

RUBY STREET APARTMENTS PROJECT

Environmental Checklist for Community Plan Exemption



Prepared for:
Alameda County Community Development Agency
Planning Department

September 2019

URBAN
PLANNING
PARTNERS
INC.

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I. PROJECT DESCRIPTION

1. **Project Title:** Ruby Street Apartments Project
2. **Lead Agency Name and Address:**
Alameda County Planning Department
Community Development Agency
224 West Winton Avenue, Suite 111
Hayward, CA 94544
3. **Contact Person and Phone Number:**
Nisha Chauhan
Senior Planner
(510) 670-5400
Nisha.chauhan@acgov.org
4. **Project Sponsor's Name and Address:**
Eden Housing, Inc.
22645 Grand Street
Hayward, CA 94541
Attn: Ellen Morris
5. **General Plan Land Use Designation:**
Residential Low Density Multi-Family (RLM): 18-22 dwelling units/acre (Castro Valley General Plan, March 2012)
6. **Zoning:**
R-S-D-20 (Suburban Residence with "D" Combining District, requiring 2,000 square feet of building site per dwelling unit) (General Ordinance, Sections 17.12 and 17.24)
7. **Project Location:**
The approximately 6.3-acre, irregularly shaped project site is located in the unincorporated community of Castro Valley in Alameda County, with the exception of two small parcels in the City of Hayward that are within the creek area and would remain undeveloped. The site is primarily bounded by Crescent Avenue to the north, Ruby Street to the northeast, and A Street to the southeast, as shown in Figure I-1. Five residential parcels adjacent to the northeast corner of the site (at the intersection of Crescent Street and Ruby Street) and a warehouse parcel at the southeast corner of the site (at the intersection of Ruby Street and A Street) are within the same block but are not part of the project site. The Hayward city boundary is adjacent to the project site on the southwest and is largely contiguous with San Lorenzo Creek, which flows along the southern edge of the site.



1744 Ruby Street

Source: Alameda County, 2014; Google, 2017.

Figure I-1
Project Location and Vicinity Map

The site includes 20 contiguous parcels of varying sizes with the Assessor's Parcel Numbers (APNs) 415-230-2, -3, -5, -11, -12, -13, -14, -15, -16, -17, -18, -19, -21, -22, -23, -24, -69, -70, -72, and -73, as shown in Figure I-2.

The project site is 600 feet north of AC Transit bus line 28, which runs along B Street; 0.7 mile south of the Castro Valley Bay Area Rapid Transit (BART) Station; and 0.9 mile northeast of the Hayward BART Station. Regional vehicular access to the site is provided by Interstate 580 via the Redwood Road on- and off-ramps located approximately 0.65-mile north of the project site.

8. Surrounding Land Uses and Setting:

The site is located in a suburban residential area. Crescent Avenue and Ruby Street, bounding the site to the north and northeast respectively, are two-lane residential streets. A Street, to the southeast of the project site, is a major northeast-southwest arterial corridor through Castro Valley. Views of the surrounding land uses are shown in Figure I-3.

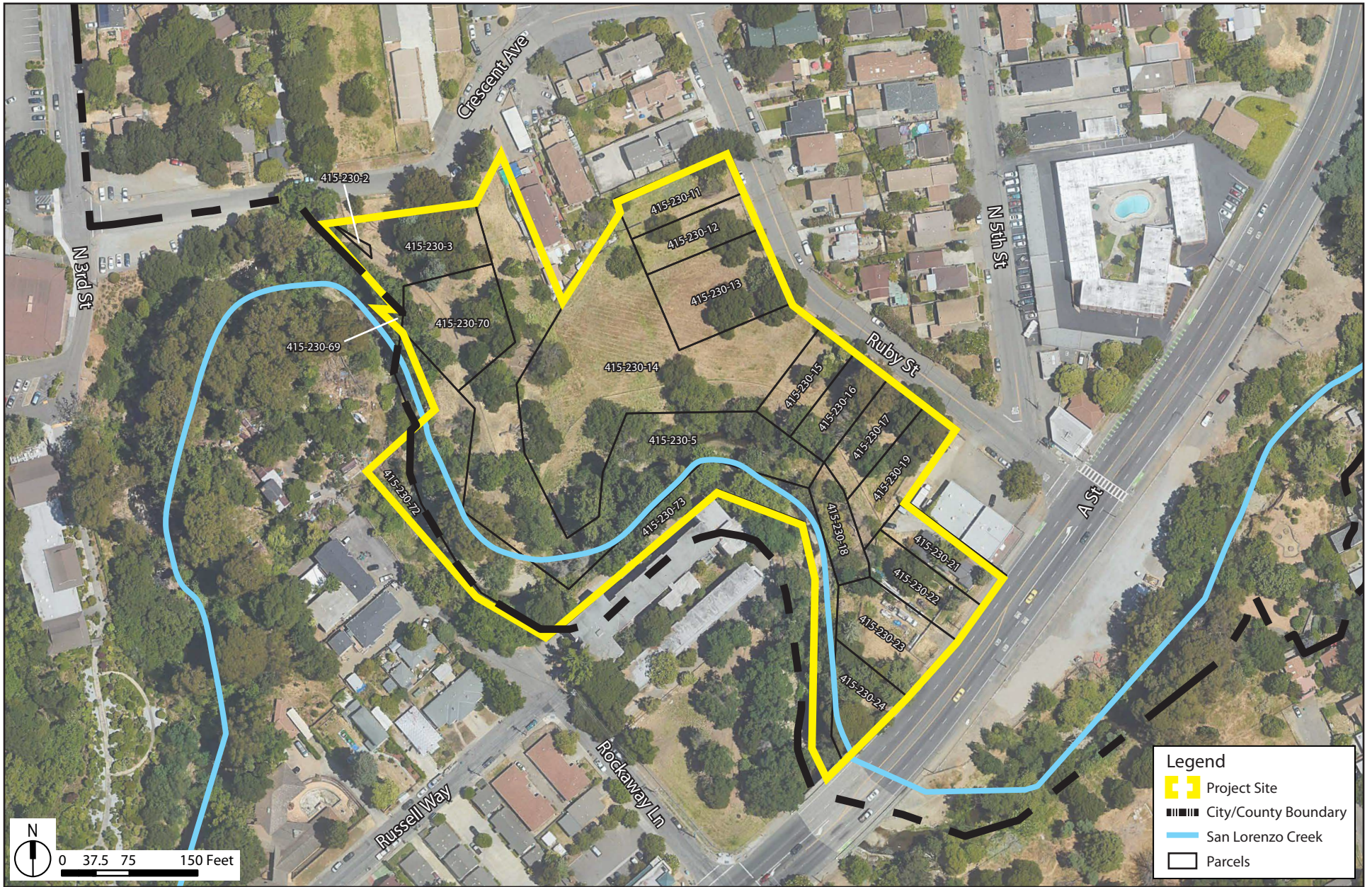
The five parcels adjacent to the northeast corner of the project site, bounded by Crescent Avenue and Ruby Street, contain one- and two-story single-family homes and duplexes. Land uses to the north across Crescent Avenue as well as to the northeast across Ruby Street consist of one- and two-story single-family homes as well as apartment buildings with two to four units. One apartment complex with over five units is on the north side of Crescent Avenue.

The parcel adjacent to the southeast corner of the project site, bounded by Ruby Street and A Street, contains a two-story warehouse with a brick façade and awnings and an associated parking lot. This parcel is surrounded by a wrought iron fence along A Street and a barbed wire fence along Ruby Street. To the southeast, across A Street is an undeveloped parcel behind a chain-link fence that has been graded and covered with gravel. Farther south beyond this parcel is San Lorenzo Creek and its riparian corridor. East along A Street, moving away from the project site, is a mix of residential and commercial uses.

Land to the west of the project site across San Lorenzo Creek is within the City of Hayward. Immediately west of the site is undeveloped land and a two- to three-story apartment building as shown in the bottom left photo in Figure I-3. Farther west of the project site are single-family residences and the Hayward Japanese Gardens. West along A Street, moving away from the project site, is a mix of both residential and commercial uses.

9. Description of Project:

The project includes a lot line adjustment to create three parcels on the 6.3-acre project site and develop a building with 72 multi-family residential units, 71 of which would be permanently affordable. The project site conditions and the proposed project are described in more detail below.



1744 Ruby Street

Source: Alameda County, 2014; Google, 2017.

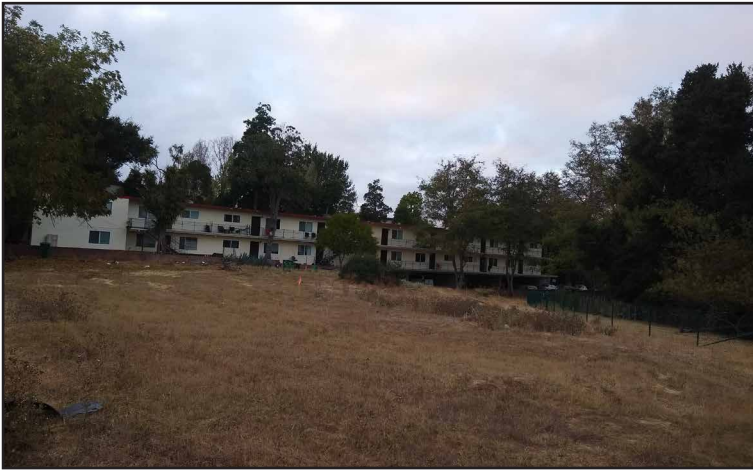
Figure I-2
Existing Parcels on the Project Site



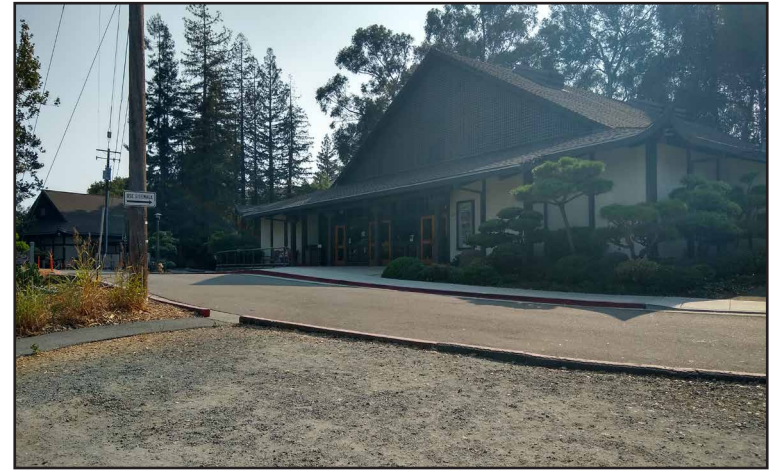
Single-family residential along Crescent Avenue with project site out of frame to the right



Commercial and single-family residential, northwest corner of Ruby Street and A Street



Large two- to three-story apartment building, project site to the right



Hayward Japanese Gardens

1744 Ruby Street

Source: Urban Planning Partners, 2018.

Figure I-3
Existing Area Views

a. Project Site Existing Conditions

The entire site is fenced and inaccessible to the public, with portions of the site adjacent to the public right-of-way surrounded by a chain-link fence and portions adjacent to the residential parcels surrounded by a wood fence. Property owner access is provided by one gate on Crescent Avenue, three gates on Ruby Street, and one gate on A Street.

The site is mostly undeveloped and predominantly supports non-native annual grassland with ruderal (weedy) species and trees. San Lorenzo Creek traverses along the southwest border of the site. The site is mostly flat, around 126 to 131 feet above sea level (ASL), and slopes gently downwards towards the creek as well as towards the northwest near the Crescent Avenue frontage, where elevations range from 120 to 127 feet ASL. The San Lorenzo Creek's top of bank ranges from 120 to 130 feet ASL and its channel bottom ranges from 99 to 104 feet ASL.

Two small residential structures surrounded by a chain-link fence are at the northeast corner of the site and are currently leased to a small commercial roofing company. Views of the existing project site are shown in Figure I-4.

A minimum 20-foot creek setback where development is prohibited runs along the banks of San Lorenzo Creek.¹⁻² The project site also contains a Caltrans conservation easement, which is largely contiguous with the creek setback. The conservation easement is used for riparian enhancement and restoration, which comprises mitigation for a separate Caltrans project, the SR-84 Safety Improvement project at Pigeon Pass in Alameda County. This mitigation project is currently in year three of five with remaining tasks consisting of maintenance monitoring for the next two years and agency sign-off and completion of mitigation requirements in 2021.³ A utility easement is accessed off Ruby Street and contains an abandoned storm sewer pipe.

In the past, the project site contained the Hayward Steam Laundry adjacent to Ruby Street, the Hayward water pumping station, as well as single-family. The Haywards water pumping station was removed prior to 1907, the Haywards Steam Laundry was demolished sometime between 1960 and 1965 and the single-family homes were demolished subsequent to 1968.⁴ At least five single-family houses along Ruby Street, A Street and Crescent Avenue were demolished as recently as between 2011 and

¹ Alameda County General Ordinance Code 13.12.320

² The creek setback is calculated by creating an imaginary 2:1 (horizontal to vertical) slope line from the creek toe, following it until intersects the natural grade beyond the top of the bank, and adding 20 feet. Using this method, steeper creek banks result in more substantial setbacks.

³ Carson, Rebecca J., Branch Chief/Senior Biologist, California Department of Transportation District 4. 2019. Personal communication with LSA Associates, Inc. August 26.

⁴ Adanta, Inc., 2018a. Phase I Environmental Site Assessment Ruby Street Apartments Ruby and Crescent Streets, Castro Valley, California. January 23.



Looking from the southeast end of the project site across to the west



San Lorenzo Creek and the Caltrans conservation easement within the project site



Looking from the southeast from Ruby Street, warehouse on left and project site on right



Looking north from A Street, project site on left (single-story building to be demolished) and warehouse on right

1744 Ruby Street

Source: Urban Planning Partners, 2018.

Figure I-4
Existing Site Views

2014.⁴ The project site is not located on a hazardous waste and substances site list compiled pursuant to Government Code Section 65962.5.

b. Proposed Project

Using a lot line adjustment process, the 6.3-acre project site would be divided into three new parcels:

- Parcel A – 2.95 acres
- Parcel B – 0.34 acre
- Parcel C – 2.99 acres

Parcel A would be developed with 72 multi-family units. The proposed parcels are shown in Figure I-5 and the site plan is shown in Figure I-6. Each proposed parcel and associated development are described in more detail below.

Parcel A and Residential Building

This 2.95-acre eastern parcel (“Parcel A”), which fronts on Ruby Street and Crescent Avenue, is proposed to be developed with a residential building with 72 units, 79,917 square feet of floor area, 109 parking spaces, and open space and other site amenities. The ground floor plan of the building is shown in Figure I-7.

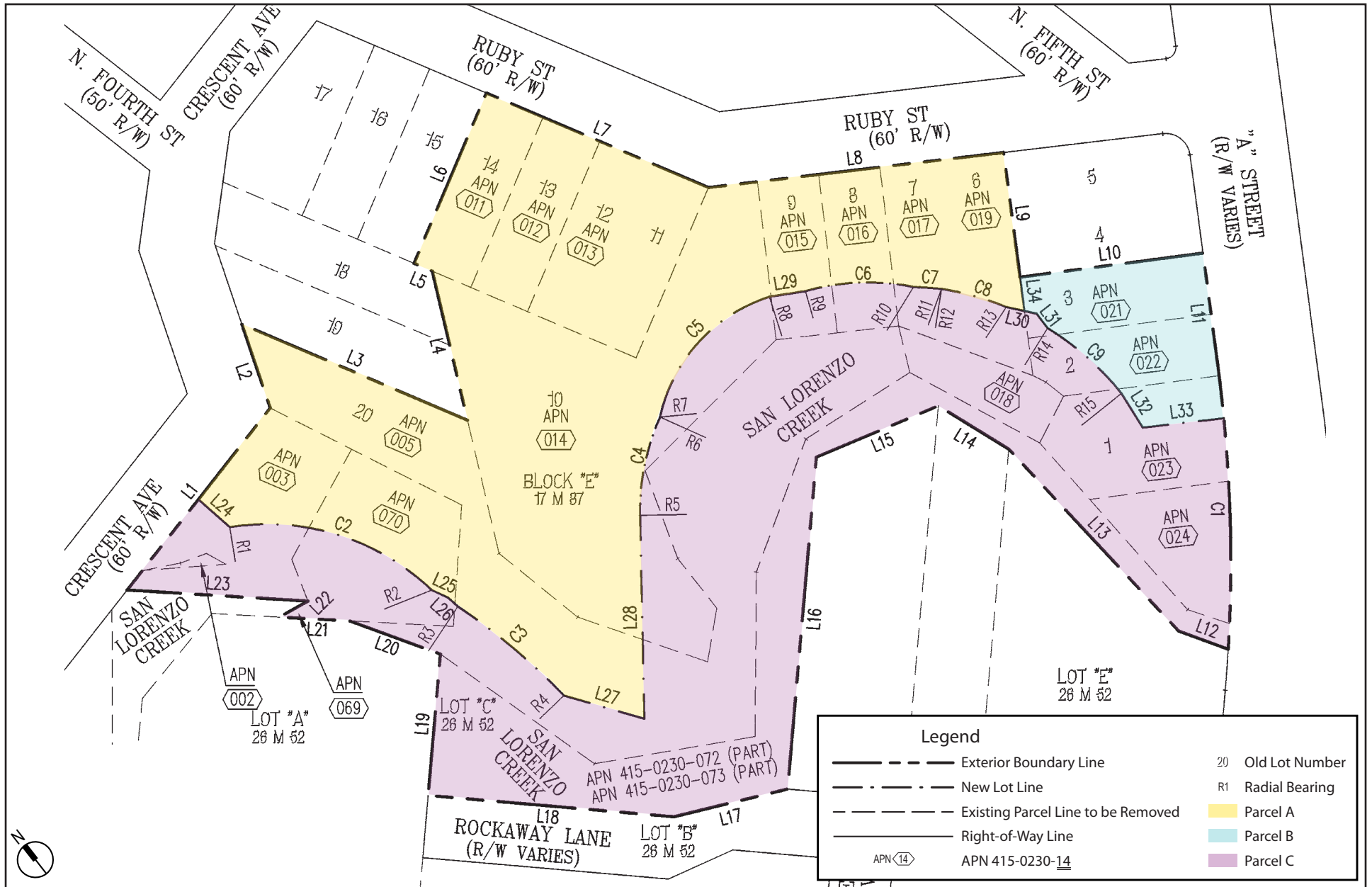
The proposed residential building is varied in height with a mix of two-, three-, and four-story elements and a maximum roofline height of 55 feet, as shown in Figures I-8 and I-9.⁵ The building would be adjacent to the residences at the northeast corner of the project site and would be set back a minimum of 16 feet 3 inches from the northeast interior lot line. The development is designed to avoid the required setback for San Lorenzo Creek as well as the Caltrans conservation easement. Parcel A would comprise open space and surface parking with a smaller portion at the northeast corner (18 percent of the lot) developed with the multi-family residential building.

The 72 units include 8 studio units, 27 one-bedroom units, 18 two-bedroom units, and 19 three-bedroom units. With the exception of one unit, which would be occupied by the project’s community manager, all the units would be permanently affordable to Extremely Low Income to Low Income⁶ households. The ground floor of the building includes two lobbies, an approximately 1,260-square-foot community room, building offices, flex space, and a bicycle area with capacity for 56 bicycles. The project design

⁴ Google Maps imagery, 2011 and 2014.

⁵ The maximum height shown in Figure I-8 is 52 feet and 10½ inches because it is measured in a plumb line from the floor slab to the roof, as opposed to Alameda County’s definition of height (“the vertical distance between the average level of the highest and lowest points of that portion of the lot covered by the building and the topmost point of the structure”).

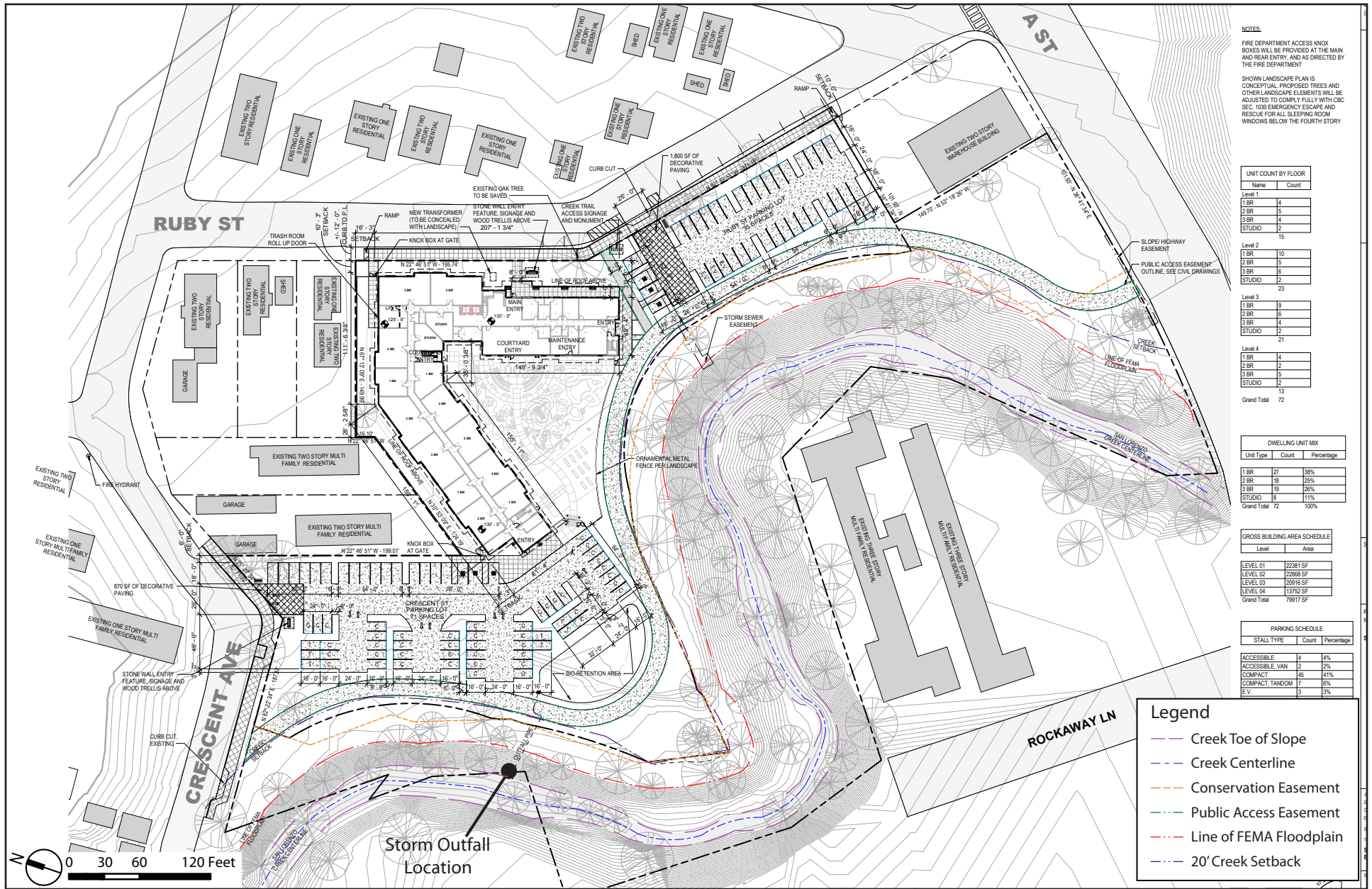
⁶ The U.S. Department of Housing and Urban Development defines Extremely Low Income as 0% to 30% of Area Median Income (AMI), Very Low Income as 30% to 50% of AMI, and Low Income as 50% to 80% of AMI.



1744 Ruby Street

Source: Luk and Associates, 2018.

Figure I-5
Proposed Parcels on the Project Site



NOTES:
 FIRE DEPARTMENT ACCESS KNOX BOXES WILL BE PROVIDED AT THE MAIN AND REAR ENTRY, AND AS DIRECTED BY THE FIRE DEPARTMENT
 SHOWN LANDSCAPE PLAN IS CONCEPTUAL. PROPOSED TREES AND OTHER LANDSCAPE ELEMENTS WILL BE ADJUSTED TO COMPLY FULLY WITH CBC SEC. 103B EMERGENCY ESCAPE AND RESCUE FOR ALL SLEEPING ROOM WINDOWS BELOW THE FOURTH STORY

UNIT COUNT BY FLOOR

Name	Count
Level 1	
1 BR	4
2 BR	5
3 BR	4
STUDIO	2
	15
Level 2	
1 BR	10
2 BR	5
3 BR	6
STUDIO	2
	23
Level 3	
1 BR	9
2 BR	6
3 BR	4
STUDIO	2
	21
Level 4	
1 BR	4
2 BR	2
3 BR	5
STUDIO	2
	13
Grand Total	72

DWELLING UNIT MIX

Unit Type	Count	Percentage
1 BR	27	38%
2 BR	18	25%
3 BR	19	26%
STUDIO	8	11%
Grand Total	72	100%

GROSS BUILDING AREA SCHEDULE

Level	Area
LEVEL 01	22381 SF
LEVEL 02	22895 SF
LEVEL 03	20916 SF
LEVEL 04	13752 SF
Grand Total	79917 SF

PARKING SCHEDULE

STALL TYPE	Count	Percentage
ACCESSIBLE	4	4%
ACCESSIBLE VAN	2	2%
COMPACT	18	8%
COMPACT TANDOM	17	8%
EV	3	3%

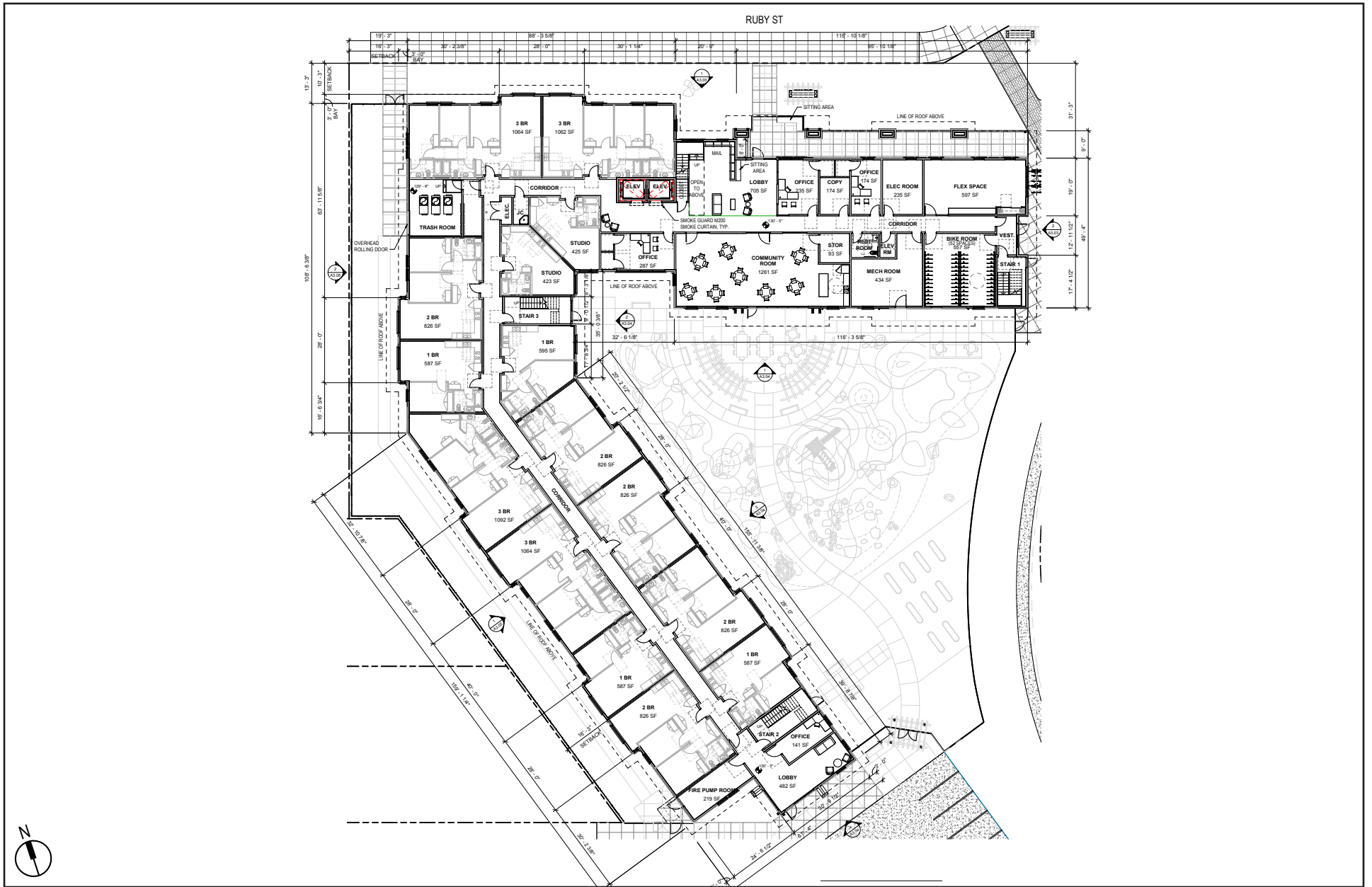
Legend

- Creek Toe of Slope
- Creek Centerline
- Conservation Easement
- Public Access Easement
- Line of FEMA Floodplain
- - - 20' Creek Setback

1744 Ruby Street

Source: PYATOK, 2019.

