-2 (soil erosion): During construction, short-term increases of soil erosion could result as the project area is stripped of the limited natural vegetation and exposure to wind and water erosion (*potentially significant impact and mitigation required).*

Surface water quality
Following the completion of construction, it is likely that the threat of onsite erosion would be substantially reduced, because virtually all disturbed areas would be stabilized underneath buildings, pavement, and landscaping. Construction sites, if properly protected during project construction, should not experience significant soils losses.

Impact 4.7-3 (non-point source pollution): The quality of stormwater runoff from the project area would be expected to gradually improve as existing older industrial and warehouse sites are redeveloped using Best Management Practices (BMPs) required by the City of Hayward to improve surface water quality. BMPs would reduce debris, landscaping chemicals, and heavy metals, oil and gas residues, and other items that reduce water quality (*beneficial impact and no mitigation required).*

As part of individual development and redevelopment applications, the City of Hayward requires projects to implement Best Management Practices to ensure that potential water quality impacts are minimized. In addition, for development or redevelopment projects that disturb more than 5 acres of land, a Notice of

Intent is required to be filed with the State of California Water Resources Control Board (SWRCB). A Stormwater Pollution Prevention Plan(SWPPP) is also required to be submitted to the SWRCB demonstrating use of specific BMPs during both construction and operational phases of such project.

Stormwater runoff

Adoption of the proposed Design Plan would serve to encourage redevelopment of current large warehousing and light industrial sites in the project area, many of which are fully covered with buildings and parking lots. New uses envisioned in the proposed Plan include a mix of housing, office and retail commercial uses, all of which would have greater percentages of on-site landscaping which would allow recharge of the water table with an associated reduction in the amount of stormwater runoff. The Design Plan also calls for enlargement of existing parks within the project area to further reduce the amount of stormwater runoff from the area.

Impact 4.7-4 (stormwater runoff): **Redevelopment of the project area under the auspices of the Cannery Area Design Plan would reduce the amount of stormwater runoff from the project area, since existing large warehouses and associated parking lots would transition to a mix of housing, retail and office uses. New land uses would have more pervious surfaces than presently exist, allowing greater recharge of the underground water table and a smaller amount of stormwater runoff (*beneficial impact and no mitigation is required*))**

MITIGATION MEASURES

The following mitigation measure is recommended for the portion of the project area within the 100-year flood zone area designated by FEMA.

Mitigation 4.7-1 (flooding): **The City shall obtain a revision of the flood hazard maps published by FEMA prior to occupancy of any buildings within the project area currently mapped as within the 100-year flood zone. This is to be done by filing a Letter of Map Revision (LOMR) with FEMA. Approval of the LOMR will ensure that the entire site complies with local and Federal flood protection requirements.**

The following mitigation measure is recommended to reduce non-point source pollution to a less than significant level.

Mitigation Measure 4.7-2 (soil erosion): **Individual project developers within the project area shall prepare an erosion and sedimentation control plan for implementation throughout project construction. The plan should be prepared in accordance with City of Hayward and RWQCB design standards. It is recommended that this plan, at a minimum, include the following provisions:**

- **Existing vegetated areas should be left undisturbed until construction of improvements on each portion of the development site is actually ready to commence;**
- **All disturbed areas should be immediately revegetated or otherwise protected from both wind and water erosion upon the completion of grading activities;**
- **Stormwater runoff should be collected into stable drainage channels, from small drainage basins, to prevent the buildup of large, potentially erosive stormwater flows;**
- **Specific measures should be implemented to control erosion from stockpiled earth and exposed soil;**
- **Runoff should be directed away from all areas disturbed by construction;**
- **Sediment ponds or siltation basins should be used to trap eroded soils before runoff is discharged into on-site or offsite drainage culverts and channels.**
- **To the extent possible, project sponsors should schedule major site development work involving excavation and earth moving for construction during the dry season.**

SIGNIFICANCE AFTER MITIGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

4.8 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES

Issues addressed in this section include potential impacts to existing land uses within the project area, to land uses surrounding the project area and consistency of the proposed project with regulatory plans and programs.

ENVIRONMENTAL SETTING

On-site land use
As noted in the Project Description and the Aesthetics (4.1), the Design Plan divides the project area into three smaller areas for purposes of analysis. Each of the three areas have been developed with a mix of warehouse, light industrial, service commercial and residential land uses. Other uses within the project area include an elementary school (Burbank School), two public parks (Cannery Park and Centennial Park), an Amtrak station and scattered vacant parcels.

Exhibit 11 shows existing land uses within the project area.

Surrounding land use
Land uses surrounding the three project areas includes:

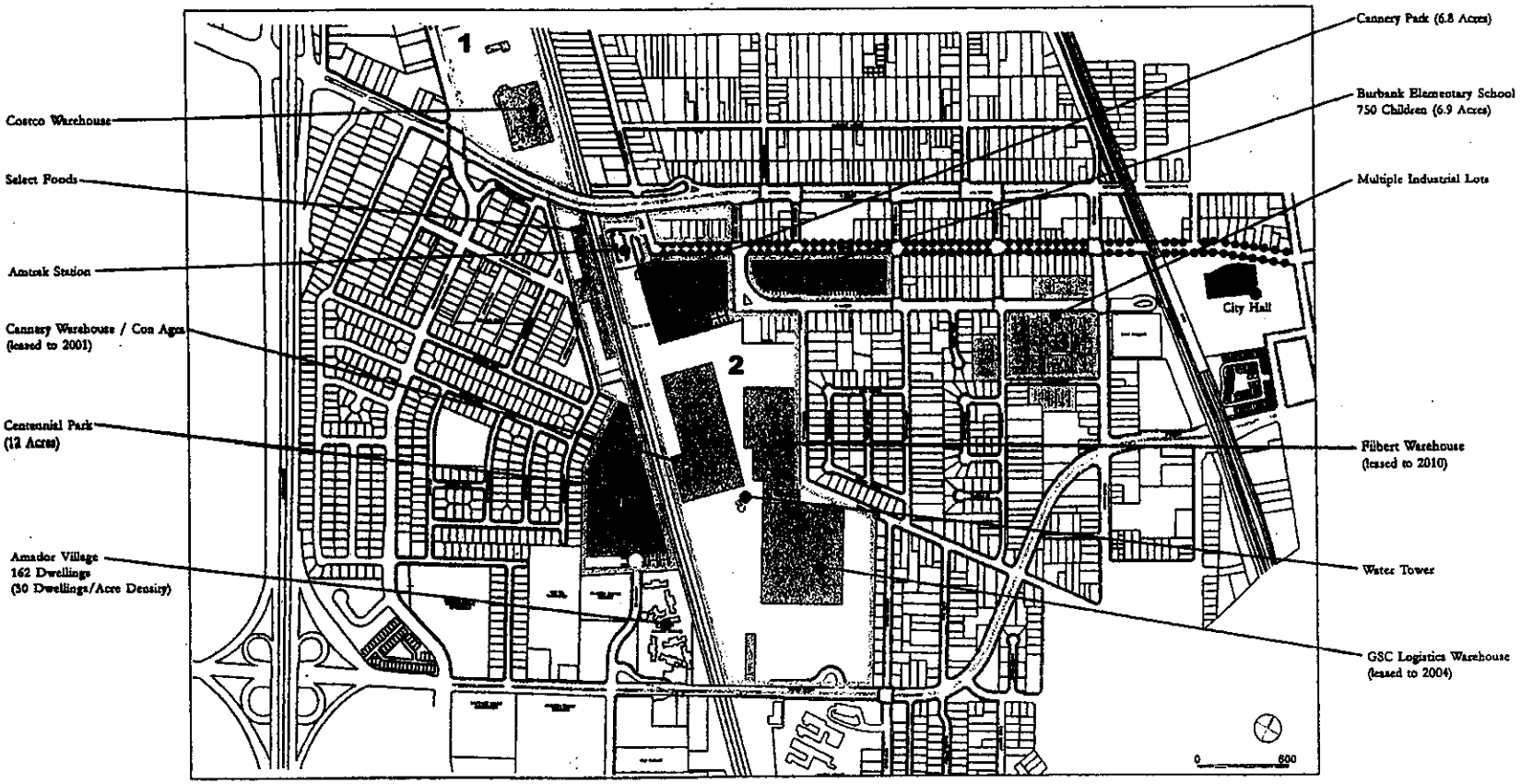
- Area 1: Area 1, the northerly most project area, is surrounded by predominantly low density, single family residences west of the site, fronting on Hathaway Avenue. Low density, single family residences have also been constructed north of Area 1, on the south side of Mero Street. Union Pacific Railroad tracks form the eastern boundary of Area 1 with a combination of light industrial, service commercial and residential dwellings lying immediately east of the tracks. Properties south of Area 1 include low density single family residences on the south side of A Street and light industrial buildings located within Area 2 of the Design Plan boundary.

- Area 2: Land uses surrounding Area 2 include predominantly single family residences west and east of the site, and light industrial uses north and south of the site. Alameda County government facilities have also been constructed south of the site, south of Winton Avenue, as well as Winton Middle School.

- Area 3: The easterly-most area is surrounded by predominantly single family residences north, south and west of the area. The Downtown Hayward BART station is located east of the Area 1 as well as office and commercial uses.

Regulatory framework
Land use and development of the project site is subject to the requirements of the General Plan, including the Growth Management Element, the Burbank Neighborhood Plan and the Santa Clara Neighborhood Plan. All properties are also regulated by the Hayward Zoning Ordinance, which has been adopted as the primary implementation tool for the General Plan.

General Policies Plan: The Hayward City Council adopted the current General Policies Plan in 1986. Several amendments have been approved since then, including the updated Housing Element, Growth Management Element and updated Circulation Element. The General Polices Plan contains the Land Use, Circulation, Open Space and Recreation Elements of the General Plan. The General Policies Plan is the officially adopted guide for making decisions concerning the development of the community according to desired goals. The Plan addresses location of various land uses, density and intensity of land use types, location and widths of roads, community appearance standards, health and safety considerations and similar requirements.



Existing Land Use EXHIBIT 11

- Policy: Land use regulation will reflect a need for additional housing supply (p. IV-18)

    - *Strategy*: Utilize vacant and underutilized land within existing residential areas.
    - *Strategy*: Encourage high densities for new residential development in areas near transit or activity areas or along major arterials.
    - *Strategy*: Utilize some vacant land in commercially zoned areas along major arterials for multi-family housing.
    - *Strategy*: Redevelop some older industrial areas as new residential area or mixed-use areas.
    - *Strategy*: Encourage mixed-use developments in the downtown area.

- Policy: The City will seek a variety of housing types for all income levels (p. IV-19).

- Policy: The special character of areas within the downtown will be fostered in order to create a coherent land use pattern (p. V-11)

    - *Strategy*: Encourage both commercial and residential development in the area surrounding the BART station.

- Policy: Mixed-use, restoration and residential projects as well as commercial projects, will be encouraged in the downtown area (p. V-11).

    - *Strategy*: Encourage moderate and upper income residential development to increase market support for business and to extend the hours of downtown activity.
    - *Strategy*: Develop residential amenities in the downtown including hill and creek open space and streets with pedestrian amenities.

- Policy: Pedestrian amenities, cultural facilities, and open space resources will be augmented and negative aspects constrained in making the downtown area an attractive center for the whole city (p. V-12).

    - *Strategy*: Encourage pedestrian circulation with pedestrian ways that connect principal destinations such as BART and the Civic Center via interblock short cuts; improve alleys and rear entrances to create smaller pedestrian plazas.
    - *Strategy*: Continue to enhance the streetscape in the downtown with landscaping, new focal points, public art and fountains.

Exhibit 12 depicts the existing General Plan land use designations for the project site and surrounding properties. Exhibit 7 shows the proposed amendment to the General Plan that would reflect land uses proposed in the Design Plan.

Growth Management Element: The Growth Management Element of the General Plan was adopted in 1993 to manage and shape the growth of the community. The following general development principles are contained within the Growth Management Element that pertain to the Cannery area project:

- General Development Principal 2: Promote housing that supports the economic base and matches the supply of existing jobs. Ensure a choice of housing opportunities (e.g. location, size, type and income level throughout the City that meets the needs of residents, students and workers.

- Development within Potential Change Areas, Older Industrial Area: Develop a specific plan for the Cannery Area prior to or in conjunction with any new or expanded development

Burbank Neighborhood Plan: This neighborhood plan was adopted in 1988 as part of the City's neighborhood planning program. Purposes of the neighborhood plan include providing for greater involvement in the planning process by local residents, to apply general planning policies to specific areas, and to develop implementation programs for individual neighborhoods.

The Burbank neighborhood is located south of Sunset Boulevard, west of the BART tracks and Grand Street, north of Jackson Street and east of the Union Pacific railroad tracks. All of Design Plan Area 2 and a portion of Area 3 are located within the Burbank Neighborhood Plan.

Applicable policies include:

- Policy 1: Maintain some single family areas.

- Policy 2: Improve multi-family development.

- Policy 3: Coordinate "A" Street development.

- Policy 4: Preserve "B" Street character and neighborhood.

- Policy 5: Provide a transition between downtown high intensity development and the Burbank neighborhood.

- Policy 6: Clarify land use policy; resolve zoning inconsistencies.

- Policy 7: Utilize the Cannery area more fully.

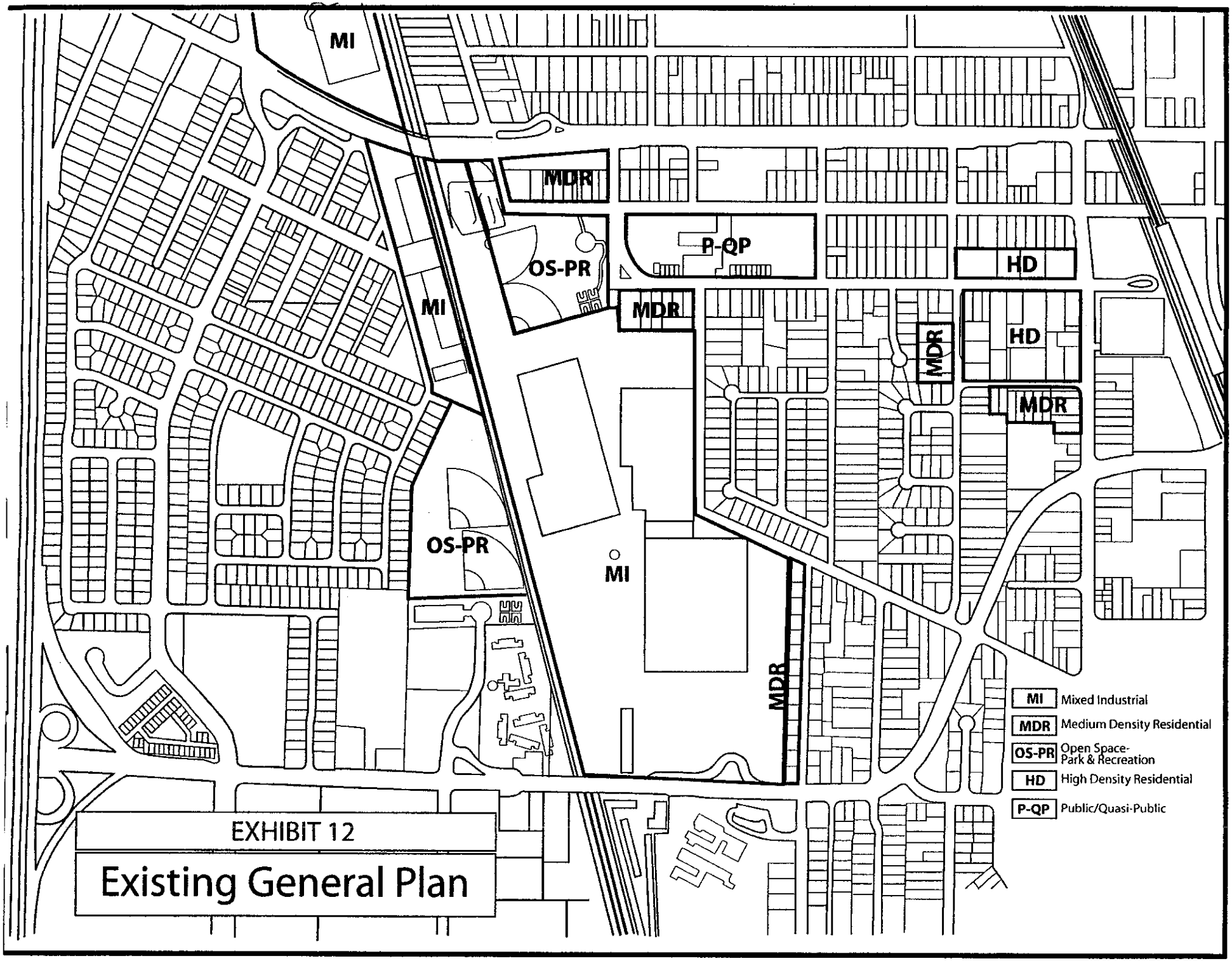


EXHIBIT 12

Existing General Plan

- Policy 8: Mitigate negative impacts of industrial use.
- Policy 9: Improve local traffic safety.
- Policy 10: Improve circulation and transportation facilities
- Policy 12: Provide adequate park facilities.
- Policy 13: Preserve elements of Burbank history.
- Policy 14: Improve streetscapes.
- Policy 15: Eliminate eyesores.

Santa Clara Neighborhood Plan: The Santa Clara Neighborhood Plan was adopted in 1995 as part of the City's neighborhood planning program. The same planning purposes apply to his document as the Burbank Neighborhood Plan. The Santa Clara area is bounded by the City limits and West "A" Street to the north, Union Pacific railroad tracks to the east, West Jackson Street to the south and the I-880 (Nimitz) Freeway to the west. All of Area 1 and a small portion of Area 2 are contained within the Santa Clara neighborhood.

Applicable policies within the Santa Clara Neighborhood Plan include:

- Goal: Retain, enhance and protect the predominant single family character of the Santa Clara neighborhood and minimize detrimental effects of proposed projects, public and private, on the neighborhood.
    - *Policy 1.1*: Allow new development where it is compatible with the neighborhood and other established uses provided that environmental concerns are addressed.
    - *Policy 1.2*: In order to further stabilize the integrity of the Santa Clara neighborhood and maintain Hayward's existing housing stock, take all practical means necessary to ensure that there is no loss of housing units within the provisions of existing land use policy.
    - *Policy 3.1*: Recognize the existing industrial uses within the Cannery area as employment generators. Also, anticipate and plan for potential reuse of this area which: 1) meet Hayward's needs from an economic development standpoint, 2) respects and is sensitive to the existing neighborhood, and 3) which is consistent with those provisions found within the City's General Policies Plan and Growth Management Element.
    - *Policy 3.2*: Possible reuse and future redevelopment of the Sysco and Select Foods sites should consider a use which is compatible with the adjacent residences and existing railroad tracks. If appropriate, require

the use of the general plan amendment process or include the property in any specific study for the larger Cannery area to consider future uses for the site.

- *Policy 3.3*: Support a mixed-use project for the property immediately north of Winton Avenue and south of Centennial Park, which is compatible with adjacent office uses. The City should consider such a project which could include both commercial and residential development. New development proposals should mitigate any soil contamination problems and any other environmental impact.

Hayward Zoning Ordinance: Existing zoning of the project area is primarily industrial in Areas 1 and 2, reflecting existing land use patterns. Zoning in Area 3 is primarily CC-R (Central City-Residential) District. Exhibit 13 depicts proposed zoning for the Design Plan project area.

Surrounding properties are zoned for residential and commercial uses.

The Zoning Ordinance establishes permitted and conditionally permitted land uses for each individual zoning district. The Zoning Ordinance also includes development standards for each district, regulating building intensity, height, setbacks and similar requirements, as well as requiring on-site parking and loading, signs and similar development provisions.

Copies of all the documents referenced above are available at the Hayward Community and Economic Development Department during normal business hours.

STANDARDS OF SIGNIFICANCE

The following criteria have been used to define instances of a significant land use impact:

- if the proposed project is incompatible with on-site and/or adjacent land uses, causing the potential for a substantial adverse change in the types or intensity of existing land use patterns;
- if a proposed project is not consistent with adopted land use policies, or would require a change in such policies in order to achieve consistency;
- if a proposed project disrupts or divides the physical arrangement of an established community.

ENVIRONMENTAL IMPACTS

Potential impacts include impacts to on-site land uses, impacts to adjacent or nearby off-site land uses and consistency with appropriate regulatory plans.

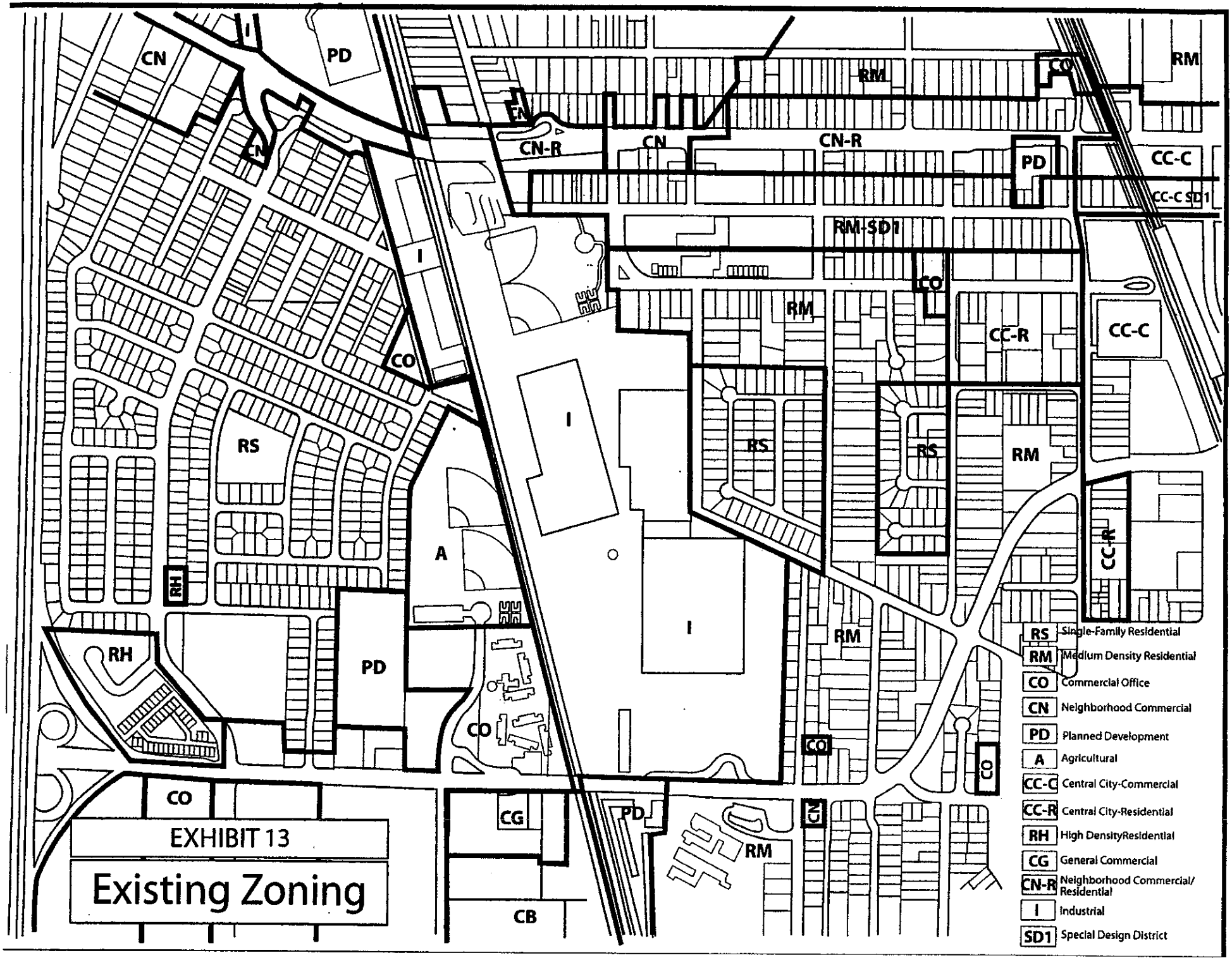


EXHIBIT 13

Existing Zoning

On-site land use impacts
Approval and implementation of the proposed Design Plan would allow for the conversion of approximately 120 acres of land near downtown Hayward from a largely warehouse and light industrial area to a new residential neighborhood in the community. Ultimate conversion of all properties within the project area to new land uses is anticipated to be phased over a number of years, based largely on market conditions with limited assistance from the Hayward Redevelopment Agency.