**Figure I-6
 Site Plan**

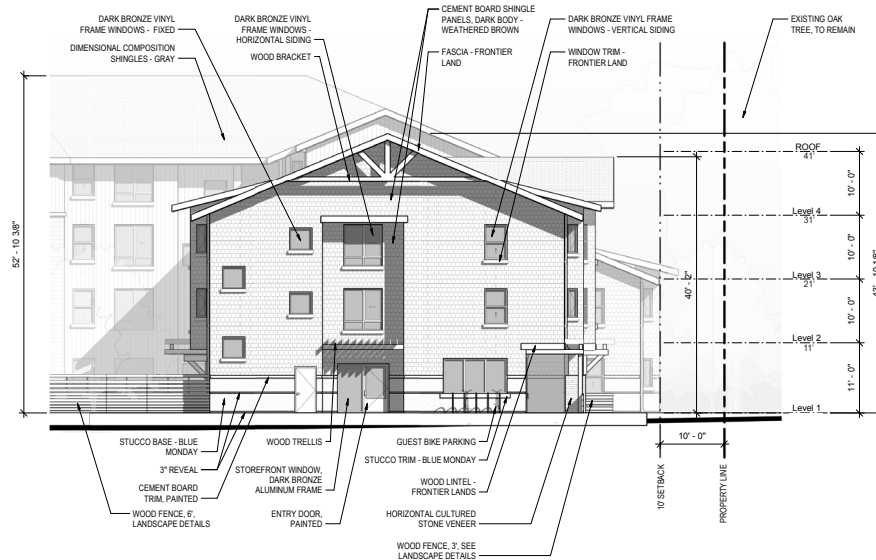


1744 Ruby Street

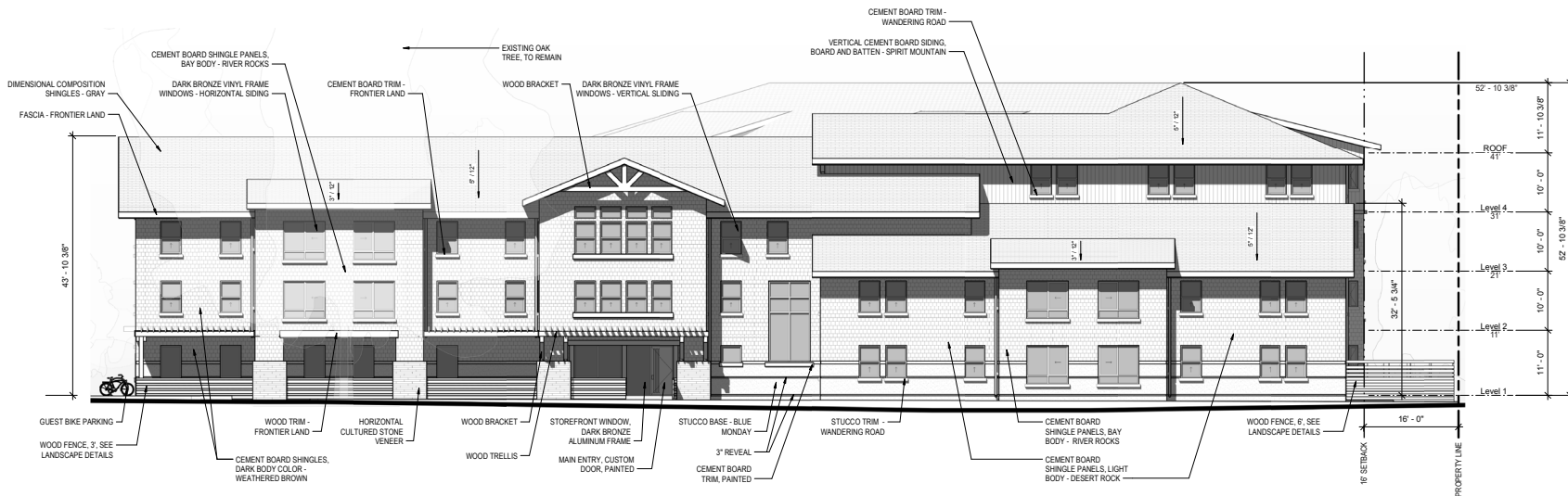
Source: PYATOK, 2019.

Figure I-7
Ground Floor Plan

South Elevation - Ruby Street Lot



East Elevation - Ruby Street



1744 Ruby Street

Source: PYATOK, 2019.

Figure I-8 Elevations

Rear Courtyard View



Ruby Street Facade View



1744 Ruby Street

Source: PYATOK, 2019.

**Figure I-9
Renderings**

includes 14,213 square feet of common open space in a courtyard with play mounds, a barbecue area, and benches. In addition, the residents would have access to the proposed creek trail described below.

Pedestrian access into the building is via the two lobbies at opposite ends of the building, one at the Ruby Street frontage and one at the Crescent Avenue parking lot. Two parking lots are proposed with a total of 109 parking spaces: 1) a large lot accessed from Crescent Avenue with 71 spaces, and 2) a medium-sized lot accessed from Ruby Street with 38 spaces. Eight short-term outdoor bicycle spaces (four racks with two spaces each) would be provided. Sidewalks, landscaping, and light posts would be installed adjacent to the parking lots and sidewalks and landscaping would surround the building perimeter. New sidewalks would be developed along Ruby Street, A Street, and Crescent Avenue adjacent to the project site. To improve the site, approximately 42 of the 58 existing trees on the site are proposed to be removed (none of which are within the creek setback area or protected under local, State, or federal law). The tree removal is necessary to accommodate the proposed building, parking lots, and trail. Approximately 96 replacement trees are proposed as shown on Figure I-10.

The building would have wood frame construction on a mat slab foundation. Ground improvement columns would be placed beneath the mat slab on a grid spacing. The maximum depth of excavation would be 15 feet and approximately 2,070 cubic yards of soil would be removed. Approximately 3,490 cubic yards of soil would be needed for fill, resulting in delivery of 1,420 cubic yards of soil to the project site. Construction of the project would begin approximately at the end of 2020 and last approximately 20 to 24 months. The project would use Tier 2 or higher engines equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) for all off-road diesel construction equipment used during construction.⁷

The project sponsor would construct a multi-use bicycle and pedestrian trail within a 14-foot-wide public access easement between the creek and the proposed residential building described above. The trail would be a 10-foot-wide asphalt trail with 2-foot-wide decomposed granite shoulders. A 42-inch-tall wire rope fence with bollards would be placed on the creek side of the trail to preclude access to the creek, and a 6-foot-tall ornamental metal fence would be placed on the interior side of the trail adjacent to the proposed building's courtyard. Standard pedestrian-scale lighting may be installed by the Hayward Area Recreation and Park District (HARD).

The trail would be located on Parcels A and B, outside of the conservation easement. No portions of the trail would be within the creek setback, although minor grading

⁷ Morris, Ellen, Senior Project Developer, Eden Housing, 2019. Personal communication with Urban Planning Partners, April 4.



1744 Ruby Street

Source: Jett Landscape Architecture + Design, 2019.

Figure I-10
Preliminary Landscape Design

may occur within the setback. The County will require the project sponsor to minimize grading to the greatest extent possible—especially within the creek setback or where the trail overlaps with the canopy of riparian trees—through measures such as installation of retaining walls along the project side of the trail.

Parcel B and Park Amenities

The smaller 0.34-acre southeastern parcel (“Parcel B”), which fronts on A Street, contains two commercial buildings which would be demolished and cleared by either the project sponsor or HARD, depending on project timing.

At the time of this document’s publication, HARD is reviewing Eden Housing’s Letter of Intent to transfer or sell Parcel B to HARD. Should HARD accept the transfer, Eden Housing would transfer or sell Parcel B to HARD after they pay off their land acquisition loan at the close of construction financing, which is scheduled to occur in approximately late 2021 or early 2022.

HARD would install park amenities on this parcel, which may include a small playground or outdoor fitness course, picnic tables, trail interpretive and wayfinding signage, seating, pedestrian-scale lighting (possibly solar lights on motion sensors), and a bike repair station.⁸ A portion of the trail described above would be located on this parcel.

Parcel C and Storm Sewer Outfall

The 2.99-acre western parcel (“Parcel C”), which fronts on A Street and Crescent Avenue, includes San Lorenzo Creek, the entire creek setback, and the associated conservation easement. Parcel C would be conveyed via a quitclaim deed to the Alameda County Flood Control and Water Conservation District (Flood Control District).⁹ Caltrans would remain responsible for maintaining the conservation easement through completion of mitigation requirements in 2021.¹⁰ Subsequently, responsibility for maintaining the riparian plantings in the conservation easement would be transferred to the Flood Control District.¹¹

Parcel C would remain largely undeveloped except for minor grading for the adjacent trail on Parcels A and B, and a new storm sewer outfall. The outfall would be constructed in the bank of San Lorenzo Creek to provide site drainage (see Figure I-6

⁸ Tiernan, Meghan, Capital Planning and Development Director, Hayward Area Recreation & Park District, 2019. Personal communication with Eden Housing, July 30.

⁹ Eden Housing, 2018. Ruby Street – Parcel Acquisition Plan.

¹⁰ Carson, Rebecca J., Branch Chief/Senior Biologist, California Department of Transportation District 4. 2019. Personal communication with LSA Associates, Inc. August 26.

¹¹ Perrill, Beth, Engineer, Alameda County Public Works Agency, 2019. Personal communication with Alameda County Community Development Agency, September 26.

for outfall location). The pipe would be drilled/placed laterally to minimize removal of riparian vegetation and riprap would be placed around the pipe to prevent erosion.

10. Required Approvals:

The following approvals from Alameda County are required for the project:

Castro Valley Municipal Advisory Council

- Recommendation to Planning Director regarding site development review

Planning Director

- Approval of boundary adjustment/lot merger
- Approval of site development review

Public Works Agency

- Tree removal permit
- Encroachment permit

11. Other Public Agencies Whose Approval is Required:

- San Francisco Bay Regional Water Quality Control Board – Section 401 certification under the Clean Water Act (CWA)
- California Department of Fish and Wildlife – Section 1602 streambed alteration agreement
- U.S. Army Corps of Engineers – Section 404 Permit under the CWA

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II. PURPOSE AND SUMMARY OF THIS DOCUMENT

This CEQA document is prepared pursuant to California Resources Code Section 21083.3 and State of California Environmental Quality Act (CEQA) Guidelines Section 15183.

The purpose of this CEQA document is to evaluate the potential environmental effects of the project and to determine whether such impacts were adequately covered under the Castro Valley General Plan Environmental Impact Report (EIR) (generally referred to as “General Plan EIR” hereafter), described below, such that the relevant CEQA streamlining provisions and exemptions could be applied. The analysis herein incorporates information from the Castro Valley General Plan EIR. It includes a CEQA Checklist (see *Chapter III*) and supporting documentation to provide comprehensive review and public information for the basis of the CEQA determination.

Based on the environmental evaluation, and as this CEQA Checklist demonstrates, the project qualifies for a community plan exemption. The analysis below describes the Castro Valley General Plan EIR, outlines the provisions and applicability of the community plan exemption, and summarizes the project’s consistency with the Castro Valley General Plan.

A. Castro Valley General Plan and Plan EIR

The Castro Valley General Plan (General Plan)¹² is intended to serve as the basis for regulating land use and development in the unincorporated Castro Valley Planning Area (“Planning Area”) until the year 2025, which is the horizon year of the plan. The previous General Plan for Castro Valley was adopted in 1985.

The Castro Valley Planning Area includes approximately 38 square miles of urbanized land area to the east of the junction of Interstate (I-) 580 and State Route (SR) 238 within Alameda County’s (County) Urban Growth Boundary. As an unincorporated area, Castro Valley is subject to Alameda County’s General Plan. State law allows a county general plan to be adopted as a series of area plans, such as those Alameda County has produced for Castro Valley, the Eden area, and the East County. Therefore, the Castro Valley General Plan is a component of the County General Plan’s Land Use and Circulation Element.

The Castro Valley General Plan was prepared over a seven-year period from 2004 to 2012. The Notice of Preparation for the Draft General Plan EIR was filed with the State Clearinghouse on March 7, 2007 (SCH# 2006032036) and the Draft General Plan EIR was published in April 2007. Subsequent to the publication, the County Board of Supervisors (“Board”) voted to adjust the Planning Area boundary to include several additional neighborhoods. As a result, a revised draft of the General Plan was published for public

¹² Alameda County Community Development Agency, 2012. Castro Valley General Plan. March.

review in July 2010, and the revised Draft General Plan EIR was published in August 2011. The revised Draft General Plan EIR analyzed the expansion of the Planning Area boundaries and included a new chapter analyzing the impact of the General Plan on climate change.

The Final General Plan EIR incorporates the added material from the revised Draft General Plan EIR: the new chapter on climate change and the revisions to the initial Draft General Plan EIR associated with expansion of the Planning Area boundary. This eliminates the need for reference to the revised Draft General Plan EIR. On March 27, 2012, the Board approved the revised General Plan and certified the General Plan EIR.

The Castro Valley General Plan EIR notes that the General Plan EIR “will be used as a basis for environmental review of projects the County and its agencies undertake within the Castro Valley Planning Area or projects that may have environmental effects within the Castro Valley Planning Area.” See analysis under Project Consistency with General Plan, below.

B. Community Plan Exemption

Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning) states that projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site.” Such projects are eligible for streamlined environmental review. Section 15183(c) specifies that “if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards (...), then an EIR need not be prepared for the project solely on the basis of that impact.”

Further, Section 15183(b) states:

“In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Are peculiar to the project or the parcel on which the project would be located;
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.”

Based on the analysis conducted in this document, and pursuant to CEQA Guidelines Section 15183, the project qualifies for a community plan exemption. The project meets the requirements for a community plan exemption, as it is permitted in the zoning district where the project site is located and is consistent with the land uses and densities envisioned for the site in the Castro Valley General Plan and General Plan EIR, as described below in Subsection C, Project Consistency with General Plan. This CEQA document concludes that the project would not result in significant impacts that (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or offsite effects in the General Plan EIR; or (3) were previously identified as significant effects but are determined to have a more severe adverse impact than discussed in the General Plan EIR.

CEQA Guidelines Section 15183(f) states that an impact is not peculiar “if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental impact when applied to future projects (...).” The County has such policies and standards in the County’s Municipal Code, Zoning Ordinance, and General Plan, which are referenced as needed to reduce potential impacts of the project. Consistent with the requirements of CEQA, a determination of whether the project would have a significant impact was made prior to the approval of the project and, where applicable, policies and regulations have been identified to mitigate those impacts. In some instances, exactly how the measures/conditions identified will be achieved awaits completion of future studies, an approach that is legally permissible where measures/conditions are known to be feasible for the impact identified; where subsequent compliance with identified federal, state, or local regulations or requirements apply; where specific performance criteria are specified and required; and where the project commits to developing measures that comply with the requirements and criteria identified.

Based on the findings included in this CEQA document, no additional environmental documentation or analysis is required.

C. Project Consistency with General Plan and Zoning

The General Plan EIR analyzed the environmental impacts associated with adoption and implementation of the General Plan. As noted above, on March 27, 2012, the Alameda County Board of Supervisors approved the General Plan and certified the General Plan EIR. This allows the use of CEQA’s community plan exemption for projects that are developed consistent with the General Plan and existing zoning (CEQA Guidelines Section 15183).

The project site is within the southernmost portion of the Castro Valley Planning Area, which was analyzed in the General Plan EIR. The General Plan designates the project site as Residential Low Density Multi-Family (RLM), with a maximum density ranging from 18 to 22 dwelling units per acre. The project site is zoned Suburban Residence (R-S), which permits single-family to multiple-family residential uses by-right and limits height to a maximum of three stories and 30 feet (35 feet where at least 25 feet from the property line),¹³ and is within a combining “D” district (D-20), which requires 2,000 square feet of building site per dwelling unit.¹⁴

The project is proposing to utilize the State’s density bonus law,¹⁵ which Alameda County has incorporated into its municipal code as Chapter 17.106, to increase the allowed density based on the affordability of the project. As the project would reserve 71 of its 72 units as affordable to Extremely Low Income to Low Income households, it would be entitled to a 35 percent increase in the allowable residential density, waivers/modifications which “physically preclude” the construction of a project with its entitled density bonus, as well as three incentives/concessions.

The 72 units proposed by the project would be within the increased residential density that the project is entitled to via the density bonus. The project would use a waiver to exceed the maximum height of three stories and 30 to 35 feet and propose a maximum height of four stories and 55 feet. The project would also use several waivers and incentives to modify other minor standards such as setbacks and open space requirements. As the project would comply with Alameda County Municipal Code Chapter 17.106 and all other applicable development standards, it would be consistent with the existing zoning and development density. The project’s consistency with General Plan and zoning designations are discussed in more detail in *Section III.I, Land Use and Planning*.

The General Plan EIR states that the General Plan would result in a net increase from years 2005 to 2025 of 2,090 housing units and 4,735 residents. The project would develop 72 residential units and increase Castro Valley’s population by approximately 181 residents.¹⁶ This increase in housing units and population represents approximately 3.4 percent and 3.8 percent of the anticipated growth in Castro Valley, respectively. As result, the proposed type and scale of this new development would conform to the anticipated development plan envisioned in the General Plan and General Plan EIR. Lastly, properties in Alameda County are required to conform with Alameda County General Ordinance Code 13.12.320, which establishes a 20-foot minimum setback requirement for developments near creeks. The project would comply with this requirement. A thorough investigation

¹³ Alameda County Community Development Agency, 2014. Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County. Table 2.5-1: Multi-Family Residential Standards.

¹⁴ Alameda County Municipal Code, Section 17.24.040.

¹⁵ Government Code Section 65915.

¹⁶ Based on average of 2.52 persons per household of renter-occupied units in Alameda County (Castro Valley General Plan, Community Development Strategy, Table 3.1-1).

and biological assessment was conducted in the creek/riparian zone to determine if any site-specific impacts would be created, using General Plan policies specific to areas with high priority biological resources. No significant impacts were identified. For the above reasons, the project is consistent with the General Plan and the findings of the General Plan EIR.

An examination of the analysis, findings, and conclusions of the General Plan EIR, as summarized in the CEQA Checklist below, indicates that the General Plan EIR adequately analyzed and covered the potential environmental impacts associated with the project. The project is legally required to incorporate and/or comply with the applicable requirements of the General Plan policies identified in the General Plan EIR; therefore, the policies are herein assumed to be included as part of the project. The community plan exemption pursuant to CEQA Guidelines Section 15183 applies to the project and no additional documentation or analysis, beyond that provided in this CEQA document, is required.

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III. CEQA CHECKLIST

OVERVIEW

Consistent with CEQA Guidelines Section 15183, the examination of the potential environmental effects of the Ruby Street Apartments project in this CEQA Checklist is limited to environmental effects that:

1. Are peculiar to the Ruby Street Apartments project site;
2. Were not analyzed as significant effects in the EIR that the County certified for the Castro Valley General Plan (General Plan EIR) with which the project is consistent;
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Each environmental topic sub-section begins with a checklist and brief description that summarizes the relevant General Plan EIR (abbreviated as CV GP EIR in the tables) impact findings (NI=No Impact, LTS=Less Than Significant, SU=Significant and Unavoidable). The checklist also identifies whether the Ruby Street Apartments project's impacts would be less severe, equal, or greater than the impacts identified in the General Plan EIR, and whether any new significant impacts would result from the project. Impacts specific to the Ruby Street Apartments project are then discussed.

The General Plan EIR identified policies and standards in the County's General Plan, Municipal Code, and Zoning Ordinance to ensure potential environmental impacts are reduced to a less-than-significant level. Such standards and policies applicable to this project are identified in this checklist. In some cases, these policies require the preparation of project-specific environmental studies and reports. Where applicable, these studies have been prepared as part of the CEQA document and the project would be required to implement all measures identified by said studies.

Since the General Plan EIR was certified there have been updates to the CEQA Guidelines, including the Appendix G Environmental Checklist Form; the most recent update became effective on December 28, 2018. The most relevant updates include variations in the specific environmental topics addressed and significance criteria. Where appropriate, the checklist questions/significance criteria have been updated.

A. Aesthetics

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Have a substantial adverse effect on a scenic vista, including views of the hills surrounding Castro Valley, or any scenic routes identified under the California Scenic Highway Program, which could be caused by blocking panoramic views or views of significant landscape features or landforms as seen from public viewing areas?	LTS	■	<input type="checkbox"/>	LTS
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor?	LTS	■	<input type="checkbox"/>	LTS
c. In non-urbanized areas, substantially degrade the existing visual character of quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	LTS	■	<input type="checkbox"/>	LTS
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The General Plan EIR did not find any significant impacts related to aesthetic and scenic resources, since new development would likely be infill development with scale and character similar to nearby existing developments.

2. Project Analysis

Scenic Vistas (Criterion A.a)

The project is not located on a scenic route, or a road eligible to be designated a scenic route. None of the three roads in Castro Valley designated as scenic routes by the Alameda County General Plan Scenic Routes Element—Cull Canyon Road, Crow Canyon Road, and Lake Chabot Road¹⁷—are near the project site. The site is located in the

¹⁸ Bay Area Air Quality Management District (BAAQMD), 2017. CEQA Air Quality Guidelines, May.

“flatlands” of Castro Valley and no views of the hills are available due to the distance as well as intervening terrain and structures.

The topography of the site is generally flat and there are no significant views of or through the site from public scenic vistas. The site is currently primarily undeveloped. There are views of the grassland area and the riparian trees along the bank of San Lorenzo Creek from the private properties across Ruby Street; given these are views from private properties onto another private property they are not protected scenic vistas under CEQA, which focuses on impacts to public views and scenic vistas. Furthermore, as part of the project, a multi-modal trail segment is proposed adjacent to San Lorenzo Creek, which currently has no public access within the project site. The trail would provide new views of the creek for recreational users. For these reasons, the project’s impact pertaining to scenic vistas would be less than significant, consistent with the findings of the General Plan EIR.

Scenic Resources within a State Scenic Highway Corridor (Criterion A.b)

The project site is approximately 4.5 miles southeast from the nearest portion of I-580 that is a designated State scenic highway, and approximately 0.6 mile south of the nearest eligible segment. Therefore, the project would not impact scenic resources within a State scenic highway corridor.

Visual Character and Quality (Criterion A.c)

The project site is located in an urbanized area. The site is fenced off, largely undeveloped, and contains primarily non-native vegetation and trees. Two small residential structures are located in the southeast corner of the site adjacent to the A Street frontage.

The immediate project vicinity comprises a mix of one- to two-story single-family post-war starter homes and California bungalows on small, regularly shaped rectangular lots as well as several larger two- to three-story apartment complexes. The surrounding area has a mixed visual character. A Street, a major arterial roadway bounding the project site to the south, has elements of a busy urban area such as minimal front yard setbacks and multi-story structures. Moving southeast towards Foothill Boulevard, a major commercial corridor, development becomes increasingly more dense and commercial in nature, landscaping becomes more sparse, and parcels consist primarily of structures and hardscape. The surrounding area also has two small open space areas with heavy tree cover and San Lorenzo Creek and Coyote Creek running through them—Hayward Japanese Gardens to the west of the site and Carlos Bee Park to the northwest.

The mass and scale of the proposed two to four-story multi-family residential building would not compromise the visual character of this already visually eclectic area that includes a mix of building heights, types and sizes. Additionally, new and existing street trees would provide partial screening of the development from Ruby Street, while screen

trees along the interior parcel boundary would provide partial screening from the residences within the same block. While some site trees would be removed for construction of the building and parking lots, new trees would be planted along the perimeter of the parking lots and elsewhere in the site.

The General Plan EIR notes that the Planning Area’s visual character is also defined by negative features such as an absence of sidewalks in residential areas. The project proposes a new sidewalk along the project frontages on Ruby Street, A Street, and Crescent Avenue, where no sidewalks currently exist, adding an attractive visual amenity.

While the project would represent a substantial visual change from the existing conditions on the site, it would be consistent with the visual character of the area, which features both multi-story structures as well as tree-covered open spaces.

Light and Glare (Criterion A.d)

The project site is located in an urban area with substantial nighttime light levels, including light emanating from the streetlights and automobile traffic on A Street, a major arterial corridor bordering the project site to the southeast. The project would add outdoor light sources typical of residential uses anticipated in the General Plan EIR. Building windows would reflect sunlight but would not create glare that is unusual for this type of development.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to aesthetics and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant aesthetic impacts identified in the General Plan EIR, nor would it result in new significant impacts related to aesthetics that were not identified in the General Plan EIR.

B. Air Quality

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Conflict with or obstruct implementation of the applicable air quality plan?	LTS	■	<input type="checkbox"/>	LTS
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	LTS	■	<input type="checkbox"/>	LTS
c. Expose sensitive receptors to substantial pollutant concentrations?	LTS	■	<input type="checkbox"/>	LTS
d. Result in other emissions, such as those leading to odors adversely affecting a substantial number of people?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR found that implementation of the General Plan would result in increased construction and operational emissions, but the impacts would be less than significant and therefore no mitigation measures were required.

2. Project Analysis

The project is in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD adopted thresholds of significance to assist lead agencies in the evaluation and mitigation of air quality impacts under CEQA.¹⁸ The thresholds are summarized in Table III.B-1 below.

Conflict with Air Quality Plan (Criterion B.a)

In April 2017, the BAAQMD adopted the *2017 Clean Air Plan: Spare the Air, Cool the Climate* (2017 CAP), which includes 85 control measures to reduce ROG, NOx, PM₁₀, PM_{2.5}, TACs, and greenhouse gases (GHGs). The 2017 CAP was developed based on a multi-pollutant evaluation method that incorporates well-established studies and methods on quantifying the health benefits of air quality regulations, computer modeling and analysis

¹⁸ Bay Area Air Quality Management District (BAAQMD), 2017. CEQA Air Quality Guidelines, May.

Table III.B-1 BAAQMD's Thresholds of Significance

Impact Analysis	Pollutant	Threshold of Significance
Regional Air Quality (Construction)	ROG	54 pounds/day (average daily emission)
	NOx	54 pounds/day (average daily emission)
	Exhaust PM ₁₀	82 pounds/day (average daily emission)
	Exhaust PM _{2.5}	54 pounds/day (average daily emission)
Regional Air Quality (Operation)	ROG	54 pounds/day (average daily emission) 10 tons/year (maximum annual emission)
	NOx	54 pounds/day (average daily emission) 10 tons/year (maximum annual emission)
	Exhaust PM ₁₀	82 pounds/day (average daily emission) 15 tons/year (maximum annual emission)
	Exhaust PM _{2.5}	54 pounds/day (average daily emission) 10 tons/year (maximum annual emission)
Local Community Risks and Hazards (Operation and/or Construction)	Fugitive dust (PM ₁₀ and PM _{2.5})	Best Management Practices
	Exhaust PM _{2.5} (project)	0.3 µg/m ³ (annual average)
	TACs (project)	Cancer risk increase > 10 in one million Chronic hazard index (HI) > 1.0
	Exhaust PM _{2.5} (cumulative)	0.8 µg/m ³ (annual average)
	TACs (cumulative)	Cancer risk > 100 in one million Chronic hazard index > 10.0

Notes: µg/m³ = micrograms per cubic meter
 Source: BAAQMD, 2017. CEQA Air Quality Guidelines, May.

of existing air quality monitoring data and emission inventories, and growth projections prepared by the Metropolitan Transportation Commission and the Association of Bay Area Governments.¹⁹

As described in Table III.B-2, the project would be consistent with applicable control measures from the 2017 CAP. Because the project would not result in any significant and unavoidable air quality impacts related to emissions, ambient concentrations, or public exposures (see discussion under criteria B.b through B.e below and *Section III.F, Greenhouse Gas Emissions and Energy*, of this CEQA document), the project would support the primary goals of the 2017 CAP. Therefore, based on the BAAQMD's CEQA Air Quality Guidelines, the project would not conflict with or obstruct implementation of the applicable air quality plan, and would not result in a significant impact that was not identified in the General Plan EIR.

¹⁹ Bay Area Air Quality Management District (BAAQMD), 2017. Final 2017 Clean Air Plan. Adopted April 19.

Table III.B-2 Project Consistency with Bay Area Air Quality Management District (BAAQMD) 2017 Clean Air Plan (CAP)

Control Measures	Project Consistency
Stationary Sources	The stationary source measures are enforced by the BAAQMD pursuant to its authority to control emissions from permitted facilities. The project would not include any new stationary sources, such as an emergency diesel generator. Therefore, the stationary sources control measures of the 2017 CAP are not applicable to the project.
Transportation	The transportation control measures are designed to reduce vehicle trips, use, miles traveled, idling, or traffic congestion for the purpose of reducing vehicle emissions. According to <i>Section III.M, Transportation/Traffic</i> , the project would not generate a significant net increase in vehicle trips, and therefore would be consistent with the transportation control measures of the 2017 CAP.
Energy	The energy control measures are designed to reduce emissions of criteria air pollutants, TACs, and GHGs by decreasing the amount of electricity consumed in the Bay Area, as well as decreasing the carbon intensity of the electricity used by switching to less GHG-intensive fuel sources for electricity generation. Since these measures apply to electrical utility providers and local government agencies (and not individual projects), the energy control measures of the 2017 CAP are not applicable to the project. However, power provided to the project would be generated by Pacific Gas and Electric (PG&E), whose electricity portfolio contains about 78 percent GHG-free sources. ^a
Buildings	The BAAQMD has authority to regulate emissions from certain sources in buildings such as boilers and water heaters, but has limited authority to regulate buildings themselves. Therefore, the building control measures focus on working with local governments that have authority over local building codes to facilitate adoption of best practices and policies to control GHG emissions. The project would include water-saving features in accordance with the California Green Building Standards, water-efficient irrigation systems mandated by the Division of the State Architect, and lighting efficiency requirements consistent with Title 24 of the 2019 California Building Code. Therefore, the project would not conflict with the building control measures of the 2017 CAP.
Agriculture	The agriculture control measures are designed primarily to reduce emissions of methane. Since the project does not include any agricultural activities, the agriculture control measures of the 2017 CAP are not applicable to the project.
Natural and Working Lands	Since the project does not include the disturbance of any rangelands or wetlands, the natural and working lands control measures of the 2017 CAP are not applicable to the project.
Waste Management	The waste management measures focus on reducing or capturing methane emissions from landfills and composting facilities, diverting organic materials away from landfills, and increasing waste diversion rates through efforts to reduce, reuse, and recycle. The project would comply with local requirements for waste management (e.g., recycling and composting services). Therefore, the project would be consistent with the waste management control measures of the 2017 CAP.
Water	The water control measures to reduce emissions from the water sector will reduce emissions of criteria pollutants, TACs, and GHGs by encouraging water conservation, limiting GHG emissions from publicly owned treatment works (POTWs), and promoting the use of biogas recovery systems. Since these measures apply to POTWs and local government agencies (and not individual

Control Measures	Project Consistency
	projects), the water control measures of the 2017 CAP are not applicable to the project.
Super GHGs	The super-GHG control measures are designed to facilitate the adoption of best practices and policies to control GHG emissions through the BAAQMD and local government agencies. Since these measures do not apply to individual projects, the super-GHG control measures of the 2017 CAP are not applicable to the project.

^a Pacific Gas and Electric, 2018. Exploring clean energy solutions. Available at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page, accessed April 12.
 Source: BAAQMD, 2017. Baseline, 2019.

Criteria Air Pollutants (Criterion B.b)

Air pollution in the SFBAAB is generally a cumulative impact and, therefore, future development projects contribute to the region’s adverse air quality impacts on a cumulative basis. In developing the thresholds of significance, the BAAQMD considered the emission levels for which an individual project’s emissions would be cumulatively considerable, including the emissions of criteria air pollutants already exceeding federal or State ambient air quality standards. The SFBAAB is currently designated as a non-attainment area under the federal and/or state ambient air quality standards for ozone, PM₁₀, and PM_{2.5} and therefore a cumulative air quality impact is occurring.

The project would generate temporary construction emissions and long-term operational emissions on a currently undeveloped site. During construction, the primary pollutant emissions of concern would be ROG, NOx, PM₁₀, and PM_{2.5} from the exhaust of off-road construction equipment and on-road construction vehicles (worker vehicles, vendor trucks, and haul trucks). In addition, fugitive dust emissions of PM₁₀ and PM_{2.5} would be generated by soil disturbance activities, and fugitive ROG emissions would result from the application of architectural coatings and paving during construction. During operation, the primary pollutant emissions of concern would be ROG, NOx, and exhaust PM₁₀ and PM_{2.5} from mobile sources, energy use and area sources (e.g., consumer products, architectural coatings, and landscape maintenance equipment).

The BAAQMD CEQA Air Quality Guidelines include screening levels for criteria air pollutant emissions from projects of certain land uses. As shown in Table III.B-3, the project is below the applicable screening levels from the Guidelines. Therefore, the project’s NOx, ROG, PM₁₀, and PM_{2.5} emissions would not be considered significant during construction or operation.

Table III.B-3 Criteria Air Pollutant and Precursor Screening Level Sizes

Land Use Type	Project Size^a	Operational Criteria Pollutant Screening Size	Construction-Related Screening Size
Apartment, mid-rise	80 dwelling units	494 dwelling units	240 dwelling units
Exceeds screening levels?		No	No

^a This analysis conservatively assumes a maximum of 80 dwelling units to account for fluctuations in the number of units during project design development and environmental review. The actual number of units included in the project is 72.

Sources: BAAQMD, 2017. CEQA Air Quality Guidelines, May.

For all proposed projects, independent of the screening thresholds, BAAQMD recommends the implementation of all Basic Construction Mitigation Measures to minimize PM₁₀ and PM_{2.5} emissions from fugitive dust associated with project excavation, grading, and material hauling activities during project construction. The following policy and action from the General Plan require the implementation of dust control measures:

- Policy 12.1-5: Reduce combustion emissions and release of suspended and inhalable particulate matter during construction and demolition phases.
- Action 12.1-4: Require sponsors of individual development projects requiring site development and/or environmental review to implement the BAAQMD’s approach to dust abatement through conditions of approval. This calls for “basic” control measures that should be implemented at all construction sites, “enhanced” control measures that should be implemented in addition to the basic control measures at construction sites greater than four acres in area, and “optional” control measures that should be implemented on a case-by-case basis at construction sites that are large in area, located near sensitive receptors or which, for any other reasons, may warrant additional emissions reductions.²⁰ [Note that the 1999 Guidelines referenced here have been superseded by the 2017 Guidelines referenced throughout this section.]

The project would comply with the above policy and action and implement the BAAQMD Basic Construction Mitigation Measures, listed below.

BAAQMD Basic Construction Mitigation Measures Recommended for ALL Proposed Projects: During project construction, the contractor shall implement the following fugitive dust control measures:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

²⁰ Bay Area Air Quality Management District (BAAQMD), 1999. BAAQMD CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans, December.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Toxic Air Contaminants (Criterion B.c)

The term "sensitive receptor" refers to a location where individuals are more susceptible to poor air quality. Sensitive receptors include schools, convalescent homes, and hospitals because the very young, the old, and the infirm are more susceptible than the rest of the public to air quality-related health problems. Residential areas are also considered sensitive to poor air quality because people are often at home for extended periods, thereby increasing the duration of exposure to potential air contaminants. The BAAQMD recommends evaluating the potential impacts on sensitive receptors located within 1,000 feet of a project. The project's potential impacts on sensitive receptors from emissions of TACs are described below.

Construction TAC Emissions

Project construction would generate diesel particulate matter (DPM) emissions, comprising PM_{10} and its smaller subset, $PM_{2.5}$, from off-road diesel construction equipment and on-road vehicles traveling to and from the project site. These emissions could affect nearby sensitive receptors. For this analysis, emissions of exhaust PM_{10} were conservatively used as a surrogate for DPM.

To estimate construction emissions of PM_{10} and $PM_{2.5}$, the BAAQMD recommends using the most recent version of the California Emissions Estimator Model (CalEEMod version 2016.3.2). CalEEMod uses widely accepted models for emission estimates combined with appropriate default data for a variety of land use projects that can be used if site-specific

information is not available. The default data (e.g., type and power of construction equipment) are supported by substantial evidence provided by regulatory agencies and a combination of statewide and regional surveys of existing land uses. The primary input data used to estimate TAC emissions associated with construction of the project are summarized in Table III.B-4. A copy of the CalEEMod output for the project, which summarizes the input parameters, assumptions, and findings, is available in Appendix A.

Table III.B-4 Summary of Land Use Input Parameters for CalEEMod Estimate of Project Toxic Air Contaminants (TACs) Emissions

Project Land Use Type	CalEEMod Land Use Type	Project Size ^a
Residential	Apartments Mid Rise	80 Dwelling Units

Note: Total construction area includes residential building and parking lots, and is approximately 1.6 acres.
^a This analysis conservatively assumed a maximum of 80 dwelling units to account for fluctuations in the number of units during project design and environmental review. The actual number of units included in the project is 72.

Based on the project design, construction activities would include demolition, site preparation, grading/foundation work, building construction, paving, and architectural coatings. Emissions of exhaust PM₁₀ and PM_{2.5} during project construction were estimated using the CalEEMod input parameters summarized in Table III.B-5.

Table III.B-5 Summary of Construction Input Parameters for CalEEMod Estimates for Project TAC Emissions

CalEEMod Input Category	Construction Assumptions and Changes to Default Data
Construction Phase	Construction of the project is anticipated to start at the end of 2020 and last for approximately 20 months. Based on the relatively small area of demolition (<1 acre), the duration of demolition was reduced to the CalEEMod default (10 days) for an area less than 1 acre.
Off-Road Equipment	Based on the relatively small area of demolition (<1 acre), the amount and hours/day of equipment operation were reduced to the CalEEMod defaults for an area less than 1 acre. A bore/drill rig was added to the default construction equipment list for the proposed foundation work.
Material Movement	Approximately 1,420 cubic yards of net fill is expected to be hauled to the site.
Demolition	Debris from demolition of approximately 3,000 square feet of two existing single-story structures is expected to be hauled off-site.

Notes: Material movement and building demolition information were estimated using Google Earth. Default CalEEMod data used for all other parameters are not described.
 Sources: Baseline Environmental Consulting, 2018 (Appendix A).

The input parameters and assumptions used for estimating emission rates based on the total emissions of exhaust PM₁₀ and PM_{2.5} from CalEEMod are summarized in Appendix A. The annual average concentrations of DPM and PM_{2.5} concentrations were estimated within 1,000 feet of the project using the U.S. Environmental Protection Agency’s Industrial

Source Complex Short Term (ISCST3) air dispersion model. Daily emissions from off-road construction equipment were assumed to occur during typical construction hours between 7:00 AM and 4:00 PM Monday through Friday. The exhaust from off-road equipment was represented in the ISCST3 model as a series of volume sources with a release height of 5 meters to represent the mid-range of the expected plume rise from frequently used construction equipment. Local emissions from on-road vehicles accessing the project site were considered negligible and therefore not included in the ISCST3 model.

A uniform grid of receptors spaced 10 meters apart with receptor heights of 1.8 meters was encompassed around the project site as a means of developing isopleths (i.e., concentration contours) that illustrate the air dispersion pattern from the various emission sources. The ISCST3 model input parameters included 1 year of BAAQMD meteorological data at the Chabot weather station located about 3 miles north of the project site.

In accordance with guidance from the BAAQMD and Office of Environmental Health Hazard Assessment (OEHHA), a health risk analysis (HRA) was conducted to calculate the incremental increase in cancer risk and chronic hazard index (HI) to sensitive receptors from on-site DPM emissions during construction. The acute HI for DPM was not calculated because an acute reference exposure level has not been approved by OEHHA and the California Air Resources Board, and the BAAQMD does not recommend analysis of acute non-cancer health hazards from construction activity. Based on the results of the air dispersion model (Appendix A), the annual average concentrations of DPM at the maximally exposed individual resident (MEIR), about 100 feet northeast of the proposed residential building, was used to conservatively assess potential health risks to nearby sensitive receptors. BAAQMD generally defines sensitive receptors as a facility or land use that houses or attracts members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses.²¹

Estimates of the health risks from DPM and PM_{2.5} concentrations posed by the project to the MEIR during construction are summarized and compared to the BAAQMD's thresholds of significance in Table III.B-6. Under the uncontrolled emission scenario (with CalEEMod default engine tiers), the estimated chronic HI for DPM and annual average PM_{2.5} concentration at the MEIR were below the BAAQMD's thresholds of significance; however, the estimated excess cancer risk at the MEIR was above the BAAQMD's threshold of significance. With the use of Tier 2 or higher engines equipped with the most effective Verified Diesel Emission Control Strategies (VDECS),²² such as Level 3 Diesel Particulate Filters (DPF), the estimated excess cancer risk at the MEIR would be reduced to below the BAAQMD's threshold of significance, as shown in Table III.B-6. The project sponsor has committed to utilizing Tier 2 or higher engines equipped with the most effective VDECS

²¹ Bay Area Air Quality Management District (BAAQMD), 2017. CEQA Air Quality Guidelines, May.

²² Tier 4 engines automatically meet this requirement.

for all off-road diesel construction equipment used during project construction.²³ Such equipment is readily available in the Bay Area as many projects are now being required to utilize Tier 4 equipment. As a result, the project construction would not result in a significant impact related to the exposure of sensitive receptors to substantial pollutant concentrations that was not identified in the General Plan EIR.

Table III.B-6 Health Risks and Hazards at the Maximum Exposed Individual Resident (MEIR) during Project Construction

Emission Scenario	Diesel Particulate Matter (DPM)		Exhaust PM _{2.5} Annual Average Concentration (µg/m ³)
	Cancer Risk (per million)	Chronic Hazard Index	
Construction Emissions without Tier 2 and VDECS	38.6	0.03	0.15
Construction Emissions with Tier 2 and VDECS	4.6	<0.01	0.02
BAAQMD’s Thresholds of Significance	10	1	0.3

Notes: **Bold and shaded** indicate exceedance of the threshold.

µg/m³ - micrograms per cubic meter

Source: Appendix A.

Operation-Phase TAC Emissions

No stationary sources of TAC emissions (e.g., backup generator) are proposed for the project. Therefore, operation of the project would not have a significant effect on nearby sensitive receptors.

TAC Emissions

To evaluate the cumulative health risks to nearby sensitive receptors from the project’s TAC emissions during construction, the BAAQMD recommends using their online screening tools to evaluate existing TAC emissions from stationary and mobile sources within 1,000 feet of the MEIR. The screening tools provide conservative estimates of how much existing TAC sources would contribute to cancer risk, chronic HI, and/or PM_{2.5} concentrations in a community. The individual health risks associated with each source are summed to find the cumulative impact at the location of the MEIR.

Based on the BAAQMD’s Stationary Source Screening Analysis Tool,²⁴ no existing stationary sources of TAC emissions were identified within 1,000 feet of the MEIR. In

²³ Morris, Ellen, Senior Project Developer, Eden Housing, 2019. Personal communication with Urban Planning Partners, April 4.

²⁴ Bay Area Air Quality Management District (BAAQMD), 2012. Stationary Source Screening Analysis Tool, May 30.

addition, no foreseeable future projects that would include new stationary sources are within 1,000 feet of the MEIR.²⁵

The BAAQMD recommends estimating health risk screening values for major roadways with an average annual daily traffic (AADT) volume greater than 10,000 vehicles per day. Based on review of 2020 AADT volumes forecasted by Alameda County Transportation Commission,²⁶ there is one major roadway (A Street) with an AADT volume greater than 10,000 vehicles per day within 1,000 feet of the MEIR (Table III.B-7). The health risk screening values at the MEIR from A Street were estimated using the BAAQMD's Roadway Screening Analysis Calculator.²⁷ In accordance with guidance from the BAAQMD,²⁸ the resulting cancer risk was adjusted using a factor of 1.3744 to account for the most recent health risk parameters recommended by OEHHA.

As shown in Table III.B-7, the screening analysis, which is based on conservative assumptions, indicates that the cumulative excess cancer risk, chronic HI, and PM_{2.5} concentrations at the MEIR from project construction (both with and without Tier 2 with VDECS) and existing sources of TACs within 1,000 feet of the MEIR would be less than the BAAQMD's cumulative thresholds of significance. Therefore, the project would not have a significant cumulative impact related to the exposure of sensitive receptors to substantial pollutant concentrations that was not identified in the General Plan EIR.

Odors (Criterion B.d)

Typical odor sources are generally associated with municipal, industrial, or agricultural land uses, such as wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source, the wind speed and direction, and the sensitivity of receptors. As a residential development, the project would not be expected to generate significant odors. Land uses surrounding the project site include mixed residential and commercial land uses, which would also not be expected to generate significant odors. Therefore, the project would not have a significant impact related to odors that was not identified in the General Plan EIR.

²⁵ Alameda County, 2018. Current Development Projects. Available at: <https://www.acgov.org/cda/planning/landuseprojects/currentprojects.htm>, accessed December 18.

²⁶ Alameda County Transportation Commission, 2014. Countywide Travel Demand Model. Planning Area 1; 2020 Daily Model Vehicle Volumes, July.

²⁷ Bay Area Air Quality Management District (BAAQMD), 2015. Roadway Screening Analysis Calculator, April 16.

²⁸ Bay Area Air Quality Management District (BAAQMD), 2018. Personal communication between Ivy Tao from Baseline Environmental Consulting and Alison Kirk from the BAAQMD, September 10.

Table III.B-7 Cumulative Health Risks and Hazards at MEIR

Sources	Source Type	Diesel Particulate Matter (DPM)		Exhaust PM _{2.5} Annual Average Concentration (µg/m ³)
		Cancer Risk (per million)	Chronic Hazard Index	
Project Construction				
Construction Emissions without Tier 2 and VDECS	Diesel Exhaust	38.6	0.03	0.15
Construction Emissions with Tier 2 and VDECS	Diesel Exhaust	4.6	<0.01	0.02
Existing Mobile Sources				
A Street (64,493 AADT)	Major Roadway	7.1	NA	0.1
Cumulative Health Risks without Tier 2 and VDECS		40	<0.1	0.3
Cumulative Health Risks with Tier 2 and VDECS		12	<0.1	0.1
BAAQMD's Thresholds		100	10.0	0.8
Exceed Cumulative Threshold?		No	No	No

Note: µg/m³ = micrograms per cubic meter; AADT = average annual daily traffic; NA = not applicable
 Sources: Health risk screening values derived from the BAAQMD's online Tools and Methodologies. Available at: <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools>, accessed December 2018.
 AADT volumes reported by Alameda County Transportation Commission, 2014.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to air quality and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant air quality impacts identified in the General Plan EIR, nor would it result in new significant impacts related to air quality that were not identified in the General Plan EIR.

C. Biological Resources

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	LTS	■	<input type="checkbox"/>	LTS
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	LTS	■	<input type="checkbox"/>	LTS
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	LTS	■	<input type="checkbox"/>	LTS
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	LTS	■	<input type="checkbox"/>	LTS
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	LTS	■	<input type="checkbox"/>	LTS
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR found all biological resources impacts to be less than significant with the implementation of General Plan policies and did not include any mitigation measures, although it noted that appropriate measures for protection of biological resources would be imposed on a project-by-project basis according to the

County’s environmental review process and consultation with appropriate State and federal regulatory agencies.

The General Plan includes a biological resource overlay zone to protect areas with substantive biological resources by requiring special review of proposed development. The special review process is required on all sites with high priority biological resources and on sites over two acres with moderate- or low-priority biological resources. Action 7.1-2 of the General Plan states that “on lands with biological resources (...) an environmental assessment may be required, prepared by a qualified biologist, which shall be the basis for establishing development constraints specific to the property in question.”

The General Plan EIR notes that development could result in removal of vegetation. Such vegetation may include special-status plant species, particularly in the biological resources overlay zone. This special review process as well as compliance with General Plan policies were found adequate to reduce such impacts to a less-than-significant level. Development near or within jurisdictional hydrologic features such as creeks are subject to federal or State permits, which require specific measures to reduce impacts. Compliance with the conditions of these permits, including mitigation, will ensure potential impacts to biological resources protected by State and federal agencies are reduced to a less-than-significant level. As described in the EIR, tree removal within the County right-of-way is subject to the County’s tree ordinance, which provides protection for trees that are at least 10-feet high and have a trunk that is at least 2 inches in diameter at breast height.

2. Existing Conditions

The project site has a Caltrans conservation easement, which is largely contiguous with the creek setback. This easement is part of the Caltrans Hayward Riparian Mitigation Project, which provides mitigation for the SR-84 Safety Improvement project at Pigeon Pass in Alameda County.²⁹ The project provides riparian enhancement and restoration by implementing invasive vegetation removal, bank restoration, and debris/trash removal along San Lorenzo Creek. Bank restoration included reseeding and native planting with grasses, willow cuttings, shrubs, understory trees, and canopy trees along the banks of the creek and within a 20-foot-wide riparian corridor. This mitigation project is currently in year three of five with remaining tasks consisting of maintenance monitoring for the next two years and agency sign-off and completion of mitigation requirements in 2021.³⁰

²⁹ California Department of Transportation (Caltrans), 2016. Mitigation and Monitoring Plan. Hayward Riparian Mitigation Project. State Route 84 Pigeon Pass Realignment Project. EA 04-172450. Caltrans District 4. Hayward, Alameda County, California, February.

³⁰ Carson, Rebecca J., Branch Chief/Senior Biologist, California Department of Transportation District 4. 2019. Personal communication with LSA Associates, Inc. August 26.

Subsequently, responsibility for maintaining the riparian plantings in the conservation easement would be transferred to the Alameda County Flood Control District.³¹

The Caltrans Natural Environment Study (NES) for the Hayward Riparian Mitigation Project (May 2014)³² provides relevant information regarding the biological resources on the project site and potential impacts, and is referenced in the Project Analysis subsection below.

3. Regulatory Framework

This subsection describes the federal, State, and local environmental agencies and laws relevant to biological resources.

United States Fish and Wildlife Service. The U.S. Fish and Wildlife Service (USFWS) has jurisdiction over federally listed threatened and endangered species under the federal Endangered Species Act (ESA). The ESA protects listed species from harm or “take” which 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 can be defined as a “take” even if it is unintentional or accidental.

An endangered species is one which is 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. In addition to endangered and threatened species, which are legally protected under the federal ESA, the USFWS maintains a list of candidate species. Candidate species are specifically included on a list published in the federal register. Federal candidate species are not afforded legal protection under the federal ESA.

National Oceanic and Atmospheric Administration Fisheries. Like the USFWS, National Oceanic and Atmospheric Administration, Fisheries (NOAA Fisheries) has jurisdiction over federally listed threatened and endangered species under the federal Endangered Species Act. The NOAA Fisheries jurisdiction is restricted to marine and anadromous wildlife species such as salmon and steelhead. NOAA Fisheries is also consulted by other federal agencies (e.g., the U.S. Army Corps of Engineers (Corps)) that issue permits for activities that may adversely affect Essential Fish Habitat (EFH). NOAA Fisheries would provide the federal action agency with EFH Conservation Recommendations. These Conservation Recommendations would provide information on how to avoid, minimize, mitigate, or offset adverse effects to EFH.

³¹ Perrill, Beth, Engineer, Alameda County Public Works Agency, 2019. Personal communication with Alameda County Community Development Agency, September 26.

³² California Department of Transportation (Caltrans), 2014. Natural Environment Study: Minimal Impacts (No Effect), Hayward Riparian Mitigation Project. EA 04-172450. Caltrans District 4. Hayward, Alameda County, California, May.

Waters of the U.S. and their lateral limits are defined in 33 Code of Federal Regulations (CFR) Part 328.3 (a) and include streams that are tributary to navigable waters and their adjacent wetlands. Wetlands that are not adjacent to waters of the U.S. are termed “isolated wetlands” and may be subject to Corps jurisdiction.

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 acreage involved and the purpose of the proposed fill. Nationwide Permits are available for projects that are anticipated to have minimal impacts on waters of the U.S. and wetlands and meet the general terms of the specific Nationwide Permit and the standard conditions for all Nationwide Permits. An Individual Permit is required for projects that result in more than a “minimal” impact on wetlands. The Corps would be required to consult with the USFWS under Section 7 of the Endangered Species Act if a project subject to Clean Water Act permitting would result in take of a federally listed species. For take of federally listed or candidate anadromous fish species such as the longfin smelt, the Corps would be required to consult with the NOAA Fisheries. The Corps must also consult with the National Marine Fisheries Service (NMFS) regarding impacts to EFH, which is defined as “those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity.” The Corps must also consult with the Regional Water Quality Control Board (Regional Water Board) regarding potential impacts to water quality.

California Department of Fish and Wildlife. The CDFW has jurisdiction over State-listed threatened, endangered, and rare (plant) species under the California Endangered Species Act (CESA). In addition, species proposed for listing under the CESA are also protected until a determination is made on the listing proposal. The State and federal lists are generally similar, although a few species present on one list may be absent from the other list. The State also maintains lists of special-status wildlife species identified as Species of Special Concern. These species are those whose status is being monitored due to one or more threats. Species on these lists are not afforded legal protection.

The CDFW also exerts jurisdiction over the bed and bank of watercourses according to the provisions of Section 1601 to 1603 of the Fish and Game Code. The CDFW typically requires a Streambed Alteration Agreement for the fill or removal of material from any natural drainage. The jurisdiction of the CDFW under Section 1600 of the Fish and Game Code extends to the top of bank of a stream but typically extends to include the associated riparian vegetation beyond the top of bank.

The California Fish and Game Code (Sections 3503 and 3505) prohibits the take, destruction, or possession of any bird, nest, or egg of any bird unless express authorization is obtained from CDFW.

Regional Water Quality Control Board. Pursuant to Section 401 of the Clean Water Act, projects that require a permit from the Corps under Section 404 must also obtain water quality certification from the Regional Water Board. This certification ensures that the

project will uphold State water quality standards. The Regional Water Board requires mitigation for any loss of jurisdictional area.

California Native Plant Society. The California Native Plant Society (CNPS) is a non-governmental nonprofit organization that publishes an online rare plant inventory. The online inventory provides a Rare Plant Rank for each species. Although the CNPS has no regulatory authority and does not issue permits, the plant species it deems rare must be addressed under CEQA, per the CEQA Guidelines Section 15380.

Migratory Bird Treaty Act. The federal Migratory Bird Treaty Act (MBTA) (16 U.S.C., Sec. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs. Most native bird species on the project site are covered by this Act.

A December 2017 opinion from the Office of the Solicitor for the U.S. Department of the Interior (M-opinion) concluded the MBTA restrictions apply only to affirmative and purposeful actions, such as hunting and poaching that reduce migratory birds and their nests and eggs, by killing or capturing, subject to human control, and not incidental taking. April 2018 guidance from the Principal Deputy Director of the USFWS provides further guidance on revisions to past policies and guidance regarding the MBTA. This guidance concludes the MBTA's prohibitions on take of migratory birds apply only when the purpose of the action is to take migratory birds, their eggs, or their nests.

Alameda County Tree Ordinance. Castro Valley is situated within unincorporated Alameda County and does not have its own tree protection ordinance. The Alameda County Tree Preservation Ordinance applies to qualified trees within the County's public right-of-way that consist of any woody perennial plant characterized by having a single trunk or multi-trunk structure at least 10-feet high and having a major trunk that is at least 2 inches in diameter taken at breast height (4.5 feet from the ground). Other protected trees include those plants generally designated as trees and any trees that have been planted as replacement trees under this ordinance or any trees planted by the County. Under this ordinance and the County Code, any tree removed from the County public right-of-way must be authorized by a permit issued by the Director of the Alameda County Public Works Agency and must be mitigated by replacement of an existing tree or trees that have been removed with one or more trees of a type consistent with the character of the neighborhood.

4. Project Analysis

The larger portion of the project site that is adjacent to San Lorenzo Creek is identified in Figure 7-2 of the Castro Valley General Plan as a high priority area within the biological resources overlay zone. In compliance with Action 7.1-2, a biologist conducted a reconnaissance-level survey of the project site on September 21, 2018, to evaluate the

potential occurrence of special-status species and sensitive habitats on the site. Prior to conducting the survey, a review of background information/literature was performed for occurrences of special-status plant and wildlife species on or adjacent to the project site. A biologist returned to the site to map the outer edge of the San Lorenzo Creek riparian canopy on July 30, 2019. The results of the surveys and literature review, including a detailed inventory of the habitat types on the site, are provided in detail in Appendix B, Biological Resource Assessment Letter.

Special-Status Plant and Animal Species (Criterion C.a)

Special-Status Plant Species

Several CNDDDB occurrences of special-status plant species have been recorded within 2 miles of the project site,³² but these species are not likely to occur within the development footprint due to disturbance caused from prior development and maintenance activities (i.e., mowing) on the site and the resulting introduction of non-native, invasive plant species. The project would not impact the San Lorenzo Creek channel bed, which is where most of the naturally growing native herbaceous plant species were observed and which therefore has higher potential for special-status plants to occur. The riparian corridor has been restored with common, native riparian trees, shrubs, forbs, and grasses as part of the Hayward Riparian Mitigation State Route 84 Pigeon Pass Realignment Project, but due to prior disturbance, special-status plants are unlikely to occur. Additionally, the NES prepared for the Hayward Riparian Mitigation State Route 84 Pigeon Pass Realignment Project, which evaluated the potential for special-status plants to occur within the project site's riparian corridor, states that no special-status plants are expected to occur within the riparian corridor due to the lack of suitable habitat.³³ As noted above, LSA conducted a reconnaissance-level survey in September 2018 that included the meadow, riparian corridor, and San Lorenzo Creek (Figure III.B-1) and observed no special-status plants during the survey. Based on the conditions observed during the reconnaissance survey, no protocol-level plant surveys are recommended within the development footprint.

Special-Status Animal Species

Special-status animal species that are known to occur in the vicinity of the site and for which suitable habitat is present include the Central California Coast Distinct Population Segment of steelhead (*Oncorhynchus mykiss irideus*), western pond turtle (*Emys marmorata*), white-tailed kite (*Elanus leucurus*), tricolored blackbird (*Agelaius tricolor*), loggerhead shrike (*Lanius ludovicianus*), Townsend's western big-eared bat (*Corynorhinus*

³² California Department of Fish and Wildlife (CDFW), 2018. Query of the California Natural Diversity Database for special-status species occurrences within 5 miles of the project site. Biogeographic Data Branch, California Department of Fish and Wildlife, Sacramento, September 4.

³³ California Department of Transportation (Caltrans), 2014. Natural Environment Study: Minimal Impacts (No Effect), Hayward Riparian Mitigation Project. EA 04-172450. Caltrans District 4. Hayward, Alameda County, California, May.

townsendii townsendii), western mastiff bat (*Eumops perotis californicus*), and pallid bat (*Antrozous pallidus*). A discussion of these and other special-status animal species that have potential to occur on or in the vicinity of the site are included below:

- San Lorenzo Creek may provide suitable habitat for the California red-legged frog (*Rana draytonii*), but this species likely does not occur in the segment of the creek adjacent to the project site due to the isolation of this reach of creek by urban development. The likely presence of introduced predators (i.e., western mosquitofish [*Gambusia affinis*] and American bullfrog [*Rana catesbeianus*]), and the absence of recorded observations in the site's proximity further make the site unsuitable for this species. The NES prepared for the Hayward Riparian Mitigation State Route 84 Pigeon Pass Realignment Project also states this frog is unlikely to occur along this segment of San Lorenzo Creek and its associated riparian habitat.³⁴ The closest CNDDDB records are approximately 1.1 miles from the site in Hollis Canyon, 1.4 miles from the site in Garin Regional Park, and 1.5 miles from the site in Hayward.³⁵
- The western pond turtle could occur along San Lorenzo Creek. Suitable basking sites and plunge pools were observed in the creek channel adjacent to the project and pond turtles could nest along the banks of the creek. Potential basking sites would be limited to the sunny areas of the creek with less canopy cover.
- The Central California Coast Distinct Population Segment of steelhead is known to occur in San Lorenzo Creek.³⁶ The segment of San Lorenzo Creek at the site is passage habitat and may support potential rearing habitat for juvenile steelhead and potential low- to moderate-quality spawning habitat and the woody debris and concrete rip-rap within the channel could provide cover for steelhead.³⁷ High water temperatures in the creek during the summer, however, could limit suitability of rearing habitat for juvenile steelhead.³⁸ The potential for migratory or juvenile steelhead to be present within San Lorenzo Creek is very low due to the presence of a likely barrier to migration from the downstream concrete flood control channel and the lack of recent confirmed observations of steelhead.³⁹ Due to the requirements of the CDFW permit, installation of the proposed outfall would occur during the dry months (generally April

³⁴ Ibid.

³⁵ Ibid.

³⁶ Leidy, R.A., G.S. Becker, B.N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (*Oncorhynchus mykiss*) in streams of the San Francisco Estuary, California. Center for Ecosystem Management and Restoration, Oakland, California.