The intent of the proposed Design Plan is to provide incentives to property owners within the project area to change existing land use patterns which would assist in eliminating identified blighted conditions. This is anticipated to be a beneficial impact on land use patterns.

Impact 4.8-1a (on-site land use impacts): Approval and implementation of the proposed Design Plan would convert the project area from a predominantly warehouse and light industrial area to a residential neighborhood. Since the project area lies within a redevelopment area with identified blighted conditions, construction of new uses and facilities would represent a *beneficial impact* on surrounding uses.

Displacement impacts
Since the proposed project would involve a change of land use pattern and the project area lies within a redevelopment project area, there could be potential impacts related to displacement of existing light industrial and similar businesses that do not comply with the intent of the Plan. However, this is anticipated to be a less-than-significant impact, since many of the older non-residential uses have either closed or may see their existing leases expire in the short term future. Also, any business that would be displaced from the project area by action of the Hayward Redevelopment Agency would receive business relocation assistance, as required by both state law and the local Redevelopment Agency.

In addition, the proposed project would result in the displacement of existing residences to allow implementation of two specific public projects envisioned in the Design Plan: 1) the proposed Burbank School expansion and 2) the Myrtle/ entry access alignment.

Impact 4.8-1b (business and housing displacement):): Approval and implementation of the proposed Design Plan would facilitate displacement of existing older businesses and residences within the project area (*potentially significant and mitigation required*).

Surrounding land use
Properties surrounding Area 1 to the north and west are largely residential. The proposed Design Plan suggests that existing warehouse and light industrial uses

could be converted to retail and commercial uses. Since any new uses within Area 1 would be done in compliance with the Design Plan, development standards contained in the Hayward Zoning Ordinance and would also be subject to future environmental reviews, less-than-significant land use impacts are anticipated on adjacent land uses.

Properties surrounding Area 2 include low density, single family residential uses to the east, west and north along the north side of "B" Street. Office uses have been constructed on the south side of the Area. Eventual conversion of existing warehouse and light industrial uses within Area 2 to residential uses would generally be more consistent with existing surrounding land use patterns. Future residential uses at higher densities than the surrounding area would be buffered by single family dwellings and school and park uses, so land use impacts to surrounding areas would be less-than-significant. As noted above, specific new development proposals within Area 2 would be subject to future review by the City of Hayward to ensure that site-specific impacts are addressed based on localized conditions.

Similarly, land uses surrounding Area 3 are predominantly single family in character and implementation of the Design Plan to promote residential uses around the edge of Area 3 would be generally consistent with surrounding uses. As would be true with the other two Areas, future land use proposals within Area 3 would be reviewed for consistency with the proposed Design Plan, the Hayward Zoning Ordinance and would be subject to future environmental reviews as required by CEQA.

<u>Impact 4.8-2 (surrounding land use impacts)</u>: **The majority of existing land uses surrounding the proposed Design Plan area are low density, single family residential. Approval and implementation of the Design Plan envisions primarily higher density residential uses; however, the proposed arrangement of land uses within the Design Plan would provide buffering and land use consistency with surrounding uses. The proposed Design Plan would therefore result in less-than-significant land use impacts to surrounding uses (*less-than-significant impacts and no mitigation required*).**

Regulatory framework

The proposed project would be consistent with the Hayward General Plan policies that call for the eventual conversion of older industrial areas of the community to residential, commercial and other land uses. However, the current General Plan land use designations of "Mixed Industrial" and the existing zoning designation of "Industrial" would need to be changed to reflect land uses proposed in the Design Plan. As part of the project and as described in the Project Description section of the EIR, the City of Hayward is considering an application to amend General Policies Plan land use designations within the project area as identified on Exhibit 7. Approval of the proposed General Plan Amendment would ensure consistency between the land uses allowed pursuant

to the General Policies Plan, the General Plan Land Use map designations and the type and intensity of land uses envisioned in the proposed Cannery Area Design Plan.

The proposed Design Plan would be consistent with the goals, policies and strategies of both the Burbank Neighborhood Plan and Santa Clara Neighborhood Plan, both of which call for the re-use of older industrial uses in the cannery area, preservation and enhancement of local residential neighborhoods and an improved local circulation system.

A Zoning Ordinance Text Change and Zone Change has also been proposed. The proposed Text Change would establish the SD-4 (Special Design) overlay zoning district within the project area in order to provide an orderly transition from industrial land uses to residential and commercial uses envisioned in the Design Plan. The overlay district would prohibit expansion or significant alteration of existing uses and buildings without approval of a Use Permit by the City of Hayward. The overlay district would also require any new residential or commercial development to be considered pursuant to the provisions of the Planed Development District in a manner consistent with the Cannery Area Design Plan. A simultaneous Zone Change is also proposed to apply the SD-4 overlay district to those parcels of land in the project area currently within the Industrial and Central City zoning districts.

Exhibit 8 shows the location of the proposed Zone Change.

Prior to final approval and construction of individual development projects within the Cannery area, additional land use entitlements would need to be obtained from the City of Hayward. Such entitlements include subdivision maps, site plan approvals, conditional use permit approvals, design and/or architectural review approvals. Approvals from other local, state and federal regulatory agencies may also be required, depending on the type and location of each proposed project.

Impact 4.8-3 (regulatory impacts): Approval and implementation of the proposed Design Plan, including the proposed General Plan Amendment and rezonings, would be consistent with the goals and policies of the Hayward General Policies Plan, Growth Management Element, Burbank Neighborhood Plan, Santa Clara Neighborhood Plan and the Hayward Zoning Ordinance (*No impact and no mitigation required).*

MITIGATION MEASURES

Mitigation Measure 4.8-1b (business and housing displacement): Businesses and residences displaced to implement the proposed Design Plan shall be provided relocation assistance by the Hayward Redevelopment Agency consistent with City, state and federal requirements.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

4.9 NOISE

ENVIRONMENTAL ISSUES

This section addresses potential noise impacts of the project, including short-term construction noise, and long -term permanent noise as well as potential impacts from existing noise sources, such as truck noise associated with existing land uses.

ENVIRONMENTAL SETTING

Overview of noise concepts
Noise is defined as unwanted sound. Sound levels are measured and expressed in decibels (dB), with a dB of "0" corresponding approximately to the threshold of human hearing.

The method commonly used to quantify environmental noise involve measurement of all audible frequencies of sound, with an adjustment to reflect the fact that human hearing is less sensitive to low and high frequencies than to mid-range frequencies. This measurement is called "A" weighting, and a noise reading using this technique is called "A-weighted noise level " (dBA).

Environmental noise fluctuates in intensity over time. Therefore, time-averaged noise level computations are typically used to quantify noise levels and determine impacts. The two average noise level descriptors most commonly used to describe 24-hour daily average are LDN (day-night average noise levels) and CNEL (Community Noise Equivalent Level). The LDN measurement includes a 10 decibel penalty added to nighttime noise levels (10:00 p.m. to 7 a.m.) to account for the greater human sensitivity to noise during this period. The CNEL noise metric includes both a 5 dBA penalty for evening (7:00 p.m. to 10 p.m.) noise and a 10 dBA for night noise events.

Existing noise levels
The noise environment in Hayward is described in the City's current Noise Element and General Policies Plan of the Hayward General Plan (1977). Transportation-related noise is the most significant source of noise in the community as a whole and within the project area.

Major roadways in the area include A Street and the Winton Avenue/D Street Corridor. Other noise generators include trains using the Union Pacific railroad tracks and BART tracks along the eastern portion of the project area. Existing Union Pacific Railroad tracks along the western portion of the project site are also a noise generator. Large trucks using existing warehouses and industrial operations in the project area also contribute to the existing noise environment.

Noise levels were monitored along the Union Pacific tracks in March, 1998. Approximately 10 to 12 trains used the tracks during this time period. The majority of train activity occurred during daytime hours, however, two train passages occurred during the evening hours. Maximum noise levels from train passages were 82 to 96 dB at 60 feet. There were no grade crossings near the monitoring station, so trains did not blow warning horns.

Another noise source in the project area is generated by delivery trucks associated with existing warehouse and light industrial uses. Although not specifically quantified, discussions with City staff indicate a history of complaints from nearby residents regarding trucks using local residential streets to access regional routes, early start-up and warm-up of trucks, backing of trucks near residences with associated back-up warning devices.

Existing noise sources also include non-transportation related sources, including but not limited to operation of outdoor air conditioning, refrigeration units and other mechanical equipment and use of forklifts for loading and unloading of vehicles.

Vibration
Existing residences are subject to periodic vibration caused by the operation of trains along the Union Pacific railroad tracks and perhaps BART operation on the eastern portion of the study area.

STANDARDS OF SIGNIFICANCE

A noise impact would be considered significant if it would:

- increase average ambient noise levels by more than 3 dbA (LDN) at a sensitive receptor and have a resulting noise level that would exceed 60 LDN for residential uses; or
- increase average ambient noise levels by more than 5 dBA (LDN), even though the resulting noise level would be below 60 dBA (LDN) for residential uses

In addition, exposure of future land uses to noise levels that would exceed the exterior land use/noise compatibly standards set forth in the Noise Element of the Hayward General Plan would be a significant impact. These standards are shown on Table 5.

Table 5. Noise and Land Use Compatibility Standards

Land Use	Noise Exposure Levels (CNEL or Ldn dBA)	
	Normally Acceptable	Conditionally Acceptable
Residential: low density, single family homes, duplex, mobile homes	55	65
Residential: multiple family	60	65
Transient lodging	60	65
Schools, libraries, churches, hospitals	60	65
Auditoria, concert halls	--	65
Sports areans, outdoor sports	--	70
Playgrounds and neighborhood parks	67	--
Office buildings	65	75
Industrial. Manufacturing, utilities	75	80

Source: Hayward General Plan

The interior residential noise exposure level is 45 dBA, established by the state building code.

ENVIRONMENTAL IMPACTS

Construction noise

Should the proposed Design Concept Plan be approved, increases in noise during construction phases of implementation can be expected, although these will be of a short-term, temporary nature. Typical noise generated by construction activities include earthmoving, truck traffic, back-up bells, air compressors, hammering and other mechanical equipment normally used during demolition and construction. Short-term construction noise impacts are anticipated to be significant due to the number of existing and anticipated residences, schools and parks currently within the project area and as well as new uses anticipated in the Design Plan.

Impact 4.9-1 (construction noise impacts): Future residents within the Cannery area and nearby residential neighborhoods could be subject to short-term but potentially significant noise due to demolition of existing buildings and improvements and construction of new buildings, public projects and associated improvements within the project area (*potentially significant and mitigation required).*

Vibration
Future residential dwellings within the Cannery project area would be subject to ground-borne vibration from adjacent railroad and BART operations as well as from short-term periodic demolition and construction activities.

Impact 4.9-2 (ground-borne vibration impacts): Ground-borne vibration from trains and/or BART operations as well as short-term demolition and construction operations could disturb residents of future residences adjacent to these areas (*potentially significant and mitigation required*).

Permanent noise impacts
The Design Plan proposes to gradually change the mix of land uses within the project area, from a majority of warehouse, light industrial and similar land uses to more of a residential area, with supporting retail commercial and office land uses. As such the numbers of residents within the area would increase. Vehicular traffic in and around the project area would also change with fewer large trucks and an expected increase in passenger cars and smaller trucks. Noise impacts could be particularly significant for new residential dwellings constructed near major roadways, near the Union Pacific railroad line and adjacent to non-residential land uses, such as office or commercial, which could generate significant amounts of noise as part of ongoing business operations. Such noise would include mechanical noise from HVAC, loading and unloading operations and similar noise.

Noise impacts may also increase for existing residential dwellings lying west of the UPRR railroad tracks and south of A Street. Should the large warehouse buildings immediately west of the tracks be removed for new land uses, existing single family dwellings to the west of the warehouse could be subject to increased noise levels from railroad operations.

Impact 4.9-3 (permanent noise impacts): Residential dwellings proposed to be constructed as part of the Design Plan could be exposed to future noise levels above the conditionally acceptable to normally unacceptable noise levels as set forth in the Noise Element of the General Plan. Noise sources include a combination of increased vehicle noise and noise generated by operation of non-residential land uses. This would include a potential for increased railroad noise levels for existing single family residences lying west of the existing Select Foods warehouse west of the UPRR railroad tracks south of A Street (*potentially significant and mitigation required*).

MITIGATION MEASURES

Mitigation Measure 4.9-1 (construction noise impacts): Individual project developers shall submit a Construction Noise Management Plan that identifies measures to be taken to minimize construction noise on surrounding developed properties. Noise Management Plans shall be approved by the City of Hayward

Community and Economic Development and Public Works Departments prior to issuance of grading permits and shall contain, at minimum, a listing of hours of construction operations, use of mufflers on construction equipment, limitation on on-site speed limits, identification of haul routes to minimize travel through residential areas and identification of noise monitor. Specific noise management measures shall be included in appropriate contractor specifications.

Mitigation Measure 4.9-2 (ground-borne vibration impacts): For any residential development proposed within 100 feet of the Union Pacific or BART tracks, a vibration analysis shall be prepared by a qualified consultant to identify the extent of vibration, consistency with City vibration standards and specific methods to reduce ground-borne vibration to a less-than-significant level.

Mitigation Measure 4.9-3 (permanent noise impacts): Site-specific acoustic reports shall be prepared by qualified acoustical consultants for individual residential projects at the time development plan applications (including but not limited to subdivision maps and Site Development Plans for apartment projects) are filed with the City of Hayward. The acoustic reports shall include detailed identification of noise exposure levels on the individual project site and a listing of specific measures to reduce both interior and exterior noise levels to normally acceptable levels, including but not limited to glazing and ventilation systems, construction of noise barriers and use of structures to shield noise.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

4.10 POPULATION, HOUSING AND EMPLOYMENT

ENVIRONMENTAL ISSUES

This sections addresses demographic changes that could be anticipated should the proposed project be approved and constructed, including increases of local housing and employment within the community and region and impacts to the regional jobs-housing balance.

ENVIRONMENTAL SETTING

Population

Regional
The Association of Bay Area Governments (ABAG), the Council of Governments organization responsible for preparing and tracking population

and demographic changes within the Bay Area region anticipates that the Bay Area will continue to grow at a steady rate. Factors contributing to this growth include a favorable climate, recreational activities, top universities and career opportunities. Over the next 20 years, the population is expected to increase to more than 8 million persons, a 16% increase over the current (2000) population. Population increases are expected to be primarily due to increases in births and longer life expectancies rather than significant in-migration.

Table 6 depicts anticipated comparative growth in the Bay Area, Alameda County and Hayward.

Table 6. Regional, County and Hayward Total Population (Pop) & Household (HH) Projections

	2000		2010		2020	
	Pop.	**HHs**	**Pop.**	**HHs**	**Pop.**	**HHs**
Region [1]	6,930,600	6,779,300	7,631,400	7,473,400	8.026,900	7,863,900
Alameda Co. [1] [2]	1,454,300	514,620	1,615,900	552,090	1,671,700	578,830
Hayward [1] [2] [3]	129,600	44,580	139,900	46,560	144,500	48,760

Sources:
(1) ABAG Projections 2000
(2) State Department of Finance
(3) Downtown Hayward Redevelopment Plan EIR (1998)

Alameda County's growth is expected to reach a level of 1.46 million over the next 20 years, making it the second most populous county in the ABAG region behind Santa Clara County. ABAG notes that the Hayward and the Tri-Valley areas are anticipated to experience the highest growth rates in Alameda County over the next 20 years. Hayward growth potential assumes that all vacant land will be developed and that underutilized land can be redeveloped in areas such as the Cannery project area.

It should be noted that recent Census 2000 data shows a higher population for Hayward, primarily due to greater than expected increases in average household size. This will result in revised numbers in ABAG's Projections 2002, due later this year.

Housing affordability and regional housing needs
The State of California has determined that each local agency must be responsible for providing their respective fair share of the total housing need. This includes affordable housing for all income levels, including very low (below 50% of median County income), low (between 50 and 80% of median County income) , moderate (80-120% of median County income) and above moderate (120+% of median County income) households . The Association of Bay Area Governments (ABAG) is responsible for allocating region-wide fair share housing goals among member agencies. Housing goals are established for seven years periods. Identification of appropriate housing sites and implementation strategies to assist in the achievement of these targets is to be carried out through Housing Elements of the General Plan for each community.

For the City of Hayward, ABAG has established the total number of new dwellings within the seven-year period (1999-2006) is 2,835 units. This includes: Very Low income households (625 dwellings), Low income households (344 dwellings), Moderate income households (834 dwellings), and Above Moderate income households (1,032 dwellings).

The City's existing Housing Element was adopted in 1991 and is planned to be updated in the near future to accommodate new fair share housing targets.

The State of California Redevelopment Law requires that 15% of all new or substantially rehabilitated housing units within a redevelopment project area, including those housing units developed or redeveloped without Redevelopment Agency involvement) must be affordable to moderate-, low- and very low income households.

Employment
The Bay area is projected to experience appreciable job growth over the next 20 years, adding nearly a million jobs. Approximately 50% will be in the services sector, the manufacturing and wholesale sector is expected to add 19% of he job growth, retail sales will add 11%, with the remaining 19% to include a variety of professional and other jobs.

The East Bay area has experienced rapid employment growth in recent years, fueled by strong demand for high technology goods and services and rising land and housing prices in other portions of the Bay Area. Alameda County is expected to be second only to Santa Clara County in the number of new jobs to be generated over the next 20-year period. Overall, between 2000 and 2020, Alameda County will gain almost 43,000 jobs during the forecast period, reinforcing existing commute problems.

Table 7 summarizes projected job growth for the region, Alameda County and the City of Hayward over the next 20 years.

Table 7. Job Projections

	2000	2010	2020
Bay Area	3,688,590	4,227,560	4,687,950
Alameda County	725,790	848.300	945,340
Hayward	91,120	101,970	112.930

Source: ABAG Projections 2000

Jobs-housing balance

According to ABAG, inadequate housing production linked with strong employment demand in certain geographic areas of the Bay Area is one of the most persistent problems facing the Bay Area. The on-going jobs-housing imbalance has direct implications on the quality of life for Bay Area residents, including forcing employees to commute long distances to their jobs, declining air quality, and loss of community for cities that provide homes for commuters. A real but indirect effect of the jobs-housing imbalance is the trend for Bay Area commuters to live in the San Joaquin Valley and commute across the Altamont Pass to work.

While the term "jobs housing balance" is most often used to describe the relationship between housing to jobs, a more precise term would be "jobs/employed residents,' since households, on the average, contain more than one employed resident. To the degree that a balance is achieved between local jobs and households, there is greater opportunity for local residents to work close to their dwelling. A jobs/housing balance of 1:1 (one job per employed resident) tends to reduce regional traffic congestion, noise and air pollution. Where a community's jobs/housing ratio is substantially higher than the regional ratio, a greater amount of in-commuting is indicated; where the local ratio is substantially lower than the regional ratio, a higher tendency toward out-commuting generally occurs.

Table 8 summarizes historical, current and projected jobs/housing balance in the City of Hayward. It indicates that a generally favorable jobs to housing balance exists in Hayward, with more jobs available in the community in relation to employed residents. This balance is even more pronounced within the greater Hayward planning area, however, anticipated increases in jobs will outstrip new housing production over the next 20 years so that a greater number of jobs will eventually be available than local employed residents.

Table 8. Existing and Projected Jobs-Housing Balance

	2000	2010	2020
Households	44,580	46,560	48,760
Jobs	91,120	101,970	112,930
Employed Residents	62,700	68,100	75,200
Employed Residents/ Housing Ratio	1.45	1.49	1.50

Source: ABAG Projections 2000

STANDARDS OF SIGNIFICANCE

A population and housing impact would be considered significant if a proposed project would induce substantial population growth, either directly or indirectly.

ENVIRONMENTAL IMPACTS

Housing

Approval and implementation of the Cannery Area Design Concept Plan would add a minimum of 695 and a maximum of 962 dwelling units to the Hayward housing stock. Dwellings are proposed to be a mix of single family, townhouses, multi-family and live-work lofts, with an emphasis on higher density housing types. Proposed dwelling units would generally be targeted to households desiring a more urban living experience, near major transportation hubs and in close proximity to a range of employment and shopping opportunities.

If constructed, the number of dwellings units within Hayward would be increased by a maximum of 962 dwellings and an estimated 2,886 residents, based on a standard of 3.0 persons per dwelling unit per discussions with City planning staff.

The maximum number of proposed dwellings would be significantly higher than the number previously contemplated for this area and reflected in the current regional projections prepared by ABAG (*Projections 2000*). However, the Regional Housing Needs determination recently approved by ABAG for use by local jurisdictions to update Housing Elements, assigns additional housing units to the City. Approval of the proposed Design Plan and construction of the maximum number of dwellings anticipated in the Plan would assist the City of

Hayward in meeting the City's fair share of regional housing needs as established by ABAG.

Impact 4.10-1 (housing and population): Approval and implementation of the proposed Design Plan would facilitate the addition of a maximum of 962 dwelling units and approximately 2,886 residents to the City of Hayward. Since proposed land uses and construction of the dwellings would generally be consistent with regional housing and population projections used for planning infrastructure needs, this impact would be less-than-significant (*less-than-significant impact and no mitigation measures required*).

Approval of the proposed Design Plan would also offer the City an opportunity to increase the number of affordable housing units within the community. This is based on existing Redevelopment Agency requirements for provision of affordable housing within the redevelopment project area. The existing requirement is to provide 15% of new housing units which would be affordable to households earning 120% of the County median household income.

Impact 4.10-2 (housing affordability): Although prices or rental rates of the proposed dwelling units have not been established, given the proposed density and City of Hayward Redevelopment Agency housing affordability requirements, approval of the Cannery Area Design Plan would contribute to meeting the City's fair share allocation of affordable housing units (*beneficial impact and no mitigation measures required*).

Employment

The proposed project is being considered to encourage redevelopment and intensification of land uses near the downtown portion of Hayward. Although the predominant land use type envisioned in the proposed Design Plan is residential, both office and commercial land uses are proposed within the project area. Table 8 summarizes estimated employment at full buildout of land uses included in the Design Plan.

Table 8. Design Plan Employment Projections

Proposed Land Use	Sq. Ft.	Sq. Ft./Employee	Est. Jobs
Commercial (Area 1)	240,000	500	480
Office/Commercial (Areas 2 & 3)	200,000	260	769
Total			**1,249**

Source: Redevelopment Plan EIR employee/sq. ft. projection

The project area is currently developed with warehouse and light industrial buildings and uses. Since some of these uses have recently closed and other have experienced changes of tenants, the number of current jobs within the area is not known.

In addition to permanent employment, demolition of existing buildings and construction of buildings and improvements anticipated within the Design Plan area would create a number of short-term construction jobs. Given that the phasing and timing of actual construction is not known, the number and duration of construction jobs is similarly not known.

Impact 4.10-3 (employment): **The project site would generate approximately 1,249 jobs at full build out of land uses envisioned in Design Plan area, plus an unknown number of short-term construction jobs. A number of existing warehouse and light industrial jobs would either be lost, or the job transferred to a new facility outside the project area. This amount of employment growth is generally consistent with ABAG's regional employment projections. Since this amount of employment growth is being planned as part of a mixed use, transit-oriented project, a less-than-significant impact is expected (*less-than-significant impact and no mitigation measures are required*).**

Jobs-housing balance

Approval of the proposed Design Plan and construction of new dwelling units envisioned in the Plan would serve to improve the jobs/housing balance within Hayward. Under the proposed Design Plan, existing employee-generating light industrial and warehouse uses would be phased out in favor of new higher density housing units. Although a limited amount of new employee generating office and commercial land uses are proposed in the Design Plan, the overall effect reflects a decrease in the number of jobs and an increase in the number of housing units, as compared to current projections.

Impact 4.10-4 (jobs-housing balance): **Approval and construction of the proposed project would contribute to a slight improvement in the local jobs/housing balance by reducing the number of employee generating light industrial and warehouse jobs and replacing these older uses with housing units and more employed residents (*less-than-significant impact and no mitigation needed*).**

MITIGATION MEASURES

None required.