³⁷ California Department of Transportation (Caltrans), 2014. Natural Environment Study: Minimal Impacts (No Effect), Hayward Riparian Mitigation Project. EA 04-172450. Caltrans District 4. Hayward, Alameda County, California, May.

³⁸ Alameda County Flood Control and Water Conservation District (ACFCWCD) and Hagar Environmental Science. 2002. Fish Habitat and Fish Population Assessment for the San Lorenzo Creek Watershed, Alameda County, California. 108 pp. Available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentVersionID=19892>.

³⁹ California Department of Transportation (Caltrans), 2014. Natural Environment Study: Minimal Impacts (No Effect), Hayward Riparian Mitigation Project. EA 04-172450. Caltrans District 4. Hayward, Alameda County, California, May.

15 to October 15) when water levels are low and when steelhead are less likely to be present. It is likely CDFW and potentially other regulatory agencies would also require the water level to drop below the proposed area of disturbance before installation could commence.

- American peregrine falcon (*Falco peregrinus anatum*), northern harrier (*Circus hudsonius*), golden eagle (*Aquila chrysaetos*), and tricolored blackbird could forage on the site but are unlikely to nest on the site due to the lack of suitable nesting habitat on or adjacent to the site. The fields are regularly mowed and do not provide suitable vegetation and cover for northern harrier or tricolored blackbird nests. The trees on the site are situated within a residential neighborhood and are unlikely to support nesting golden eagles.
- No rodent burrows or other burrow sites suitable for burrowing owl (*Athene cunicularia*) were observed during the reconnaissance-level survey.
- White-tailed kite could nest in the trees or large shrubs on or adjacent to the site and could forage near the site. No white-tailed kites or stick nests were observed during the field survey, but this species could nest on or adjacent to the site in the future.
- Loggerhead shrike could nest in the trees and large shrubs on or adjacent to the site and forage near the site. No shrikes or shrike nests were observed during the field survey, but the site does provide suitable nesting habitat and therefore this species could nest on or adjacent to the site in the future.
- Townsend’s western big-eared bat, western mastiff bat, and pallid bat may forage over the site but are unlikely to roost on the site due to the lack of suitable roosting habitat. No evidence of roosting bats was observed during the survey, but tree snags with large cavities suitable for bat roosts were observed along the San Lorenzo Creek riparian corridor. The NES prepared for the Hayward Riparian Mitigation State Route 84 Pigeon Pass Realignment Project concurs that potential impacts to bat roosts are unlikely.⁴⁰

As detailed in the biological resources assessment (Appendix B), implementation of the following measures, which the County will require as project conditions, would avoid significant impacts to California red-legged frog, western pond turtle, nesting birds, and roosting bats:

- **California Red-legged Frog and Western Pond Turtle:**
 - Prior to the commencement of construction activities, a qualified biologist shall conduct a training session for all project personnel to provide an overview on the California red-legged frog and western pond turtle, applicable regulatory policies

⁴⁰ California Department of Transportation (Caltrans), 2014. Natural Environment Study: Minimal Impacts (No Effect), Hayward Riparian Mitigation Project. EA 04-172450. Caltrans District 4. Hayward, Alameda County, California, May.

and provisions regarding their protection, and the avoidance and minimization measures to be followed to protect the species.

- The contractor, in coordination with the biologist, shall install exclusionary fencing along the outer perimeter of the riparian corridor. The fencing shall be heavy-duty silt-fence or similar material and be buried a minimum of 6 inches so that frogs and turtles cannot crawl under the fence and shall be inspected and maintained throughout the construction period, as specified below.
- A qualified wildlife biologist shall monitor all construction activities within suitable habitat daily during initial ground-disturbing activities, including grading, excavation, and vegetation removal.
- If a California red-legged frog or western pond turtle is observed during project activities, all work that may result in disturbance, injury, or mortality to the individual frog or turtle shall cease. The contractor shall notify the biologist, who shall in turn contact the project team, CDFW, and/or USFWS.
- **Nesting Special-Status Birds and Other Bird Species:** The project shall avoid construction activities during the bird nesting season (February 1 through August 31). If construction activities are scheduled during the nesting season, a qualified biologist shall conduct a pre-construction survey of all suitable nesting habitat (i.e., fields, trees, shrubs, buildings) within 250 feet of the project site (where accessible). The pre-construction survey shall be conducted no more than 14 days prior to the start of work. If the survey indicates the presence of nesting birds, protective buffer zones shall be established around the nests as follows: for raptor nests, the size of the buffer zone shall be a 250-foot radius centered on the nest; for other birds, the size of the buffer zone shall be a 50- to 100-foot radius centered on the nest. In some cases, these buffers may be increased or decreased, as determined by the biologist, depending on the bird species and the level of disturbance that will occur near the nest.
- **Roosting Bats:** A qualified biologist shall conduct a pre-construction survey for roosting bats at all suitable bat roosting habitat (trees, the barn/outbuilding and other structures, etc.) within the project area within 14 days prior to the beginning of project-related activities. If active bat roosts are discovered or if evidence of recent prior occupation is established, a buffer shall be established around the roost site until the roost site is no longer active. If an active bat roost needs to be removed as part of the project, the project biologist shall consult CDFW to determine appropriate methods for the removal of the roost. As part of CDFW's approval, a new roost site may need to be created on the project site as mitigation.

Riparian or Other Sensitive Natural Communities (Criterion C.b)

As appropriate for a project located in a high priority area of the biological resources overlay zone, the project would comply with Action 7.1-1 of the General Plan, which states

that “on lands with biological resources, new development is not necessarily entitled to achieve the maximum density allowed by the underlying zoning. (...) Development intensity may be required to be reduced up to 50 percent of the intensity allowed by the underlying zoning...” Only 2.95 acres of the 6.3-acre site would be developed and the building is proposed on the portion of the site farthest from San Lorenzo Creek, as close to the public right-of-way as allowed by the County development standards and setback requirements.

CDFW tracks the occurrences of plant communities that are either known or believed to be of high priority for inventory in the CNDDDB and that are of limited distribution Statewide, or within a county or region where they are often vulnerable to the effects of development projects. In the most recent list of vegetation alliances/natural communities recognized in California, alliances with a NatureServe State ranking code of S1 through S3 are considered to be “highly imperiled” and impacts to “high-quality occurrences” of these communities may be considered significant under CEQA. Whether a natural plant community is imperiled or not can be determined by checking *A Manual of California Vegetation*⁴¹ or CDFW’s List of Vegetation Alliances and Associations.⁴² Some imperiled vegetation associations can be difficult to distinguish from common plant communities without a quantitative vegetation description. For example, patches of native grassland comprising at least 15 percent relative cover in a grassland area are considered a sensitive natural community by CDFW.

Riparian Habitat

The vegetation along San Lorenzo Creek would be considered riparian and would be subject to regulation by CDFW and possibly the Regional Water Quality Control Board, which sometimes take jurisdiction of riparian vegetation above the top of bank of creeks. As noted above, a biologist surveyed and mapped the edge of the riparian canopy during a site visit. Trees that were mapped as riparian are those that are associated with San Lorenzo Creek and/or provide canopy cover over the creek. Many of these trees are upland trees but because they are growing near the banks of the creek, they would be considered a riparian tree. CDFW often takes jurisdiction over upland trees that provide canopy cover over creeks and sometimes takes jurisdiction of adjacent upland trees that have contiguous canopy with riparian trees.

Figure III.B-1 shows the edge of the riparian canopy in relation to the creek and required 20-foot creek setback.⁴³ The edge of the riparian canopy is mostly contiguous with the

⁴¹ Sawyer, J.O., T. Keeler-Wolf, and J. Evens. 2009. *A Manual of California Vegetation*, Second Edition. California Native Plant Society. Sacramento, California.

⁴² California Department and Fish Game. 2010. List of vegetation alliances and associations. Vegetation Classification and Mapping Program, Sacramento, California. September.

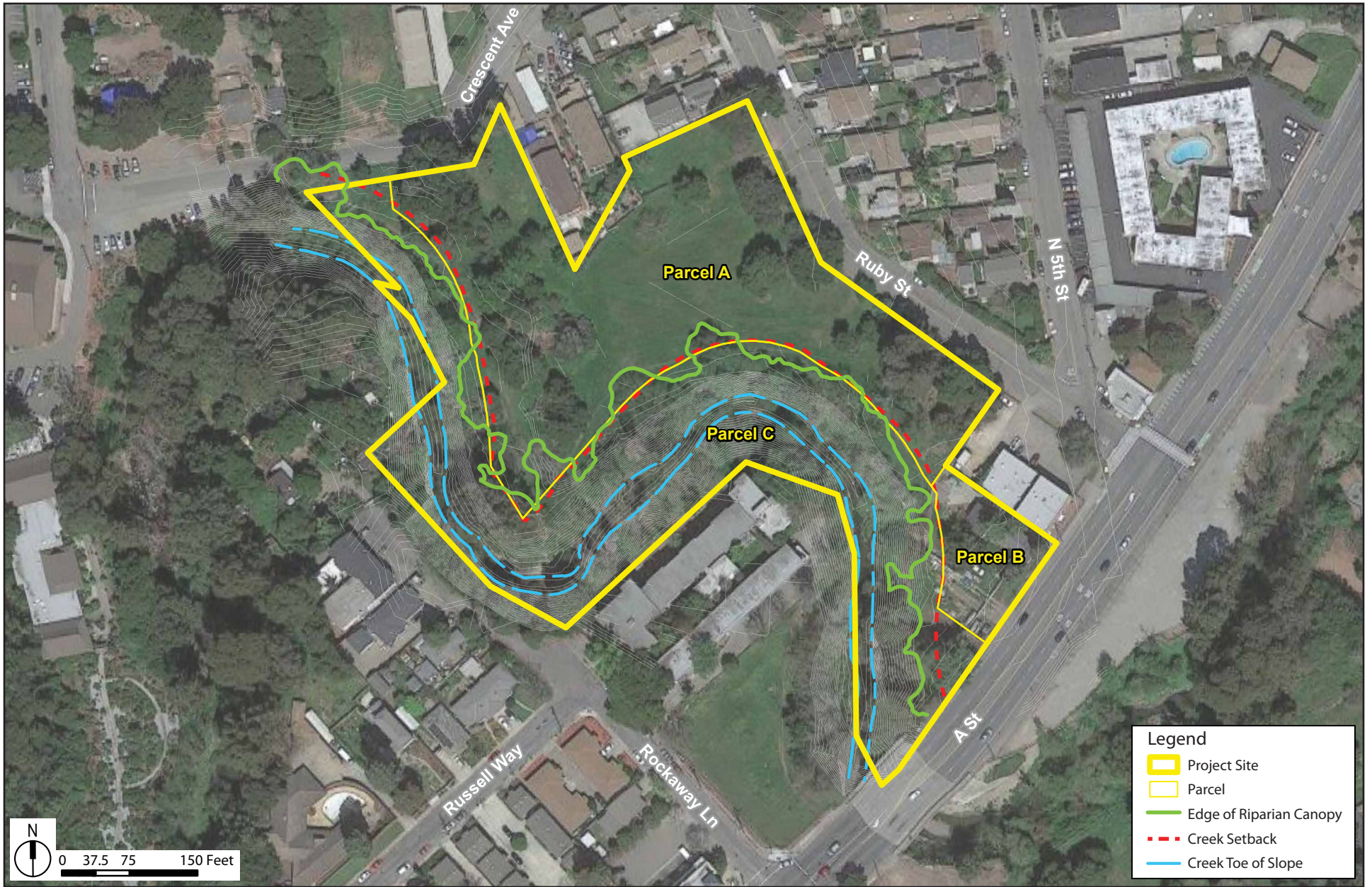
⁴³ The creek setback is calculated by creating an imaginary 2:1 (horizontal to vertical) slope line from the creek toe, following it until intersects the natural grade beyond the top of the bank, and adding 20 feet. Using this method, steeper creek banks result in more substantial setbacks.

creek setback, but does extend beyond it at some points. The canopy of a coast live oak (*Quercus agrifolia*) and an arroyo willow (*Salix lasiolepis*) overlaps with the proposed trail and the arroyo willow also overlaps with three parking spaces within the proposed parking lot (Figure III.B-2). The trunk of the coast live oak tree is situated within the creek setback and would not be impacted. No improvements are proposed beneath its canopy. Coast live oak is generally considered an upland tree species, but since this tree's canopy is contiguous with a willow, which is a riparian tree, CDFW would likely take jurisdiction over this tree as a riparian tree. The trunk of the willow tree is situated within the creek setback and would also not be removed but its canopy would extend over the proposed parking lot.

In addition to these two locations, the riparian canopy would slightly overlap with the trail at three additional locations: approximately 40 feet north of the proposed stormwater outfall, just south of the bioretention basin, and adjacent to the parking lot (Figure III.B-2). These trail locations overlap with the riparian canopy by only a couple of feet at most and the trail is not likely to impact these riparian trees since their canopy slightly extends over the trail. Slight grading of the ground surface might occur during the construction of the trail and parking lot, but since the grading would be shallow and only a few inches deep, the root zones below the tree canopies are not likely to be significantly impacted.

As noted in *Chapter I, Project Description*, the County shall require the project sponsor to minimize grading to the greatest extent possible—especially within the creek setback or where the trail overlaps with the canopy of riparian trees—through measures such as installation of retaining walls, but at a distance to not impact rooting systems. Furthermore, while not needed to reduce the impact to less-than-significant, the County would include a condition of approval for an arborist to monitor the riparian trees that are outside the creek setback during construction to ensure no damage occurs to root zones.

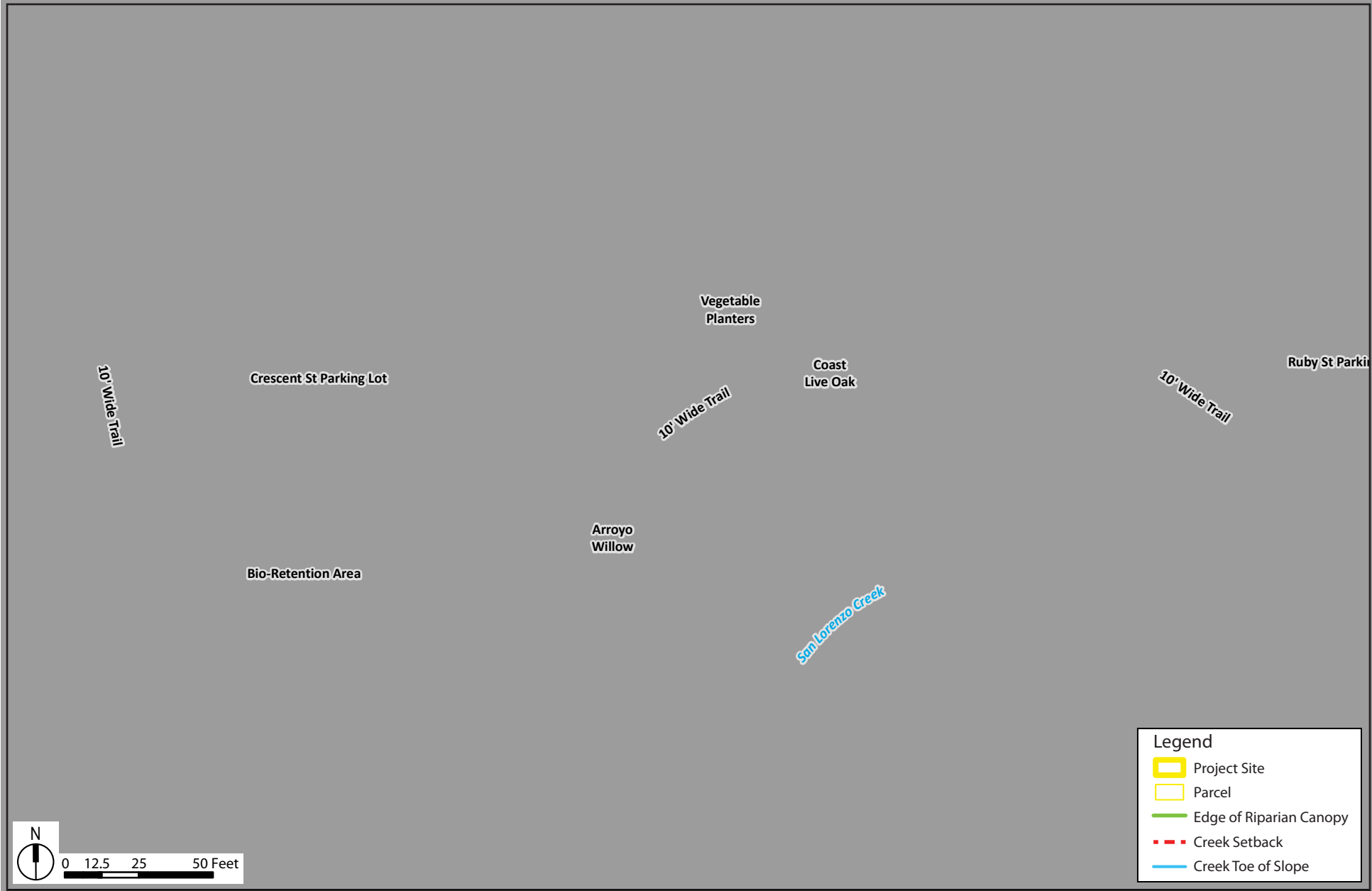
The project would involve the installation of a new storm sewer outfall constructed in the bank of San Lorenzo Creek, which would result in the loss of riparian vegetation along San Lorenzo Creek. Impacts to riparian vegetation would be minimal and native riparian trees



1744 Ruby Street

Source: Urban Planning Partners, 2019; LSA, 2019; Google, 2018.

Figure III.B-1
Riparian Canopy and Creek Setback



1744 Ruby Street

Source: Urban Planning Partners, 2019; LSA, 2019; Google, 2019.

Figure III.B-2
Riparian Canopy and Project Site Plan

and shrubs would be avoided, if possible. The pipe would be drilled/placed laterally to minimize removal of riparian vegetation and riprap would be placed around the pipe to prevent erosion. Compensation for affected riparian trees and shrubs would be completed onsite within the riparian corridor at a minimum replacement ratio of 3:1. A CDFW 1602 Streambed Alteration Agreement permit, Regional Water Quality Control Board Water Quality Certification permit, and U.S. Army Corps of Engineers nationwide permit would be needed for the outfall.

The loss of riparian tree canopy and vegetation along a creek can adversely affect the aquatic habitat by warming the stream water. The trees proposed for removal are not riparian trees, are situated outside of the riparian corridor, and do not provide canopy cover over the San Lorenzo Creek. Riparian vegetation that would be impacted by the proposed storm drain outfall would be minimal and temporary and mitigated. With the replacement of riparian trees and other riparian plants at a minimum 3:1 ratio, the loss of existing riparian plants that may provide shade to San Lorenzo Creek would be less than significant. No other riparian trees would be removed as part of the project and the established creek setback would protect riparian trees that are currently providing shade for the creek.

As noted in the General Plan EIR, compliance with State law through obtaining required permits and agreements would reduce impacts to riparian areas. Consistent with the General Plan EIR, the project would have a less-than-significant impact on riparian habitat.

Other Sensitive Natural Communities

No other sensitive natural communities, besides the riparian habitat described above, were identified during the reconnaissance-level survey. The coast live oak woodland (*Quercus agrifolia* Woodland Alliance) plant community is characterized by the presence of greater than 50 percent relative cover of coast live oak canopy cover, which is the cover value threshold listed in the Manual of California Vegetation (if California bay trees are also present, then less than 33 percent in the canopy cover is needed).⁴⁴ This alliance has a ranking G5 S4, which means it has a global ranking of being “demonstrably secure” because of its worldwide status and a state ranking of greater than 100 viable occurrences statewide and/or more than 12,950 acres. As it does not have a rating of S1 through S3, the coast live oak woodland is not a sensitive natural community. Notwithstanding, the scattered oak trees on the project site are intermixed among other planted trees, such as coast redwood, walnut, acacia, eucalyptus, and fruit trees, and do not constitute a coast live oak woodland.

Grassland occupies the majority of the project site and does not support any sensitive habitat under CEQA, such as wetlands, riparian vegetation, or sensitive plant

⁴⁴ Sawyer, J.O., T. Keeler-Wolf, and J. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society. Sacramento, California.

communities. The grassland is highly disturbed by prior use and the understory of the trees has been colonized by non-native plants and does not provide suitable habitat for special-status plants. During the field surveys, native black-tailed deer (*Odocoileus hemionus*) and non-native wild turkeys (*Meleagris gallopavo*) were observed foraging in the grasslands.

Federally Protected Wetlands (Criterion C.c)

San Lorenzo Creek, a potentially jurisdictional feature, occurs along the southern boundary of the project site. The project would involve the installation of a new naturalized storm sewer outfall and associated riprap constructed in the bank of San Lorenzo Creek. The riprap would be placed around the outfall to prevent erosion to the creek. Impacts to the banks and channel of San Lorenzo Creek would require a 1602 Streambed Alteration Agreement permit from CDFW, a 401 Clean Water Act Water Quality Certification from the RWQCB, and a 404 nationwide permit from the Corps. No other potentially jurisdictional features, such as seasonal wetlands, were observed during the reconnaissance-level survey. The agencies with jurisdiction will require mitigation to any impacts entailing alteration of the bank of San Lorenzo Creek by enhancing the San Lorenzo Creek bank or riparian corridor at a minimum 3:1 replacement ratio for any removed riparian trees or shrubs. Enhancements will likely include planting native riparian plants and/or removing non-native plants along the San Lorenzo Creek riparian corridor.

In addition to obtaining the regulatory agency permits for the proposed new outfall, the applicant shall coordinate with the Alameda County Public Works Agency to determine if a flood encroachment permit is needed with their building permit.

Implementation of the policies and actions of the General Plan and obtaining required agency permits would avoid potential impacts to San Lorenzo Creek. Consistent with the General Plan EIR, the project would have a less-than-significant impact on jurisdictional Waters of the United States/State.

Wildlife Movement Corridors or Nursery Sites (Criterion C.d)

The project site includes buildings, trees, shrubs, grasslands, and the San Lorenzo Creek riparian corridor. Although the San Lorenzo Creek channel and associated riparian habitat provides a movement corridor for many wildlife species, as shown in Figure III.B-1, the San Lorenzo Creek riparian corridor would be minimally impacted since the installation of a new storm water outfall is the only proposed impact to the riparian corridor. Existing wildlife that currently move through the riparian corridor would be able to continue to utilize the movement corridor after project development. Wildlife that currently move through the remainder of the project site are urban-adapted species that would likely continue to move through the site after project development. Typical urban wildlife that may move through the site include various native and non-native birds, black-tailed deer, raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), and striped skunk

(*Mephitis mephitis*). The proposed trail would not impact wildlife movement within the riparian corridor, since wildlife would be able to cross the trail. Although the grassland adjacent to the riparian corridor provides foraging habitat for some of the wildlife that occur within the riparian corridor, such as black-tailed deer and non-native wild turkeys, the grassland does not provide a significant wildlife movement corridor since it is situated between existing development to the north and east. The project site does not support suitable habitat for wildlife nursery sites, including bird rookeries or roosting bat colonies. No evidence of roosting bats (i.e., guano, urine stains, droppings, odor) or bird rookeries were detected during the reconnaissance-level survey.

Local Ordinances (Criterion C.e)

Alameda County may require a permit for the removal of trees situated along the public right-of-way that are protected under the County's Tree Preservation Ordinance. This definition encompasses trees whose trunks are within the right-of-way; trees located on adjacent private property whose canopy overhangs into the right-of-way would not qualify. Qualified trees would include any woody perennial plant characterized by having a single trunk or multi-trunk structure at least 10 feet high and having a major trunk that is at least 2 inches in diameter taken at breast height (4.5 feet from the ground). Other protected trees include those plants generally designated as trees and any trees that have been planted as replacement trees under the County Tree Ordinance or any trees planted by the County.

If trees within the County's public right-of-way are impacted, these protected trees would require a permit from the County and may need to be mitigated with replacement trees at a minimum 1:1 ratio. Under this ordinance and the County Code, any tree removed from the County public right-of-way must be authorized by a permit issued by the Director of the Public Works Agency and must be mitigated through efforts to replace an existing tree or trees with one or more trees of a type consistent with the character of the neighborhood.

Oaks and other trees situated within the project site that would be removed as part of the proposed project are outside of the public right-of-way and are, therefore, not protected by the County's Tree Preservation Ordinance. The trees to be removed are not considered protected trees under this ordinance. The County does not have a heritage tree ordinance. The project proposes removing one tree just outside of the property boundary, within the public right-of-way. This removal would be subject to the replacement ratio and permit conditions described above. Therefore, this impact would be less-than-significant.

State Habitat Conservation Plans (Criterion C.f)

The project site is not located within the limits of a conservation plan and therefore would not conflict with any adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan.

5. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to biological resources and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant biological resources impacts identified in the General Plan EIR, nor would it result in new significant impacts related to biological resources that were not identified in the General Plan EIR.

D. Cultural Resources

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	LTS	■	<input type="checkbox"/>	LTS
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	LTS	■	<input type="checkbox"/>	LTS
c. Disturb any human remains, including those interred outside of formal cemeteries?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR acknowledges that there is a high possibility of uncovering and identifying additional archaeological resources in the Castro Valley Planning Area. Action 5.6-4 of the General Plan requires “(...) all projects on creekside properties [be referred] to the Northwest Information Center to conduct project review to determine whether known historic or archaeological resources are present and whether a study has been conducted on all or a portion of the project site.”

The General Plan EIR also requires further archival and field study by an archaeologist on a project-specific basis (see page 3.12-9 of the EIR). The General Plan EIR concludes that existing national, State, and local laws as well as the relevant General Plan policies would reduce the potential impacts to historic and archaeological resources to less-than-significant levels.

2. Project Analysis

In compliance with Action 5.6-4 of the General Plan, a Registered Professional Archaeologist performed a records search at the NWIC, as well as a focused review of pertinent archaeological, historical, and environmental publications. The archaeologist also conducted pedestrian surveys of the project site on September 21 and October 12, 2018, and January 18, 2019.

Historical Resources (Criterion D.a)

The NWIC records search identified one architectural resource within the project site: the two existing structures (described as a wood-framed duplex house) at 1430/1436 A Street. The records search also identified two archaeological resources: a historic-period resource consisting of the remains of the Haywards Steam Laundry within the project site,

and a National Register of Historic Places-eligible pre-contact site, P-01-001795/CA-ALA-566, in the vicinity of the project site.

The focused historical research also located the alignment of the Juan Bautista de Anza National Historic Trail corridor (Anza Trail) approximately 0.6 miles southwest of the project site, and Anza Camp #98 approximately 0.85 miles southeast of the project site. The 1,200-mile Anza Trail commemorates, protects, marks, and interprets the route traveled by Juan Bautista de Anza, the Spanish military officer and leader of a colonial expedition in 1775 and 1776 from Sonora, Mexico (New Spain), to settle Alta California and establish a mission and presidio at today's San Francisco, California. The Anza Trail was designated a National Historic Trail by Congress in 1990 through an amendment to the National Trails System Act (16 U.S.C. 1241-51).⁴⁵ As a unit of the National Park Service, the Anza Trail administers the Trail from the Nogales, Arizona, to the San Francisco Bay Area. Anza Camp #98 was the location of the expedition's camp on March 31, 1776, near a waterway then known as Arroyo de la Harina ("Flour Creek").

1430/1436 A Street Duplex

The two existing structures (referred to as a duplex) within Parcel B, which were previously used as a residence, would be demolished. The duplex—assigned the designation P-01-011653 by the State—was recorded in 1986 as follows: "This modest one-story wood frame duplex has an irregular plan and a side gable roof. It is sheathed in clapboard siding and features 4/4 and 6/6 double-hung windows in wide, plain surrounds. The roof has narrow eaves and is clad in composition shingles. A lattice screen and white picket fence add to the Colonial Revival/Cape Cod feeling."⁴⁶

The duplex was evaluated for eligibility for inclusion in the National Register of Historic Places and found not eligible. The evaluation contained the following information: "Although this duplex has retained its integrity, it does not embody a type, period, or method of construction, nor is it the work of a master. It has no known associations with persons or events important in local or regional history."⁴⁷ The duplex was evaluated again in 1989, and that evaluation confirmed that the resource was not eligible due to a lack of architectural distinction.⁴⁸

Architectural cultural resources that are considered not eligible for inclusion in the National Register of Historic Places are generally considered not eligible for inclusion in the California Register of Historical Resources and therefore do not meet the definition of historical resources under CEQA. In addition, the structures are not listed in the Alameda

⁴⁵ Trail background accessible at <http://www.anzahistorictrail.org/about>.

⁴⁶ O'Connor, Denise, 1986. California Department of Parks and Recreation 523 Series Forms for 1430 and 1436 A Street.

⁴⁷ O'Connor, Denise, 1986. California Department of Parks and Recreation 523 Series Forms for 1430 and 1436 A Street.

⁴⁸ Minor, W.C., and S.A. Jarvis, 1989. California Department of Parks and Recreation 523 Series Forms for 1430 and 1436.

County Register of Historic Resources. The project's proposed demolition of the structures would not result in the substantial adverse change in the significance of a historical resource. No other potential architectural resources are located on the site.

Haywards Steam Laundry and P-01-001795/CA-ALA-566

If the cultural resource in question is an archaeological site, CEQA Guidelines Section 15064.5(c)(1) requires that the lead agency first determine if the site is a historical resource as defined in CEQA Guidelines Section 15064.5(a). If the site qualifies as a historical resource, potential adverse impacts must be considered and appropriate mitigation measures implemented to reduce or eliminate such impacts. If the archaeological site does not qualify as a historical resource but does qualify as a unique archaeological resource, then the archaeological site is treated in accordance with Public Resources Code Section 21083.2 (CEQA Guidelines Section 15064.5(c)(3)), as discussed under criterion D.b below.