4.11 TRANSPORTATION AND CIRCULATION

ENVIRONMENTAL ISSUES

This section of the document deals with potential increases in project traffic, cumulative traffic impacts to public transit systems and parking.

ENVIRONMENTAL SETTING

Existing street network
The following roadways are located in the vicinity of the project site and are described below.

- *A Street* - A Street is a four lane major arterial roadway. Travel lanes are typically 12 feet wide. Additional turn lanes are added at major intersections. Continuous sidewalks and bike lanes are provided on both sides of the roadway. Parking is allowed on both sides of the roadway in the vicinity of the project. The posted speed limit is 35 mph.

- *B Street* - North of Grand Street, B Street has two southbound lanes and one northbound lane with no parking permitted in the vicinity of the intersection; to the south of Grand Street, B Street has one travel lane in each direction, with parking permitted on both sides of the roadway. Travel lanes are typically 12 feet wide. A continuous sidewalk is provided on the both sides of the roadway. The posted speed limit is 25 mph.

- *D Street* - D Street is four-lane major collector roadway. Continuous sidewalks and bike lanes are provided on both sides of the roadway. The posted speed limit is 35 mph.

- *Grand Street* - Grand Lane is a four-lane collector roadway. Continuous sidewalk is provided on both sides of the roadway. Parking is permitted on the west side of the roadway. The posted speed limit is 35 mph.

- *West Winton Avenue* - West Winton Avenue is a four lane major arterial roadway with a median divider. Continuous sidewalks are provided on both sides of the roadway. Parking is prohibited on the both sides of the roadway in the vicinity of the project. The posted speed limit is 35 mph.

- *Amador Street* - Amador Street is a four-lane collector roadway. The curb-to-curb width varies from 38 feet to 48 feet. No parking is allowed. The posted speed limit is 30 mph.

- *Santa Clara Street/Hathaway Street* - Santa Clara/Hathaway Street is a four lane minor arterial roadway. The curb-to-curb width is 64 feet. Parking is prohibited. The posted speed limit is 40 mph.

- *Myrtle Street/Soto Road* - Myrtle Street/Soto Road is a two to four lane local roadway. The curb-to-curb width is approximately 24 to 48 feet in the vicinity of the project. Parking is prohibited. The posted speed limit is 25 mph.

- *Meek Avenue* - Meek Avenue is a four-lane collector roadway. The curb-to-curb width is approximately 44 feet. Parking is prohibited. The posted speed limit is 30 mph.

- *Meekland Avenue* - Meekland Avenue is a two-lane collector roadway. The curb-to-curb width is approximately 40 feet. Parking is prohibited.

- *Connector to A Street* - The connector to A Street is a two-lane ramp connecting Meekland Avenue with A Street. The curb-to-curb width is approximately 40 feet. Parking is prohibited.

Project access

Access to the site is provided by Interstate 880 (I-880). I-880 extends from Oakland to San Jose region and provides the primary travel route for communities in Alameda and Santa Clara counties. The facility is a six- to ten-lane divided freeway with auxiliary merging/weaving lanes provided at interchanges. Within the project area, I-880 is a ten-lane freeway with a high occupancy vehicle lane in each direction. The posted speed limit is 65 mph.

Existing traffic operations

Existing traffic operations were analyzed at the following intersections within the project area. All intersections are signalized unless otherwise noted.

- I-880 SB ramps (AM on) and A Street
- I-880 NB ramps (PM off) and A Street
- Hathaway/Santa Clara and A Street
- Grand Street and A Street
- Grand Street and B Street
- Meek Avenue and D Street
- Soto Road and West Winton Avenue
- Amador Street and West Winton Avenue
- Connector and Meekland Avenue (4-way stop controlled)
- Connector and A Street (stop controlled)
- I-880 NB ramps (PM off) and West Winton Avenue (yield controlled)
- I-880 SB ramps (AM on) and West Winton Avenue (yield controlled)

Exhibit 15 shows the location of study area intersections.

Existing operations have been analyzed using the "Level of Service (LOS)" methodology. Level of Service is a term used within the transportation discipline to describe the operating conditions at intersections, freeway ramp junctions, or along roadway segments. The level of service is described by a letter designation ranging from "A" through "F." The highest or most desirable is LOS A which indicates little or no traffic congestion, while LOS F indicates severely congested traffic flow conditions. The City of Hayward considers LOS D to be the minimum acceptable condition at intersections in the City.

The method used to analyze the operational efficiency of critical intersections in this study is the 1994 *Highway Capacity Manual* Operations Method. Optimum signal timing with a maximum cycle length of 180 seconds was assumed. The operations method calculates LOS based on average vehicle delay per approach, in seconds per vehicle.

The method used to analyze the operational efficiency of the intersection of the southbound I-880 on-ramps and West Winton Avenue is found in Chapter 4 (Weaving Areas) of the *Highway Capacity Manual.* Level of service in weaving areas is related to the average density of all vehicles in the section. Average density in the weaving area is computed by finding the average speed of all vehicles in the weaving section and then estimating density as total flow divided by average speed. Since no speed field data was readily available, the speeds used in the analysis were based on discussions with City staff, local conditions, and existing geometry. A main flow speed of 30 mph and a loop ramp speed of 15 mph were used as conservative estimates. In order to provide a quantitative basis for determining the significance of project traffic impacts at the study intersections, it is necessary to establish a set of criteria to be used in the analysis. The City of Hayward Level of Service Standard establishes LOS D as the minimum acceptable operating condition.

Table 9. Intersection Level of Service Calculations
Existing Conditions

Intersection Location	Peak Hour Period	Existing		Existing Plus Project		Increase in Delay
		Delay	LOS	Delay	LOS	
I-880 SB ramps and A Street	AM	13.4	B	13.6	B	0.2
	PM	n/a	n/a	n/a	n/a	n/a
I-880 NB ramps and A Street	AM	n/a	n/a	n/a	n/a	n/a
	PM	16.3	B	17.0	C	0.7
Hathaway Ave. and A Street	AM	16.4	C	17.1	C	0.7
	PM	15.3	C	15.4	C	0.1
Grand Street and A Street	AM	11.3	B	11.3	B	0.0
	PM	10.7	B	10.9	B	0.2
Grand Street and B Street	AM	11.8	B	12.4	B	0.6
	PM	11.5	B	11.9	B	0.4
Meek Avenue and D Street	AM	3.4	A	4.2	A	0.8
	PM	3.8	A	4.1	A	0.3
Myrtle/Soto and W. Winton Avenue	AM	14.8	B	15.1	C	0.3
	PM	9.0	B	10.0	B	1.0
Amador Street and W. Winton Avenue	AM	9.9	B	9.5	B	-0.3
	PM	12.1	B	12.2	B	0.1
Conn. to Meekland and A Street*	AM	6.9	B	7.8	B	0.9
	PM	5.8	B	8.6	B	2.8
I-880 NB ramps and W. Winton Avenue*	AM	n/a	n/a	n/a	n/a	n/a
	PM	19.8	C	27.8	D	8.0
Meekland Ave. and Conn. to A Street	AM	5.6	B	6.5	B	0.9
	PM	5.1	B	5.0	B	-0.1
I-880 SB ramps and W. Winton Avenue**	AM	30.1	B	32.0	C	1.9
	PM	n/a	n/a	n/a	n/a	n/a

Notes:

* = LOS is a function of delay at worst case turning movement

** = LOS is a function of average density of all vehicles in weaving section (pc/mi/ln)

n/a = Peak hour period level of service was not analyzed, project impacts are uni-dimensional at these intersections

Exhibit 14 shows existing AM and PM peak hour traffic volumes at study area intersections.

Existing transit service
The Cannery area is served by public transportation systems: Amtrak, BART and AC Transit.

An existing Amtrak platform has been constructed on the south side of "A" Street at Meekland Avenue within Area 2. Amtrak (Capitol Corridor) provides regional, intrastate train services with interstate connections.

The Bay Area Rapid Transit District (BART) maintains the Downtown Hayward BART station immediately east of Area 3. The Hayward BART station is on the north-south Richmond-Fremont line, with opportunities in Bayfair and Oakland to transfer to other BART lines. It is also on the Fremont-Daly City/Colma line with similar transfer opportunities.

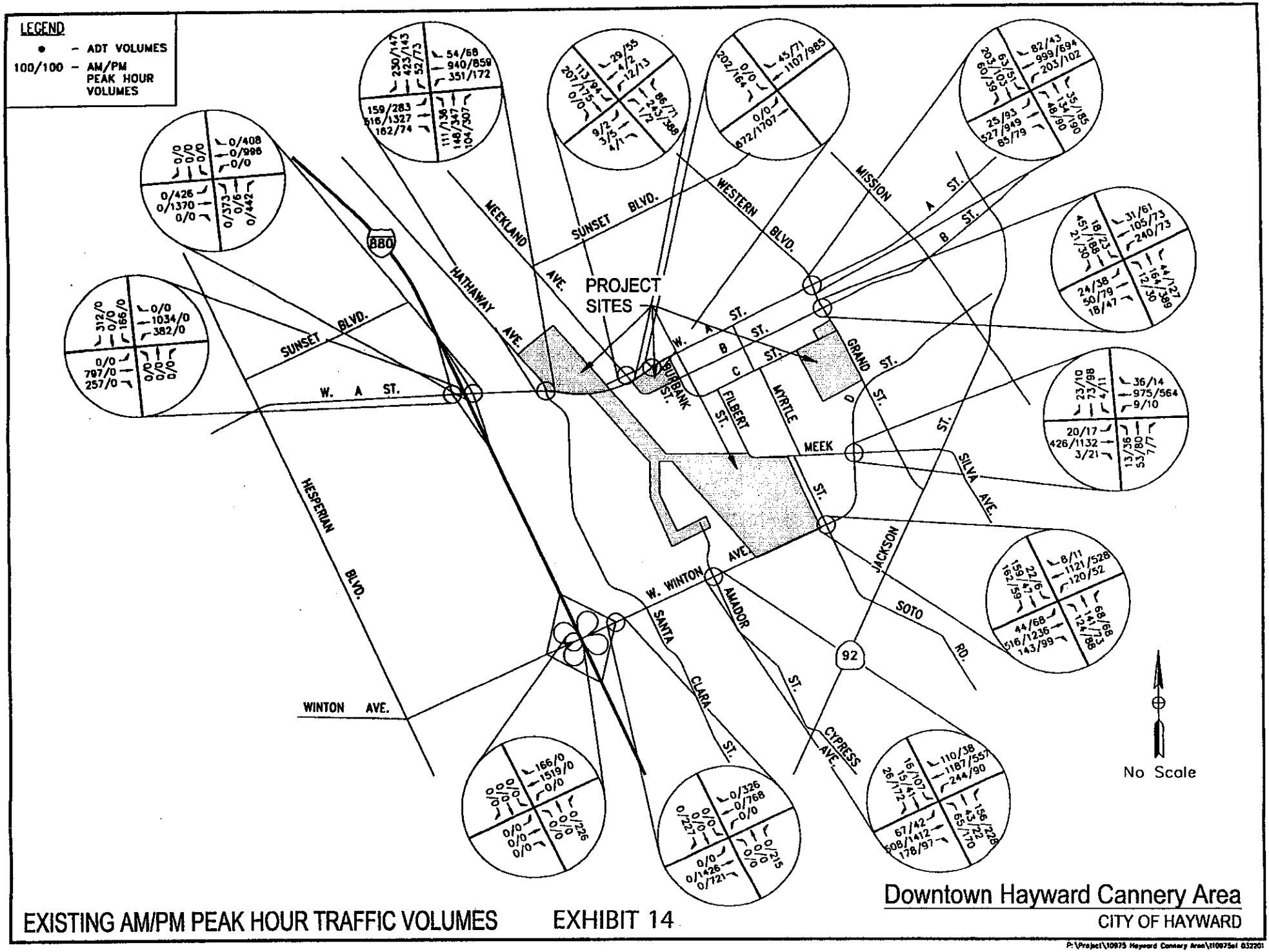
AC Transit provides bus service throughout Alameda County. Bus service is provided on major roadways within and adjacent to the project area. Major bus hubs exist at the Hayward BART station and the Amtrak station within the project area.

Vehicle parking and loading
Existing land uses and buildings within the Cannery area generally provide on-site parking and loading facilities. On-site parking appears most limited within Area 3, which contains a number of older light industrial and auto service uses on smaller lots. This has resulted in on-street parking on local streets.

STANDARDS OF SIGNIFICANCE

The City also considers a project impact to be significant if the addition of project-generated traffic causes one or more of the following:

- An increase in average vehicle delay of more than 5 (five) seconds at intersections projected to operate at or below the LOS E standard,
- A degradation of an intersection level of service from LOS D or better to E or worse,
- Generate traffic volumes that would cause traffic signal warrants to be met or exceeded at unsignalized intersections,
- Cause adverse effects on the operation of the transit, pedestrian, or bicycle circulation network, or,
- Cause a noticeable traffic safety or functional problem.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FILBERT ST.
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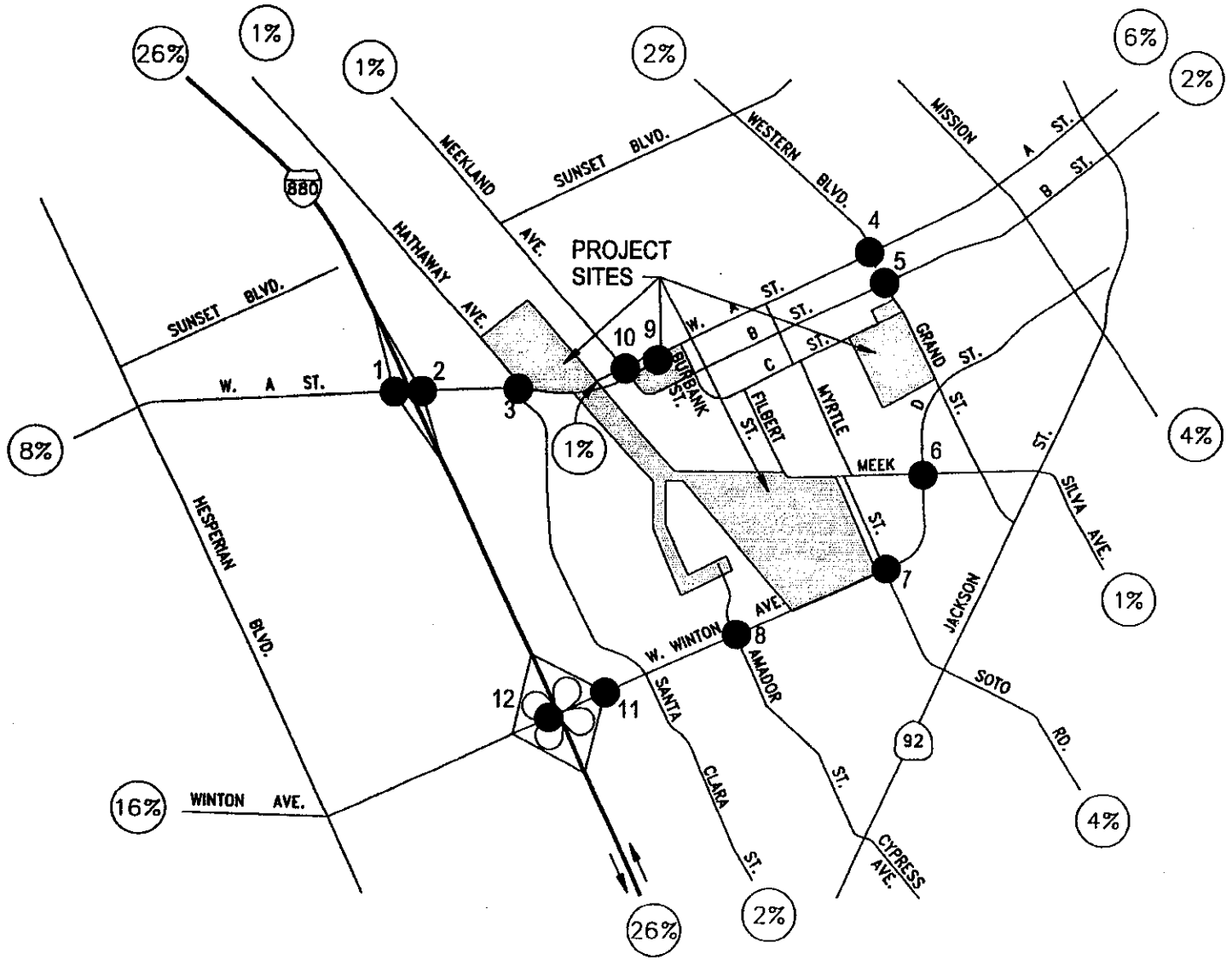
EXISTING AM/PM PEAK HOUR TRAFFIC VOLUMES
EXHIBIT 14
Downtown Hayward Cannery Area
CITY OF HAYWARD



VICINITY MAP AND TRIP DISTRIBUTION

EXHIBIT 15

Downtown Hayward Cannery Area
CITY OF HAYWARD

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ENVIRONMENTAL IMPACTS

Project trip generation
Trip generation was determined by identifying the type of land use proposed within the project area and the respective size of the land use. Then, by using the ITE Trip Generation Manual the total number of trips can be calculated. Trip assignment was deduced by examining the general directions of approach of the newly generated trips made to the proposed project and by examining the existing local traffic behavior. Then, through an iterative process, the trips are traced to or from the project access points on the adjacent roadway system.

The traffic analysis does not include Area 1 because no General Plan Amendment is being proposed in this area. Future traffic analyses will be required if and when other uses are proposed in this area. Within Areas 2 and 3, Cannery Area Design Plan project proposes approximately 267,000 square feet of general office and retail building floor area and approximately 962 new dwelling units. This proposed land use would replace the existing 1,300,000 ± square feet of light industrial and warehouse building floor area, of which, 986,000 square feet is occupied. The trip generation for the proposed Cannery Area Redevelopment Plan development was determined from trip generation equations and averages contained in the ITE Trip Generation Manual, 6th Edition. Specifically, the following land uses were used in determining the trip generation rates: Land Use 814 (Specialty Retail Center, Land Use 210 (Single-Family Detached Housing, Land Use 630 (Residential Condominium/Townhouse, Land Use 221 (Low-Rise Apartment, Land Use 411 (City Park), Land Use 110 (General Light Industrial), Land Use 710 (General Office Building), and Land Use 150 (Warehousing).

Table 10 illustrates trip generation for proposed and existing scenarios and the net generated trips for the change in development. A more detailed spreadsheet illustrating specific trip generation rates and totals is included in Appendix C of the full traffic report.

Table 10. Project Trip Generation Summary

Project Land Use	Trip Generation Volumes						
	AM Peak (vph)			PM Peak (vph)			ADT (vpd)
	In	Out	Total	In	Out	Total	
Office/retail/ Residential (proposed)	464	452	916	492	563	1055	9963
Light industrial/ Warehouse (existing)	560	124	684	244	457	701	4816
Total Net Trips	-96	328	232	248	106	354	5174

Note: vph = vehicles per hour, vpd = vehicles per day.

The trip distribution patterns for the project area were determined by analyzing the existing local traffic behavior and identifying the existing and future land use/zoning in the projects general vicinity.

Trip assignment
Proposed Design Plan related traffic was assigned to the adjacent roadway network, and total trip generation values summarized in Table 10. The project traffic was distributed and assigned throughout the study intersections.

Project related traffic impact
The average vehicle delays and the corresponding level of service results for the existing traffic conditions as well assuming full buildout of land uses envisioned in the proposed Design Plan at the twelve intersections analyzed are identified in Table 9. Level of service data sheets are included in the full traffic report.

Exhibit 16 shows estimated AM and PM peak hour traffic volumes with proposed project traffic volumes added to existing traffic volumes. Exhibit 17 shows peak tour project traffic volumes added to existing AM and PM peak hour traffic volumes.

Impact 4.11-1 (project related traffic). Approval and implementation of the proposed Design Plan would increase the total number of vehicular trips within the project area by 5174 trips. However, the number of peak hour trips at major project intersections would not exceed City of Hayward traffic operation standards and would therefore be less-than-significant *(less-than-significant impact and no mitigation is required).*

It is anticipated that future individual development applications within the Cannery Area would be subject to subsequent traffic analysis pursuant to CEQA and normal City of Hayward development review processes.

Truck traffic impacts
Although not specifically quantified in the traffic analysis for this project, the proposed change of land use would also generally eliminate the amount of truck traffic to and within the area. By their very nature, residential, public and semi-public uses generate significantly less truck traffic than existing light industrial and warehouse use currently developed within the project area.

Impact 4.11-2 (truck traffic). New land uses proposed within the Cannery Area would result in less truck traffic than existing warehouse and light industrial uses *(beneficial impact and no mitigation is required).*

Cumulative traffic impact
In order to estimate cumulative traffic conditions in the year 2010, future turning movement volumes at the study intersections and proposed deficiency plans adopted by the City of Hayward were evaluated. The analysis procedure was

similar to that used for the proposed project and consisted of traffic generation, traffic distribution, traffic assignment, and intersection LOS analysis. In consultation with the City staff, the future base turning movements at the intersections were calculated using projected ADT traffic volumes from the city's forecasted planning traffic model. Future plus project turning movements were determined by adding the project-generated traffic to the Year 2010 base turning movement volumes. Future lane configurations were obtained by examining the approved deficiency plans provided by the City. No lane configuration improvements are proposed for the study intersections.

Average vehicle delays and the corresponding level of service results for the future traffic conditions with existing intersection geometry/control at the twelve intersections analyzed are identified in Table 11. Level of service data sheets are included in Appendix E of the full traffic report. Exhibit 18 depicts future plus project AM and PM peak hour traffic volumes.

In response to Alameda County Congestion Management Agency requirements, the City of Hayward has performed transportation model runs for years 2005 and 2020 using the Alameda Countywide Traffic Model. Changes were made to the baseline land use data to provide more households in the area under study. The model results were used to analyze impacts on arterial roadways within the study area, in particular the Metropolitan Transportation System (MTS) routes identified in the Regional Transportation Plan (RTP).

The preliminary model results for 2005 and 2020 indicate a small incremental overall traffic increase in the study area. This is with the results of the intersection analysis. Overall, it is projected that the project would add a total of 354 PM peak hour trips over existing conditions. Therefore, the net project impact on the MTS routes in the area: A Street, Winton Avenue, Jackson Street (SR 92), Mission Boulevard (Route 185), Foothill Boulevard (Route 238) and I-880, can be expected to be minimal. Further reducing the impact is the transit-oriented development nature of the proposed project. The proposed Design Plan has been prepared to optimize use of the existing mass transit network, especially (Capitol Corridor) and BART. Neither the model runs nor the traffic study assumed any modal split i.e., a certain percentage of trips being diverted from single occupancy autos to transit. Hence, impacts may be smaller than projected by the model run or the traffic study.

It should be noted that this is a Program EIR. As specific development projects are proposed within the project area, each will be analyzed relative to specific impacts on the transportation network. As necessary, mitigation measures will be required. These measures could include such strategies as new traffic controls, improved signal timings, design improvements, etc. Large employers wishing to locate within the project area will be apprised of opportunities such as carpooling services from RIDES for Bay Area Commuters and the Alameda County Congestion Management Agency Guaranteed Ride Home Program. It is

anticipated that all mitigation measures will be self-funded by the respective developers. No State and/or Federal funding for measures directly related to project impacts are anticipated.