The Haywards Steam Laundry remains were recorded in 2014 as follows: "The Haywards Steam Laundry is depicted in this location on Sanborn fire insurance maps from 1893 to 1950 as a structure with a concrete and wood floor and a corrugated iron roof and sides, and is visible in 1930s-era aerial photographs. The foundation measures 95 feet N/S by 60 feet E/W, and comprises several connected segments, some of which coincide with rooms and structures labeled on the Sanborn maps. The laundry was demolished...prior to 1965."⁴⁹

Caltrans conducted archaeological excavations in the project site as part of the Hayward Bypass Project; the excavation consisted of eight backhoe trenches to a depth of 15 feet and seven manual auger excavations to a depth of 3 feet. Caltrans' investigation included shallow backhoe scrapes in the vicinity of the Haywards Steam Laundry foundation to determine the presence of significant historic-period deposits. No deposits associated with P-01-001795/CA-ALA-566 or the Haywards Steam Laundry were identified in the project site.⁵⁰ Caltrans concluded that their project would have "extremely low potential to affect archaeological resources."

During the archaeologist's three pedestrian site surveys, no evidence was found of any archaeological deposits. Surface visibility was obscured by dense grasses throughout the project site so multiple scrapes were done to review the ground's surface for evidence of archaeological cultural resources. Consistent with the findings of the Caltrans' investigation, no deposits associated with P-01-001795/CA-ALA-566 or the Haywards Steam Laundry were identified in the project site. Consistent with the Caltrans'

⁴⁹ Blake, Jennifer, 2014a. California Department of Parks and Recreation 523 Series Forms for Haywards Steam Laundry.

⁵⁰ Blake, Jennifer, 2014b. Extended Phase I Study Archaeological Testing for the Proposed Riparian Mitigation Parcel Project, Alameda County, California. Caltrans District 4, Oakland.

investigation’s findings, the project would be highly unlikely to affect archaeological resources.

Anza Trail and Anza Camp #98

As discussed previously, focused historical research identified the alignment of the Anza Trail corridor and Anza Camp #98, approximately 0.6 mile southwest and 0.85 mile southeast of the project site, respectively. Archaeological remains that may persist at the Anza Camp #98—though there are few instances of similar expedition-related deposits surviving to this day—would likely qualify as historical or unique archaeological resources under PRC Sections 21084.1 or 21083.2. If such were the case, disturbance of these deposits would constitute a significant impact under CEQA. However, the distance of the documented Camp #98 site, documented by the National Park Service as 0.85 miles southeast of the project site, does not constitute a likely impact scenario, nor would any visual intrusion on the views from the trail corridor occur. Based on these factors, the proposed project would not result in the substantial adverse change in the significance of the Anza Trail corridor or Camp #98.

Haywards Water Pumping Station

The project site is part of the Knox Tract, a portion of the historic-period landholdings of William Knox, Sr. Knox, a native of Ohio and prominent early Alameda County citizen, subdivided the tract from his other property, which at the time comprised the third-largest private landholding in the county. As of 1892, lots in the project site belonged to William, his son Milo, and Mary Hanson. Milo Knox, sometime post 1892, constructed the “Haywards Water Pumping Station” (Station) in the project site, which provided water distribution to the community from San Lorenzo Creek. The earliest map evidence indicates that the Station contained associated water lines and infrastructure, with lines extending offsite to the northwest. The Haywards Water Pumping Station has not been recorded at the NWIC.

No evidence indicates that the concrete rubble and pipes in the creek and upland area within the project site are directly associated with the Station; however, even if they were, these are disarticulated remnants of a previous land use. Although that land use is significant as an early expression of municipal water delivery, the material remains in the creek lack archaeological integrity, which refers to a deposit’s ability to be meaningfully interpreted to extract information important in history. With respect to the potential for subsurface archaeological features or deposits associated with the Station, this analysis concludes that the likelihood of such deposits is low. This assessment is supported by a previous negative pedestrian survey, including ground scrapes; a negative archaeological excavation in the project site⁵¹; and previous land uses that removed above-ground

⁵¹ Blake, Jennifer, 2014b. Extended Phase I Study Archaeological Testing for the Proposed Riparian Mitigation Parcel Project, Alameda County, California. Caltrans District 4, Oakland.

buildings and, quite likely, disturbed any potential subsurface features of the Station. Even if present, any remains would—similar to the concrete rubble in the creek and upland area—likely lack the integrity to be able to express their significance or ability to provide important information about the past. In the event that accidental discoveries are made, contingency measures are included to provide for archaeological monitoring to identify and avoid, or at least reduce the severity of, any potential impacts to subsurface cultural resources (see measures listed under Criterion D.b below).

For these reasons, the project’s impact pertaining to historical architectural and archaeological resources is less than significant, consistent with the findings of the General Plan EIR.

Archaeological Resources (Criterion D.b)

In accordance with CEQA Guidelines Section 15064.5(c), if the project would affect an archaeological deposit, the lead agency must first determine whether the deposit is a “historical resource” (see CEQA Guidelines Section 15064.5(a)), as discussed above under criterion D.a. If the deposit is not a historical resource, the lead agency must determine if the deposit is a “unique archaeological resource.” In most cases, archaeological sites that are found to be significant (e.g., eligible for listing in the California Register) would qualify as “historical resources” under CEQA.

Based on this significance criterion, the project would have a significant impact pertaining to archaeological resources if ground-disturbing activities would cause a substantial adverse change in the significance of an unique archaeological resource, which would occur from its demolition, destruction, relocation, or alteration such that the significance of the resource would be materially impaired (CEQA Guidelines Section 15064.5(b)(1)).

As described under Criterion D.a above, background research was done to identify archaeological deposits—and the potential for encountering such deposits—including those that qualify as archaeological resources under CEQA. This background research determined that there are no recorded archaeological resources in the project site. Archaeological excavations conducted in 2014, as well as site surveys conducted for the project, did not identify deposits associated with P-01-001795/CA-ALA-566 or the Haywards Steam Laundry.⁵² However, the project site’s proximity to fresh water on level terrain indicates that it would have been an attractive location for resource procurement by Native Americans. Therefore, the potential for encountering subsurface precontact and historic-period archaeological deposits during construction cannot be ruled out.

The General Plan states that “[i]f evidence of prehistoric or historic artifacts or remains is known to exist, the County requires that the developer contact a qualified archaeologist so that a mitigation program can be defined before development may occur.” Consistent

⁵² Blake, Jennifer, 2014b. Extended Phase I Study Archaeological Testing for the Proposed Riparian Mitigation Parcel Project, Alameda County, California. Caltrans District 4, Oakland.

with this requirement, a qualified archaeologist has identified the following measures that the project would be required to implement during construction. Implementation of these measures would ensure the project has a less-than-significant impact on potential archaeological resources and minimize potential impacts associated with accidental discovery, consistent with the findings of the General Plan EIR.

Project Archaeologist: Prior to the initiation of construction or ground-disturbing activities, the project sponsor shall retain a professional archaeologist to oversee archaeological monitoring, and review and evaluate any discoveries of significant archaeological resources. The information about the contract with the professional archaeologist shall be submitted to the Alameda County Community Development Agency Planning Department Director for approval prior to commencement of the construction or ground disturbing activities, at the building permit stage. The project archaeologist shall inform all personnel connected with the project of the possibility of finding archaeological resources (e.g., human remains, artifacts, bedrock, bone or shell). In addition, the project sponsor shall retain the services of a Native American Ohlone tribe member to monitor grading and construction activities per the direction of the project archaeologist.

Archaeological Monitoring: Archaeological monitoring of subsurface construction shall occur during surface clearing, grading and excavations for the building foundation, the storm drain outfall, and for utilities and sewers. Monitoring on either a full time or intermittent basis shall be up to the discretion of the project archaeologist depending on his/her assessment of the potential for the exposure of significant archaeological cultural resources. An archaeological monitoring closure report shall be completed by the project archaeologist upon the completion of monitoring. A copy shall be filed with the California Historical Resources Information System, Northwest Information Center, CSU Sonoma, Rohnert Park (CHRIS/NWIC) and with the Alameda County Community Development Agency Planning Department.

Accidental Discovery: If during construction human remains, artifacts, bedrock, bone or shell are encountered, all work will be halted within a 30-foot radius of the findings and the Project Archaeologist will ascertain the nature of the discovery. Mitigation measures recommended by the Project Archaeologist and approved by the Planning Director shall be implemented. Additionally, if human remains are found within the project site, State law (CEQA Guidelines Section 15064.5 and the Health and Safety Code Section 7050.5) requires the following steps to be taken:

- There shall be no further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent human remains until the County Coroner is contacted;
- If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission within 24 hours;

- The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD);
- The MLD may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods.

Human Remains (Criterion D.c)

If human remains are unearthed during excavation for the project, California Health and Safety Code Section 7050.5 requires that no further disturbance may occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner would have 24 hours to notify the California Native American Heritage Commission.

The project would have a less-than-significant impact related to human remains with implementation of appropriate sections of the California Health and Safety Code, Public Resources Code, and the archaeologist's measures above, consistent with the findings of the General Plan EIR.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to cultural resources and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant cultural resources impacts identified in the General Plan EIR, nor would it result in new significant impacts related to cultural resources that were not identified in the General Plan EIR.

E. Geology, Soils, and Geohazards

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: <ul style="list-style-type: none"> • Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; • Strong seismic ground shaking; • Seismic-related ground failure, including liquefaction; • Landslides? 	LTS	■	□	LTS
b. Result in substantial soil erosion or the loss of topsoil?	LTS	■	□	LTS
c. Be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	LTS	■	□	LTS
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	LTS	■	□	LTS
e. Develop in areas where soils are incapable of adequately supporting the use of septic tanks where sewers are not available for the disposal of wastewater?	LTS	■	□	LTS
f. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	LTS	■	□	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR states that existing regulations of the State of California and Alameda County require that project designs reduce potential adverse geology and soils effects to less-than-significant levels before permits for project construction can be issued. Fault-line surface rupture is not a potential impact within the Planning Area because the Hayward Fault is to the west of, but not within the Planning Area boundaries. All other impacts would be minimized and/or eliminated through

compliance with the applicable regulations, including the County’s Building Code. The General Plan EIR found all geology and soils impacts to be less than significant and did not identify any required mitigation measures.

2. Project Analysis

Exposure to Risk of Loss, Injury, or Death Involving Fault Rupture, Seismic-Related Shaking, Liquefaction, Lateral Spreading, Subsidence, or Collapse, or Landslides (Criterion E.a)

The project site is located within the central portion of the Coast Ranges geomorphic province, which includes numerous active faults identified by the California Geological Survey (CGS) under the Alquist-Priolo Earthquake Fault Zoning Act. CGS defines an active fault as one that has ruptured during the Holocene Epoch (i.e., the last 11,000 years). The Working Group on California Earthquake Probabilities and the U.S. Geological Survey (USGS) have predicted a 6.4 percent probability of a 6.7 magnitude (Mw, or Moment Magnitude)⁵³ or greater earthquake on the Northern San Andreas Fault between 2014 and 2044, a 14.3 percent chance on the Hayward Fault, and a total probability of 72 percent that an earthquake of that magnitude will occur on one of the regional San Francisco Bay Area faults during that time.⁵⁴ The Hayward Fault, the closest active fault to the project site, is located approximately 2,800 feet to the west.⁵⁵ Potential impacts associated with seismic activity including fault rupture, ground shaking, ground failure, liquefaction, and landslides are discussed below.

Fault Rupture

Surface fault rupture occurs when the ground surface is broken due to fault movement during an earthquake. Fault rupture is generally expected to occur along active fault traces. Areas susceptible to fault rupture are delineated by the CGS Alquist-Priolo Earthquake Fault Zones and require specific geological investigations prior to certain kinds of development to reduce the threat to public health and safety and to minimize the loss of life and property posed by earthquake-induced ground failure. The project site is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone.⁵⁶ Therefore, the

⁵³ Moment magnitude (MW) is now commonly used to characterize seismic events as opposed to Richter Magnitude. Moment magnitude is determined from the physical size (area) of the rupture of the fault plane, the amount of horizontal and/or vertical displacement along the fault plane, and the resistance to rupture of the rock type along the fault.

⁵⁴ United States Geological Survey (USGS), 2015. UCERF3: A New Earthquake Forecast for California’s Complex Fault System, USGS Fact Sheet 2015-3009, March. Available at: <https://pubs.usgs.gov/fs/2015/3009/pdf/fs2015-3009.pdf>, accessed October 5, 2018.

⁵⁵ California Geological Survey (CGS), 2012. Earthquake Zones of Required Investigation, Earthquake Fault Zones, Hayward Quadrangle, September 21.

⁵⁶ Ibid.

project would have no impact related to fault rupture, consistent with the findings of the General Plan EIR.

Ground Shaking

Seismic ground shaking generally refers to all aspects of motion of the earth's surface resulting from an earthquake, and is normally the major cause of damage in seismic events. The final geotechnical investigation⁵⁷ prepared for this project identified strong to violent ground shaking at the project site.

The 2016 California Building Code (CBC) is based on the 2015 International Building Code and covers grading and other geotechnical issues, building specifications, and non-building structures, such as chimneys and tanks. Alameda County has adopted the 2016 CBC, as indicated in Chapter 15.08 of the County's code of ordinances.

The 2016 CBC requires that a site-specific geotechnical investigation be conducted and a geohazard report be prepared by a licensed professional for all proposed construction to evaluate geologic and seismic hazards, except for one-story, wood-frame and light-steel-frame buildings that are located outside of the Earthquake Fault Zones or Seismic Hazard Zones as shown in the CGS maps with less than or equal to 4,000 square feet in floor area. The purpose of a site-specific geotechnical investigation is to identify seismic and geologic conditions that may need to be addressed to ensure safety and adequate performance of improvements, such as ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope instability.

Specifically, the risk of ground shaking impacts is reduced through adherence to the design and materials standards set forth in the 2016 CBC. The 2016 CBC provides for stringent construction requirements on projects in areas of high seismic risk. The project would be required to conform with, or exceed, current best standards for earthquake resistant construction in accordance with the 2016 CBC and with the generally accepted standards of geotechnical practice for seismic design in Northern California. As required by the 2016 CBC, a geotechnical investigation⁵⁸ has been conducted and a final geotechnical investigation report was prepared for the project to evaluate soil stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, and expansiveness. Specifically, the final geotechnical investigation report provides recommendations on foundation type and design criteria in accordance with the 2016 CBC.

In addition, the Castro Valley General Plan⁵⁹ includes the following policy and action that would apply to the project:

⁵⁷ Rockridge Geotechnical, 2019. Final Geotechnical Investigation Proposed Affordable Housing Development Ruby & A Streets, Alameda County, California, February 6.

⁵⁸ Ibid.

⁵⁹ Castro Valley, 2012. Castro Valley General Plan. March.

- **Policy 10.3-1: Consideration of Ground Shaking Forces During Design Process.** Design and construct structures to withstand ground shaking forces of a minor earthquake without damage, of a moderate earthquake without structural damage, and of a major earthquake without collapse. Design and construct critical and essential structures and facilities to remain standing and functional following a major earthquake.
- **Action 10.3-2: Adoption of and Amendments to California Building Code.** Adopt and amend as needed the most current version of the California Building Code (CBC) to ensure that new construction and renovation projects incorporate earthquake-resistant design and materials that meet or exceed the current seismic engineering standards of the CBC Seismic Zone 4 requirements.

Consistent with the findings of the General Plan EIR, implementation of the most current CBC, General Plan Policy 10.3-1, Action 10.3-2, and compliance with the recommendations of the final geotechnical investigation report would reduce the potential impact related to ground shaking to a less-than-significant level.

Seismic-Related Ground Failure. The potential for different types of ground failure to occur during a seismic event is discussed below.

Liquefaction. Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface. During ground shaking, these soils can lose strength and acquire a “mobility” sufficient to permit both horizontal and vertical movements. Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that lie relatively close to the ground surface. However, loose sands that contain a significant amount of fines (silt and clay) may also liquefy. The project site is located within a Seismic Hazard Zone for liquefaction as mapped by CGS.⁶⁰ The Castro Valley General Plan Figure 10-4 also maps the project site as being within a liquefaction zone.⁶¹ The final geotechnical investigation report⁶² identifies potentially liquefiable soil layers underlying the project site and concluded that the potential for surface manifestations would be moderate if not mitigated. As recommended by the investigation, the most appropriate foundation system for the proposed buildings would consist of either a mat foundation on engineered fill or foundations on ground improvement system.

In addition, the Castro Valley General Plan⁶³ includes the following action that would apply to the project:

⁶⁰ California Geological Survey (CGS), 2003. Earthquake Zones of Required Investigation, Seismic Hazard Zones, Hayward Quadrangle, July 2.

⁶¹ Castro Valley, 2012. Castro Valley General Plan, page 10-28, March.

⁶² Rockridge Geotechnical, 2019. Op. cit.

⁶³ Castro Valley, 2012. Castro Valley General Plan, March.

- **Action 10.3-1: Geotechnical Study Requirements.** Require geotechnical studies prior to development approval in geologic and/or seismic hazard areas identified in Figure 10-4, Soils and Seismic Hazards, or as identified by future studies by federal, state, and regional agencies. Require or undertake comprehensive geologic and engineering studies for critical structures regardless of location. Critical structures are those most needed following a disaster or those that could pose hazards of their own if damaged. They include utility centers and substations, water reservoirs, hospitals, fire stations, police and emergency communications facilities, and bridges and overpasses.

Cyclic Densification. Cyclic densification (also referred to as differential compaction) of non-saturated sand (sand above groundwater table) can occur during an earthquake, resulting in settlement of the ground surface and overlying improvements. The final geotechnical investigation report⁶⁴ prepared for this project concludes that cyclic densification on the order of 4 inches may occur, with differential settlements of about 2 inches over a horizontal distance of 30 feet. The final geotechnical investigation report recommends the proposed building to be supported on a shallow foundation system bearing on engineered fill. Alternatively, the proposed building may be supported on a shallow foundation system bearing on improved ground (to be achieved by ground improvement techniques, including compacted aggregate piers and drilled displacement sand-cement columns). However, as recommended by the final geotechnical investigation report, the details for ground improvement (i.e. actual design allowable bearing pressures and estimated settlements) should be evaluated by the design-build ground improvement contractor. The geotechnical investigation report also recommends a preliminary design to be prepared by the ground improvement contractor and submitted for the geotechnical engineer's review.

Lateral spreading. Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face (such as a creek bank) by earthquake and gravitational forces. The final geotechnical investigation report⁶⁵ concludes that there would be potential for lateral spreading to occur at the site and estimated lateral spread displacements on the order of 1 to 3 feet to occur in the northwest portion of the site following a large earthquake on a nearby fault. As recommended by the geotechnical investigation report, lateral loads may be resisted by a combination of passive pressure on the vertical faces of the foundations and friction between the bottoms of the mat and the supporting soil. .

Landslides. Seismically-induced landslides occur as the rapid movement of large masses of soil on unstable slopes during an earthquake. The Seismic Hazard Zones mapped by CGS delineate areas susceptible to seismically-induced landslides that require additional investigation to determine the extent and magnitude of potential ground failure.

⁶⁴ Rockridge Geotechnical, 2019, Op. cit.

⁶⁵ Ibid.

According to CGS, the project site is not located within a Seismic Hazard Zone for seismically-induced landslides.⁶⁶ Therefore, the project would have no impact related to seismically-induced landslides.

Final grading, foundation, and building plans must be designed in accordance with 2016 CBC and the recommendations of the final geotechnical investigation report (including the requirements for the ground improvement contractor to prepare a preliminary design for the geotechnical engineer's review) to reduce potential impacts related to seismic-related ground failure.

Consistent with the findings of the General Plan EIR, implementation of the most current CBC, General Plan Policy 10.3-1, Actions 10.3-1, 10.3-2, and compliance with the recommendations of the final geotechnical investigation report would reduce the potential impact related to seismic-related ground failure, including liquefaction, cyclic densification, and lateral spreading to a less-than-significant level. As noted above, the project would have no impact related to seismically-induced landslides.

Substantial Soil Erosion or the Loss of Topsoil (Criterion E.b)

Soil erosion, which is discussed in detail in *Section III.H, Hydrology and Water Quality*, could occur during project grading and construction. As described in Section III.H and consistent with the findings of the General Plan EIR, implementation of the erosion control standards as set by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) through administration of the National Pollutant Discharge Elimination System (NPDES) permit process would ensure that the project would have a less-than-significant impact related to erosion or the loss of top soil.

San Lorenzo Creek crosses through the project site. In some areas the creek banks are relatively steep and appear to be subject to erosion and potentially bank failures. Continued bank erosion could occur during the lifetime of the project and potentially impact structures and other improvements if they are located near the top of bank (i.e., by undermining the foundations). The proposed development would be located to the east of the San Lorenzo Creek. A minimum 20-foot creek setback is required along the eastern bank of San Lorenzo Creek by Alameda County General Ordinance Code 13.12.320.⁶⁷ In addition, according to the current project site plan, the residential building would be located approximately an additional 20 feet from the 20-foot creek setback at the closest location, providing additional distance from the San Lorenzo Creek bank (for a total setback of approximately 40 feet). Creek bank erosion and minor bank failures would not

⁶⁶ California Geological Survey (CGS), 2003, Op. cit.

⁶⁷ The creek setback is calculated by creating an imaginary 2:1 (horizontal to vertical) slope line from the creek toe, following it until intersects the natural grade beyond the top of the bank, and adding 20 feet. Using this method, steeper creek banks result in more substantial setbacks.

be capable of affecting improvements 40 feet away and therefore, the project would not be adversely affected by bank erosion.

Geologic Unit or Soil Made Unstable as a Result of the Project (Criterion E.c)

Subsidence or collapse can result from the removal of subsurface water resulting in either catastrophic or gradual depression of the surface elevation of the project site. The temporary dewatering of excavations, which is the only removal of subsurface water associated with the project, would not cause significant ground subsidence or collapse.

As discussed above, the soils on the project site are susceptible to liquefaction settlement and potentially cyclic densification and lateral spreading. However, as noted previously, consistent with the findings of the General Plan EIR, implementation of the most current CBC, General Plan Policy 10.3-1, Actions 10.3-1, 10.3-2, and compliance with the recommendations of the final geotechnical investigation report would reduce the potential impact related to unstable soils to a less-than-significant level.

Expansive Soil (Criterion E.d)

Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. Shrink-swell potential is influenced by the amount and type of clay minerals present and can be measured by the percent change of the soil volume.

According to the geotechnical investigation report, four soil samples collected on site were tested to measure plasticity index. The plasticity index of the four samples ranged from 2 to 10.⁶⁸ Plasticity indices greater than 15 usually indicate a swelling problem may exist, and the percent of swelling generally increases with the plasticity indices.⁶⁹ Therefore, the potential for the existing soil to be expansive would be low.

In addition, the final geotechnical investigation report requires fill used for grading (which consists of on-site soil or imported soil) to have a plasticity index lower than 12 and to be approved by the Geotechnical Engineer. Therefore, the potential for the proposed building and the proposed trial to be exposed to expansive soil would be less than significant.

As noted previously, consistent with the findings of the General Plan EIR, implementation of the most current CBC, General Plan Policy 10.3-1, Actions 10.3-1, 10.3-2, and compliance with the recommendations of the final geotechnical investigation report would reduce the potential impact related to expansive soil to a less-than-significant level.

Paleontological Resources (Criterion E.f)

⁶⁸ Rockridge Geotechnical, 2019. Op. cit.

⁶⁹ Federal Highway Administration, 1977. An evaluation of expedient methodology for identification of potentially expansive soils. Report No. FHWA-RD-77-94, June.

The project site has been extensively disturbed by past development, and the General Plan EIR notes that no known significant paleontological resources are in the Castro Valley Planning Area. The project would have a less-than-significant impact pertaining to paleontological resources, consistent with the findings of the General Plan EIR.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to geology, soils, and geohazards and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant geology, soils, and geohazards impacts identified in the General Plan EIR, nor would it result in new significant impacts related to geology, soils, and geohazards that were not identified in the General Plan EIR.

F. Greenhouse Gas Emissions and Energy

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	LTS	■	□	LTS
b. Fundamentally conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions.	LTS	■	□	LTS
c. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	LTS	■	□	LTS
d. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	LTS	■	□	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR analyzed greenhouse gas (GHG) emissions in the Climate Change chapter. As described in Environmental Setting below, Alameda County has adopted a Community Climate Action Plan. Because the provisions of the County’s Climate Action Plan are applicable to all development that would occur in Castro Valley under the General Plan, implementation of the General Plan has to conform to the CAP and could not either directly or indirectly or conflict with the goals, objectives, policies, or regulations the County has adopted for the purpose of reducing the emissions of greenhouse gases. While population growth associated with the Castro Valley General Plan could increase total emissions by about 6 percent, build-out of the General Plan would result in about a 4 percent decline in emissions per capita. The General Plan EIR found all greenhouse gas impacts to be less than significant and therefore no mitigation measures were required.

Energy was not explicitly discussed in the General Plan EIR, but is implicit in many of its GHG analyses, as efficient use of energy generally results in reduced GHG emissions. The Climate Change chapter identified the following applicable General Plan policies:

- Policy 12.2-3: **Renewable Energy.** Decrease dependency on non-renewable fuel by increasing availability and use of renewable energy sources.
- Policy 12.2-4: **Energy Efficiency.** Improve the energy efficiency of new and remodeled buildings in Castro Valley.

- Action 12.2-3: **Renewable Energy Availability.** The County shall participate in regional and statewide efforts to improve the proportion of renewable energy available to Castro Valley energy customers.
- Action 12.2-4: **Green Building Standards.** New construction and remodels above a certain size shall comply with the County’s Green Building Ordinance.
- Action 12.2-6: **Zoning for Energy Efficiency and Heat Reduction.** Modify the Zoning and Subdivision Ordinances to incorporate measures that will increase energy efficiency, reduce reliance on non-renewable fuels, and reduce heat retention. These could include:
 - Passive solar and appropriate landscaping techniques;
 - Requiring “cool” roofs and paving and shade trees to reduce heat retention;
 - Water-efficient landscaping requirements;
 - Parking provisions for low or zero-emission vehicles;
 - “Unbundling” parking for transit-accessible development.

2. Environmental Setting

Climate change refers to change in the Earth’s weather patterns, including the rise in temperature due to an increase in heat-trapping GHGs in the atmosphere. According to the Bay Area Air Quality Management District (BAAQMD), some of the potential effects of increased GHG emissions and the associated climate change may include loss in snow pack (affecting water supply), sea level rise, more frequent extreme weather events, more large forest fires, and more drought years. In addition, climate change may increase electricity demand for cooling, decrease the availability of hydroelectric power, and affect regional air quality and public health.⁷⁰

In 2006, the California State Legislature passed the California Global Warming Solutions Act (Assembly Bill [AB] 32), which requires the California Air Resources Board (CARB) to develop and implement regulatory and market mechanisms that will reduce GHG emissions to 1990 levels by 2020. In 2016, the State Legislature adopted Senate Bill (SB) 32, which requires further reduction of GHG emissions to 40 percent below the 1990 level by 2030. In addition, Executive Order S-3-05 set a GHG reduction goal of 80 percent below 1990 levels by 2050.

In 2014, Alameda County incorporated the Community Climate Action Plan (CAP) as an element of the Alameda County General Plan.⁷¹ The CAP is applicable to the unincorporated county, including Castro Valley. The CAP outlines a course of action to reduce community-wide GHG emissions to 15 percent below 2005 levels by 2020, and sets the long-term target of reducing GHG emissions to 80 percent below 1990 levels by 2050. The CAP includes detailed recommendations in six areas: transportation, land use,

⁷⁰ Bay Area Air Quality Management District (BAAQMD), 2017. Final 2017 Clean Air Plan, April 19.

⁷¹ Alameda County (Unincorporated Areas), 2014. Community Climate Action Plan, February 4.

building energy, water, waste, and green infrastructure. Castro Valley General Plan developed additional goals and actions in support of the Alameda County’s green building and energy efficiency initiatives. These actions include increasing the availability and use of renewable energy sources, encouraging energy efficiency improvements, and reevaluating GHG emissions inventories on a regular basis.⁷²

The primary GHG emissions of concern are carbon dioxide, methane, and nitrous oxide. Other GHGs of concern include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, but their contribution to climate change is less than 1 percent of the total GHGs that are well mixed (i.e., that have atmospheric lifetimes long enough to be homogeneously mixed in the troposphere).⁷³ Each GHG has a different global warming potential. For instance, methane traps about 21 times more heat per molecule than carbon dioxide. As a result, emissions of GHGs are reported in metric tons of carbon dioxide equivalents (CO₂e), where each GHG is weighted by its global warming potential relative to carbon dioxide. Carbon dioxide emissions dominate the GHG inventory in the San Francisco Bay Area Air Basin (SFBAAB), accounting for more than 90 percent of the total CO₂e emissions reported.

The project is located in the SFBAAB, which is under the jurisdiction of BAAQMD. In 2010, the BAAQMD developed and adopted GHG thresholds of significance that were incorporated into the BAAQMD’s 2017 CEQA Air Quality Guidelines.⁷⁴ The GHG thresholds are designed to help lead agencies in the SFBAAB evaluate potential environmental impacts from GHG emissions for new projects and meet GHG emission reduction goals, such as those contained in AB 32. Therefore, the BAAQMD’s thresholds of significance were used in this CEQA analysis.

3. Project Analysis

Generation of Greenhouse Gas Emissions (Criterion F.a)

The project would generate temporary GHG emissions through construction activities, such as operation of on-site heavy construction equipment and off-site construction vehicle trips, and would generate long-term GHG emissions through project operations related to the direct and indirect use of fossil fuels such as electricity, natural gas, diesel, and gasoline.

The BAAQMD CEQA Air Quality Guidelines established thresholds of significance for project-level annual GHG emissions and annual GHG emissions per capita of service

⁷² Alameda County Community Development Agency, 2012. Castro Valley General Plan, March.

⁷³ Intergovernmental Panel on Climate Change (IPCC), 2013. Climate Change 2013, the Physical Science Basis.

⁷⁴ Bay Area Air Quality Management District (BAAQMD), 2017. CEQA Air Quality Guidelines, May.

population. The BAAQMD does not recommend a threshold of significance for GHG emissions during construction because there is not sufficient evidence to determine a level at which temporary construction emissions are significant.⁷⁵ The BAAQMD CEQA Guidelines also established screening levels for GHG emissions from projects of certain land uses. A project smaller than the applicable screening level would not result in the operational GHG emissions that would exceed the thresholds of significance. As shown in Table III.F-1, below, the maximum project size is below the applicable screening level from the BAAQMD CEQA Air Quality Guidelines. Therefore, emissions of GHGs from the project would not exceed the BAAQMD’s thresholds of significance and the project would not result in a significant impact related to GHG emissions that was not previously identified in the General Plan EIR.

Table III.F-1 Operational-Related Screening Level Size

Land Use Type	Proposed Project Size^a	Operational GHG Screening Size
Apartment, mid-rise	80 dwelling units	87 dwelling units
	Exceeds screening levels?	No

^a This analysis conservatively assumed a maximum of 80 dwelling units to account for fluctuations in the number of units during project design and environmental review. The actual number of units included in the project is 72.

Sources: BAAQMD, 2017.

Conflict with Greenhouse Gas or Energy-Related Plans or Policies (Criteria F.b and F.d)

The BAAQMD’s thresholds of significance were designed to ensure compliance with the state’s AB 32 GHG reduction goals, as set forth in the CARB’s Climate Change Scoping Plan.⁷⁶ Since the GHG emissions from the project would be below the BAAQMD’s threshold of significance (Criterion F.a), it can be assumed that the project would be consistent, and not in fundamental conflict, with the AB 32 Scoping Plan. Furthermore, as shown in Table III.F-2, the project is consistent with the applicable measures and actions from the CAP and the Castro Valley General Plan. Therefore, GHG emissions generated by the project, as well as energy use of the project, would not result in a significant impact related to plan consistency that was not previously identified in the General Plan EIR.

⁷⁵ Bay Area Air Quality Management District (BAAQMD), 2009. Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance, October.

⁷⁶ California Air Resources Board, 2008. Climate Change Scoping Plan, December

Table III.F-2 Project Consistency with Applicable Plans

Measures and Actions	Consistent?	Analysis
Alameda County Community Climate Action Plan (CAP)		
T-1 Improve bicycle infrastructure near community activity areas.	Yes	The proposed residential building includes a bike storage area with 56 long-term bicycle spaces, as well as 8 short-term bicycle spaces, which substantially exceeds the code requirement (see <i>Section III.M, Transportation/Traffic</i> , for more detail). A new multi-modal trail would be constructed along San Lorenzo Creek.
T-12 Work with public transit agencies to better accommodate bicycles	Yes	
T-4 Enhance pedestrian friendly infrastructure within easy walking distance from community centers.	Yes	The project would construct a new sidewalk along the project site frontages on Ruby Street, A Street, and Crescent Avenue, where no sidewalks currently exist.
L-1 Facilitate the establishment of mixed-use, pedestrian-, and transit-oriented development near major transit stations or transit corridors.	Yes	The project would site residential land uses near an Alameda-Contra Costa Transit District bus line and less than a mile from two Bay Area Rapid Transit stations.
E-10 Require new construction to use building materials containing recycled content.	Yes	The project would comply with the 2016 Building Energy Efficiency Standards and the County’s Green Building Ordinance, which includes the requirements of recycled building materials and installing electricity and gas meters for each unit.
E-12 Require all new multi-unit buildings and major renovations to existing multi-unit buildings to be “sub-metered” in order to enable each individual unit to monitor energy and water consumption.	Yes	
Castro Valley General Plan		
Policy 12.2-4 Energy Efficiency. Encourage improvement to the energy efficiency of new and remodeled buildings in Castro Valley.	Yes	The project would comply with the County’s Green Building Ordinance.

Sources: Alameda County, 2014.

The 2019 Building Energy Efficiency Standards (adopted into Title 24, Part 6 of the California Code of Regulations), which take effect on January 1, 2020, require the installation of solar photovoltaic systems on all new residential construction, with a goal of achieving Zero Net Energy for all new homes by 2020. The project would comply with this requirement.

Inefficient Consumption of Energy (Criterion F.c)

The project would achieve the GreenPoint Rated Gold certification and target a minimum of 125 points.⁷⁷ It would exceed the Building Energy Efficiency Standards (Title 24) by 10 percent and comply with the Green Building Ordinance. The project would provide solar panels and solar water heater panels on the roof. Therefore, the proposed project would

⁷⁷ Caton, Curtis, Principal, Pyatok. 2019. Personal communication with Urban Planning Partners. September 5.

be more energy-efficient than other comparable multi-family residential projects, would exceed code requirements, and would have a less-than-significant impact pertaining to inefficient consumption of energy.

4. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to greenhouse gas emissions and energy and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant greenhouse gas emissions and energy impacts identified in the General Plan EIR, nor would it result in new significant impacts related to greenhouse gas emissions and energy that were not identified in the General Plan EIR.

G. Hazards and Hazardous Materials

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	LTS	■	<input type="checkbox"/>	LTS
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	LTS	■	<input type="checkbox"/>	LTS
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	LTS	■	<input type="checkbox"/>	LTS
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	LTS	■	<input type="checkbox"/>	LTS
e. Be located in an area covered by an airport land use plan (or, where such a plan has not been adopted, within two miles of a public airport, or a public use airport), if it would result in a safety hazard or excessive noise for people residing or working in the project area?	LTS	■	<input type="checkbox"/>	LTS
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	LTS	■	<input type="checkbox"/>	LTS
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR found that impacts related to routine transport, use, or disposal of hazardous materials; or accidental release of hazardous materials in Castro Valley would be less than significant because existing federal, State, and county regulations require that these hazards be investigated during the project planning process and measures to eliminate them be incorporated in the project design prior to completing

the project approval process. Internal roadways and ingress/egress for each site would be required to meet State and local standards regarding turning radius, road width, and emergency vehicle access, thereby preventing potential impacts to emergency evacuation or response. The Castro Valley General Plan EIR found all hazards and hazardous materials impacts to be less than significant with implementation of General Plan policies and therefore no mitigation measures were required.

2. Project Analysis

Routine Transport, Use, or Disposal of Hazardous Materials (Criterion G.a)

Operation of the project would not involve the use, storage, or disposal of significant quantities of hazardous materials. The proposed residential uses would involve the use of only small quantities of commercially available hazardous materials such as paints and cleaning products. Therefore potential impacts related to the routine transport, use, or disposal of hazardous materials during operation of the project would be less than significant.

Construction of the project would also involve the use and transport of hazardous materials such as fuels, oils, paints, and adhesives. Handling and transportation of hazardous materials could result in accidental releases and associated health risks to workers, the public, and environment. Workers who handle hazardous materials are required to adhere to health and safety requirements enforced by the Federal Occupational Safety and Health Administration (Fed/OSHA) and California Division of Occupational Safety and Health Administration (Cal/OSHA). Hazardous materials must be transported to and from the project site in accordance with Resource Conservation and Recovery Act (RCRA) and the U.S. Department of Transportation regulations. Hazardous materials use, storage, and disposal would also be subject to hazardous materials programs administered by Alameda County Department of Environmental Health (ACEH).

Consistent with the findings of the General Plan EIR, compliance with existing regulations would minimize the potential for accidental releases of hazardous materials used during construction and ensure that potential impacts of the project associated with routine transport, use, or disposal of hazardous materials would be less than significant.

Upset and Accident Conditions Involving the Release of Hazardous Materials (Criterion G.b)

The two existing commercial buildings on the eastern portion of the project site fronting onto A Street would be demolished and replaced with small-scale Hayward Area Recreation & Park District facilities, which may include a trail, pedestrian lighting, a small playground, and picnic tables. A phase I environmental site assessment (ESA)⁷⁸ prepared

⁷⁸ Adanta, Inc., 2018a. Phase I Environmental Site Assessment Ruby Street Apartments Ruby and Crescent Streets, Castro Valley, California. January 23.

for this project (see Appendix E) indicates these two structures could have been constructed with asbestos-containing materials and lead-based paint. The phase I ESA therefore recommends an asbestos and lead-based paint survey to be conducted on the two structures on the eastern portion of the project site (see further detail below).

The project would be required to comply with all applicable laws and regulations regarding demolition of hazardous building materials, including Section 19827.5 of the California Health and Safety Code, Title 17 and Title 8 of the California Code of Regulations. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. Title 17 of the California Code of Regulations includes work practice standards related to the evaluation and abatement of lead in public and residential buildings. Title 8 of the California Code of Regulations covers construction work where an employee may be exposed to lead, including metallic lead, inorganic lead compounds, and organic lead.

The following Castro Valley General Plan⁷⁹ goal, policy, and actions would also apply to the project:

- Goal 10.4-1: Minimize the risk of life and property from the production, use, storage, and transportation of hazardous materials and waste by complying with all applicable Federal, State, and local requirements.
- Policy 10.4-1: **Hazardous Materials Exposure Risks.** Minimize risks of exposure to or contamination by hazardous materials by educating the public, establishing performance standards for uses that involve hazardous materials, and evaluating soil and groundwater contamination as part of development project review.
- Action 10.4-3: **Review Process for Proposals Using Hazardous Materials.** Coordinate with the Alameda County Department of Environmental Health, Hazardous Materials Division and other appropriate regulatory agencies during the review process of all proposals for the use of hazardous materials or those involving properties that may have toxic contamination such as petroleum hydrocarbons, asbestos, and lead.
- Action 10.4-4: **Soil and Groundwater Assessment.** Require applicants of projects in areas of known hazardous materials occurrences such as petroleum hydrocarbon contamination, USTs, location of asbestos rocks and other such contamination to perform comprehensive soil and groundwater contamination assessments in accordance with regulatory agency testing standards, and if contamination exceeds regulatory action levels, require the project applicant to undertake remediation procedures prior to grading and development under the supervision of appropriate agencies such as Alameda County Department of Environmental Health, Department of Toxic Substances Control, or Regional Water Quality Control Board.

⁷⁹ Castro Valley, 2012. Castro Valley General Plan. March.

Though compliance with the applicable regulations, General Plan policies, and standard industry practices would ensure that lead and asbestos are properly managed, the project would also be required to comply with the measures detailed in the phase I ESA (see Appendix E). The phase I ESA states that the project applicant shall submit a comprehensive assessment report to the County of Alameda Public Works Agency, Building Inspection Department, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law in the buildings to be demolished. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present in the buildings to be demolished, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the County evidence of approval for any proposed remedial action and required clearances by the applicable regulatory agency.

The phase I ESA⁸⁰ also indicates that: 1) underground heating fuel tanks could have been used for previous single-family residences located in the southern portion of the project site and west of Ruby Street; 2) an underground storage tank was present associated with former steam laundry; 3) either an underground storage tank or aboveground storage tank was used by the former Haywards water pumping station on the project site, and it is possible that an underground storage tank is still present; and 4) a water well could be present on the project site associated with the former Haywards water pumping station.

The phase I ESA⁸¹ provides the following recommendations associated with the findings listed above: 1) a soil and groundwater management plan should be prepared prior to construction that would provide contractors direction on what to do in case an underground storage tank was encountered during excavation activities; and 2) the water well for the former Haywards water pumping station should be located and properly abandoned in accordance with Alameda County regulations (if found). The phase I ESA also recommends that the area of the former underground storage tank for the steam laundry and the area of the former Haywards water pumping station should be further assessed; this recommendation has been fulfilled through the preparation of the sampling report described below.

⁸⁰ Adanta, Inc., 2018a, Op. cit.

⁸¹ Ibid.

A Phase II soil and groundwater data sampling report⁸² was prepared for the project (see Appendix E). Soil and groundwater samples were collected from a total of six soil boring locations. For soil samples, volatile organic compounds (VOCs) were not reported above method detection limits and total petroleum hydrocarbons as gasoline (TPHg) was not reported. Concentrations of diesel (TPHd) and motor oil (TPHmo) were detected well below their respective environmental screening levels (ESLs).⁸³

For groundwater samples, VOCs were not detected, with the exception of carbon disulfide in one sample collected near the former pumping station (SB5-GW) and TPHg in one sample collected near the former steam laundry (SB1-GW). An ESL for carbon disulfide has not been established, and the reported concentration of TPHg was well below its ESL. Based on the sampling results, the sampling report concluded that additional sampling or remediation was not necessary at this time.

According to the sampling report, although no evidence of contaminated soil or groundwater was identified at the boring locations, contaminated soil or groundwater could be present in other locations of the project site. If contaminated soil or groundwater were found during construction of the project, as required by General Plan Action 10.4-4, the project applicant must undertake remediation procedures prior to grading and development under the supervision of appropriate agencies such as Alameda County Department of Environmental Health, Department of Toxic Substances Control, or the San Francisco Bay Regional Water Quality Control Board (Regional Water Board).

Compliance with the recommendations in the phase I ESA described above, Section 19827.5 of the California Health and Safety Code, Title 17 and Title 8 of the California Code of Regulations, and Castro Valley General Plan Goal 10.4-1, Policy 10.4-1, Actions 10.4-3 and 10.4-4 would ensure that the project would result in less-than-significant impacts associated with releases of hazardous materials to the subsurface of the project site.

Hazardous Materials within a ¼-Mile of a School (Criterion G.c)

KEY Academy Charter School at 1570 Ward Street is located approximately 1,200 feet southeast of the project site. No other schools were identified within a quarter mile of the project site.⁸⁴ The project would not involve the handling of acutely hazardous materials. Compliance with measures in the phase I ESA and existing regulations that address potential emissions of hazardous materials during construction would reduce potential impacts from the project related to hazardous emissions or the handling of hazardous materials, substances, or waste within a quarter mile of a school to a less-than-significant level.

⁸² Adanta Inc., 2018b. Soil and Groundwater Sampling Data Report, May 2.

⁸³ Ibid.

⁸⁴ California Department of Education, 2018. California Schools Directory. Available at: <https://www.cde.ca.gov/schooldirectory/>, accessed October 12.

Exposure to Hazardous Materials in the Subsurface, Government Code Section 65962.5 (Cortese List) (Criterion G.d)

The provisions of California Government Code Section 65962.5 require the State Water Resources Control Board, Department of Toxic Substances Control, California Department of Health Services, and California Department of Resources Recycling and Recovery to submit information to the Cal/EPA pertaining to sites that were associated with solid waste disposal, hazardous waste disposal, and/or hazardous materials releases. Additionally, the Regional Water Board can act as a responsible agency to provide oversight of sites where the quality of groundwater or surface waters is threatened. The compilation of hazardous materials release sites that meet criteria specified in Government Code Section 65962.5 is known as the Cortese List.

There are currently no hazardous materials release sites on the project site that meet the criteria for inclusion on the Cortese List. Therefore, the project would have no impact related to development on a hazardous materials release site included on the Cortese List.

Airport Land Use Plan (Criterion G.e)

The nearest public use airport is the Hayward Executive Airport, approximately 2.7 miles to the southwest.⁸⁵ The project site is not located in the Airport Influence Area in which the Alameda County Airport Land Use Commission (ALUC) is authorized to review new local land use actions, plans, and policies.⁸⁶ Therefore, the project would result in a less-than-significant impact associated with exposure of people residing or working in the project area to safety hazard or excessive noise from any airport covered by a land use plan.

Emergency Response Plan or Emergency Evacuation Plan (Criterion G.f)

Construction of the project could temporarily impact portions of adjacent streets, including Crescent Avenue, Ruby Street, and A Street. However, the project would not permanently alter these streets or designated evacuation routes, and compliance with traffic control requirements imposed by the County for the permitting of temporary closure of street areas would ensure that appropriate emergency access is maintained at all times during construction activities. Therefore, the project would have a less-than-significant impact related to emergency access and evacuation.

⁸⁵ Federal Aviation Administration (FAA), 2018. Airport Data and Contact Information. Effective: December 6, 2018. Database searched for both public-use and private-use facilities in Alameda County. Available at: http://www.faa.gov/airports/airport_safety/airportdata_5010/, accessed December 10, 2018.

⁸⁶ Alameda County Airport Land Use Commission, 2012, Hayward Executive Airport Airport Land Use Compatibility Plan, August.

Wildland Fires (Criterion G.g)

The project site is not located in an area mapped as a Very High Fire Hazard Severity Zone by California Department of Forestry and Fire Protection.⁸⁷ Therefore, the project would have a less-than-significant impact related to wildland fire hazards.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to hazards and hazardous materials and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant hazards and hazardous materials impacts identified in the General Plan EIR, nor would it result in new significant impacts related to hazards and hazardous materials that were not identified in the General Plan EIR.

⁸⁷ CAL FIRE, 2008. Alameda County Very High Fire Hazard Severity Zones in Local Responsibility Areas, September 3.

H. Hydrology and Water Quality

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	LTS	■	□	LTS
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	LTS	■	□	LTS
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: i) result in substantial erosion or siltation on- or off-site? ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?	LTS	■	□	LTS
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	LTS	■	□	LTS
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	LTS	■	□	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR states that construction and post-construction activities associated with implementation of the General Plan could result in specific stormwater drainage, water quality, and flooding impacts, including dewatering; increase nonpoint pollutant discharges; and result in alterations to drainage patterns by increasing impervious surface areas. San Lorenzo Creek is listed as impaired for the pollutant

diazinon from urban runoff and storm sewers, which indicates the flow of pollutants such as pesticides from agricultural lands into the creek through runoff and sewer lines. These impacts would all be less than significant given the existing regulatory framework which governs existing and future development. In addition, hydrology-related policies in the General Plan would further reduce any impacts. The General Plan EIR found all hydrology and water quality impacts to be less than significant and therefore no mitigation measures were required.

2. Project Analysis

Water Quality and Creek Protection (Criterion H.a)

Construction of the project would involve grading and construction, which could, if not properly managed, result in degradation of the quality of stormwater runoff, erosion and/or sedimentation, and adverse effects on downstream receiving waters. Additionally, potential discharge of contaminated dewatering effluent during construction could result in impacts to the environment from the discharge of sediment and contaminants to receiving waters. As discussed above in *Section III.G, Hazards and Hazardous Materials*, the project would be required to comply with existing regulations and the measures outlined in the phase I ESA to minimize potential negative effects on groundwater and receiving waters which could result from inappropriate handling of construction-related hazardous materials (e.g., fuels, oils, and paints) and contaminated soil and groundwater during construction.

Dewatering

Groundwater dewatering would be subject to permits from Alameda County Public Works Agency or the San Francisco Bay Regional Water Quality Control Board (Regional Water Board), depending if the discharge were to the sanitary or storm sewer system. If the water is not suitable for discharge to the storm drain (receiving water), dewatering effluent may be discharged to Alameda County Public Works Agency's sanitary sewer system if special discharge criteria are met. These include, but are not limited to, application of treatment technologies or best management practices (BMPs) which would result in achieving compliance with the wastewater discharge limits. Discharges to Alameda County Public Works Agency's facilities must occur under a Special Discharge Permit. Alameda County Public Works Agency operates its wastewater treatment facilities in accordance with Waste Discharge Requirements issued by the Regional Water Board, which require rigorous monitoring of effluent to ensure discharges do not adversely impact receiving water quality.

Construction Impacts

Because the project would disturb more than one acre of land, it would be required to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit

for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, NPDES No. CAS000002 (Construction General Permit).⁸⁸

The Construction General Permit uses a risk-based permitting approach and mandates certain requirements based on the project risk level (i.e., Level 1, Level 2, or Level 3). The project risk level is based on the risk of sediment discharge and the receiving water risk. The sediment discharge risk depends on the project location and timing (i.e., wet season versus dry season activities). The receiving water risk depends on whether the project would discharge to a sediment-sensitive receiving water. The determination of the project risk level would be made by the project applicant when a Notice of Intent is filed (and more details of the timing of the construction activity are known).

The performance standard in the Construction General Permit is that dischargers must minimize or prevent pollutants in stormwater discharges and authorized non-stormwater discharges through the use of controls, structures, and BMPs that achieve Best Available Technology (BAT) for treatment of toxic and non-conventional pollutants and Best Conventional Technology (BCT) for treatment of conventional pollutants. A Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a Qualified SWPPP Developer that meets the certification requirements in the Construction General Permit. The purpose of the SWPPP is (1) to help identify the sources of sediment and other pollutants that could affect the quality of stormwater discharges; and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater as well as non-stormwater discharges resulting from construction activity. Operation of BMPs must be overseen by a Qualified SWPPP Practitioner that meets the requirements outlined in the permit. The SWPPP must also include a construction site monitoring program.

In addition, no grading work shall be allowed during the rainy season, from October 1 to April 30, except upon a clear demonstration, to the satisfaction of the director of the Public Works Department of Alameda County, that at no stage of the work will there be any substantial risk of increased sediment discharge from the site.

Operational Impacts

Because the project would create over 10,000 square feet of new impervious surfaces, it would be required to comply with Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP).⁸⁹ Provision C.3 of the MRP requires implementation of low impact development (LID) source control, site design, and stormwater treatment. LID employs principles such as preserving and recreating natural

⁸⁸ State Water Resources Control Board Division of Water Quality, 2009. Construction General Permit Fact Sheet. 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ.

⁸⁹ San Francisco Bay Regional Water Quality Control Board (RWQCB), 2015. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008, November 19.

landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rainwater harvesting (e.g., rain barrels and cisterns), green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. An impervious trail is also proposed as part of the project and would be built to direct stormwater runoff to the proposed bioretention area, which would be designed to function as a stormwater treatment feature as required by Provision C.3 of the MRP.

The project is subject to hydromodification⁹⁰ management requirements because it is located in an area designated as a special consideration area on the Alameda County Hydromodification Management Plan (HMP) susceptibility map⁹¹ and it would create over an acre of impervious surface. As required by the MRP, stormwater discharges from the project must not cause an increase in the erosion potential of the receiving stream over the pre-project (existing) condition. In addition, post-project runoff must not exceed estimated pre-project rates and durations.

San Lorenzo Creek is listed as impaired for the pollutant diazinon from urban runoff and storm sewers. As diazinon has been banned since 2005 for non-agricultural use, the project would not add any diazinon to the creek.

Stormwater Outfall

The project also proposes a new outfall to San Lorenzo Creek. All construction activities within the banks of the creek would require a U.S. Army Corps of Engineers (USACE) Section 404 permit and associated Section 401 Water Quality Certification from the Regional Water Board. Additionally, work within a stream or on a streambank would require a California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement. These permit applications must include a discussion of construction BMPs, including erosion and sediment control BMPs, which, when properly implemented, would ensure that impacts to water quality are minimized. The permits would include any additional requirements for protection of water quality as deemed necessary by the reviewing resource agencies. Compliance with these permits would reduce potential impacts to water quality during construction activities along the banks of surface waters and within surface waters.

Summary

⁹⁰ Hydromodification is defined as the modification of a stream's hydrograph, caused in general by increases in flows and durations that result when land is developed (e.g., made more impervious). The effects of hydromodification include, but are not limited to, increased bed and bank erosion, loss of habitat, increased sediment transport and deposition, and increased flooding.

⁹¹ San Francisco Bay Regional Water Quality Control Board (RWQCB), 2015. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008, Attachment C, November 19.

The Castro Valley General Plan includes the following goals, policies, and actions to protect water quality:

- Goal 9.5-1: Collect, store, and dispose of stormwater in safe, sanitary, and environmentally-acceptable ways.
- Action 9.5-2: **Minimize Runoff.** Reduce release of contaminants into the water system by requiring new development to minimize storm drain runoff on project sites.
- Goal 10.2-1: Protect and improve surface and groundwater quality.
- Goal 10.2-2: Protect the community from risks to life and property posed by flooding and stormwater runoff.
- Policy 10.2-2: **Water Quality Regulations.** Ensure compliance with all federal, state, regional, and local regulations related to protecting and improving water quality.
- Policy 10.2-4: **Reduce Pollution.** Protect surface water quality by reducing the release of non-point source pollutants into storm drain system and waterways.
- Action 10.2-3: **San Francisco Bay Regional Water Quality Control Board.** Continue to ensure that all construction and development activities comply with all applicable San Francisco Bay Regional Water Quality Control Board (RWQCB) stormwater and water quality requirements, including the NPDES C.3 requirements related to post-construction stormwater runoff. These requirements may include but not be limited to:
 - Preparation and implementation of a stormwater pollution prevention plan (SWPPP); and
 - Adoption and implementation of effective best management practices (BMPs).
- Action 10.2-4: **Alameda Countywide Clean Water Program Stormwater Quality Management Plan.**
 - Ensure compliance with the Alameda Countywide Clean Water Program (ACCWP) Stormwater Quality Management Plan.
 - Require development and redevelopment projects to prepare and implement site-specific plans that control and manage stormwater runoff and quality through the incorporation of appropriate source controls, site design strategies, and post-construction stormwater treatment.
- Action 10.2-7: **Grading and Construction Activities.** Restrict grading and construction activities to dry periods, whenever feasible. Require additional erosion prevention measures during the wet weather period from mid-October through mid-March, unless emergency and maintenance action is necessary to protect life and property is required.
- Action 10.2-8: **Dewatering.** Ensure that all construction and development dewatering activities adhere to all permitting and regulatory requirements. Specifically, all

activities shall comply with state requirements for stormwater pollution prevention and control and obtain a construction dewatering permit or waiver from the RWQCB prior to disposal of dewatering discharge for discharge to surface creeks and groundwater.

Consistent with the findings of the General Plan EIR, compliance with existing regulations and the goal, policies and actions in the General Plan would ensure that the project would result in less-than-significant impacts to water quality.

Groundwater Supplies (Criterion H.b)

The final geotechnical investigation report⁹² prepared for this project identifies a high groundwater level of 15 feet bgs for the project. Because the maximum depth of excavation is 15 feet, temporary dewatering from excavations could be necessary during construction. Construction-related dewatering would be temporary and limited to the area of excavations on the project site and would not substantially contribute to depletion of groundwater supplies. Operation of the project would not involve dewatering. The project would not use groundwater as water would be supplied to the project by East Bay Municipal Utility District (EBMUD).

The majority of the project site is currently covered by pervious (unpaved) surfaces. The project would result in an increase in impervious surfaces on the project site compared to the existing condition. The construction of stormwater management LID features as required by Provision C.3 of the MRP would allow much of the stormwater runoff from impervious surfaces of the project site to infiltrate into the ground and generally maintain similar levels of groundwater recharge as under existing conditions. The proposed impervious trail would be built to direct stormwater runoff to adjacent vegetated areas, and therefore would be exempt from Provision C.3 of the MRP, which requires stormwater management LID features. In addition, the Castro Valley General Plan includes the following action to reduce impacts related to groundwater recharge:

- Action 10.2-2: **Recharge Areas.** Develop site design review criteria or zoning requirements that maximize pervious surface areas and vegetation in order to facilitate groundwater recharge and slow stormwater runoff.

Therefore, consistent with the findings of the General Plan EIR, with the implementation of existing regulations and the General Plan Action 10.2-2, the project would have a less-than-significant impact on groundwater resources.

Change of Drainage Patterns to Result in Substantial Erosion or Siltation, Increase the Rate or Amount of Surface Runoff, Exceeding the Capacity of Existing Stormwater

⁹² Rockridge Geotechnical, 2019. Op. cit.

***Drainage systems or Contributing Additional Sources of Polluted Runoff
(Criterion H.c (i, ii, iii))***

Under existing conditions, the majority of the project site is covered with pervious surfaces (e.g., exposed soil with vegetation). The project could alter the existing drainage patterns by increasing the amount of impervious surface through construction of new structures, parking lots, and the proposed trail.

The construction of stormwater management LID features, as required by Provision C.3 of the MRP, would allow much of the stormwater runoff from new impervious surfaces to infiltrate into the ground. Because the project is subject to hydromodification management requirements as identified in the MRP, post-project runoff is required to match the pre-project rates and durations. The LID features would be designed to treat and control the amount of storm runoff from the project so that the total amount of stormwater directed to the creek would not exceed the existing condition (explained in detail below).

The proposed project includes a bioretention area, which would be designed to both function as a stormwater treatment feature as required by Provision C.3 of the MRP and as a detention facility for hydromodification management. Excess post-project stormwater would be directed as much as possible to the storm sewer after treatment and infiltration. The runoff would first pass through the bioretention soil and gravel for treatment and then the stormwater would be detained in a below-grade structure equipped with an orifice at the discharge point to meter the amount of runoff discharged. The discharge would connect to the creek via the proposed new outfall at the southwestern portion of the project site near the proposed bioretention area. The outfall would be designed to prevent erosion at the creek and the total amount of water directed to the creek would not exceed the existing amount of water that currently drains to the creek.

The project sponsor would be required by the County to minimize grading to the greatest extent possible through measures such as installation of retaining walls, especially within the creek setback or where the trail overlaps with the canopy of riparian trees, which would further reduce the potential for substantial erosion to occur.

Furthermore, the Castro Valley General Plan includes the following goal and action to reduce impacts related to stormwater drainage:

- Goal 9.5-1: Collect, store, and dispose of stormwater in safe, sanitary, and environmentally-acceptable ways.
- Action 9.5-2: **Minimize Runoff.** Reduce release of contaminants into the water system by requiring new development to minimize storm drain runoff on project sites.

Consistent with the findings of the General Plan EIR, compliance with existing regulations and Goal 9.5-1 and Action 9.5-2 in the General Plan would ensure that appropriate

stormwater controls are incorporated into the project design. Therefore, changes in drainage patterns caused by the project would have less-than-significant impacts related to substantial erosion or siltation, increasing the rate or amount of surface runoff, or exceeding the capacity of existing stormwater drainage systems or contributing additional sources of polluted runoff.

Change of Drainage Patterns to Impede or Redirect Flood Flows (Criterion H.c (iii))

As discussed below in more detail under Criterion H.d, the southwestern portion of the project site is located within a 100-year flood hazard area, but the proposed building would be located in the northwestern portion of the site (outside the 100-year flood hazard zone). The project would not include placement of structures in the 100-year flood hazard zone that could impede flood flows. Therefore, the potential for the project to impede or redirect flood flows would be less than significant.

Flood Hazard, Tsunami, or Seiche Zones (Criteria H.d)

The project site is inland from the San Francisco Bay and therefore, risk of inundation by a seiche or tsunami would be less than significant.

The southwestern portion of the project site is located within a 100-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA). Specifically, the southwestern portion of the project site is in Zone A, which indicates the potential for 1 percent annual chance flooding to occur (i.e., 100-year flood), with no base flood elevations determined.⁹³ However, the proposed building would be located in the northwestern portion of the site, mapped as Zone X (unshaded) by FEMA, which indicates an area outside the 0.2 percent annual chance floodplain (i.e., outside of the 100-year and 500-year floodplain).