Table 11. Intersection Level of Service Calculations, Future Conditions

Intersection Location	Peak Hour Period	Existing		Existing Plus Project		Increase in Delay	Significant Project Impact
		Delay	LOS	Delay	LOS		
I-880 SB ramps and A Street	AM PM	13.9 n/a	B n/a	14.1 n/a	B n/a	0.3 n/a	No n/a
I-880 NB ramps and A Street	AM PM	n/a 18.0	n/a C	n/a 19.0	n/a C	n/a 1.0	n/a No
Hathaway Ave. and A Street	AM PM	19.9 24.0	C C	25.3 26.7	D D	5.4 2.7	No No
Grand Street and A Street	AM PM	12.8 11.7	B B	12.9 11.8	B B	0.1 0.1	No No
Grand Street and B Street	AM PM	11.0 11.4	B B	11.6 11.7	B B	0.6 0.3	No No
Meek Avenue and D Street	AM PM	4.6 5.2	A B	5.3 5.6	B B	0.7 0.4	No No
Myrtle/Soto and W. Winton Avenue	AM PM	15.5 9.8	C B	15.6 10.8	C B	0.1 1.0	No No
Amador Street and W. Winton Avenue	AM PM	8.7 13.4	B B	8.4 13.6	B B	0.3 0.2	No No
Conn. to Meekland and A Street*	AM PM	6.9 5.8	B B	7.8 8.6	B B	0.9 2.8	No No
I-880 NB ramps and W. Winton Avenue*	AM PM	n/a 19.8	n/a C	n/a 27.8	n/a D	n/a 8.0	n/a No
Meekland Ave. and Conn. to A Street	AM PM	7.7 7.7	B B	8.7 7.6	B B	1.0 -0.1	No No
I-880 SB ramps and W. Winton Avenue**	AM PM	27.7 n/a	B n/a	29.6 n/a	B n/a	1.9 n/a	No n/a

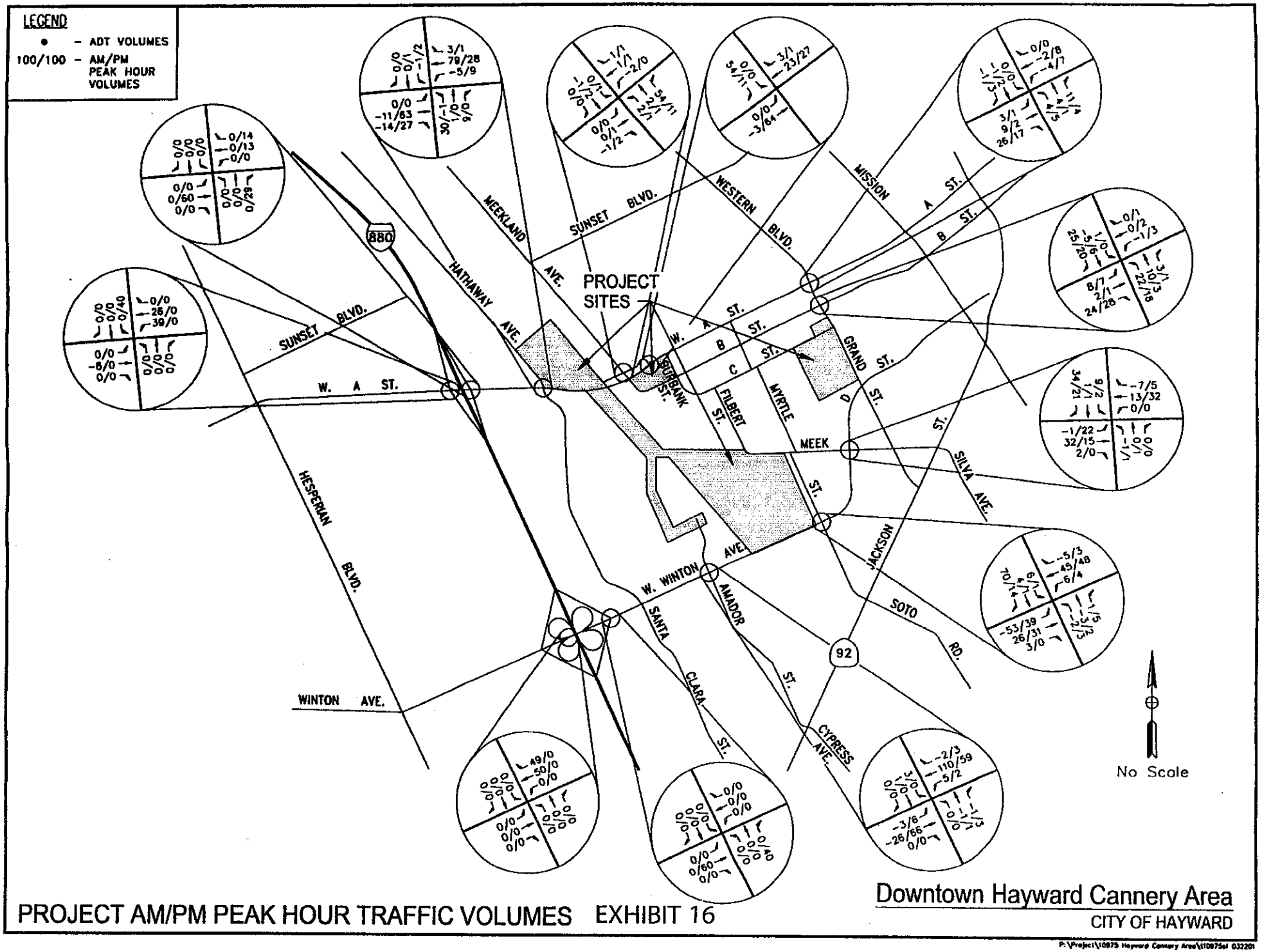
Notes:

* = LOS is a function of delay at worst case turning movement

** = LOS is a function of average density of all vehicles in weaving section (pc/mi/ln)

n/a = Peak hour period level of service was not analyzed, project impacts are uni-dimensional at these intersections

Intersection calculations assume existing geometrics and traffic controls.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PROJECT AM/PM PEAK HOUR TRAFFIC VOLUMES EXHIBIT 16
Downtown Hayward Cannery Area
CITY OF HAYWARD

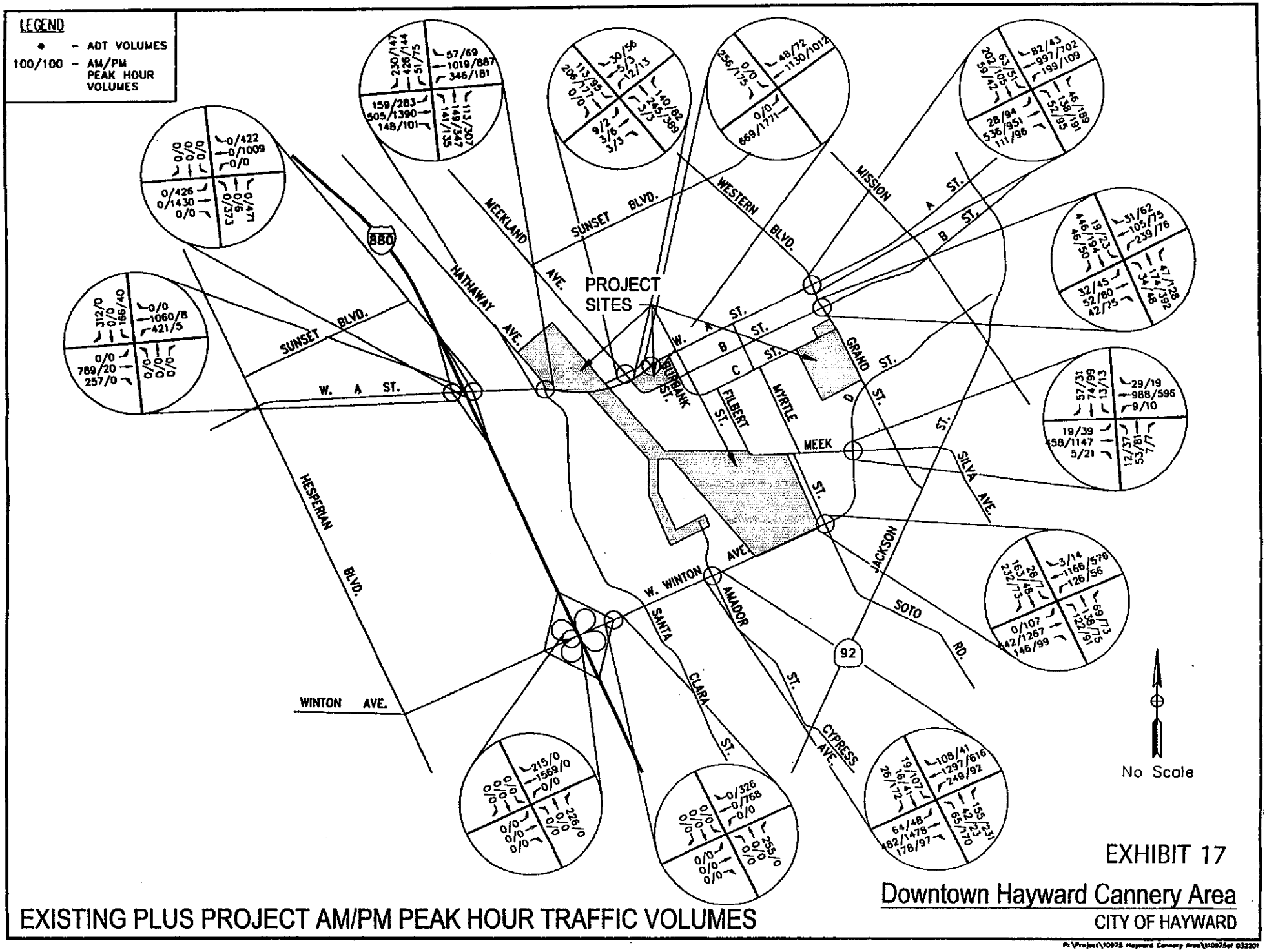
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EXHIBIT 17
Downtown Hayward Cannery Area
CITY OF HAYWARD
EXISTING PLUS PROJECT AM/PM PEAK HOUR TRAFFIC VOLUMES

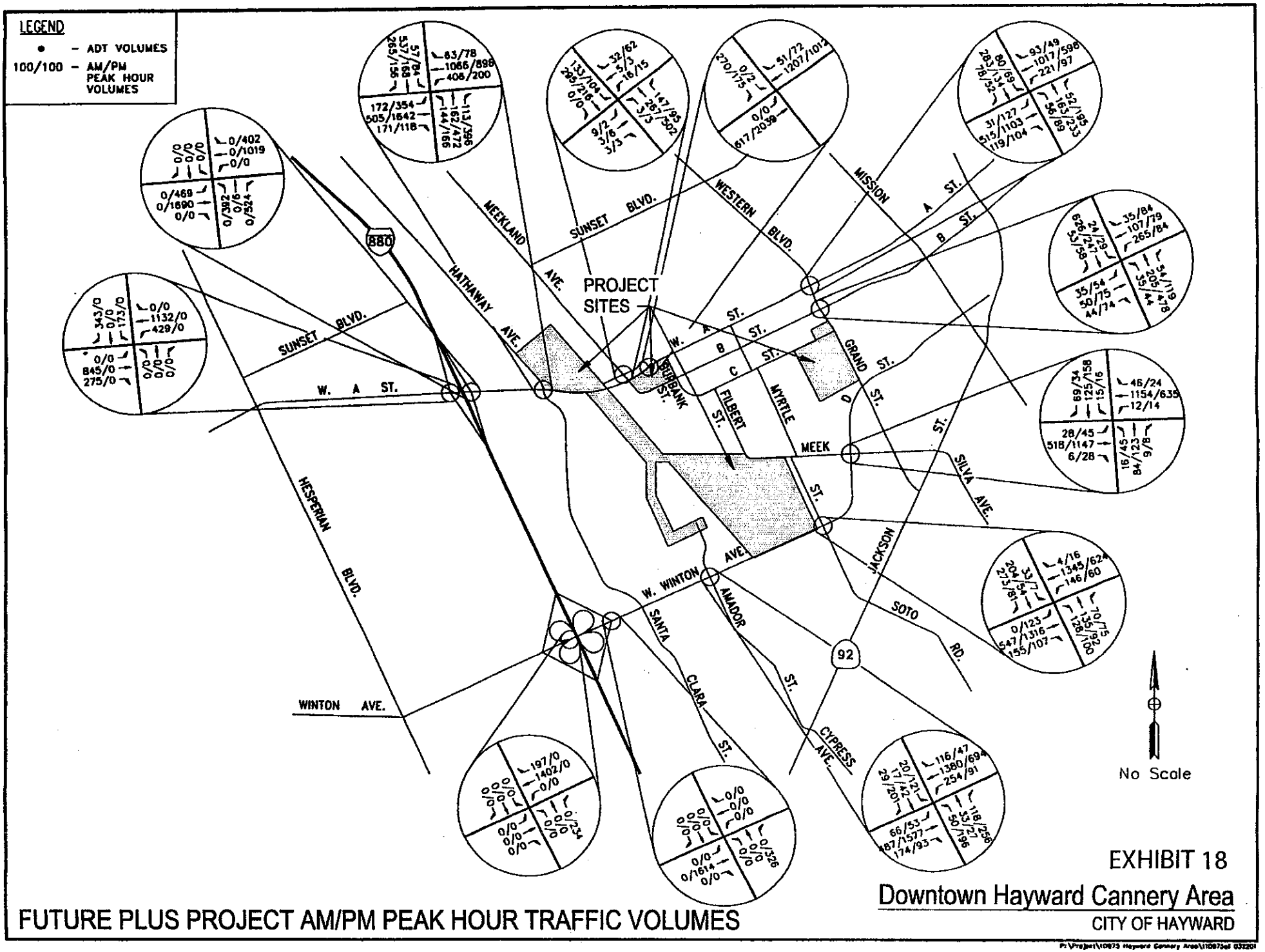

EXHIBIT 18

FUTURE PLUS PROJECT AM/PM PEAK HOUR TRAFFIC VOLUMES

Downtown Hayward Cannery Area

CITY OF HAYWARD

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Impact 4.11-3 (cumulative traffic). Approval and implementation of the proposed Design Plan would increase the estimated future vehicular trips in the year 2010 and beyond, however, less-than-significant impacts would result at study intersections during morning and evening peak hour periods ***(less-than-significant impact and no mitigation is required).***

Public transit impacts

Approval and implementation of the proposed Design Plan would facilitate construction of higher density residential development as well as office and retail uses near the existing Amtrak station and Downtown Hayward BART station. Under the proposed Design Plan, the existing Amtrak station would be enlarged with a permanent station and additional parking.

No changes are proposed to the BART station under the proposed Design Plan.

Based on providing higher density housing within walking distance to the existing Downtown Hayward BART station, increased use of the station is anticipated, although this impact would be incremental over time, as existing non-residential properties are gradually transformed into residential uses.

Impact 4.11-4 (public transit impacts). Approval and construction of the proposed Design Plan would result in an incremental increase in the use of public transit facilities near the project area, as existing warehouse and light industrial uses are transformed into higher density residential neighborhoods near local and regional transportation hubs. The increase in public transit ridership is consistent with the City's policy to encourage transit-oriented development. The increased ridership is expected to enhance the existing infrastructure and should provide the opportunity for AC Transit and BART to recover operating expense from the farebox. No need for additional transit service if foreseen ***(beneficial impact and no mitigation is required).***

Parking impacts

New residential and non-residential uses proposed for the Cannery Area under the proposed Design Plan would be required by both the provisions of the Design Plan and the Hayward Zoning Ordinance to provide on-site parking. The amount, location and design of on-site parking facilities will reviewed by the City of Hayward at the time individual development requests are submitted to the City.

Impact 4.11-5 (parking impacts). Construction of new residential uses that would be allowed under the proposed Design Plan would be required to provide on-site parking to meet standards established in the Hayward Zoning Ordinance and the proposed Design Plan to ensure that overflow parking would not impact adjacent uses and nearby streets***(less-than-significant impact and no mitigation is required).***

MITIGATION MEASURES

None required.

4.12 UTILITIES AND PUBLIC SERVICES

ENVIRONMENTAL ISSUES

This section of the EIR discusses provision of community services, including fire and police services and utility systems, including water, sewer, natural gas, electricity and telecommunication systems.

ENVIRONMENTAL SETTING

Fire Protection
Fire and emergency medical service to the City of Hayward, including the project area, is provided by the Hayward Fire Department. The Department employs a staff of 145 with 62 firefighters certified as paramedics. Nine operating stations are maintained by the Department, which house eleven fire companies. These consist of nine engine companies, which are first responders and provide fire suppression, and two truck companies that provide structural entry, ventilation, laddering and rescue operations as well as medical response.

Fire stations nearest the project area include Fire Station #1 (22270 Main Street) and Fire Station #2 (360 West Harder). The Department has adopted response time criteria for emergency calls for service, including a response of five minutes for arrival of the first engine company to a call, an arrival time of seven minutes for the first truck company and the arrival of the balance of Fire Department within ten minutes.

Other services provided by the Department includes inspection to ensure consistency with the Uniform Fire Code and hazardous materials management. The Hayward Fire Department participates in mutual aid agreements with surrounding jurisdictions.

Police Protection
The City of Hayward Police Department provides police protection within the community and project area. The Department also provides crime prevention, investigation services, traffic control and animal control services.

Services are provided out of a main headquarters facility at located at 300 Winton Avenue, immediately southwest of the project area, The Department maintains a full-time staffing ratio of 1.32 officer-to-1,000 population, with a current complement of 187 sworn officers out of a total staff of 309. The Department also maintains a variety of vehicles and support equipment. The Department goal for

response times for calls for service average 3 minutes for emergency calls and 10 minutes for non-emergency calls. Mutual aid pacts are also maintained with police departments of surrounding cities, the Alameda County Sheriff's Department and the California Highway Patrol.

Solid waste disposal
Waste Management, Inc. has a franchise with the City of Hayward to provide solid waste and recycling collection to both residences and businesses within Hayward. Solid waste is transported to the Altamont landfill site in eastern Alameda County on Greenville Road. Approvals were recently granted to expand the area and capacity of the landfill, and the landfill has an estimated remaining capacity of 25+years.

The City of Hayward is also mandated by state law (AB 939) to reduce the quantity of solid waste entering the landfill. The City is complying with this mandate, however, targeted reductions have been less than expected. Waste Management is currently undertaking activities to increase recycling efforts. The City of Hayward has adopted an ordinance to require submittal of plans for recycling of construction debris. This ordinance is intended to increase the amount of recycling and reduce the amount of municipal solid waste.

Water demand and supply
The City of Hayward provides water service to residential, commercial and industrial users within Hayward. The City owns and operates a water distribution system, including transmission lines, pump stations and water turnouts. Water is purchased on a wholesale basis from the San Francisco Water Department. Water is delivered to the City via two aqueducts that have a maximum capacity of 32 million gallons per day.

The City of Hayward has a contract with the San Francisco Water Department to allow purchase of unlimited water. As the amount purchased increases, the cost is adjusted upward to assist in limiting water demand. In 1997, the average daily demand was 18.4 million gallons.

According to City water officials, the present water distribution system provides sufficient water supply and pressure to serve existing needs with reserve capacity to accommodate peak demand, fire protection and other emergencies. Emergency water supply is available from Alameda County Water District and East Bay Municipal Utility District (EBMUD).

Exhibit 19 shows the existing water supply in the project area.

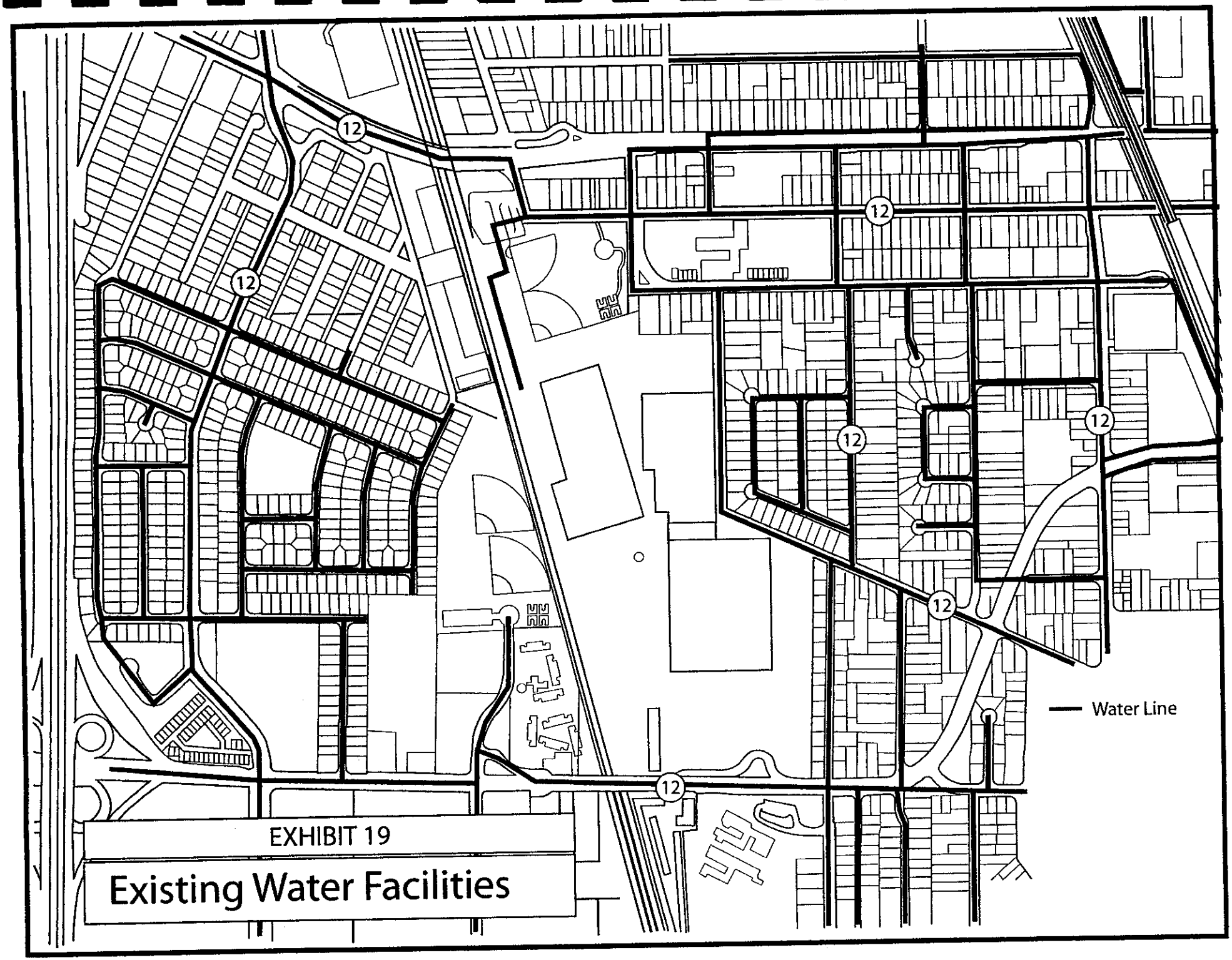


EXHIBIT 19

Existing Water Facilities

The City of Hayward is presently developing a recycled water program, however, based on a discussion with the City's Utility Department, the recycled water system is proposed to be constructed near the wastewater treatment plant, east of the I-80 freeway, and is not anticipated to be extended to the project area in the near future.

The City of Hayward has adopted a water efficient landscape ordinance that will assist in minimizing future water use for irrigation for new landscape associated with new development within the Cannery Area.

Wastewater collection, treatment and disposal
The City of Hayward is responsible for collection and treatment of wastewater within the community. The City maintains a number of underground sewer lines within and adjacent to the project area. These are depicted on Exhibit 20. Based on discussions with the City of Hayward Utilities Division, the size and capacity of sewer facilities within the project area is generally adequate to support the amount of residential and non-residential development envisioned in the Concept Plan, although the diameter of existing sewer pipes would need to be increased within two portions of the project area: Meek Avenue and Filbert Street between B Street and D Street, and along Meekland Avenue near West A Street.

Sewage is collected and transported via a number of major trunk sewers to the City's wastewater treatment plan located at the terminus of Enterprise Drive in western Hayward. The plant currently treats an estimated 13.3 million gallons (mgd) of sewage per day and has a capacity of 16.5 mgd.

Treated effluent from the plant is disposed of through East Bay Dischargers Authority facilities within San Francisco Bay.

Power
Electrical and natural gas power is provided to the City of Hayward and the region by Pacific Gas and Electric Company. Local electrical facilities include overhead transmission lines and underground natural gas pipes within local streets.

Most recently, the electric service providers in the State of California are experiencing problems receiving deliveries of wholesale electric power from outside sources. Beginning in early 2001, portions of California are experiencing rolling brownouts and blackouts during periods of peak power use. Power brownouts and blackouts are anticipated to continue at least through the summer of 2001 as additional power sources are sought. Increased efforts at energy conservation are being requested by power providers as well as local and state governments.

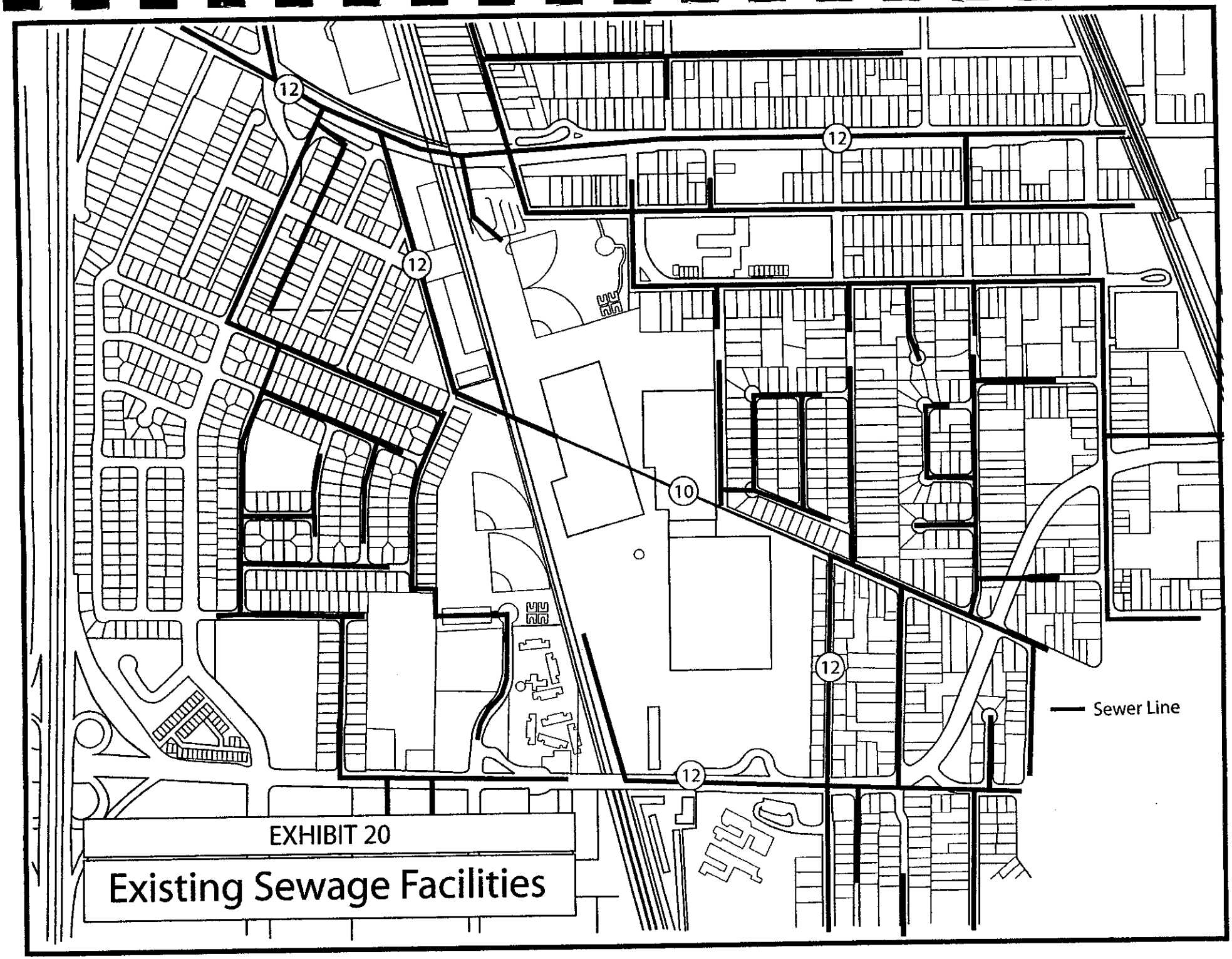


EXHIBIT 20

Existing Sewage Facilities

The future of non-interruptible deliveries of natural gas supplies is also questionable.

Telecommunications
Pacific Bell provides telephone and telecommunication facilities to the project area and surrounding communities

STANDARDS OF SIGNIFICANCE

The proposed project would be considered to result in a significant impact if there is a demonstrable need for:

- additional fire, police or emergency service personnel to serve the maximum amount of development envisioned in the Design Plan;
- new or enlarged facilities, including water supplies or facilities, wastewater collection, treatment or disposal facilities, solid waste capacity, telecommunications or energy supplies would be required to serve the amount of development envisioned in the proposed Design Plan

ENVIRONMENTAL IMPACTS

The following environmental impacts are anticipated should the project be approved.

Fire protection
Approval of the proposed Design Plan and construction of new residential and non-residential development anticipated in the Plan would increase the risk of fire to future residents and employees on the site by adding new dwelling units and commercial space within the project area. The number of calls for service for medical emergencies would also increase based on a higher resident population.

Individual subdivisions, residences and non-residential buildings proposed within the project area pursuant to the proposed Design Plan will be reviewed by the Hayward Fire Department for compliance with the Uniform Fire Code and normal City fire protection requirements as a normal procedure of development review. Conditions of project approval will typically be attached to specific development projects including but not limited to meeting minimum fire flow for the type of construction proposed, providing access to all structures, installation of fire hydrants, built-in fire protection systems such as fire sprinklers, meeting life safety and exiting requirements and other provisions.

In general, demolition of older light industrial and warehouse buildings and replacement with contemporary residential and non-residential structures would reduce the risk of fire danger, since all buildings constructed within the project area will be required to comply with Uniform Fire Code requirements.

Construction of new local streets within the project area would also assist access to the area by Fire Department personnel and equipment and would also facilitate evacuation of the area in the event of an emergency.

Impact 4.12-1 (fire protection) Approval and implementation of the proposed Design Plan would increase the number of calls for service for fire protection and emergency medical response. The risk of danger to people and property would also be increased through construction of new residences with an associated larger on-site resident population. However, compliance with current Fire and Building Codes for all new buildings would reduce this impact to a less-than-significant level ***(less-than-significant impact and no mitigation is required).***

Police protection

According to Police Department representatives, the amount of development proposed in the Design Plan would represent an incremental increase in calls for service to the Police Department. Residential development typically includes calls for service for burglary and theft, domestic disputes and auto theft. However, such increases would be incremental as the project area gradually transitions from a primarily industrial to a residential area. Increases in call for police services will be evaluated periodically as part of the City's normal budget cycle and Police Department resources supplemented with appropriate increases in future budget years.

Individual subdivisions, residences and non-residential buildings proposed to be constructed within the project area pursuant to the proposed Design Plan will be reviewed by the Hayward Police Department for compliance with the City's Security Ordinance and other standard safety and security requirements.

Impact 4.12-2 (police protection): Approval and implementation of the proposed Design Plan is expected to increase calls for police services, specifically regarding burglary, theft and neighborhood and domestic disturbances. Future staffing will be reviewed and supplemented, as appropriate, as part of the City's budgeting process (*less-than-significant and no mitigation is required).*

Solid waste disposal

Based on discussions with the City of Hayward Public Works Department, approval and implementation of the proposed Design Plan would increase the amount of short-term construction debris and the long-term quantity of solid waste from the site. However, since the project area is largely developed with light industrial, warehouse and similar uses, solid waste is already being generated from existing uses. Additional equipment and personnel may be needed to collect this increased amount of solid waste; however, increased fees and user charges would offset any increased capital and/or personnel costs. Adequate capacity exists within the local landfill to accommodate anticipated increases in the amount of solid waste.

When submitted, individual site plans and subdivisions would be reviewed by the City of Hayward Utilities staff to ensure that an appropriate number of solid waste and recycling facilities are provided and that solid waste collection trucks have adequate access to such facilities. The City of Hayward has adopted a construction debris recycling ordinance to further reduce the amount of material hauled to local landfills.

Future quantities of solid waste are also anticipated to be reduced from historic generation rates due to the implementation of AB 939, which mandates a reduction in municipal solid waste streams.

Impact 4.12-3 (solid waste disposal): Approval and implementation of the proposed Design Plan would increase the amount of solid waste entering the waste stream. Additional quantities of solid waste, including construction debris could be accommodated at the nearest landfill. Additional capital equipment and personnel would be funded from user fees and charges (*less-than-significant impacts and no mitigation is required).*

Water demand

Approval and implementation of the proposed Cannery Area Design Plan would increase demand for water for domestic and fire fighting purposes. Table 13 includes estimates for future water demand based on residential uses anticipated in the proposed Design Plan.

Table 12. Estimated Residential Water Demand

Residential Land Use Type	Low Range (D.U)	High Range (D.U.)	Use Factor	Estimated Water Demand
Single Family	64	85	300 gpd	Low-19,200 gpd High-25,500 gpd
Multi-Family	722	877	230 gpd	Low-166,060 gpd High-201,710 gpd
Total				Low-185,260 gpd High-227,210 gpd

(1) Water use factors expressed in gallons per day

(2) Use factors provided by City of Hayward Utilities Department

Based upon discussions with the Hayward Public Works Department staff, the City has adequate long-term water supplies to accommodate the proposed amount of residential envisioned in the plan.

Impact 4.12-4 (water demand): Approval and implementation of the proposed Design Plan would generate an incremental increase in water demand to

accommodate new residential land uses. Since the City of Hayward has long-term water agreements in place, increased water demand would be less-than-significant (*less-than-significant impact and no mitigation required).*

Based on discussions with City staff, the information presented above fulfills the responsibility of the City of Hayward under Government Code Section 65302.3 to use the local urban water management plan as a source document in amending the General Plan.

Wastewater generation and treatment
Wastewater generation would be increased should the proposed Cannery Area Design Plan be approved and implemented, primarily due to an increase in domestic water use. According to City of Hayward Public Works Department officials, future development of residential and non-residential buildings could be accommodated within the existing and planned collection and treatment system.

Impact 4.12-5 (wastewater generation and treatment): Approval and implementation of the proposed Design Plan would generate increased wastewater flows through City facilities. According to City Public Works Department staff, existing and planned wastewater collection and treatment facilities can accommodate the buildout of the project (*less-than-significant impact and no mitigation required).*

Impact 4.12-6 (wastewater disposal): Approval and implementation of the proposed project would generate an increase in the amount of treated effluent leaving the City's wastewater treatment plant. Based on discussions with City staff, the local wastewater disposal system is anticipated to be adequate to accommodate full buildout of new residential and non-residential uses envisioned in the Design Plan. Disposal of increased quantities of treated wastewater would be less-than-significant (*less-than-significant impact and no mitigation required).*

Power
According to utility service planners for Pacific Gas & Electric Company, adequate capacity is available in existing and planned facilities to accommodate increases in electrical and natural gas required for the construction and operation of new residential and non-residential uses planned for the Cannery Area. As is true of the entire PG&E service area existing and future customers will likely be subject to power brown outs and rolling blackouts until long-term sources of electrical and natural gas energy are secured by PG&E.

Impact 4.12-7 (electrical and natural gas systems): Approval and implementation of the proposed Design Plan would result in incremental increases in the demand for electrical power and natural gas; however, the primary power provider has indicated that urban uses have occupied the site for a number of

years and capacity exists to serve planned uses. Existing and future uses on the site may be subject to periodic rolling blackouts and brownouts until a reliable, long-term energy supply can be secured (*less-than-significant impact and no mitigation required).*

Telecommunication
Based on discussions with Pacific Bell planning engineers, there are no specific plans for extensions of telecommunication service to the project area unless such requests are made by property owners or project developers. Approval and construction of land uses envisioned in the proposed Cannery Area Design Plan would likely increase the demand for telecommunication facilities in this portion of Hayward, however, existing facilities can be extended to serve anticipated service demand increases. These are likely to occur on a project-by-project basis, as individual development projects may be submitted to the City of Hayward for approval. No additional staffing would be required by Pacific Bell.

Impact 4.12-8 (telecommunication facilities): Approval and implementation of the proposed Design Plan would increase the demand for telecommunication facilities within the project area. However, existing facilities can be extended to serve the site with no increases anticipated in staffing so the impact to telecommunication services would be less-than-significant (*less-than-significant impact and no mitigation required).*

MITIGATION MEASURES

None required.

4.13 PARKS AND SCHOOLS

ENVIRONMENTAL ISSUES

This section of the EIR discusses potential impacts to parks and school facilities.

ENVIRONMENTAL SETTING

Parks
The Hayward Area Recreation and Park District (HARD) provides local and community park and recreational facilities for use and enjoyment by local residents. HARD is an autonomous special district. Its boundaries include lands within the City of Hayward as well as unincorporated areas north of the City, the Cherryland and Ashland areas, San Lorenzo and Castro Valley.

Recreational facilities within the project area include:

- *Cannery Park*: This is an 8-acre neighborhood park located on the south side of B Street at the intersection of B Street and Meekland Avenue within Area 2. Cannery Park contains baseball fields, soccer fields, play areas, bar-b-que areas, restrooms and a parking lot.

- *Centennial Park*: Centennial Park is located north of the terminus of Amador Street and west of the Union Pacific railroad tracks within Area 2. Containing 10.7 acres of land, this park contains lighted ball fields, a soccer field, play area, a concession stand, picnic areas, restrooms and a parking area.

HARD organizes and implements a wide range of year-around recreational programs for local residents of all ages. Programs and activities are made available at various locations of the city but primarily at local parks and playgrounds.

Hayward currently requires subdividers to dedicate land to construct new parks or pay in-lieu fees to the City at the time of issuance of a Certificate of Occupancy, for the acquisition and development of parks within the City. The basis for the fee is 5 acres of parkland per 1,000 population. Maintenance of parkland is the responsibility of HARD, funded by property taxes.

District-wide park goals have been established by HARD. These include 1.5 acres of local parks per 1,000 residents, 6 acres of community level parks per 1,000 residents and 2.5 acres of "other" park and recreational facilities per 1,000 population, which includes community centers. Park goals also call for 3 acres of regional parkland per 1,000 residents, although the provision and maintenance of regional park facilities is a responsibility shared with the East Bay Regional Parks District, a separate agency.

Schools

The Hayward Unified School District (HUSD) provides K through 12 educational services to the City of Hayward and the project area. Schools nearest the project site include:

- Elementary (grades K-6): Burbank School, located at 353 B Street. This school has a capacity of 825 students and a current enrollment of 710. Maximum facility capacity has been achieved through use of portable classrooms on the campus.

- Middle School (grades 7-8): Winton Middle School provides service to the site. The school is located at 110 Winton Avenue and has a capacity of 725 students. The current enrollment is 715.

- High School (9-12): Hayward High School serves a portion of the City of Hayward. Located 1633 East Avenue, Hayward High has a capacity of 2,025 students and a current enrollment of 1,956.

- Park Elementary School is a year-round campus that serves the area west of the Union Pacific railroad tracks.

In 1999, the District adopted a Facilities Study which contains overall populations within the District boundaries, enrollment projections, and estimated need for new facilities to accommodate growth.

STANDARDS OF SIGNIFICANCE

The proposed project would be considered to result in a significant impact if there is a demonstrable increase in the use of a local or community park, playground or recreational facility, or the need for increased educational facilities to serve the proposed project.

ENVIRONMENTAL IMPACTS

Parks

Approval and implementation of the proposed Cannery Area Design Plan would increase the demand for local and community parks and recreational facilities within the project area due to an increase in the number of permanent residents within the area. At the same time, the proposed Plan includes additional park and open space features and would also expand accessibility to existing park and open space resources. These features would include:

- Cannery Park would be expanded to the west and south. It would be enlarged in conjunction with the relocation and reconstruction of Burbank School and the total land area available for joint use would be 17 acres.

- Centennial Park would be retained as a neighborhood park under the provisions of the Design Plan. Access to the park is proposed to be enhanced by the addition of a new roadway along the westerly edge of the park and by the construction of a pedestrian bridge over existing Union Pacific railroad tracks to the east. Construction of the bridge would allow improved access by the residential area lying east of the tracks. The Design Plan also envisions development of a row of single family detached dwellings along the west side of the park to provide for enhanced visibility of the park. Implementation of this aspect would reduce the size of Centennial Park by 4.7 acres of land. It is noted that HARD does not plan to implement this aspect of the Design Plan absent community support, thus, there may be no loss of parkland.

- Water Tower Square would be constructed southwest of the intersection of Meek Avenue and Filbert Street as the focal point of Area 2. The Square would contain 2.4 acres of land with the main feature being an historic water tower built originally for cannery operations in the area. Water Tower Square is viewed as a focal point for local residents and would be connected to other local parks and surrounding areas via narrow "panhandle" parkways radiating from the Square.

- Myrtle Street Green is proposed as a 0.7-acre open space area on the west side of Myrtle Street at the southerly edge of Area 2. This area would provide a passive open space area and visual entry feature into the Cannery Area from the south.

Achievement of the anticipated joint use of school and park facilities will require the finalization of joint use agreements between the affected agencies.

Table 14, below, compares the amount of existing park acreages, the amount of parkland proposed to be provided under an approved Design Plan and the amount of parkland that would be provided without the conversion of existing parkland to housing on the west side of Centennial Park.

Table 13. Park Standards and Parkland Needs

Open Space and/or Public Facilities	Existing Acreage	Proposed Acreage	w/o Housing at Centennial Park
Cannery Park	6.8	14.9	14.9
Burbank School	6.9		
Community Center		2.0	2.0
Subtotal	*13.7*	*16.9*	*16.9*
Centennial Park	12.0	7.3	12.0
Myrtle Green		.7	.7
Water Tower Square		2.2	2.2
Panhandles		2.4	2.4
Subtotal	*12.0*	*12.6*	*17.3*
Total	**25.7**	**29.5**	**34.2**
Increase in Acreage		+3.8	+8.5

Source: Hayward Planning Department

Assuming the standard parkland dedication requirement of 5 acres per 1,000 population, and an average household size of 3.0 persons, implementation of the Design Plan would generate a need for an additional 14.4 acres with the maximum development scenario (962 dwelling units and 2,886 population) and

an additional 11.8 acres with the minimum development scenario (786 dwelling units and 2,358 population).

Impact 4.13-1 (parks and recreation facilities) Approval and implementation of the proposed Design Plan would increase the demand for local and community park and recreation facilities within the Cannery Area. New and upgraded park and community facilities are included within the Design Plan as well as enhanced access to existing facilities and a new community center. With joint use agreements, additional parkland can be provided. However, the increased parkland acreage would still not be sufficient to meet existing standards. In addition, methods must be identified to fund the proposed parks and related facilities *(potentially significant impact and mitigation is required).*

Schools
Standard student generation rates have been prepared by the Hayward Unified School District as published in the 1999 Facilities Study. Table 15 identifies the number of students to be generated at the proposed low and high range buildout of the residential development portion of the proposed Design Plan.

Table 14. Anticipated Student Generation

Grade Level	No. of Units (Low Range)	No. of Units (High Range)	Rate	No. of Students
K-6	64 (single family)	85 (single family)	0.40	26-34
	722 (multi-family)	877 (multi-family)	0.19	137-167
7-8	64 (single family)	85 (single family)	0.09	6-8
	722 (multi-family)	877 (multi-family)	0.08	58-70
9-12	64 (single family)	85 (single family)	0.21	13-18
	722 (multi-family)	877 (multi-family)	0.07	51-61
Total	**786 units**	**962 units**		**K-6: 163-201 7-8: 64-78 9-12: 64-79**

Notes:
(1) Student Generation Rates from Hayward Unified School District 1999 Facilities Plan
(2) Dwelling Unit counts include live-work units as multi-family.

According to representatives of the Hayward Unified School District, this number of additional students would result in an incremental but potentially significant impact to local public schools within the service area of the proposed project.

Impact 4.13-2 (schools): **Implementation of the proposed Design Plan project would generate an estimated range of 163-201 elementary school students, 64-78 middle school students and 64-79 high school students at project buildout. The Design Plan calls for the expansion of the Burbank School site and construction of a new elementary school to accommodate the projected enrollment. However, methods must be identified to fund the proposed acquisition and construction** (*potentially significant impact and mitigation is required*).

The Cannery Area Design Plan does include the relocation and reconstruction of Burbank School within the project area. Burbank School would be relocated south of the current school site to a 15-acre site, where school playground space would be shared with Cannery Park. The school is envisioned as including 60,000 square feet in a two-story configuration. Funds to construct the new Burbank School would be provided by the Hayward Unified School District, partially or fully financed by school impact fees levied on new development within the District.

MITIGATION MEASURES

Mitigation Measure 4.13-1 (parks and recreation facilities) **Developers of future residential projects shall pay required park in-lieu fees or contribute in other ways, as deemed acceptable by HARD and the City, to the construction of related facilities, such as the proposed community center or pedestrian overcrossing of the UPRR tracks near Centennial Park.**

Mitigation Measure 4.13.2 (schools): **Prior to approvals of land use entitlements for individual development projects within the Cannery Area by the City of Hayward, including but not limited to tentative subdivisions, site plans and other approvals, the project proponent shall pay school mitigation fees to the City in effect at the time building permits are granted or provide other mitigation as found acceptable by the school district** (*less-than-significant after mitigation*).

SIGNIFICANCE AFTER MITGATION

No significant impacts would remain after the implementation of the recommended mitigation measures.

5.0 Alternatives to the Proposed Project

The California Environmental Quality Act requires identification and comparative analysis of feasible alternatives to the proposed project which have the potential of achieving project objectives, but would avoid or substantially lessen any significant impacts of the project

The following discussion considers alternative development scenarios. Through comparison of these alternatives to the preferred project, the advantages of each can be weighed and considered by the public and by decision-makers. CEQA Guidelines require a range of alternatives "governed by the rule of reason" and require the EIR to set forth a range of alternatives necessary to permit a reasoned choice.

Alternatives selected for analysis in this document include:

- Alternative 1: "No Project" (required by CEQA to be considered).
- Alternative 2: Housing/Commercial Office Development
- Alternative 3: Medium/High Density Residential Alternative..
- Alternative 4: Combined Alternative 2 and 3 Design Plan.

Alternatives are described and evaluated below.

Off-site alternatives were initially considered but rejected since the intent of the project is to redevelop and revitalize the Cannery Area portion of Hayward. No other similar-size potential redevelopment area exists within the City of Hayward that would satisfy the objectives of the Cannery Area Design Plan as identified in this EIR.

5.1 No Project

CEQA requires an analysis of a "no project" alternative. Under this alternative, it is assumed that existing buildings and land uses would remain in their respective current conditions and no development of any kind would occur. Land use and development would continue to be regulated by the existing General Policies Plan, Land Use Map, various neighborhood plans and the Hayward Zoning Ordinance.

This alternative would avoid the range of environmental impacts described in this document, including:

- *Aesthetics and Light and Glare:* There would be no aesthetic change to the project area. Existing warehouse, light industrial service commercial and other uses and buildings would remain as they presently exist. The few vacant lots within the project area would continue to remain vacant. Existing levels of light and glare would remain as would current

conditions of outdoor storage, overhead utility lines and general conditions of blight.

- *Air Quality*: Existing source of air emissions would remain. There would be no short-term air quality impacts associated with demolition of existing improvements and construction of new buildings and other public improvements envisioned in the Design Plan. Long-term emissions would be significantly less than under the proposed development program since fewer vehicles would be attracted to the site.
- *Biological Resources*: There would be no impacts to existing on-site biological resources.
- *Cultural Resources*: There would be no impacts to cultural resources since major construction and disruption of the soil would not occur.
- *Geology and Soils:* No excavation, grading or related impacts would occur so that erosion impacts would not occur. Existing building improvements, employees and visitors would be exposed to the potential for seismic hazards without benefit of meeting current seismic building safety standards.
- *Water and Hydrology*: Existing hydrologic and drainage patterns would remain unchanged.
- *Hazards*: Existing sources of soil and groundwater contamination would remain within the project area. Since no change to existing land uses would be encouraged, remediation of contaminated conditions would likely occur at slow pace.
- *Land Use:* Land use within the project area would remain as presently constituted, including the existing warehouse, light industrial, service commercial, older residential and public and semi-public uses. The project area would not generate new housing opportunities within the community nor would the community benefit from new public buildings and open spaces.
- *Noise*: Existing major noise generators on and near the area would remain, including vehicular-generated noise from major roadways, the 880 freeway, railroad and BART operations. Noise from light industrial and service commercial uses within the project area would continue to be generated.
- *Population and Housing*: There would be no significant increase in on-site population or employment under the current General Plan and zoning designations. Anticipated housing units within Hayward would need to be located elsewhere in the region.
- *Transportation, parking and circulation:* Existing traffic generation and street patterns would continue as currently found. Existing impacts from heavy truck use on nearby neighborhoods and "cut through" traffic would remain.
- *Utilities and Public Services*: No new or increased demand would be created for new and/or upgraded utilities and community services, since

the existing level of development would remain. Therefore, there would be no need to extend police, fire, water, sewer, telecommunication and power facilities to the area to support new development. Impacts to Hayward Unified School District facilities would be minimal, since no new residential development would occur.