Title 15, Chapter 15.40 of the Alameda County Municipal Code includes floodplain management regulations designed to promote the public health, safety, and general welfare, and to minimize losses due to flooding. This ordinance restricts or prohibits uses that are dangerous due to flood hazards or result in damaging increases in flood heights or velocities. Uses that are vulnerable to floods are required to be protected against flood damage at the time of initial construction and/or substantial improvement. The ordinance also includes provisions for controlling alteration of natural floodplains, stream channels, and natural protective barriers, and development activities, such as filling, grading, and dredging. The construction of flood barriers, which unnaturally divert flood waters or increase flood hazards in other areas, is also restricted or prohibited.

Title 15, Chapter 15.40 of the Alameda County Municipal Code also establishes permit review procedures, designates and identifies the duties of the floodplain administrator

⁹³ Federal Emergency Management Agency (FEMA), 2009. Flood Insurance Rate Map (FIRM), Alameda County, California and Incorporated Areas, Map Number 06001C0287G. Effected August 3.

(the director of the public works agency of the county), provides provisions for flood hazard reduction such as standards of construction, and identifies variance procedures.

In addition, the Castro Valley General Plan includes the following goal, policy, and actions to reduce flooding hazards:

- Goal 10.2-2: Protect the community from risks to life and property posed by flooding and stormwater runoff.
- Policy 10.2-3: **Flooding**. Lower the risk for flooding by protecting and improving existing drainage patterns.
- Action 10.2-10: **Flood Control Requirements**. Ensure that all construction and development activities obtain all applicable federal, state, regional, and County permits and approvals related to grading and erosion control, stormwater management and discharge control, and watercourse protection.
- Action 10.2-12: **Hydrology and Hydraulics Criteria Summary Requirements**. Require new development to comply with the requirements and criteria for stormwater quantity controls established in the Alameda County Hydrology and Hydraulics Criteria Summary (HHCS) to control surface runoff from new development.
- Action 10.2-15: **Flood Plain Management**. Use the Alameda County Flood Plain Management Ordinance when assessing flood risk in Castro Valley, as well as ongoing risk after flood control and improvement projects are implemented.
- Action 10.2-18: **Design Standards and Guidelines for Properties Adjacent to Waterways**. Establish design standards, guidelines and setback requirements for development on properties that abut creeks and waterways, and require the replanting and restoration of riparian vegetation as part of any discretionary permit. Implement and enforce creek setback requirements for development for properties that abut creeks.
- Action 10.2-19: **100-Year Flood Plains**. Do not permit new development in the 100-year flood plain with the exception of development that has been determined to have no impact as identified in the Alameda County General Ordinance Code.
- Action 10.2-20: **Requirements for Development Adjacent to 100-Year Flood Plains**. Require that new structures located near a 100-year flood plain be sited and designed to be flood resistant and not inhibit flood flows.

Consistent with the findings of the General Plan EIR, compliance with the requirements in the Alameda County Municipal Code and the goal, policy and actions in the General Plan would reduce potential flooding impacts to a less-than-significant level.

Water Quality Control Plan or Sustainable Groundwater Management Plan (Criterion H.e)

The quality of surface water and groundwater in the vicinity of the project site is affected by past and current land uses at the project site and within the watershed and the composition of geologic materials in the vicinity. The State Water Resources Control Board (SWRCB) and nine regional water quality control boards regulate water quality of surface water and groundwater bodies throughout California. In the Bay Area, including the project site, the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) is responsible for implementing the Water Quality Control Plan (Basin Plan).⁹⁴ The Basin Plan establishes beneficial water uses for waterways and water bodies within the region and is a master policy document for managing water quality in the region.

The major surface water body within the project site is San Lorenzo Creek. As discussed under Criterion H.a, San Lorenzo Creek is listed as impaired for the pollutant diazinon from urban runoff and storm sewers. As diazinon has been banned since 2005 for non-agricultural use, the project would not be expected to add any diazinon to the creek. In addition, the quality of construction and operational stormwater runoff would be controlled through compliance with the General Construction Permit and the Municipal Regional Permit requirements, respectively. Therefore, the potential for the project to conflict with or obstruct implementation of the Basin Plan would be less than significant.

The 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs.⁹⁵ GSPs are detailed road maps for how groundwater basins will reach long term sustainability. The project is located in the Castro Valley Groundwater Basin, which is designated as a very low priority basin and is not subject to development of a GSP under SGMA.⁹⁶ Groundwater Management Plans (GWMP) may be developed in very low or low-priority basins. However, there is no GWMP developed for Castro Valley Groundwater Basin.⁹⁷

As discussed under Criterion H.b, the project would not substantially contribute to depletion of groundwater supplies during construction. During operation, the project would not use groundwater. In addition, implementation of the MRP and General Plan Action 10.2-2 would reduce impacts related to groundwater recharge to a less-than-

⁹⁴ San Francisco Bay Regional Water Quality Control Board, 2017. San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan). Incorporating all amendments as of May 4.

⁹⁵ California Department of Water Resources, 2019a. Groundwater Sustainability Plans. Available at: <https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management/Groundwater-Sustainability-Plans>, accessed February 20.

⁹⁶ California Department of Water Resources, 2019b. 2018 SGMA Basin Prioritization Dashboard. Available at: <https://gis.water.ca.gov/app/bp2018-dashboard/p1/#>, accessed February 20.

⁹⁷ California Department of Water Resources, 2019c. Non-SGMA Groundwater Management. Available at: <https://water.ca.gov/Programs/Groundwater-Management/Non-SGMA-Groundwater-Management>, accessed February 20.

significant level. Therefore, there would be no impact associated with a conflict with or obstruction of implementation of a sustainable groundwater management plan.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to hydrology and water quality and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant hydrology and water quality impacts identified in the General Plan EIR, nor would it result in new significant impacts related to hydrology and water quality that were not identified in the General Plan EIR.

I. Land Use and Planning

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Physically divide an established community?	LTS	■	<input type="checkbox"/>	LTS
b. Substantially change the types of land uses in an area, which could result in conflicts with neighboring areas, or with the established pattern of development?	LTS	■	<input type="checkbox"/>	LTS
c. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including, but not limited to, the Alameda County General Plan, specific plans, or the Resource, Open Space and Agriculture Element?	LTS	■	<input type="checkbox"/>	LTS
d. Conflict with existing zoning for agricultural use or a Williamson Act contract?	NI	■	<input type="checkbox"/>	NI
e. Result in the loss of availability of a known mineral resource?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR found all land use or policy impacts to be less than significant and therefore no mitigation measures were required. The General Plan EIR identified General Plan policies which would minimize any impacts.

The Castro Valley General Plan did not include significant changes in the community’s land use and, consequently, impacts related to land use were found to be less than significant. The changes either modified land use designations to match an area’s land use context and/or altered the zoning to better reflect the actual land use and thereby reduced the chance of incompatible land uses. As a result, none of the land use modifications or other improvements that may be implemented under the General Plan would result in new infrastructure or development that would physically divide the community. There is no State-designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the Planning Area. The General Plan EIR states that there are no known mineral resources in the Planning Area.

2. Project Analysis

Division of Existing Communities and Conflicts with Existing Land Use Pattern (Criteria I.a and I.b)

The project site is surrounded on all sides by urban development of varying scale, including single-family residences; small apartment buildings; and a larger two- to three-story apartment building west of the project site, accessed off Rockaway Lane. Other undeveloped sites in the vicinity adjacent to San Lorenzo Creek have also been recently entitled for residential development, such as the 22626 4th Street project, consisting of 41 detached single-family residences on a site directly across from the project site, at the southeast corner of A Street and 4th Street.

The project includes a two- to four-story apartment building and a multi-use recreational trail. Both uses are consistent with the site's General Plan land use designation and zoning as considered in the General Plan EIR. Consistent with the General Plan EIR findings, the proposed land use would be compatible with surrounding existing land uses and would not introduce any land uses envisioned outside of the General Plan. The project is subject to the County's site development review, which ensures that new buildings or land uses are compatible with their sites and with the surrounding environment, other development, and traffic circulation.

The project would not introduce major infrastructure changes and would not create a new physical barrier. Connectivity between the project site and surrounding areas is currently constrained by the San Lorenzo Creek. The project includes a public multi-use trail along San Lorenzo Creek, which may become part of a broader envisioned trail system and could thereby enhance public access in the area. For these reasons, the project would not create a division of existing communities and would be consistent with existing uses. This impact would be less than significant, consistent with the findings of the General Plan EIR.

Conflict with Land Use Plans and Policies (Criterion I.c)

The project is consistent with the Castro Valley General Plan and the County's Zoning as described below.

General Plan and Zoning Designation

The General Plan designation for the project site is Residential Low Density Multi-Family (RLM), which is intended for townhouses and low density multi-family residential uses such as garden apartments and condominiums, with a density ranging from 18 to 22 dwelling units per acre.⁹⁸ The project site is zoned Suburban Residence (R-S) within a

⁹⁸ Alameda County Community Development Agency, 2012. Castro Valley General Plan, March.

combining “D” district (D-20). The R-S zoning district permits the following uses by-right: single-family dwellings, two-family dwellings, multiple dwellings or dwelling groups; field crops, orchards, or gardens; medical or residential care facilities for up to six persons per unit; and licensed transitional or supportive housing for up to six persons per unit.⁹⁹ The combining D-20 district is intended to provide for variations in the intensity of development within R-S districts and requires 2,000 square feet of building site per dwelling unit.¹⁰⁰

The project proposes a multi-family residential development, which is allowed in both the General Plan and zoning designations. Although the overall site area is 6.3 acres, only the approximately 2.95-acre Parcel A constitutes the developable area for the purposes of calculating residential density. The 72 units proposed by the project exceeds the approximately 64 units permitted under the regulations of the General Plan and the D-20 district. However, the project is entitled to a 35 percent increase in the allowable residential density per the density bonus law and therefore is consistent with the residential density provisions in the Alameda County Municipal Code.

Per California’s State density bonus law (Government Code Section 65915), the inclusion of low-income units entitles the project to a density bonus, i.e. an increase in residential units beyond the maximum allowable residential density. In addition, applicants are entitled to waivers or concessions of applicable local development standards that would otherwise physically preclude the construction of the project with the density bonus units. The County has incorporated all relevant provisions of the density bonus law into its code of ordinances as Chapter 17.106, Density Bonus. As a 100 percent affordable project, the project is entitled to a 35 percent density bonus and three incentives/concessions, the maximum permitted under State law.

Development Standards

Properties in Alameda County are required to conform with Alameda County General Ordinance Code 13.12.320, which establishes a 20-foot minimum setback requirement for developments near creeks.¹⁰¹ The project would comply with this requirement.

The R-S zoning district limits building height to a maximum of three stories and 30 feet (35 feet where at least 25 feet from the property line).¹⁰² The project would be up to four stories tall with a maximum height of 55 feet, exceeding this development standard.

⁹⁹ Alameda County Municipal Code, Chapter 17.12.

¹⁰⁰ Alameda County Municipal Code, Section 17.24.040.

¹⁰¹ The creek setback is calculated by creating an imaginary 2:1 (horizontal to vertical) slope line from the creek toe, following it until intersects the natural grade beyond the top of the bank, and adding 20 feet. Using this method, steeper creek banks result in more substantial setbacks.

¹⁰² Alameda County Community Development Agency, 2014. Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County. Table 2.5-1: Multi-Family Residential Standards.

As noted above, the project is entitled to a waiver to exceed the maximum height per the density bonus law.

As the project would be consistent with the provisions of the State density bonus law and Alameda County Municipal Code Chapter 17.106, it would have a less-than-significant impact pertaining to conflicts with land use plans and policies.

Conflict with Agricultural Zoning or Williamson Act Contract (Criterion I.d)

As stated above, the project is zoned R-S-D-20 (Suburban Residence), which is not an agricultural zoning designation. The project site is also located in an area designated as Urban and Built-Up Land by the State of California's Farmland Mapping and Monitoring Program.¹⁰³ There would be no impact pertaining to agricultural zoning or Williamson Act contracts.

Loss of Mineral Resources (Criterion I.e)

The project site is not a mineral resource recovery site, The Mineral Land Classification Map for Alameda County shows the site as located within the MRZ-1 category, which is defined as an area "where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence."¹⁰⁴ Therefore, the proposed project would have no impact on mineral resources.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to land use and planning and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant land use and planning impacts identified in the General Plan EIR, nor would it result in new significant impacts related to land use and planning that were not identified in the General Plan EIR.

¹⁰³ California Department of Conservation, 2016. Alameda County Important Farmland 2016.

¹⁰⁴ California Department of Conservation, 1982. Mineral Land Classification Map, Alameda County.

J. Noise

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	LTS	■	□	LTS
b. Generation of excessive groundborne vibration or groundborne noise levels?	LTS	■	□	LTS
c. For a project located within the vicinity of a private airstrip or in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	LTS	■	□	LTS

1. General Plan Findings

The Castro Valley General Plan EIR found that implementation of the General Plan would not result in any significant impacts related to noise or vibration. The EIR found that implementation of the proposed General Plan would result in increased traffic volumes, thus increasing noise levels in some areas. Although the EIR findings concluded that General Plan policies, and review criteria for certain land uses, aimed at buffering noise levels and locating sensitive receptors away from noise sources would adequately reduce such impacts to less-than-significant levels.

2. Project Analysis

General Information on Noise

Noise is commonly defined as unwanted sound that annoys or disturbs people and can have an adverse psychological or physiological effect on human health. Sound is measured in decibels (dB), which is a logarithmic scale. Decibels describe the purely physical intensity of sound based on changes in air pressure, but they cannot accurately describe sound as perceived by the human ear since the human ear is only capable of hearing sound within a limited frequency range. For this reason, a frequency-dependent weighting system is used and monitoring results are reported in A-weighted decibels (dBA). Technical terms used to describe noise are defined in Table III.J-1.

Table III.J-1 Definition of Acoustical Terms

Term	Definition
Decibel (dB)	A unit describing the amplitude of sound on a logarithmic scale. Sound described in decibels is usually referred to as sound or noise “level.” This unit is not used in this analysis because it includes frequencies that the human ear cannot detect.
Vibration Decibel (VdB)	A unit describing the amplitude of vibration on a logarithmic scale.
Frequency (Hz)	The number of complete pressure fluctuations per second above and below atmospheric pressure.
A-Weighted Sound Level (dBA)	The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise. All sound levels in this report are A-weighted.
Equivalent Noise Level (L _{eq})	The average A-weighted noise level during the measurement period. For this CEQA evaluation, L _{eq} refers to a one-hour period unless otherwise stated.
Community Noise Equivalent Level (CNEL)	The average A-weighted noise level during a 24-hour day, obtained after addition of 5 decibels in the evening from 7:00 to 10:00 PM and after addition of 10 decibels to sound levels during the night between 10:00 PM and 7:00 AM.
Day/Night Noise Level (L _{dn})	The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured during the night between 10:00 PM and 7:00 AM.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Peak Particle Velocity (PPV)	The maximum instantaneous peak of a vibration signal.
Root Mean Square (RMS) Velocity	The average of the squared amplitude of a vibration signal.

Source: Compiled by Baseline Environmental Consulting.

It should be noted that because decibels are based on a logarithmic scale, they cannot be added or subtracted in the usual arithmetical way. For instance, if one noise source emits a sound level of 90 dBA, and a second source is placed beside the first and also emits a sound level of 90 dBA, the combined sound level is 93 dBA, not 180 dBA. When the difference between two co-located sources of noise is 10 dBA or more, the higher noise source dominates and the lower noise source makes no perceptible difference in what people can hear or measure. For example, if the noise level is 95 dBA, and another noise source is added that produces 80 dBA noise, the noise level would still be 95 dBA.

In an unconfined space, such as outdoors, noise attenuates with distance according to the inverse square law. Noise levels at a known distance from point sources are reduced by at least 6 dBA for every doubling of that distance over hard surfaces, such as asphalt, and 7.5 dBA for every doubling of that distance over soft surfaces, such as undeveloped land. Noise levels at a known distance from line sources, such as the noise from high-volume roadways, decrease at a rate of at least 3 dBA for every doubling of the distance over hard

surfaces and 4.5 dBA over soft surfaces. A greater decrease in noise levels can result from the presence of intervening structures or buffers.

A typical method for determining a person's subjective reaction to a new noise is by comparing it to existing conditions. The following describes the general effects of noise on people:

- A change of 1 dBA cannot typically be perceived, except in carefully controlled laboratory experiments;
- A 3-dBA change is considered a just-perceivable difference;
- A minimum of a 5-dBA change is required before any noticeable change in community response is expected; and
- A 10-dBA change is subjectively perceived as approximately a doubling (or halving) in loudness.

General Information on Vibration

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Several different methods are used to quantify vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors to vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment. Vibration amplitudes are usually expressed as either peak particle velocity (PPV) or the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous peak of the vibration signal. PPV is appropriate for evaluating potential damage to buildings, but it is not suitable for evaluating human response to vibration because it takes the human body time to respond to vibration signals. The response of the human body to vibration is dependent on the average amplitude of a vibration. The RMS of a signal is the average of the squared amplitude of the signal and is more appropriate for evaluating human response to vibration. PPV and RMS are normally described in units of inches per second (in/sec), and RMS is also often described in vibration decibels (VdB).

Surrounding Receptors

The nearest noise- and vibration-sensitive receptors to the project include: 1) residences located to the north of the project site at a distance of approximately 10 feet from the proposed site boundary where construction work would occur; 2) residences located to the east of the project site across Ruby Street at a distance of approximately 50 feet from the proposed construction work; 3) two apartment buildings to the southwest of the project site across San Lorenzo Creek at a distance of approximately 140 feet from the proposed construction work. A warehouse is located at the southeast corner of the project

site, approximately 10 feet from two buildings to be demolished. The warehouse is not considered a noise-sensitive receptor as no noise-sensitive activities are expected to occur at a warehouse. However, the building could be susceptible to vibration damage if construction occurs in close proximity to the building structure.

Ambient Noise Environment

The primary noise source in the vicinity of the project site is traffic on Ruby Street and A Street. Based on the roadway noise contours for the year 2025 in the Castro Valley General Plan, traffic noise levels are approximately 55 dBA L_{dn} ¹⁰⁵ at the project site and its vicinity.¹⁰⁶

Noise Levels in Excess of Standards in Local or Agency Ordinances (Criterion J.a)

Construction-Generated Noise

Construction workers could be exposed to excessive noise from the heavy equipment used during construction of the project. However, noise exposure of construction workers is regulated by the California Division of Occupational Safety and Health (Cal/OSHA). The construction contractor for the project would be subject to these regulations, and compliance with Cal/OSHA regulations would ensure that the potential of construction workers to be exposed to excessive noise is less than significant.

As typical hours of construction for the project would be 7:00 AM to 4:00 PM Monday through Friday, construction noise is exempt from the standard in Alameda County Noise Ordinance, which only applies to construction activities that take place before 7:00 AM and after 7:00 PM on weekdays, or before 8:00 AM and after 5:00 PM on weekends.¹⁰⁷ The Noise Ordinance does, however, authorize the County to impose construction noise restrictions when a conditional use permit or other permit is required.

Construction of the project would involve demolition of two structures at the southeastern corner of the project site, construction of a multi-unit residential building, construction of three parking lots, landscaping, and construction of sidewalks along Ruby Street, A Street, and Crescent Avenue. Construction is expected to occur over a period of approximately 20 to 24 months and would temporarily increase noise levels in the vicinity of the project site. Construction noise levels would vary from day-to-day, depending on the quantity and types of the equipment being used, the types and duration of activity being performed, the distance between the noise source and the receptor, and the presence or absence of barriers, if any, between the noise source and receptor. Demolition, excavation/grading,

¹⁰⁵ The Castro Valley General Plan provides noise contour levels in CNEL. As consistent with the Castro Valley General Plan EIR, the CNEL measurement is approximately equal to the L_{dn} measurement.

¹⁰⁶ Castro Valley, 2012. Castro Valley General Plan, March.

¹⁰⁷ Alameda County Municipal Code. Chapter 6.60.070, Special Provisions or Exceptions.

and foundation work are typically the noisiest phases of construction, and would occur during the first phases of construction. The later phases of construction include activities that are typically quieter and that occur within the building under construction, thereby providing a barrier for noise between the construction activity and any nearby receptors. Ground improvement techniques beneath the foundation, such as compacted aggregate piers and drilled displacement sand-cement columns could be used as recommended by the final geotechnical investigation report.¹⁰⁸ These techniques could involve the use of an excavator and an auger drill rig.

Table III.J-2 shows typical noise levels associated with various types of construction equipment that may be used at the project site. As indicated in Table III.J-2, all of equipment types listed could generate noise levels above 70 dBA at 50 feet. Noise levels at a known distance from point sources are increased by at least 6 dBA for every halving of that distance over hard surfaces, such as asphalt, and 7.5 dBA for every halving of that distance over soft surfaces, such as undeveloped land. As such, construction equipment would likely generate noise levels above 80 dBA at the nearest receptors located 10 feet away from potential construction work.

Because the ambient noise levels in the vicinity of the project site are approximately 55 dBA L_{dn} , construction of the project would have the potential to increase noise levels by 10 dBA or more at the nearest receptors. As discussed above, an increase in 10 dBA is subjectively perceived as approximately a doubling in loudness. Therefore, construction of the project could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

The following General Plan action would apply to the project:

- **Action 11.1-5: Short-Term Noise Impacts of Construction.** Develop standard conditions of approval applicable to all construction projects to reduce the short-term impacts of noise generated by construction equipment and traffic.

Full compliance with the General Plan Action 11.1-5 through implementation of the following condition would reduce the potential of construction noise to substantially increase ambient noise levels to a less-than-significant level. The County will impose this as a condition of approval for this project, consistent with the approach in the General Plan EIR.

¹⁰⁸ Rockridge Geotechnical, 2019. Op. cit.

Table III.J-2 Typical Noise Levels from Construction Equipment (dBA)

Phase	Equipment	Noise Level at 50 Feet
Demolition	Concrete/Industrial Saws	76
	Rubber Tired Dozers	85
	Tractors/Loaders/Backhoes	80
Site preparation	Graders	85
	Rubber Tired Dozers	85
	Tractors/Loaders/Backhoes	80
Grading	Graders	85
	Rubber Tired Dozers	85
	Tractors/Loaders/Backhoes	80
	Auger drill rig	85
Building Construction	Cranes	88
	Generator Sets	81
	Tractors/Loaders/Backhoes	80
	Welders	73
Paving	Cement and Mortar Mixers	85
	Pavers	85
	Rollers	74
	Tractors/Loaders/Backhoes	80
Architectural Coating	Air Compressors	81

Note: The types of construction equipment are based on the California Emissions Estimator Model (CalEEMod) equipment list (see Section III.J, Air Quality, and Appendix A). Alternative construction equipment would also include a hydraulic hammer and an excavator, which are anticipated to generate similar noise levels as the CalEEMod default equipment when performing ground improvement work. Sources: FTA, 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123, September. U.S. Department of Transportation, 2006. FHWA Highway Construction Noise Handbook.

Noise and Vibration Control Plan: A project noise and vibration control plan shall be prepared for the project that specifies the means and methods required to reduce the noise and vibration levels generated by the project to the maximum extent practicable. The control plan shall be prepared by a qualified noise professional, defined as a Board Certified Institute of Noise Control Engineering member or other

qualified consultant or engineer approved by the project engineer. At a minimum, the construction noise and vibration control plan shall include:

- The construction contractor shall designate a “Noise Disturbance Coordinator,” who would be responsible for responding to any local complaints about construction noise and vibration. The Noise Disturbance Coordinator shall determine the cause of all noise and vibration complaints (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The Noise Disturbance Coordinator shall record all noise and vibration complaints received and actions taken in response, and submit this record to Alameda County. The Noise Disturbance Coordinator shall be trained to use a sound level meter and shall be available during all construction hours to respond to complaints.
- Signs shall be conspicuously posted at the project site that include permitted construction days and hours, and the name and telephone number of the Noise Disturbance Coordinator.
- All internal combustion engine-driven equipment shall be fitted with intake and exhaust mufflers that are in good condition. Good mufflers shall result in non-impact equipment generating a maximum noise level of 80 dBA when measured at a distance of 50 feet.
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA.
- Construction equipment idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes.
- All stationary noise-generating equipment, such as air compressors and portable power generators, and on-site equipment staging areas, shall be located so as to maximize the distance between the equipment and the nearest receptors to the project site.
- Site entrance shall be located so as to maximize the distance from the adjacent residences to the north of the project site.
- Temporary noise barriers or partial enclosures shall be constructed to provide acoustical shielding for stationary noise-generating equipment and for outdoor construction areas, if practicable.

- A temporary plywood noise barrier or similar physical noise barrier shall be erected around the project site if practicable, and the height and angle shall be particularly targeted to reduce noise at the nearest residential receptors.

Operational-Period Noise

Traffic noise, which is the dominant source of ambient noise, is estimated at 55 dBA L_{dn} ¹⁰⁹ at the project site and its vicinity.¹¹⁰ A typical building façade with windows closed provides a noise level reduction of approximately 25 dBA. For this reason, the interior noise levels of the proposed building would be estimated at approximately 30 dBA L_{dn} . The exterior and interior noise levels would comply with the Countywide Noise Element exterior and interior noise level standards of 55 dBA L_{dn} and 45 dBA L_{dn} , respectively.¹¹¹ The interior noise levels of the proposed building would also comply with the 2016 California Building Standards Code which specifies that interior noise levels attributable to exterior sources shall not exceed 45 dBA L_{dn} or CNEL in any habitable room.¹¹²

The primary noise generation from the long-term operation of the project would occur as a result of the increased vehicular traffic on area roads. As indicated in the traffic study, the project would generate a total of 29 trips during the AM peak hour and 36 trips during the PM peak hour.¹¹³ It is conservatively assumed that all the trips would be located on one roadway segment. The vehicle trips during the AM and PM peak hour were used to estimate the noise levels from vehicular traffic on area roads due to the project. The results are compared to existing noise levels to determine whether the noise generated by traffic from the project would increase noise levels in the vicinity of the project site. The results of this analysis are presented in Table III.J-3.

The ambient noise levels in the project vicinity are approximately 55 dBA L_{dn} . Generally, during the peak traffic hour under normal traffic conditions, L_{dn} is within plus or minus 2 dBA of the L_{eq} .¹¹⁴ Therefore, the existing AM and PM peak hour traffic noise levels range from approximately 53-57 dBA L_{eq} . As indicated in Table III.J-3, AM and PM peak hour

¹⁰⁹ The Castro Valley General Plan provides noise contour levels in CNEL. As consistent with the Castro Valley General Plan EIR, the CNEL measurement is approximately equal to the L_{dn} measurement.

¹¹⁰ Castro Valley, 2012. Castro Valley General Plan, March.

¹¹¹ County of Alameda, 1976. Noise Element. Amended May 5, 1994.

¹¹² Habitable space is a space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

¹¹³ The trip generation conservatively assumed a maximum of 80 dwelling units to account for fluctuations in the number of units during project design and environmental review. The actual number of units included in the project is 72.

¹¹⁴ California Department of Transportation (Caltrans), 1998. Technical Noise Supplement, October.

Table III.J-3 Ambient Noise, Project Traffic Volumes, and Predicted Traffic Noise

	Trips Generated by the Project	Project- Generated Traffic Noise (dBA L_{eq} at 50 Feet)^a	Ambient Noise Levels (dBA L_{eq})	Estimated Maximum Increase in Ambient Noise (dBA L_{eq})
AM Peak Hour	29	44.4	53-57	<1
PM Peak Hour	36	45.4	53-57	<1

Note: FHWA TNM Version 2.5 model was used for these results.

^a Analysis assumes that all the trips are generated by vehicles at a speed of 25 mph.

Source: Appendix C, Traffic Model Outputs.

traffic volumes would generate noise levels of approximately 44.4 and 45.4 dBA L_{eq} respectively, at 50 feet from the centerline of the road. The estimated maximum increase in ambient noise would be less than 1 dBA during AM and PM peak hour. The Countywide Noise Element references noise compatibility standards developed by the Association of Bay Area Governments, which identified a CNEL of 65 dBA or less as a basis for finding little noise impact on residential uses. As the project-generated traffic would not cause ambient noise to exceed 65 dBA, the potential for the project to result in a significant increase in ambient noise due to the increased vehicular traffic on area roads is less than significant, consistent with the findings of the General Plan EIR.

For the above reasons and consistent with the findings of the Castro Valley General Plan EIR, the project would result in less-than-significant impacts associated with generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Excessive Groundborne Vibration or Groundborne Noise (Criterion J.b)

Construction activities can result in varying degrees of groundborne vibration, depending on the equipment and activity. Tables III.J-4 and III.J-5 summarize the vibration criteria to prevent disturbance of residences and to prevent damage to structures, respectively. In this analysis, the “Occasional Events” disturbance criterion is applied. The same kind of vibration events are not expected to occur over 70 times per day because the types of equipment and their location on the project site would vary each day during construction. The 75 RMS VdB threshold is applied as vibration criterion to prevent disturbance of residences where people normally sleep. The 0.3 in/sec threshold is applied as vibration criterion to prevent damage to structures.

Table III.J-4 Vibration Criteria to Prevent Disturbance – RMS (VdB)

Land Use Category	Frequent Events ^a	Occasional Events ^b	Infrequent Events ^c
Buildings where vibration would interfere with interior operations	65	65	65
Residences and buildings where people normally sleep	72	75	80
Institutional land uses with primarily daytime use	75	78	83

^a More than 70 vibration events of the same kind per day or vibration generated by a long freight train.

^b Between 30 and 70 vibration events of the same kind per day.

^c Fewer than 30 vibration events of the same kind per day.

Source: FTA, 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123, September.

Table III.J-5 Vibration Criteria to Prevent Damage to Structures

Building Category	PPV (in/sec)	RMS (VdB)
Reinforced-concrete, steel or timber (no plaster)	0.5	102
Engineered concrete and masonry (no plaster)	0.3	98
Non-engineered timber and masonry buildings	0.2	94
Buildings extremely susceptible to vibration damage	0.12	90

Source: FTA, 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123, September.