- *Recreation:* There would be no increased use or demand for local or regional recreational facilities since the population of the area would not increase.

5.2 Alternative 2: Housing and Commercial Office

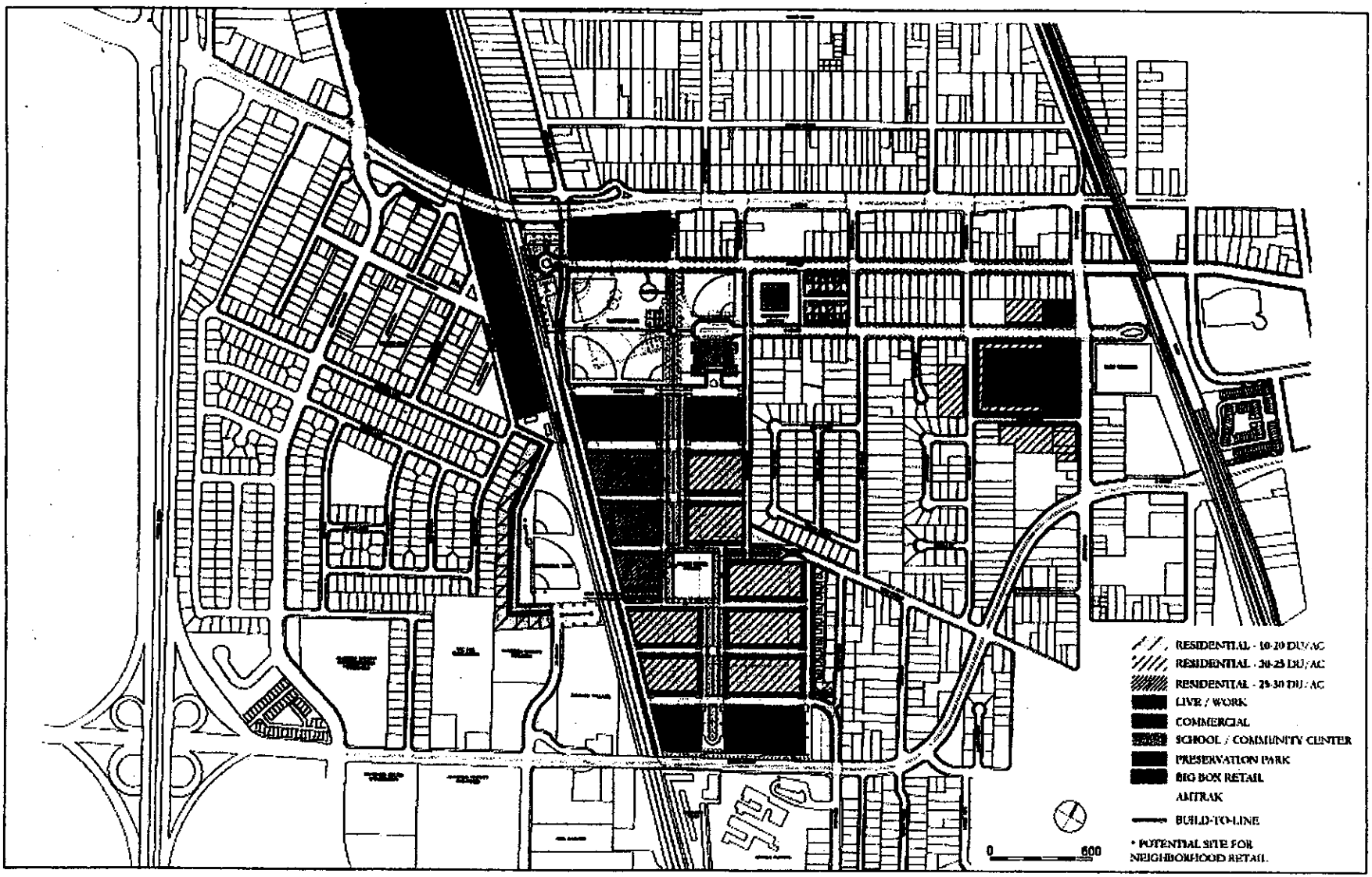
The second alternative assumes that the Design Plan would be approved for the project area with certain changes from the preferred Design Plan. Major changes in Alternative 2 would be:

- *Land Use Totals:* Proposed dwelling units within Area 2 would range from 599-726 dwellings, rather than the range of 689-860 proposed in the preferred Design Plan for Area 2. The square footage of office space would increase from 67,000 square feet in the preferred Design Plan to 131,000 square feet in this alternative. Table 16 compares residential dwellings proposed in the preferred Design Plan and each of the Alternatives.
- *Land Use Changes:* Land use changes would occur o the north side of Winton Avenue. Block 15 would be changed from "Townhomes" (in the preferred Design Plan) to "Office" in Alternative 2. Similarly, Block 16 would be changed from "Townhomes/Retail" in the preferred Plan to "Offices."

The location and intensity of all other land uses proposed in Alternative 2 would not be changed from the preferred Design Plan. This would include the location and size of parks, Burbank School and the proposed community Center. The same road network is proposed in both the preferred Design Plan and Alternative 2. No changes to land uses are proposed for Area 1 or 3 under this Alternative. Exhibit 21 depicts land uses proposed in Alternative 2.

Similar to the No Project alternative (Alternative 1), existing uses and buildings could continue to exist within the project area. Uses and buildings that would be different than called for in the Design Plan or the Hayward Zoning Ordinance could continue to operate as non-conforming uses and structures, however, they would be precluded from expanding and could not re-open if voluntarily closed for a period of 180 continuous days.

Anticipated impacts associated with this alternative would include:



Alternative 2 Land Use Plan

EXHIBIT 21

- *Aesthetics and Light and Glare:* Anticipated aesthetic impacts related to the implementation of Alternative 2 would be generally similar to the preferred Plan. Under both development scenarios, existing older warehouse, light industrial and similar uses would be replaced with new residential uses. Existing blight conditions would eventually be removed under both scenarios or brought up to City standard. Light and glare impacts would be generally be the same, however Alternative 2 would have the potential for greater light and glare emission since office development would be located adjacent to Winton Avenue.
- *Air Quality*: Alternative 2 would generate approximately the same air quality impacts as the preferred Plan: short-term demolition and construction-related impacts, long-term local impacts and cumulative regional impacts. All air quality impacts could be mitigated to less-than-significant levels.
- *Biological Resources*: The same type and level of impacts would be created as the preferred project since approximately the same type, intensity and location of development would occur within the project area.
- *Cultural Resources*: The same type and level of impacts would be created as the preferred Plan, since essentially the same type, intensity and location of development would occur within the project area.
- *Geology and Soils:* Approximately the same amount of excavation, grading and earth moving would occur as anticipated for the preferred project since the same amount of development would occur. The same potential would exist for soil erosion from wind and water. Approximately the same value of building improvements and the same number of employees and visitors would be subject to potential of seismic hazards.
- *Water and Hydrology*: The same general drainage and surface water quality impacts would occur under Alternative 2 as would occur with the preferred Plan since approximately the same location, type and intensity of development would occur.
- *Hazards*: Approximately the same type and level of impact would result as with the preferred Plan, since all of the project area would be disturbed for public and private development projects.
- *Land Use:* Land use impacts on the project site and surrounding areas would be essentially the same as the preferred Plan, since approximately the same amount of residential, office, commercial square footage would be constructed as would the same amount of open spaces and public and semi-public uses.
- *Noise*: Somewhat less noise impacts would result with Alternative2, since a smaller population would reside on the site to be impacted with short- and long-term noise. The amount of increased noise impact is not anticipated to be significant however.

- *Population and Housing*: A smaller population would result under Alternative 2, since fewer dwelling units would ultimately be constructed. However, fewer affordable dwelling units (very low, low and moderate household income units) would be credited toward the City's and Agency's fair share housing allocation requirements.
- *Transportation and Circulation:* Traffic impacts on local intersections, especially along Winton Avenue, would be slightly greater under Alternative 2 due to the higher A.M. and P.M. peak hour traffic generation associated with office development as opposed to residential development. The amount of increase is not anticipated to be significant.
- *Utilities and Public Services*: The same impacts to water, sewer, police, fire and similar utility and service providers would likely occur as a result of Alternative 2 as under the preferred Plan, since approximately the same amount of development would occur. Fewer school-aged children would be generated by ultimate residential development. Based on standard student generation rates, Alternative 2 would generate between 420 and 507 K-12 students at full build out of residential development.
- *Recreation:* There would be an incrementally decreased demand for local and regional recreational facilities as the preferred Plan, since fewer dwellings would eventually be constructed.

This alternative would generally meet the project objective of redeveloping the older Cannery Area with modern residential dwellings in a compact, neighborhood form. However, the number of residential dwellings would be approximately 90-134 less than the preferred Plan and would not be as beneficial in terms of meeting regional housing allocation targets for Hayward. All other impacts, with the exception of a lower impact on educational facilities, would be approximately the same as under the preferred Plan.

5.3 Alternative 3: Medium/High Density Residential Development

Alternative 3 assumes an approved Cannery Area Design Plan with changes to decrease the amount of residential development in the project area. Major changes in Alternative 3 would be:

- *Land Use Totals:* Proposed dwelling units within Area 2 would range from 612-813 dwellings, rather than the range of 689-860 dwellings proposed in the preferred Design Plan for Area 2. The amount of non-residential development would be the same as the preferred Design Plan.
- *Land Use Changes:* Land use changes would occur in the southerly portion of Area 2: This Alternative would merge Blocks 11 and 13 and Blocks 12 and 14 as shown in the preferred Plan. Residential density would be reduced to 10-20 dwelling units per acre.

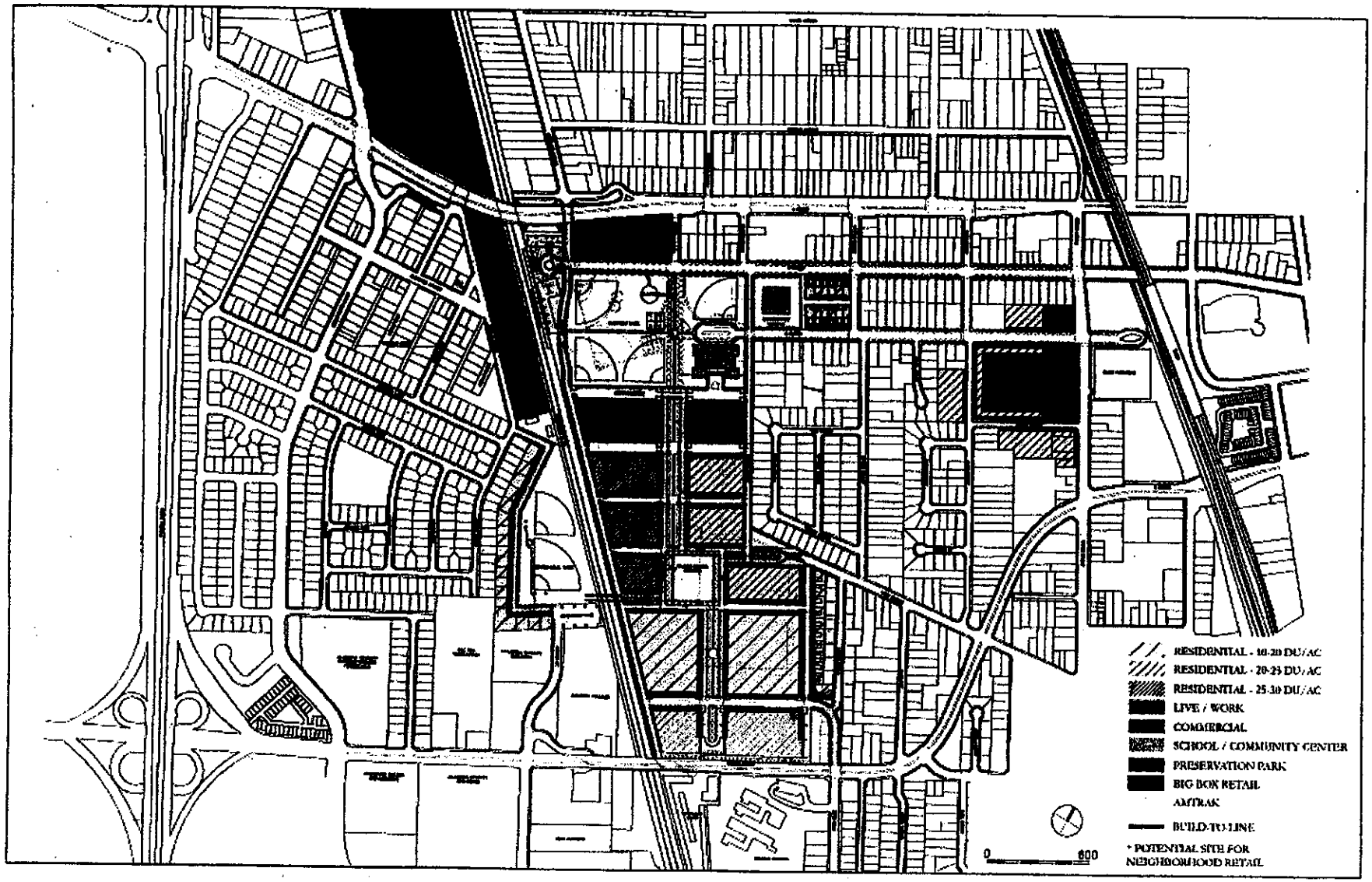
The location and intensity of all other land uses proposed in Alternative 3 would not be changed from the preferred Design Plan. This would include the

location and size of parks, Burbank School and the proposed community Center. The same road network is proposed in both the preferred Design Plan and Alternative 3. No changes to land uses are proposed for Area 1 or 3 under this Alternative. Exhibit 22 shows the location of land uses proposed in this alternative.

Similar to preceding two alternatives, existing uses and buildings could continue to exist within the project area. Uses and buildings that would be different than called for in the Design Plan or the Hayward Zoning Ordinance could continue to operate as non-conforming uses and structures, however, they would be precluded from expanding and could not re-open if voluntarily closed for a period of 180 continuous days.

Anticipated impacts associated with this alternative would include:

- *Aesthetics and Light and Glare:* Aesthetic impacts related to the implementation of Alternative 3 would be generally similar to Alternative 2 and the preferred Plan. Under all development scenarios, existing older warehouse, light industrial and similar uses would be replaced with new residential and similar uses. Existing blight conditions would eventually be removed. Light and glare impacts would be generally be the same, however Alternative 3 would have the potential for incrementally less light and glare emission since residential and light retail uses would be located adjacent to Winton Avenue. Residential uses generally require fewer and less intense security lighting due to an on-site resident population.
- *Air Quality*: Alternative 3 would generate the same air quality impacts as the preferred Plan and Alternative 2: short-term demolition and construction-related impacts, long-term local impacts and cumulative regional impacts. All air quality impacts could be mitigated to less-than-significant levels.
- *Biological Resources*: Approximately the same type and level of impacts would be created as the preferred project and Alternative 2, since the same type, intensity and location of development would occur.
- *Cultural Resources*: Essentially the same type and level of impacts would be created as the preferred project and Alternative 2, since the approximate same type, location and intensity of development would occur within the project area.



Alternative 3 Land Use Plan

EXHIBIT 22

- *Geology and Soils:* Approximately the same amount of excavation, grading and earth moving would occur as anticipated for the preferred project and Alternative 2, since the same type, location and amount of development would occur. The same general potential would exist for soil erosion from wind and water. Approximately the same value of building improvements and the same number of employees and visitors would be subject to potential of seismic hazards.
- *Water and Hydrology*: Approximately the same drainage and surface water quality impacts would occur under Alternative 3 as would occur with the preferred Plan and Alternative 2 since the same general type and level of development would occur.
- *Hazards*: The same type and level of impact would result as with the preferred Design Plan and Alternative 2, since all of the project area would be disturbed for development.
- *Land Use:* Land use impacts on the project site and surrounding areas would be essentially the same as the preferred Design Plan and Alternative 2, since approximately the same amount, type and intensity of residential, office, commercial square footage would be constructed as would open spaces and public and semi-public uses.
- *Noise*: An incrementally smaller noise impact would occur under Alternative 3 than the preferred Plan or Alternative 2, since there would ultimately be fewer on-site residents to be impacted with noise
- *Population and Housing*: A smaller population would result under Alternative 3 than the preferred Plan, since fewer dwelling units would ultimately be constructed. The City would therefore have less of an opportunity to achieve regional housing allocation targets. A somewhat larger ultimate population would result with Alternative 3 than Alternative 2, since more residences would eventually be constructed with redevelopment of the area.
- *Transportation and Circulation:* Traffic impacts on nearby streets would be approximately the same as associated with the preferred Plan and Alternative 2, since approximately the same amount, type and intensity of land use would ultimately be constructed.
- *Utilities and Public Services*: Approximately the same impacts to utility and service providers would likely occur as under the preferred Plan and Alternative 2, since approximately the same amount and type of development would occur. School impacts (K-12) are estimated between 429 to 569 students at build out, which would be less than the preferred plan but greater than Alternative 2.
- *Recreation:* There would be an incrementally decreased demand for local and regional recreational facilities as the preferred Plan, since fewer dwellings would eventually be constructed.

This alternative would generally meet the project objective of redeveloping the Cannery Area with new residential, office, retail, open space and public and semi-public uses. The number of proposed dwellings would be between 47 and 77 fewer units at complete build out of the project area which, in a similar fashion as Alternative 2, would achieve fewer of Hayward's regional housing allocation targets. All other impacts would be approximately the same as the preferred Plan and Alternative 2.

5.4 Alternative 4: Combined Alternative 2 and 3 Land Uses

The last alternative assumes a combination of the different elements set forth in the previous two Alternatives, as follows:

- *Land Use Totals:* Proposed dwelling units would range from 619-805 dwellings for the entire Plan area, rather than the range of 689-860 proposed in the preferred Design Plan. The square footage of office space would increase from 67,000 square feet in the preferred Design Plan to a range of 302,000 to 341,000 square feet in this alternative.
- *Land Use Changes:* Land use changes would occur between the proposed Water Tower Square and Winton Avenue west of Myrtle Street. Immediately south of the Water Tower on Blocks 11 and 13, and Blocks 12 and 14, the land use designation would be "Townhouse." On the north side of Winton Avenue, Blocks 15 and 16, land uses would be "Office."

The location and intensity of all other land uses proposed in Alternative 4 would not be changed from the preferred Design Plan. This would include the location and size of parks, Burbank School and the proposed community Center. The same road network is proposed in both the preferred Design Plan and Alternative 2. No changes to land uses are proposed for Area 1 or 3 under this Alternative.

Similar to the previous three Alternatives, existing uses and buildings could continue to exist within the project area. Uses and buildings than would be different that called for in the Design Plan or the Hayward Zoning Ordinance could continue to operate as non-conforming uses and structures, however, they would be precluded from expanding and could not re-open if voluntarily closed for a period of 180 continuous days.

Anticipated impacts associated with this alternative would include:

- *Aesthetics and Light and Glare:* Anticipated aesthetic impacts related to the implementation of Alternative 4 would be generally similar to the previous two Alternatives, in that existing older warehouse, light industrial and similar uses would be replaced with new residential, non-residential and

- public and semi-public uses. Existing blight conditions would eventually be removed or enhanced to current City standard. Light and glare impacts would be generally be the same, however Alternative 4 would have approximately the same potential for greater light and glare emission as would Alternative 2, since office development would be located adjacent to Winton Avenue. Light and glare impacts would be mitigated to a less-than-significant level, however.
- *Air Quality*: Alternative 4 would generate approximately the same air quality impacts as the preferred Plan: short-term demolition and construction-related impacts, long-term local impacts and cumulative regional impacts. All air quality impacts could be mitigated to less-than-significant levels.
- *Biological Resources*: The same type and level of impacts would be created as the preferred project since approximately the same type, intensity and location of development would occur.
- *Cultural Resources*: The same type and level of impacts would be created as the preferred project since essentially the same type, intensity and location of development would occur within the project area.
- *Geology and Soils:* Approximately the same amount of excavation, grading and earth moving would occur as anticipated for the preferred project since the same amount of development would occur. The same potential would exist for soil erosion from wind and water. Approximately the same value of building improvements and the same number of employees and visitors would be subject to potential of seismic hazards.
- *Water and Hydrology*: Approximately the same drainage and surface water quality impacts would occur under Alternative 4 as would occur with the preferred Plan and the other two Alternatives since the same general amount of impervious surfaces would be created.
- *Hazards*: The same type and level of impact would result as with the preferred Design Plan and the previous two Alternatives, since approximately the same amount of land area would be disturbed for public and private.
- *Land Use:* Land use impacts on the project site and surrounding areas would be essentially the same as the preferred Design Plan and the previous two Alternatives, since approximately the same amount of residential, office, commercial square footage would be constructed as would the same acreages of open spaces and public and semi-public uses.
- *Noise*: Approximately the same amount of residential noise impacts would be generated with Alternative 4 as would be generated in the previous two Alternatives and the preferred Plan. The same number of buildings would be demolished and approximately the same amount of residential development would occur. There would be incrementally more noise generated under this Alternative related to on-going operation

and traffic impacts associated with non-residential uses than the preferred Plan and Alternative 2, however, non-residential noise impacts would be approximately the same as Alternative 2.

- *Population and Housing*: A smaller population would result under Alternative 4, approximately similar to Alternatives 2 and 3, than the preferred Plan, since fewer dwelling units would ultimately be constructed.
- *Transportation and Circulation:* Traffic impacts on local intersections, especially along Winton Avenue, would be slightly greater under Alternative 4 due to the higher A.M. and P.M. peak hour traffic generation associated with office development as opposed to residential development. The amount of increase is not anticipated to be significant and would be approximately equivalent to estimated traffic impacts associated with Alternative 2.
- *Utilities and Public Services*: The same impacts to utility and service providers would likely occur as under the preferred Plan, since approximately the same type, intensity and location of development would occur. Impacts on local school facilities would be somewhat less than the preferred plan, estimated to be between 434 to 563 K- 6 students at full buildout.
- *Recreation:* There would be an incrementally decreased demand for local and regional recreational facilities under Alternative 4 as the preferred Design Plan, since fewer dwellings would eventually be constructed.

Impacts of Alternative 4 would be generally the same as Alternative 3, in that the same number of residences would be constructed at full build out. Implementation of Alternative 4 would generally meet the project objective of reducing blight in the project are by replacing older warehouses, light industrial and similar uses with a new residential neighborhood. Also similar to the other Alternatives, the City would not have an opportunity to maximize the number of dwellings units represented in the preferred plan.

Table 16 compares the proposed minimum and maximum residential development analyzed in the preferred Design Plan and each of the alternatives. The table includes both the range of number of dwellings for the total study area as well as the range of dwellings planned for Area 2.

Table 15. Residential Development Yields By Alternatives

	Preferred Plan		Alternative 2		Alternative 3		Alternative 4	
	Area 2	Total	Area 2	Total	Area 2	Total	Area 2	Total
No. of D.U.s	689-860	786-962	599-726	696-828	612-813	709-915	522-727	619-829

5.4 Environmentally Superior Alternative

Section 15126 (d) (4) of the State of California CEQA Guidelines states that if the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. For the project analyzed in this EIR, the No Project alternative would be considered the environmentally superior alternative, since none of the anticipated environmental impacts described in Section 4.0 would occur, primarily traffic and air quality impacts. However, the No Project alternative would not meet the project objectives to provide incentives to eliminate blighted conditions or to remediate identified soil and groundwater contamination. Also, the No Project alternative would not meet the project objective of adding a new neighborhood to the City's housing stock. Neither of the other alternatives (Alternatives 2, 3 or 4) identified in this EIR would result in environmental impacts significantly lower than the preferred project while still meeting identified project objectives.

This section of the DEIR addresses the potential long-term effects of implementing the proposed project, as required by CEQA.

6.1 Short-Term Uses v. Long-Term Productivity

Relationship between Local Short-Term Uses of the Environment and the Maintenance and Enhancement of Long-Term Productivity

CEQA mandates that all EIRs consider the relationship between short- term use of resources, such as land for development purposes, versus the long-term benefits of allowing the subject property to remain as undeveloped open space. The relationship between short-term use of environmental resources and the maintenance of long-term productivity is often one of trade-off, or of balancing social, economic, environmental and similar concerns over time. In some instances, a relatively short-term benefit may have adverse effects, with the possibility that future generations may be burdened with unwarranted social or economic costs. The opposite situation, in which long-term benefits occur at the expense of short-term impacts may also occur. The ultimate decision as to the unique balance of factors lies with the City of Hayward.

The project under consideration is the proposed approval of the Cannery Area Design Plan and associated General Plan Amendment and Zone Change.

Short-term impacts anticipated to be associated with the project would include construction-related noise, emission of dust related to demolition of existing improvements, grading and site preparation, potential for erosion of construction debris, generation of construction related traffic, and potential of risk of upset due to the presence of soil and groundwater contamination. Potential long-term impacts would include exposure of additional people and properties to seismic risk, increased traffic and air quality emissions, increased sources of light from the site, increased consumption of utilities and public services, including recreation, noise generation related to increased traffic, increased storm water runoff, potential impacts to historic resources, and visual and aesthetic impacts. There would also be impacts to the Hayward Unified School District.

As demonstrated in Section 4 of the DEIR each of the above are considered less-than-significant impacts or can be mitigated to a less-than-significant level.

6.2 Irretrievable Commitment of Resources

Significant Irreversible Environmental Changes and Irretrievable Commitment of Resources

Approval of the Design Plan and construction of proposed land uses and facilities envisioned in the Plan would indirectly result in irretrievable commitment and use of energy and non-renewable resources for construction and operation of future office, residential and retail uses, including such resources as sand and gravel, lumber and other forest products, asphalt, petrochemicals and metals. The level and amount of commitment of such resources is commensurate with similar development projects undertaken in the Bay Area and throughout California and the nation.

6.3 Significant Irreversible Impacts

This section of the DEIR identifies significant environmental effects of the proposed project which cannot be mitigated using all feasible mitigation measures. No such impacts have been identified in this EIR.

6.4 Growth Inducing Impacts of the Proposed Project

All EIRs must consider the potential growth inducement of projects. A project is generally considered to be growth inducing if it will foster economic or population growth or will cause the construction of new housing, either directly or indirectly, within a given geographic area. Projects which remove obstacles to population growth are also deemed to be growth inducing. Increases in population may strain existing community services or utility systems, so consideration must be given to this impact. The characteristics of a project that may encourage or facilitate other growth activities which could significantly affect the environment, either individually or cumulatively, must also be discussed.

Approval of the proposed Design Plan could not be considered growth inducing, since the project proposes redevelopment of older, bighted properties. With the exception of educational facilities, utilities and public service facilities are currently in place to serve the amount of proposed development envisioned in the Design Plan. The proposed project represents an effort to provide a variety of relatively dense housing opportunities close to regional and community transit hubs to promote non-automotive modes of transportation. Also, the type and density of uses proposed for the site would be consistent with regional planning efforts to promote relatively intense residential and mixed-use development near public transit facilities to minimize use of auto transit.

6.5 Cumulative Impacts

Cumulative impacts are those which taken individually may be minor but, when combined with similar impacts associated with existing development,

proposed development projects and planned but not built projects, have the potential to generate more substantial impacts. CEQA requires that cumulative impacts be evaluated when they are significant and that the discussion describe the severity of the impacts and the estimated likelihood of their occurrence. CEQA also states that the discussion of cumulative impacts contained in an EIR need not be as detailed as that provided for the project alone. Cumulative impacts may be addressed using one of two methods:

- a listing of past, present and reasonable anticipated future and probable projects, within or adjacent to the community containing the project site, which could produce related or cumulative impacts; or
- a summary of projections contained in the adopted General Plan or related planning documents which evaluated regional environmental impacts of a number of projects within a given geographic area.

For purposes of this EIR the first approach has been chosen to address cumulative impacts. A listing of such projects is included in the Transportation and Circulation Section (Section 4.1), which includes a number of projects in adjacent communities.

A summary of expected cumulative impacts follows

- *Aesthetics and Light and Glare:* Limited cumulative impacts on aesthetic resources would occur, including incremental increases in light and glare. However, since the site is located in a substantially urbanized area with existing sources of light and glare, cumulative impacts are considered less than significant.
- *Air Quality*: Cumulative air quality impacts are addressed in Section 4.2.
- *Biological Resources*: Impacts of the project on biological impacts are limited and would not be considered cumulative.
- *Cultural Resources*: Potential impacts to cultural resources are not considered cumulative.
- *Geology and Soil:*. Potential impacts to geology and soils are not considered cumulative.
- *Water and Hydrology*: No cumulative drainage and stormwater runoff impacts are anticipated, since the project area is currently largely developed. Approval and implementation of the proposed project would increase the amount of pervious surfaces within the area.
- *Hazards*: Potential impacts to hazards are not considered cumulative.
- *Land Use:* Cumulative land use impacts would result should the proposed Design Plan project be approved. Impacts would include decreasing the amount of industrially zoned and developed acreage within Hayward and increasing the overall number of dwelling units in the community. This impact would be less-than-significant since existing warehouse and light

industrial uses are older and, in many cases, considered blighted. The type and density of proposed residential development would be consistent with local and regional mandates to minimize automobile trips by promoting higher intensity housing near major transit hubs.

- *Noise*: Cumulative noise impacts are anticipated to be less-than-significant, since existing noise levels on the site caused by vehicles (including trucks) associated with industrial and warehouse uses. New sources of long-term noise would be the same or less than currently generated, although a greater number of on-site noise receptors would be added to the project area.
- *Population and Housing*:: Cumulative impacts to population, employment and housing is addressed in Section 4.10.
- *Transportation, parking and circulation:* Cumulative impacts to population, employment and housing is addressed in Section 4.11.
- *Utilities and Public Services*: There would be less-than-significant cumulative impacts to utility and service providers project, since existing uses are presently served with water, sewer, police, fire and solid waste services. Greater cumulative impacts could be anticipated with regard to educational facilities, since existing non-residential uses do not generate school aged children. Mitigation measures have been included in this EIR to reduce cumulative educational impacts to a less-than-significant level.
- *Recreation:* Cumulative impacts to recreation facilities would result should the proposed project be approved and implemented, since a larger amount number of children and population in general would be added to the project area. Mitigation measures have been included in the EIR to ensure that cumulative impacts to recreational facilities would be less than significant.

6.6 Significant and Unavoidable Environmental Impacts

Unavoidable significant adverse impacts are those impacts that cannot be mitigated to a less-than-significant level. CEQA requires decision-makers to balance the benefits of a proposed project against its unavoidable impacts in considering whether to approve the underlying project. If the benefits of the proposed project outweigh the anticipated unavoidable impacts, the adverse environmental impacts may be considered acceptable by the Lead Agency. To approve the project without significantly reducing or eliminating an adverse impact, the Lead Agency must make a Statement of Overriding Consideration supported by the information in the record.

No such unavoidable impacts have been identified in this EIR.

7.0 Organizations and Persons Consulted

7.1 Persons and Organizations

EIR Preparers

The following individuals participated in the preparation of this document.

Jerry Haag, Urban Planner (project manager)

City of Hayward Staff

Sylvia Ehrenthal AICP, Community and Economic Development Director
Gary Calame, AICP, Senior Planner
Tai Williams, AICP, Redevelopment Specialist
Dean Montevago, Fire Marshal
Hugh Murphy, Fire Department/Hazardous Materials
Dennis Houghtelling, Police Department
Alex Ameri, Deputy Director, Public Works, Utilities Division

Other Agencies and Organizations Contacted

Hayward Area Recreation Department-Eric Willyerd
Hayward Unified School District-Larry LaPore

7.2 References

The following documents, in addition to those included in the Appendix, were used in the preparation of this DEIR.

Draft Environmental Impact Report for the Downtown Hayward Redevelopment Plan Amendment (SCH # 98042024), Wagstaff Associates 1998

City of Hayward General Policies Plan, May, 1986, as amended

City of Hayward Growth Management Element, May 1993, as amended

City of Hayward, Downtown Hayward Design Plan, September 1999

City of Hayward, Draft Hayward Cannery Area Design Plan, E.T.C Architecture and Urban Design, 2001

City of Hayward, Burbank Neighborhood Plan, July 1988

City of Hayward, Santa Clara Neighborhood Plan, July 1995

8.0 Appendices

Appendix 8.1
Notice of Preparation

CITY OF
HAYWARD
HEART OF THE BAY

Notice of Preparation

To: Public Agencies, Property Owners, and Other Interested Parties

Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency: *City of Hayward*
Community and Economic Development Department
777 "B" Street
Hayward, CA 94541
***Contact:** Gary Calame, Senior Planner (510) 583 4226*

The City of Hayward will be the Lead Agency and hereby invites comments on the proposed scope and content of the Program Environmental Impact Report for the project identified below. Your agency may need to use the Program EIR prepared by the Lead Agency when considering follow-on permits or other approvals for this project.

Project Title: Cannery Area Design Plan

Project Location: The Cannery Study Area comprises approximately 120 acres and is located west of the Downtown area. The Study Area includes three distinct subareas (see Attachment A). Area 1 is generally bounded by West A Street, Hathaway Avenue, Mero Street, and the Union Pacific railroad tracks. Area 2 is generally bounded by A Street, Amador Street, Winton Avenue, and the Myrtle/Meek/Filbert alignment. Area 3 is generally bounded by Grand Street and those properties along both sides of C Street, Alice Street and Claire Street.

Project Description: The City of Hayward has prepared a Design Plan for the Cannery Study Area that establishes a framework for the transformation of an older, industrial area in the heart of the city into a new neighborhood containing a mix of housing densities, retail and office commercial, a new school and community center, and expanded parks (see Attachment B). The project involves a series of related actions to incorporate elements of the Cannery Area Design Plan into the City's General Plan, Zoning Ordinance, and other design standards and regulations. These actions are outlined below:

The **General Plan Amendment** would change the existing General Policies Plan Map designations in portions of Area 2 and Area 3. The Mixed Industrial designation in Area 2 would be changed to a combination of High Density Residential, Medium Density Residential, Public/Quasi-Public, and Open Space/Parks and Recreation designations. The proposed amendment would also reconfigure the existing High Density Residential and Retail and Office Commercial designations within Area 3. No changes in designations are proposed in Area 1.

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING DIVISION
777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4200 • FAX: 510/583-3649 • TDD: 510/247-3340

The **Zone Change** would revise the existing zoning classifications in portions of Area 2 and Area 3 to conform to the new General Policies Plan Map designations. Properties in Area 2 that are currently within the Industrial (I) District would be rezoned to the Residential-High Density (RH) District, Residential-Medium Density (RM) District, Public Facilities (PF) District, or Open Space (OS) District, as appropriate. Properties in Area 3 would be rezoned to the Residential-High Density (RH) District, Central City-Residential (CC-R) District, or Central City-Commercial (CC-C) District, as appropriate.

The Zoning Ordinance **Text Change** would establish a Special Design (SD-4)) District to be applied to all properties within the Study Area in order to provide for an orderly transition from industrial uses to residential and commercial uses. This overlay district would require any new residential or commercial development proposal to be processed pursuant to the provisions of the Planned Development District, in a manner consistent with the Cannery Area Design Plan.

Adoption of the **Cannery Area Design Plan** would establish land use densities and design guidelines and standards, including street cross-sections, for specific portions of the Study Area.

The attached supplement provides a more detailed project description and identifies potential environmental effects anticipated to be discussed in the Program Environmental Impact Report. Copies of the Cannery Area Design Plan are available for review in the Planning Division of the Department of Community and Economic Development, City Hall, 777 B Street, Hayward.

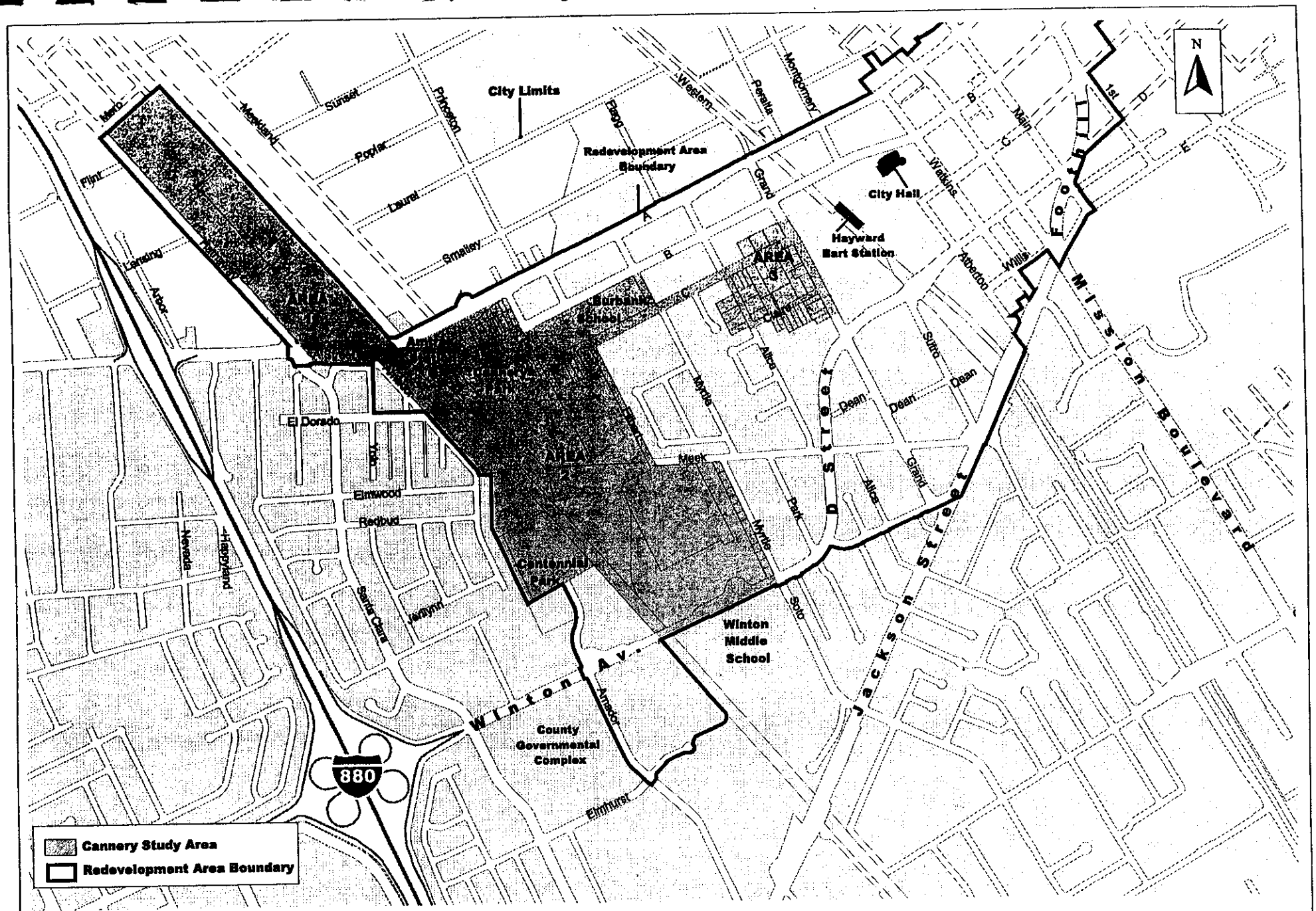
Due to time limits mandated by State law, your response must be returned at the earliest possible time **but not later than 30 days following receipt of this notice.** Please send your response to the contact person identified above.

Date: March 16, 2001

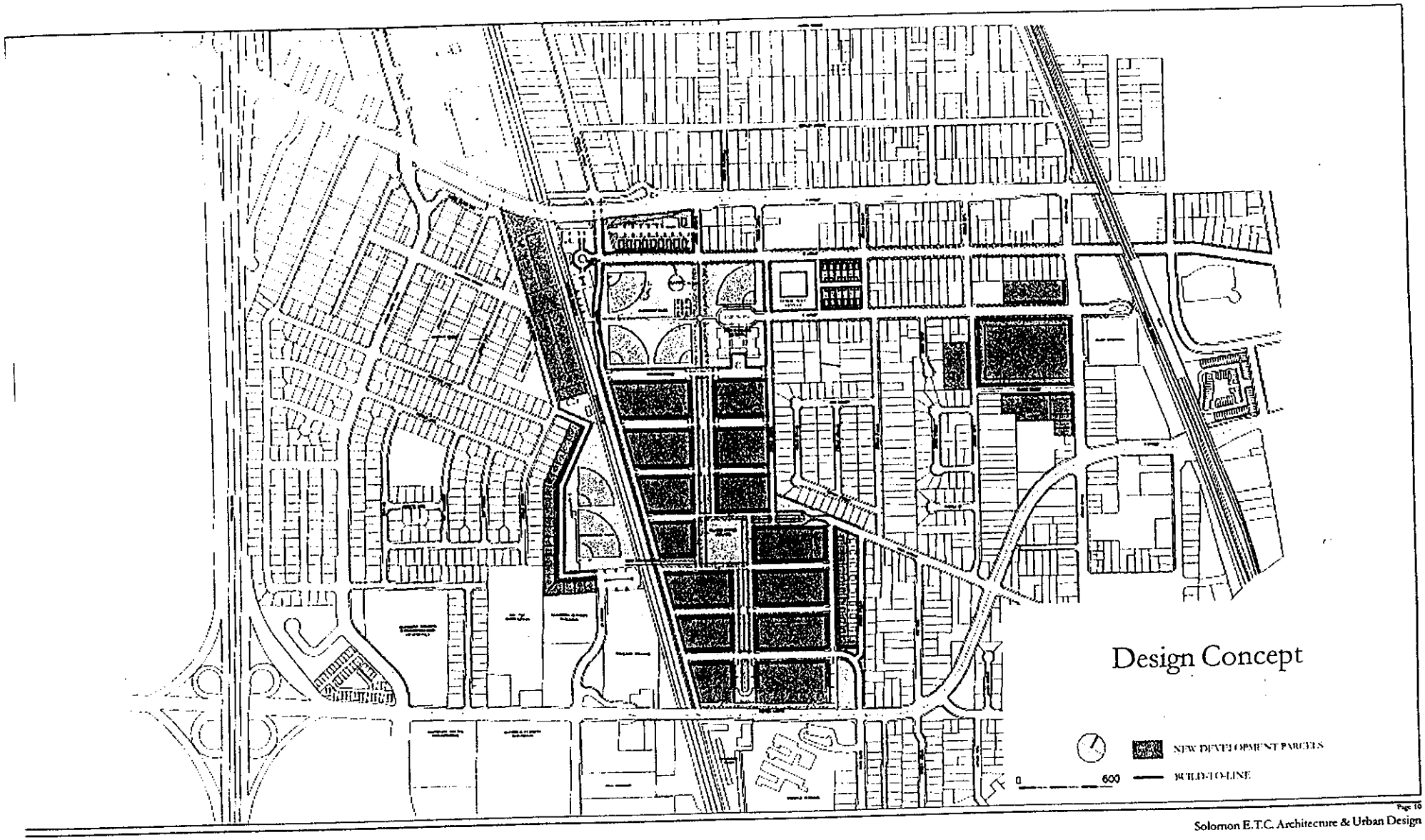
Signature: Mary Calama

Title: Senior Planner

Telephone: (510) 583-4226



Cannery Study Area



ATTACHMENT B

General Plan Amendment No. 01-110-03
Text Change No. 01-140-01
Zone Change No. 01-190-04
Cannery Area Design Plan

Detailed Project Description

The Cannery Area Design Plan envisions a mix of residential and commercial uses, as well as new or expanded public facilities, including schools, parks and a community center (see Attachments A and B). Most of the acreage designated for residential development is in Area 2, with some additional development shown in Area 3. The potential for additional housing development within the study area is 805-962 dwelling units, including live-work units. Overall densities range from 10-30 units per net acre and include a variety of housing types: single-family detached, single-family attached (townhomes), multifamily (condominiums and apartments), and live-work spaces. The basic layout is a block grid pattern that blends with the adjacent neighborhood. The Design Plan also designates several areas for retail and office commercial development. In Area 1, additional retail development is envisioned when existing manufacturing uses are no longer viable. A small amount of neighborhood-serving retail space is shown in Area 2. In Area 3, office development (maximum of 200,000 square feet) is shown adjacent to the BART Station.

The Design Plan also envisions the total acreage devoted to open space and public facilities increasing from 26 acres to 29.5 acres. Within this total, Cannery Park and Burbank School together would occupy approximately 15 acres, with another 2 acres identified as a potential site for a new community center. The Design Plan also illustrates how Centennial Park could be made more visible and accessible through improved street and pedestrian connections with adjacent neighborhoods; however, this aspect is not being pursued by the Hayward Area Recreation and Park District at this time. Additional open space is provided in Area 2 with a square oriented around the water tower and linear parkways connecting the two parks, all serving the adjacent residential development. It is anticipated that the new housing within the study area would generate approximately 170-200 additional students at the K-6 grade levels. The Design Plan contemplates the construction of a new, two-story elementary school (approximately 60,000 square feet) to accommodate the enrollment.

Development Summary

Land Use	Acreage	Development Potential
Residential	35.9	695 - 824 units
Single-Family	*7.2*	*76 - 102 units*
Townhomes	*23.4*	*486 - 561 units*
Multi-Family	*5.3*	*133 - 161 units*
Live/Work	10.0	110 - 138 units
Commercial/Office	7.9	200,000 square feet
Commercial/Retail	36.5	240,000 square feet
Open Space/Public Facilities	29.5	community center school/parks

Cannery Area Design Plan
NOTICE OF PREPARATION
Supplemental Information

The Draft Environmental Impact Report will contain a discussion of probable environmental impacts in the following areas:

1) Aesthetics and Light and Glare: Including potential blockage of views and increases in light and glare onto adjacent sites.

2) Air Quality: Including short- and long-term and cumulative potential air quality impacts.

3) Biological Resources: Including potential impacts to wetland areas, sensitive plant and animal species and their habitats and wildlife migratory corridors..

4) Cultural Resources: Including potential impacts to historic, cultural, archeological and paleontologic resources.

5) Soils and Geology: Including potential impacts to soils, topographic features, soil erosion and seismic hazards.

6) Hazards: Including potential impacts related to existing hazardous materials on the site.

7) Water and Hydrology: Including potential impacts to surface water quality, increased storm water runoff and flooding.

8) Land Use: Including potential impacts to existing on-site land uses, surrounding land uses and land use regulatory programs.

9) Noise: Including potential impacts related to construction noise, long term operational noise of future land uses and noise associated with transit and vehicular transportation.

10) Population, Housing and Employment: Including potential increases in local population, job creation and jobs-housing balance.

11) Transportation and Parking: Including potential peak hour impacts to local and regional roadways and freeways, public transit, circulation safety, pedestrian and bicycle circulation systems and parking needs of intensified land uses.

12) Public Services and Utilities: Including potential impacts related to the provisions of police, fire, schools, solid waste services local and regional water, sewer, storm drain, energy and communications systems, to support the proposed redevelopment program.

13) Recreation: Including impacts to local, community and regional recreational facilities.

14) Cumulative Impacts: Including cumulative impacts regarding population and employment increases, recreational use, traffic, air quality, water use, sewage generation and storm water runoff.

Appendix 8.2
Response to Notice of Preparation

EAST BAY
MUNICIPAL UTILITY DISTRICT

March 22, 2001

Mr. Gary Calame, Senior Planner
City of Hayward
Community and Economic Development Department
777 "B" Street
Hayward, CA 94541

Dear Mr. Calame:

Re: Notice of Preparation of a Draft Environmental Impact Report -
Cannery Area Design Plan, Hayward

Thank you for the opportunity to review the Draft Environmental Impact Report on the Cannery Area Design Plan in Hayward. The project site is outside of East Bay Municipal Utility District's (District) ultimate service boundary and the District does not serve the vicinity. Therefore, the District has no comments on this project.

If you have any questions or comments concerning this response, please contact me at (510) 287-1084.

Sincerely,

Marie Valmores

MARIE VALMORES
Senior Civil Engineer of Water Distribution Planning

MAV:sb
sb01_081.doc

375 ELEVENTH STREET . OAKLAND . CA 94607-4240 . (510) 835-3000

ORO LOMA SANITARY DISTRICT

March 26, 2001

City of Hayward
Community and Economic Development Department
Attention: Gary Calame
777 B Street
Hayward, CA 94541

Project Title: Cannery Area Design Plan

☐ Yes	X No	Within Oro Loma Sanitary District boundaries?
X Yes	☐ No	Treatment plant capacity available?
☐ Yes	☐ No	Collection system capacity available?

Collection system and treatment plant capacity available for this proposed development cannot be guaranteed beyond the date of this form. Willingness to provide service does not imply approval of any design concepts or improvement plans.

Comments: Area 2 and Area 3 not in Oro Loma Sanitary District. Northern half of Area 1 From Hathaway/Lansing to Hathaway/Mero in District. If sewerage required in this area, please contact District for possible downstream improvements.

Sean Young
Assistant Engineer
Oro Loma Sanitary District

i:\groups\eng\responseALAPLAN.wpd

2600 Grant Avenue ■ San Lorenzo, California 94580-1838 ■ (510) 276-4700 ■ Fax (510) 276-1528 ■ Email: info@oroloma.org
www.oroloma.org

STATE OF CALIFORNIA

Gray Davis, *Governor*

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

April 2, 2001

Gary Calame
City of Hayward Community & Economic Development Department
777 "B" Street
Hayward, CA 94541

RE: SCH# 2001032099 –Cannery Area Design Plan

Dear Mr. Calame:

The Native American Heritage Commission has reviewed the above mentioned NOP. To adequately assess the project-related impact on archaeological resources, the Commission recommends the following action be required:

1. Contact the appropriate Information Center for a records search. The record search will determine:
   - Whether a part or all of the project area has been previously surveyed for cultural resources.
   - Whether any known cultural resources have already been recorded on or adjacent to the project area.
   - Whether the probability is low, moderate, or high that cultural resources are located within the project area.
   - Whether a survey is required to determine whether previously unrecorded cultural resources are present.

2. The final stage of the archaeological inventory survey is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
   - Required the report containing site significance and mitigation be submitted immediately to the planning department.
   - Required site forms and final written report be submitted within 3 months after work has been completed to the Information Center.

3. Contact the Native American Heritage Commission for:
   - A Sacred Lands File Check.
   - A list of appropriate Native American Contacts for consultation concerning the project site and assist in the mitigation measures.

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per California Environmental Quality Act (CEQA) §15064.5 (f). Health and Safety Code §7050.5 and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents. If you have any questions, please contact me at (916) 653-4038.

Sincerely,

Debbie Pilas-Treadway
Associate Governmental Program Analyst

cc: State Clearinghouse

March 30, 2001

Gary Calame
City of Hayward
Comm. + Economic Develop.
777 'B' St.
Hayward.

RECEIVED
APR 3 2001
PLANNING DIVISION

Re: Cannery Area Design Plan

We have owned the building at 549 'C' St. for the last 10 years and operated our towing business from there. We have also leased the property next door at 529 'C' St. to accomodate our business as it has grown. This business and property are the basis of our retirement income as our son has taken over most of the operation.

We are very concerned that we be forced to move from our location. We would not be able to find or afford a comparable facility to operate our business.

We understand the desire to make the area more pleasing to the community but also don't see the need for more light commercial since there are so many business's in downtown closing and leaving behind empty commercial buildings. The present economy and common sense tells me we should concentrate on restoring what is already in place rather than closing more business's that are doing well to build new buildings.

We would appreciate knowing what our options are and what kind of a time frame you are projecting. Thanks.

Dick + Barbara Johnson
6673 Crow Canyon Rd
Castro Valley, Ca 94552

Department of Toxic Substances Control

Edwin F. Lowry, Director
700 Heinz Avenue, Bldg. F, Suite 200
Berkeley, California 94710-2721

Winston H. Hickox
Secretary for
Environmental
Protection

Gray Davis
Governor

April 10, 2001

Mr. Gary Calame
City of Hayward
Community and Economic Development Department
777 "B" Street
Hayward, CA 94541

Dear Mr. Calame:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Cannery Area Design Plan draft Environmental Impact Report (EIR) [SCH#2001032099]. The project comprises approximately 120 acres and is located west of downtown Hayward. The project will transform an older, industrial area in the heart of the city into a new neighborhood containing a mix of housing densities, retail and office commercial, a new school and community center, and expanded parks. As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential resource agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

The project description does not include a description of the property's past uses, without this information we are unable to determine whether hazardous substances may have been released into the soil at the Site. We strongly recommend that a historical assessment of past uses be done. Based on that information, sampling should be conducted to determine whether there is an issue which will need to be addressed in the CEQA compliance document.

If hazardous substances have been released, they will need to be addressed as part of this project. For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should be there an accident at the Site.

The project description indicates that the proposed development will include construction of a school. In 1999, several pieces of legislation (Senate Bill 387 and Assembly Bill 162) were passed which require the Department of Toxic Substances Control to review and approve all potential new school sites. The legislation also has specific requirements for investigation of these properties. Since the description mentioned the site is a known industrial area, there is a potential for hazardous substances to have been released into the environment. Therefore, DTSC recommends that a Preliminary Endangerment Assessment (PEA) be prepared to determine whether a release or threatened release of hazardous substances which pose a threat to public health or the environment exist at the property. As part of the development of the PEA, sampling of environmental media is conducted.

DTSC can assist your agency in overseeing characterization and cleanup activities through our Voluntary Cleanup Program. A fact sheet describing this program is enclosed. We are aware that projects such as this one are typically on a compressed schedule, and in an effort to use the available review time efficiently, we request that DTSC be included in any meetings where issues relevant to our statutory authority are discussed.

Please contact Annina Antonio of my staff at (510) 540-3844 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,

Barbara J. Cook, P.E., Chief
Northern California - Coastal Cleanup Operations Branch

Enclosures
cc: without enclosures

Governor's Office of Planning and Research
State Clearinghouse
P. O. Box 3044
Sacramento, California 95812-3044

Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
P. O. Box 806
Sacramento, California 95812-0806

Urban Cleanup Loan Program

Overview

California is on the leading edge when it comes to programs and policies to stimulate the redevelopment of Brownfields – abandoned, idled or under-used properties where expansion or redevelopment is complicated by real or perceived environmental contamination. Frequently, these properties, once the source of jobs and economic benefits to the entire community, lie abandoned for fear of the contamination and the liability it implies.

The $85 million Urban Cleanup Loan Program – which is currently under development by the Department of Toxic Substances Control – will provide new financial assistance tools to help developers, businesses, schools and local governments accelerate the pace of cleanup and redevelopment at these sites.

There will be two main components:

Investigating Site Contamination Program

- Provides low-interest loans of up to $100,000 to conduct preliminary endangerment assessments of underutilized urban properties.
- Loan repayment over a period of two years, if loan recipient buys the property.
- If property is determined not to be economically feasible to purchase, up to 75 percent of the loan amount can be waived by the State.

Cleanup Loans and Environmental Assistance (CLEAN) Program

- Provides low-interest loans of up to $2.5 million for the cleanup or removal of hazardous materials at properties where redevelopment is likely to have a beneficial impact on the property values, economic viability and quality of life of a community.

Restoring contaminated property can help bring life and strength to a community. Making a once toxic area viable again means more jobs, an enhanced tax base and a sense of optimism about the future. Together, the programs that make up California's Urban Cleanup Loan Program will make it easier for such sites to be redeveloped and become vital, functioning parts of their communities.

For more information, call (916) 324-0706.

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

April 9, 2001

Mr. Gary Calame
City of Hayward
Community and Economic Development Department
777 B Street
Hayward, CA 94541

SUBJECT: Comments on the Notice of Preparation for a Draft Environmental Impact Report and General Plan Amendment for the Cannery Area Design Plan in the City of Hayward

Dear Gary:

Thank you for the opportunity to comment on the City of Hayward's Notice of Preparation (NOP) for a Draft Environmental Report (DEIR)/General Plan Amendment (GPA) for the Cannery Area Design Plan. The project would consist of transforming an older, industrial area in the heart of the city in to a new neighborhood containing 695 to 824 dwelling units, 110 to 138 live/work units, 200,000 square feet of commercial/office, 240,000 square feet of commercial/retail, and 29.5 acres of community center, schools and parks. The 120-acre project is located west of the Downtown area and has three distinct subareas: Area 1 bounded by West A Street, Hathaway Avenue, Mero Street, and the Union Pacific railroad tracks; Area 2 bounded by A Street, Amador Street, Winton Avenue, and the Myrtle/Meek/Filbert alignment; and Area 3 bounded by Grand Street and those properties along both sides of C Street, Alice Street and Claire Street.

The General Plan Amendment would change the existing General Policies Plan Map designations in portions of Area 2 and Area 3. The Mixed Industrial designation in Area 2 would be changed to a combination of high density residential, medium density residential, public/quasi public, and open space/parks and recreation designations. The proposed amendment would also reconfigure the existing high density residential and retail and office commercial designations within Area 3. There are no changes in designations proposed for Area 1.

The ACCMA respectfully submits the following comments:

- The City of Hayward adopted Resolution No. 92-269 on September 22, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). Based on our review of the NOP, the proposed project appears to generate at least 100 p.m. peak hour trips over existing conditions. If this is the case, the CMP Land Use Analysis Program requires the City to conduct a traffic analysis of the project using the Countywide Transportation Demand Model for Year 2005 conditions. Please note the following paragraph as it discusses the responsibility for modeling.

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.cagov

- The Countywide Model has been updated to Projections 2000 for base years 2005 and 2020. The CMA Board amended the CMP on March 26th, 1998 so that local jurisdictions are now responsible for conducting the model runs themselves or through a consultant. The Countywide model is available to the local jurisdictions for this purpose. The City of Hayward and the ACCMA have signed a Countywide Model Agreement on January 21, 2000. However, before the model can be released to your consultant, a letter must be submitted to the ACCMA requesting use of the model and describing the project. A letter is available upon request.

- Potential impacts of the project on the Metropolitan Transportation System (MTS) need to be addressed. (See 1999 CMP Figures E-2 and E-3, pages ix and x and Figure 2, pages 10-12). The DEIR should address all potential impacts of the project on the MTS roadway and transit systems. These include I-880, A Street, B Street, D Street, Foothill Boulevard, Jackson Street, Mission Boulevard, Winton Avenue as well as BART and AC Transit. Potential impacts of the project must be addressed for 2005 and 2020 conditions. Please note that the ACCMA does not have a policy for determining a threshold of significance. Rather, it is expected that professional judgment will be applied to determine project level impacts.

- The CMA requests that there be a discussion on the proposed funding sources of the transportation mitigation measures identified in the environmental documentation. The CMP establishes a Capital Improvement Program (See 1999 CMP, Chapter 7) that assigns priorities for funding roadway and transit projects throughout Alameda County. The improvements called for in the DEIR should be consistent with the CMP CIP. Given the limited resources at the state and federal levels, it would be speculative to assume funding of an improvement unless it is consistent with the project funding priorities established in the Capital Improvement Program (CIP) of the CMP, the federal Transportation Improvement Program (TIP), or the adopted Regional Transportation Plan (RTP). Therefore, we are requesting that the environmental documentation include a financial program for all roadway and transit improvements.

- The adequacy of any project mitigation measures should be discussed. On February 25, 1993 the CMA Board adopted three criteria for evaluating the adequacy of DEIR project mitigation measures:

  - Project mitigation measures must be adequate to sustain CMP service standards for roadways and transit;
  - Project mitigation measures must be fully funded to be considered adequate;
  - Project mitigation measures that rely on state or federal funds directed by or influenced by the CMA must be consistent with the project funding priorities established in the Capital Improvement Program (CIP) section of the CMP or the Regional Transportation Plan (RTP).

  It would be helpful to indicate in the DEIR the adequacy of proposed mitigation measures relative to these criteria. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be

funded, and what would be the effect on LOS if only the funded portions of these projects were assumed to be built prior to project completion.

- Potential impacts of the project on CMP transit levels of service must be analyzed. (See 1999 CMP, Chapter 4). Transit service standards are 15-30 minute headways for bus service and 3.75-15 minute headways for BART during peak hours. The DEIR should address the issue of transit funding as a mitigation measure in the context of the CMA's policies as discussed above.

- The DEIR should consider demand-related strategies that are designed to reduce the need for new roadway facilities over the long term and to make the most efficient use of existing facilities (see 1999 CMP, Chapter 5). The DEIR could consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. Street layout and design strategies would foster pedestrian and bicycle connections and transit-friendly site design should also be considered. The Site Design Guidelines Checklist may be useful during the review of the development proposal. A copy of the checklist is enclosed.

- We have been asked to inform you about the success of the Financial Incentives Program and the Guaranteed Ride Home Program, both of which are supported by the ACCMA. Employee oriented financial incentive programs, such as parking cashout programs, have proven to be successful in encouraging solo drivers to choose other commute alternatives. We would like you to consider applying the Financial Incentive Program as part of the conditions of approval and/or developer agreements as a way to reduce congestion. The Guaranteed Ride Home Program, sponsored by the ACCMA, ensures that any carpooler or transit rider at participating worksites can get home in case of an emergency.

Once again, thank you for the opportunity to comment on this Notice of Preparation. Please do not hesitate to contact me at 510/836-2560 ext. 13 if you require additional information.

Sincerely,

Beth Walukas

Beth Walukas
Senior Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2001

Design Strategies Checklist
for the
Transportation Demand Management Element
of the
Alameda County CMP

The Transportation Demand Management Element included in the 1995 Congestion Management Program requires each jurisdiction to comply with the "Required Program". This requirement can be satisfied in three ways: 1) adoption of "Design Strategies for encouraging alternatives to auto use through local development review" prepared by ABAG and the Bay Area Quality Management District; 2) adoption of new design guidelines that meet the individual needs of the local jurisdictions and the intent of the goals of the TDM Element or 3) evidence that existing policies and programs meet the intent of the goals of the TDM Element.

For those jurisdictions that have chosen to satisfy this requirement by Option 2 or 3 the following checklist has been prepared. In order to insure consistency and equity throughout the County, this checklist identifies the components of a design strategy that should be included in a local program to meet the minimum CMP conformity requirements. The required components are highlighted in bold type and are shown at the beginning of each section. A jurisdiction must answer Yes to each of the required components to be considered consistent with the CMP. Each jurisdiction will be asked to annually certify that it is complying with the TDM Element. Local jurisdictions will not be asked to submit the back-up information to the CMA justifying its response; however it should be available at the request of the public or neighboring jurisdictions.

Questions regarding optional program components are also included. You are encouraged but not required to answer these questions. ACTAC and the TDM Task Force felt that it might be useful to include additional strategies that could be considered for implementation by each jurisdiction.

CHECKLIST

Bicycle Facilities

Goal: To develop and implement design strategies that foster the development of a countywide bicycle program that incorporates a wide range of bicycle facilities to reduce vehicle trips and promote bicycle use for commuting, shopping and school activities. (Note: examples of facilities are bike paths, lanes or racks.)

Local Responsibilities:

→1a. In order to achieve the above goal, does your jurisdiction have design strategies or adopted policies that include the following:

→1a.1 that provide a system of bicycle facilities that connect residential and/or non-residential development to other major activity centers?

Yes No

1a.2 bicycle facilities that provide access to transit?

Yes No

1a.3 that provide for construction of bicycle facilities needed to fill gaps, (i.e. gap closure), not provided through the development review process?

Yes No

1a.4 that consider bicycle safety such as safe crossing of busy arterials or along bike trails?

Yes No

1a.5 that provide for bicycle storage and bicycle parking for (A) multi-family residential and/or (B) non-residential developments?

Yes No

→1b. How does your jurisdiction implement these strategies? Please identify.

Zoning ordinance
Design Review
Standard Conditions of Approval
Capital Improvement Program
Specific Plan
Other

Pedestrian Facilities

Geal: To develop and implement design strategies that reduce vehicle trips and foster walking for commuting, shopping and school activities.

Local Responsibilities

→2a. In order to achieve the above goal, does your jurisdiction have design strategies or adopted policies that incorporate the following:

→2a.1 that provide reasonably direct, convenient, accessible and safe pedestrian connections to major activity centers, transit stops or hubs parks/open space and other pedestrian facilities?

Yes No

Note: Bold type face and → indicate those components that must be included the "Required Program" in order to be found in compliance with the Congestion Management Program.

→2a.2 that provide for construction of pedestrian paths needed to fill gaps, (i.e. gap closure), not provided through the development process?

Yes No

2a.3 that include safety elements such as convenient crossing at arterials?

Yes No

2a.4 that provide for amenities such as lighting, street trees, trash receptacles that promote walking?

Yes No

2a.5 that encourage uses on the first floor that are pedestrian oriented, entrances that are conveniently accessible from the sidewalk or transit stops or other strategies that promote pedestrian activities in commercial areas?

Yes No

→2b. How does your jurisdiction implement these strategies? Please identify.

Zoning ordinance
Design Review, such as ADA Accessibility Design Standards
Standard Conditions of Approval
Capital Improvement Program
Specific Plan
Other

Transit

Goal: To develop and implement design strategies in cooperation with the appropriate transit agencies that reduce vehicle trips and foster the use of transit for commuting, shopping and school activities.

Local Responsibilities

3a. In order to achieve the above goal, does your jurisdiction have design strategies or adopted policies that include the following:

→3a.1 provide for the location of transit stops that minimize access time, facilitate intermodal transfers, and promote reasonably direct, accessible, convenient and safe connections to residential uses and major activity centers?

Yes No

Note: Bold type face and → indicate those components that must be included the "Required Program" in order to be found in compliance with the Congestion Management Program.

→3a.2 provide for transit stops that have shelters or benches, trash receptacles, street trees or other street furniture that promote transit use?

Yes No

→3a.3 that include a process for including transit operators in development review?

Yes No

3a.4 provide for directional signage for transit stations and/or stops?

Yes No

3a.5 that include specifications for pavement width, bus pads or pavement structure, length of bus stops, and turning radii that accommodates bus transit?

Yes No

→3.b How does your jurisdiction implement these strategies? Please identify.
Zoning ordinance
Design Review
Standard Conditions of Approval
Capital Improvement Program
Specific Plan
Other

Carpools and Vanpools

Goal: To develop and implement design strategies that reduce the overall number of vehicle trips and foster carpool and vanpool use.

Local Responsibilities:

4a. In order to achieve the above goal, does your jurisdiction have design strategies or adopted policies that include the following:

4a.1 For publicly owned parking garages or lots, are there preferential parking spaces and/or charges for carpools or vanpools?

Yes No

4a.2 that provide for convenient or preferential parking for carpools and vanpools in non-residential developments?

Yes No

Note: Bold type face and → indicate those components that must be included the "Required Program" in order to be found in compliance with the Congestion Management Program.

4.b How does your jurisdiction implement these strategies? Please identify.

Zoning ordinance
Design Review
Standard Conditions of Approval
Capital Improvement Program
Specific Plan
Other

Park and Ride

Goal: To develop design strategies that reduce the overall number of vehicle trips and provide park and ride lots at strategic locations.

Local Responsibilities:

5a. In order to achieve the above goal, does your jurisdiction have design strategies or adopted policies that include the following:

5a.1 promote park and ride lots that are located near freeways or major transit hubs?

Yes No

5a.2 a process that provides input to Caltrans to insure HOV by-pass at metered freeway ramps?

Yes No

5b. How does your jurisdiction implement these strategies? Please identify.

Zoning ordinance
Design Review
Standard Conditions of Approval
Capital Improvement Program
Specific Plan
Other

DEPARTMENT OF TRANSPORTATION
P. O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

April 19, 2001

ALA-880-18.35
SCH #2001032099
File #ALA880537

Mr. Gary Calame
City of Hayward
Community & Economic Development Dept.
777 B Street
Hayward, CA 94541

Dear Mr. Calame:

CANNERY AREA DESIGN PLAN – NOTICE OF PREPARATION (NOP)

Thank you for including the California Department of Transportation (Caltrans) in the early stages of the environmental review process for the above-referenced project. We have examined the Notice of Preparation and have the following comments to offer:

Our primary concern with the project is the potentially significant impact it may have to traffic volume and congestion. In order to adequately address our concerns regarding the operation of Interstate 880 (I-880), State Route 185 (SR 185, Mission Boulevard), and State Route 92 (SR 92, Jackson Street), please ensure the following information is provided in the environmental document:

1. Information on the project's traffic impacts in terms of trip generation, distribution, and assignment. The assumptions and methodologies used in compiling this information should be addressed.

2. Average Daily Traffic (ADT) and AM and PM peak hour volumes on all significantly affected streets and highways, including crossroads and controlling intersections.

3. Schematic illustration of the traffic conditions for: 1) existing, 2) existing plus project, and 3) cumulative. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the facilities being evaluated.

4. Mitigation measures that consider highway and non-highway improvements and services. Special attention should be given to the development of alternative solutions to circulation problems which do not rely on increased highway construction.

5. All mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.

We look forward to reviewing the environmental document for this project. We do expect to receive a copy from the State Clearinghouse, but in order to expedite our review, you may send two copies in advance to:

Paul Svedersky
Office of Transportation Planning B
Caltrans, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Should you require further information or have any questions regarding this letter, please call Paul Svedersky of my staff at (510) 622-1639.

Sincerely,

HARRY Y. YAHATA
District Director

By Jean C R Finney

JEAN C. R. FINNEY
District Branch Chief
IGR/CEQA

Greenbelt Alliance

May 7, 2001

Mr. Gary Calame, Senior Planner
City of Hayward
Community and Economic Development Department
777 "B" Street
Hayward, CA 94541

Re: Cannery Area Design Plan
Notice of Preparation of a Draft Environmental Impact Report

Dear Mr. Calame:

Greenbelt Alliance would like to offer our organization's endorsement for the City's Design Plan for the Cannery Study Area. While we understand that the Design Plan will be subject to a Program Environmental Impact Report which will identify potential environmental effects that might be anticipated, we feel that the Cannery Area Project does provide an excellent framework for neighborhood revitalization and for meeting critical community needs.

We are particularly pleased to see proactive planning for a mix of uses, including housing, retail, commercial, and open space/public facilities – all within close proximity to each other. Such planning will promote a pedestrian-friendly neighborhood and facilitate the use of public transit as an alternative to driving. The planned mix of uses is essential for community vitality and will benefit not only the neighborhood but the entire City as well. Another critically important aspect of the Plan is the significant amount of additional infill housing that is included. We fully support the proposed balance of single-family, multifamily and attached housing types. By encouraging housing options for a greater range of households, and zoning sufficient land for multi-family and townhome development, this will help address the urgent need for more affordable housing.

(continued)

MAIN OFFICE • 530 Bush Street Suite 303, San Francisco CA 94108 • (415) 398-3730 • Fax (415) 398-6530
SOUTH BAY OFFICE • 1922 The Alameda Suite 213, San Jose CA 95126 • (408) 983-0539 • Fax (408) 983-1001
NORTH BAY OFFICE • 50 Santa Rosa Avenue Suite 307, Santa Rosa CA 95404 • (707) 575-3661 • Fax (707) 575-4275
EAST BAY OFFICE • 1601 North Main Street Suite 105, Walnut Creek CA 94596 • (925) 932-7776 • Fax (925) 932-1970
info@greenbelt.org • www.greenbelt.org

Thank you for the opportunity to comment on the Cannery Area Design Plan. We realize that our comments are being forwarded to you after the 30-day period for receiving responses to the Notice of Preparation of a Draft Environmental Impact Report; however, we hope that our comments may be considered as feedback on the general substance and direction of the Design Plan.

Sincerely,

Janet Stone

Janet Stone
Livable Communities Program Director
Greenbelt Alliance