The vibration levels generated by construction equipment that could be used at the project are summarized in Table III.J-6. Based on the reference vibration levels at 25 feet, the buffer distances that would be required to reduce vibration levels to below the 75 VdB disturbance threshold for residences and below the 0.3 in/sec threshold for damage to buildings are calculated for each piece of construction equipment. It should be noted that there is considerable variation in reported ground vibration levels from construction activities, primarily due to variation in soil characteristics. In addition, vibration effects are typically limited to land uses that are very close to the site.

Table III.J-6 indicates that vibration levels during construction could disturb receptors within 107 feet when a vibratory roller is used during paving activity. As a result, the project could expose the residences adjacent to, and across the street from the site (within 107 feet of the construction activity) to vibration levels during the day that exceed 75-VdB. The two apartment buildings are located 140 feet from the proposed construction work.

Table III.J-6 Vibration Source Levels for Construction Equipment

Equipment	Reference PPV at 25 Feet^a (in/sec)	Reference RMS at 25 Feet^b (VdB)	Required Buffer Distance – Disturbance Threshold for Disturbance to Residences 75 VdB (Feet)	Required Buffer Distance – Threshold for Damage to Buildings – 0.3 in/sec (Feet)
Vibratory Roller	0.210	94	107	20
Caisson Drilling	0.089	87	63	11
Large Bulldozer	0.089	87	63	11
Loaded Trucks	0.076	86	58	10
Jackhammer	0.035	79	34	6
Small bulldozer	0.003	58	7	1

Notes: Receptors within the buffer distance could be impacted by construction-generated vibration. Receptors outside of the buffer distance would not be expected to be impacted by construction-generated vibration. A vibratory roller would be used during paving.

^a PPV = peak particle velocity, in/sec = inches per second,

^b RMS = root mean square, VdB = vibration decibel

$$PPV2 = PPV1 \times (D1/D2)^{1.5}$$

Where:

PPV1 is the reference vibration level at a specified distance.

PPV2 is the calculated vibration level.

D1 is the reference distance (in this case 25 feet).

D2 is the distance from the equipment to the receiver.

$$RMS2 = RMS1 - 30 \text{ Log}_{10} (D2/D1)$$

Where:

RMS1 is the reference vibration level at a specified distance.

RMS2 is the calculated vibration level.

D1 is the reference distance (in this case 25 feet).

D2 is the distance from the equipment to the receiver.

Source: FTA, 2018.

The exposure of a given receptor to vibration in excess of the disturbance threshold would be limited to daytime hours and in duration because the location of construction equipment would vary throughout the day depending on the location where the vibration-generating equipment is being used and would also vary over the 20- to 24-month period of construction of the project. Construction would occur between 7:00 AM and 4:00 PM, Monday through Friday, which limits construction in the vicinity of sensitive land uses to daylight hours or 7:00 am to 4:00 pm. Therefore, construction-related groundborne vibration would not be significant at receptors because activities would occur outside hours when people normally sleep.

Table III.J-6 also indicates that vibration levels during construction could cause damage to buildings within 20 feet when a vibratory roller is used during paving activity. As the

nearest buildings to the north of the project site, across the interior lot line, are located within 20 feet from the area where a vibratory roller could be used, the project could cause damage to these residential buildings. A vibratory roller is not anticipated to be used near the warehouse that is just outside the southeast corner of the project site. However, other construction equipment such as a large bulldozer could be used within 10 feet of the warehouse for the demolition of the two adjacent structures, which could cause vibration-related damage to the warehouse. The residential buildings to the east of the project site across from Ruby Street and the two apartment buildings are located outside of the 20-foot buffer distance and therefore construction vibration damage would not be expected to occur there.

Implementation of the following condition of approval would reduce potential of construction vibration to cause damage to buildings to a less-than-significant level. The County will impose this condition as part of any potential approval of discretionary permits needed for this project, consistent with the approach in the General Plan EIR.

Vibration Impact Assessment: The project noise and vibration control plan shall include a vibration impact assessment (assessment) for structures located within the buffer distances where potential building damage could occur. The assessment shall be conducted by a structural engineer or other appropriate professional, in accordance with FTA guidance, and include project-specific information such as the composition of the buildings, location of the various types of equipment used during each phase of the project, and the soil characteristics in the project area. If the assessment finds that the project may cause damage to these buildings, the structural engineer or other appropriate professional shall recommend design means and methods of construction to avoid the potential damage, if feasible. The assessment and its recommendations shall be reviewed and approved by Alameda County. If there are no feasible design means and methods to eliminate the potential for damage, the structural engineer or other appropriate professional shall undertake an existing conditions study (study) of any buildings that may experience damage. The study shall be included in the project noise and vibration control plan and establish the baseline condition of adjoining buildings including, but not limited to, the location and extent of any visible cracks or spalls on the buildings. The study shall include written descriptions and photographs of the building. Upon completion of the project, the building shall be resurveyed, and any new cracks or other changes in the building shall be compared to pre-construction conditions and a determination shall be made as to whether the project caused the damage. If it is determined that project construction has resulted in damage to the building, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair.

Excessive Noise from Public Airport or Private Airstrip (Criterion J.c)

The nearest public use airport is the Hayward Executive Airport, approximately 2.7 miles to the southwest.¹¹⁵ The project site is not located in the Airport Influence Area in which the Alameda County Airport Land Use Commission (ALUC) is authorized to review new local land use actions, plans, and policies.¹¹⁶ Therefore, the project would result in a less-than-significant impact associated with exposure of people residing or working in the project area to excessive noise levels.

The nearest private airstrip is the Sutter Medical Center Castro Valley Heliport, approximately 1.4 miles to the northwest.¹¹⁷ A typical light- or medium-duty medical helicopter could generate noise levels of 90 dBA L_{max} at a distance of 50 feet.¹¹⁸ According to Federal Aviation Administration, an altitude of 1,000 feet above the highest obstacle is required as the minimum safe helicopter flight altitude over a congested area of a city. At a distance of 1,000 feet, a light or medium helicopter would generate noise levels of approximately 57 dBA L_{max} on the ground surface directly below the flight path. Due to the low ambient noise levels of 55 dBA L_{dn} , helicopter noise could be noticeable at project site if it is directly below the flight path. However, helicopter overflight from the project site is anticipated to be occasional and the time that future residents would be exposed to helicopter noise is also anticipated to be limited. In addition, an occasional overhead flight of a service helicopter is not an unusual event in a city setting. Therefore, the potential for exposure of people residing or working in the project area to excessive noise related to a private airstrip would be less than significant.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to noise or vibration. Therefore, implementation of the project would not substantially increase the severity of significant noise impacts identified in the General Plan EIR, nor would it result in new significant impacts related to noise that were not identified in the General Plan EIR.

¹¹⁵ Federal Aviation Administration (FAA), 2018. Airport Data and Contact Information. Effective: December 6, 2018. Database searched for both public-use and private-use facilities in Alameda County. Available at: http://www.faa.gov/airports/airport_safety/airportdata_5010/, accessed December 10.

¹¹⁶ Alameda County Airport Land Use Commission, 2012. Hayward Executive Airport, Airport Land Use Compatibility Plan, August.

¹¹⁷ FAA, 2018, Op. cit.

¹¹⁸ California Public Utilities Commission, 2017. Fulton-Fitch Mountain Reconductoring Project, Final Initial Study/Mitigated Negative Declaration. State Clearinghouse No. 2017072049. October.

K. Population and Housing

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	LTS	■	<input type="checkbox"/>	LTS
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR does not include a Population and Housing section. Potential growth-inducing impacts of the General Plan are examined in the Growth-Inducement section. The General Plan EIR states that the General Plan would result in a net increase from 2005 to 2025 of 4,735 residents, 2,090 housing units, and 1,460 jobs. These increases in population, housing and employment are relatively modest and would not induce growth in surrounding unincorporated communities or cities; rather, this growth would accommodate some of the regional demand for additional residential units and employment.

2. Project Analysis

Population Growth (Criterion K.a)

The project is proposed on a largely undeveloped site and would entail the demolition of two small structures, which are leased to a commercial roofing company, and the construction of a multi-family residential building with 72 units. The project would directly increase Castro Valley’s population by approximately 181 residents.¹¹⁹ The increase in housing units and population represents approximately 3.4 percent and 3.8 percent of the anticipated growth in Castro Valley, respectively. As result, the proposed type and scale of this new development would conform to the anticipated development plan envisioned in the General Plan and General Plan EIR. In addition, construction of the project would also involve temporary employees. It is likely that many of these new workers would transfer from other existing construction jobs within the area and would not substantially affect

¹¹⁹ Based on average of 2.52 persons per household of renter-occupied units in Alameda County (Castro Valley General Plan, Community Development Strategy, Table 3.1-1).

the permanent housing supply in Castro Valley. Therefore, the project would have a less-than-significant impact related to the inducement of substantial population growth.

Displacement of Housing and People (Criterion K.b)

The majority of the site is currently undeveloped and occupied by vegetation and trees. Two buildings are in the southeastern portion of the site and would be demolished as part of the project. While these buildings have been subleased to a residential tenant in the past, Caltrans and the project sponsor have confirmed that the current occupant is a commercial roofing company. Therefore, the project would not displace any housing units or residents, and there would be no impact. As stated above, the proposed residential building contains 72 residential units and would increase the overall housing supply on the site.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to population and housing and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant population and housing impacts identified in the General Plan EIR, nor would it result in new significant impacts related to population and housing that were not identified in the General Plan EIR.

L. Public Facilities and Recreation

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times or other performance objectives for any of the public services: <ul style="list-style-type: none"> • Fire protection; • Police protection; • Schools; • Parks; or • Other public facilities. 	LTS	■	□	LTS
b. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	LTS	■	□	LTS
c. Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment?	LTS	■	□	LTS

1. General Plan EIR Findings

The Castro Valley General Plan EIR found that implementation of the Plan would result in an increase in the population and number of jobs in the Planning Area. Additional residential development may cause overcrowding in the public schools, most of which are already at capacity; however, the number of additional students is probably not large enough to warrant the construction of new schools or the expansion of existing schools. Developers of new housing are required to pay school impact fees or provide other mitigation, which would reduce impacts to less-than significant levels. Similarly, developers are required to dedicate land or pay in-lieu fees for the provision of open space per Alameda County’s Park Dedication Ordinance, discussed further below.

The General Plan EIR also found that public services are all adequate to accommodate the additional development that may occur by 2025 under the General Plan. State law authorizes public agencies to impose development impact fees to defray all or a portion of the cost of new or expanded public facilities needed to accommodate new development. The General Plan includes a series of policies and actions that would further reduce the impact on these services.

2. Project Analysis

Governmental Facilities (Criterion L.a)

Fire Protection

The Alameda County Fire Department (ACFD) provides fire protection services to the project site. The project site is located approximately 1.2 miles south of ACFD Station 25 (20336 San Miguel Avenue, Castro Valley), approximately 1.6 miles east of ACFD Station 23 (109 Grove Way, Hayward), and 2 miles southwest of ACFD Station 6 (19780 Cull Canyon Road, Castro Valley).

The project would add 72 residential units to an area already served by fire protection resources. The project is within the type and scale of growth anticipated in the Castro Valley General Plan EIR for the project site, which found a less-than significant impact for the Plan Area related to the provision of fire protection services. Therefore, the project would also have a less-than-significant impact.

Police Protection

The Alameda County Sheriff's Office (ACSO) is responsible for police services in all unincorporated areas within the County, including the project site. ACSO provides patrol services for citizens within unincorporated Alameda County (Ashland, Castro Valley, Cherryland, San Lorenzo, Sunol, and Livermore Valley). The project site is located approximately 2.8 miles south of the Alameda County Sheriff's Department Eden Township Substation (15001 Foothill Boulevard), which has 70 officers.

The project would add new residents that would require police protection by the ACSO. Relative to the service population of more than 150,000 people, the estimated net addition of 181 residents¹²⁰ would not affect police department service ratios or response times, nor would any new police facilities need to be constructed or expanded. Further, the proposed type and scale of development on the project site would be within that anticipated in the Castro Valley General Plan EIR, which found a less-than-significant impact for the Plan Area related to the provision of police protection services. Therefore, the project would also have a less-than-significant impact.

Schools

As discussed in the Castro Valley General Plan EIR, both Castro Valley and Hayward Unified School Districts require payment of school facility mitigation fees for all new residential development. Under State law, payment of this fee is considered to be adequate mitigation of development impacts on the provision of school facilities. If the school districts determine that the expansion of existing schools is necessary to accommodate

¹²⁰ Based on average of 2.52 persons per household of renter-occupied units (Castro Valley General Plan, Community Development Strategy, Table 3.1-1).

enrollment increases, specific projects would be subject to environmental review on a case-by-case basis as required to comply with State and local guidelines. With payment of these required fees, new development in the Planning Area would have a less-than-significant impact related to school capacity. Therefore, the project would also have a less-than-significant impact.

Recreational Facilities (Criteria L.a through L.c)

Hayward Area Recreation and Park District (HARD) maintains a system of parks within Castro Valley that includes local parks, community parks, community centers, special use parks, open space, and trails. In addition, the East Bay Regional Park District manages regional parks for all of Alameda and Contra Costa County including about 170 acres within the Planning Area that serve as community recreation areas for Castro Valley residents and 5,600 acres of regional parks and trails adjacent to the Planning Area.

The project site is well-served by open space facilities and is less than 500 feet south/southeast from three recreational sites identified in the Castro Valley EIR: the Carlos Bee Park, Hayward Japanese Gardens, and Douglas Morrison Botany Grounds. The estimated net addition of 181 residents on-site would result in an incremental increase in the demand for existing park facilities but not to the extent that new park facilities to accommodate residential growth would be necessary. Alameda County's Park Dedication Ordinance requires most residential developments, to dedicate or improve land or facilities or pay in-lieu fees based on the amount of land needed to provide five acres per 1,000 or 218 square feet per person; however, because the proposed project is an affordable housing project, it is exempt from this requirement.¹²¹ The type and scale of development on-site would be within the bounds that anticipated in the General Plan EIR, which found a less-than-significant impact for the Planning Area as a whole given that applicants for new development would dedicate land or pay in-lieu fees to accommodate demand for recreational facilities.

Furthermore, the project includes a new trail segment along San Lorenzo Creek, which may become part of the larger San Lorenzo Creek Multi-Use Trail that is recommended in the Alameda County Bicycle and Pedestrian Master Plan for Unincorporated Areas.¹²² This would implement the following General Plan policies and actions:

- Policy 8.3-1: Incorporate trails, greenways, and linear recreation facilities as integral components of new development.
- Policy 8.3-3: When feasible, locate trails within the boundaries of flood control and riparian corridors. Site creekside trails to minimize disruption to riparian areas.
- Action 8.3-3: Identify opportunities for acquiring land along Castro Valley's natural watercourses to meet multiple objectives of flood protection, recreation, improved

¹²¹ Alameda County General Ordinance Code 12.20.090.C

¹²² Alameda County Bicycle and Pedestrian Master Plan for Unincorporated Areas, April 2012.

water quality, and increased non-motorized connectivity between residential, commercial, and civic areas.

- Action 8.3-4: Coordinate with HARD, the Cities of Hayward and San Leandro, and the East Bay Regional Park District to provide trailheads and linkages to a multi-use trail system.

For the above reasons, impacts to recreational resources, including the physical deterioration of existing facilities and the need for new facilities, would be less than significant, consistent with the findings of the Castro Valley General Plan EIR.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to public services and recreation and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant public services and recreation impacts identified in the General Plan EIR, nor would it result in new significant impacts related to public services and recreation that were not identified in the General Plan EIR.

M. Transportation/Traffic

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
d. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle?	LTS	■	<input type="checkbox"/>	LTS
e. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	LTS	■	<input type="checkbox"/>	LTS
f. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	LTS	■	<input type="checkbox"/>	LTS
g. Result in inadequate emergency access?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The Alameda County General Plan assumes that the areas identified as appropriate for residential uses will have a basic transportation system to support additional residential development. The County General Plan also requires that approval of new development will be conditioned on mitigating impacts on the transportation system that would be generated by the new development. These mitigations include a cumulative traffic impact fee, which the project would be required to pay.

The Castro Valley General Plan EIR found all transportation and traffic impacts to be less than significant. Traffic congestion is projected to increase with or without the implementation of the General Plan. With the implementation of the Castro Valley General Plan, daily vehicle trips generated would be negligibly lower (within two percent) than that of the No Project (1995 General Plan). Therefore, no additional mitigation measures were required.

It should be noted that the December 2018 CEQA Guidelines update included a shift from Level of Service (LOS) analysis of project transportation impacts to Vehicle Miles Traveled (VMT) analysis. Lead agencies are not required to adopt the VMT methodology for reviewing traffic impacts until January 1, 2020, and this CEQA Checklist uses LOS analysis, consistent with the approach in the General Plan EIR.

2. Project Analysis

Conflicts with Applicable Plan, Ordinance or Policy (Criterion L.a)

Project Trip Generation

Trip generation is the process of estimating the number of vehicles that would likely access the project on any given day. Trip generation data published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual (10th Edition)* was used to estimate vehicle trip generation. Trip generation for the project was estimated using the ITE land use category “Multi-family Housing (Mid-Rise),” Land Use Code 221, which consists of multi-family apartment developments that have 3 to 10 levels (floors).

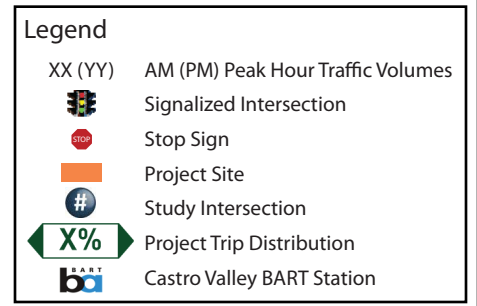
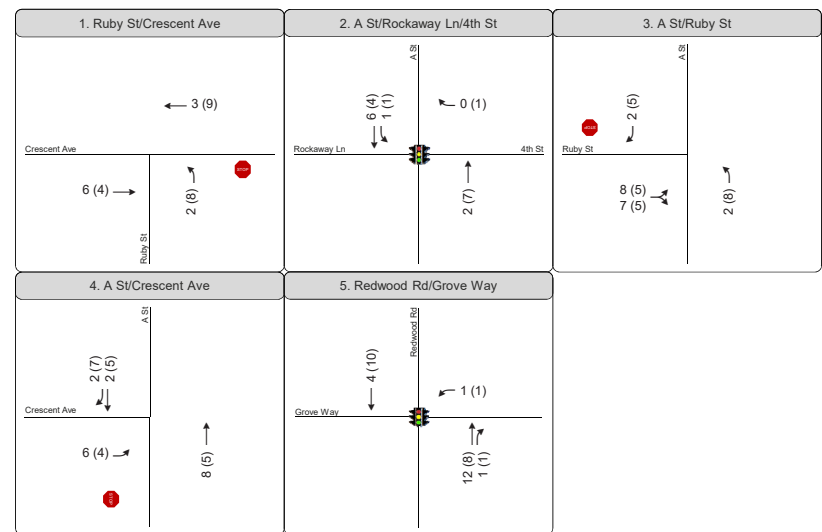
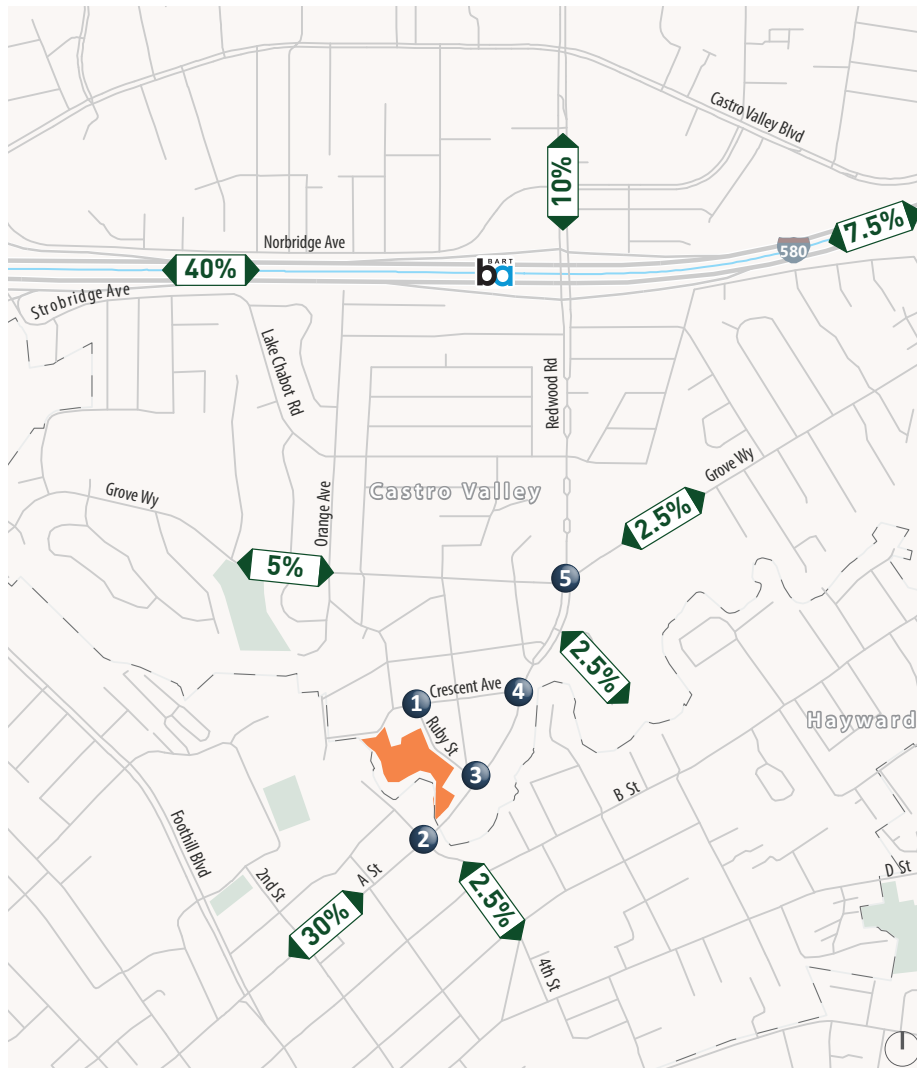
Research on the transportation impacts of affordable housing shows that for any given home location and housing type, lower income households generate fewer automobile trips than moderate and high income households.¹²³ Since the project would be income-restricted, it is likely that project residents would drive less and be more likely to use non-automobile modes to meet their transportation needs. However, to present a conservative analysis, the project trip generation was not adjusted to account for the project generating potentially fewer trips due to the residents’ income level.

Table III.M-1 summarizes the trip generation for the project. The project is estimated to generate 440 daily, 29 AM peak hour, and 36 PM peak hour automobile trips.

Trip Distribution, Assignment, and Study Intersections

Project trip distribution percentages were determined based on existing travel patterns in the project vicinity and data from the Alameda County Transportation Commission (CTC) Countywide Travel Demand Model. Using these distributions, the trips generated by the project were then assigned to the roadway network based on the directions of approach and departure for the AM peak hour and PM peak hour. The project’s trip distribution and assignment are presented in Figure III.M-1.

¹²³ Howell, A., Currans, K., Norton, G., & Clifton, K., 2018. Transportation impacts of affordable housing: Informing development review with travel behavior analysis. *Journal of Transport and Land Use*, 11(1). doi:10.5198/jtlu.2018.1129. Available at: <https://www.jtlu.org/index.php/jtlu/article/download/1129/986>, and *Commuting in America 2013: The National Report on Commuting Patterns and Trends*, October 2013. Available at: <http://traveltrends.transportation.org/Documents/CA10-4.pdf>.



1744 Ruby Street

Source: Fehr & Peers, 2018.

Figure III.M-1
Trip Distribution and Assignment

Table III.M-1 Automobile Trip Generation Estimate

Land Use	Size ^a	Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Apartments ^b	80 DU ^c	440	8	21	29	22	14	36
Total Project Trips		440	8	21	29	22	14	36

^a DU = Dwelling Units

^b ITE Trip Generation (Tenth Edition) land use category 221 (Multi-Family Mid-Rise - Adj. Streets, 7:00-9:00 AM, 4:00-6:00 PM, General Urban/Suburban):

Daily: $T = 5.44 * X$

AM Peak Hour: $T = 0.36 * X$ (26% in, 74% out)

PM Peak Hour: $T = 0.44 * X$ (61% in, 39% out)

^c The trip generation conservatively assumed a maximum of 80 dwelling units to account for fluctuations in the number of units during project design and environmental review. The actual number of units included in the project is 72.

Source: Fehr & Peers, 2018.

Based on the trip assignment, intersections most likely to be affected by the project were selected for evaluation. In coordination with Alameda County staff, the following five study intersections were selected:

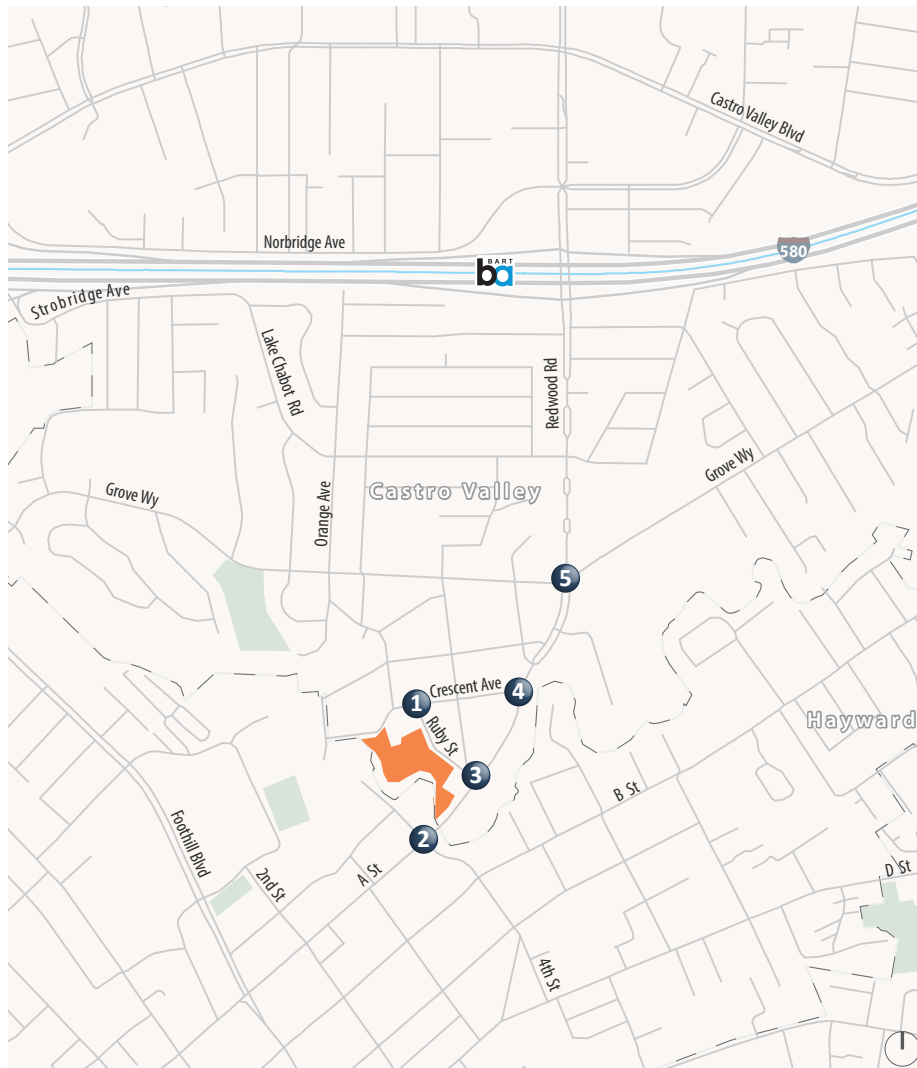
1. Ruby Street/Crescent Avenue
2. A Street/4th Street-Rockaway Lane
3. A Street/Ruby Street
4. A Street/Crescent Avenue
5. Redwood Road/Grove Way

All study intersections except for intersection #1 are on along the A Street-Redwood Road corridor, which is included in Alameda County’s Congestion Management Program (CMP).

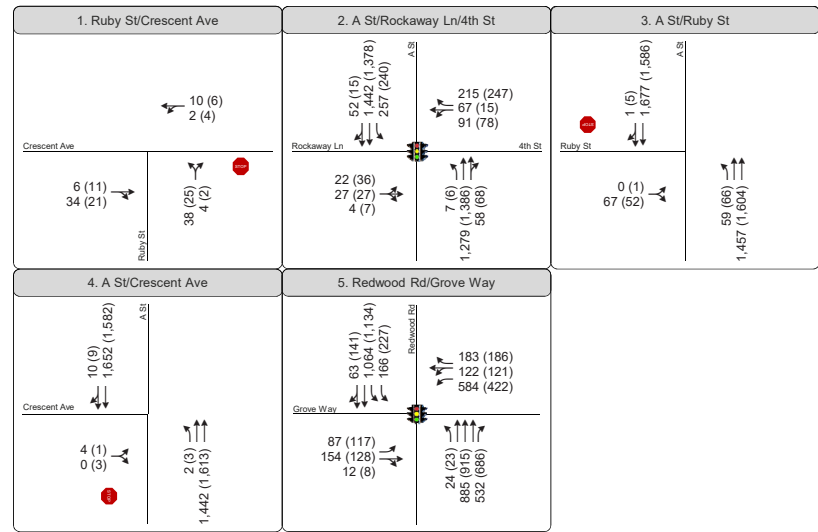
Existing Conditions

Weekday morning (7:00 to 9:00 AM) and evening (4:00 to 6:00 PM) peak-period intersection turning movement counts, including separate counts of pedestrians and bicyclists, were collected at the study intersections. All intersection data was collected on Wednesday, September 26, 2018, a typical weekday with local schools in normal session, moderate weather, and no observed traffic incidents. For the study intersections, the single hour with the highest traffic volumes during the count periods was identified. The AM peak hour in the study area is generally from 7:45 to 8:45 AM, and the PM peak hour is generally from 4:45 to 5:45 PM. Figure III.M-2 shows the peak hour intersection volumes, and Appendix C provides the raw traffic counts.

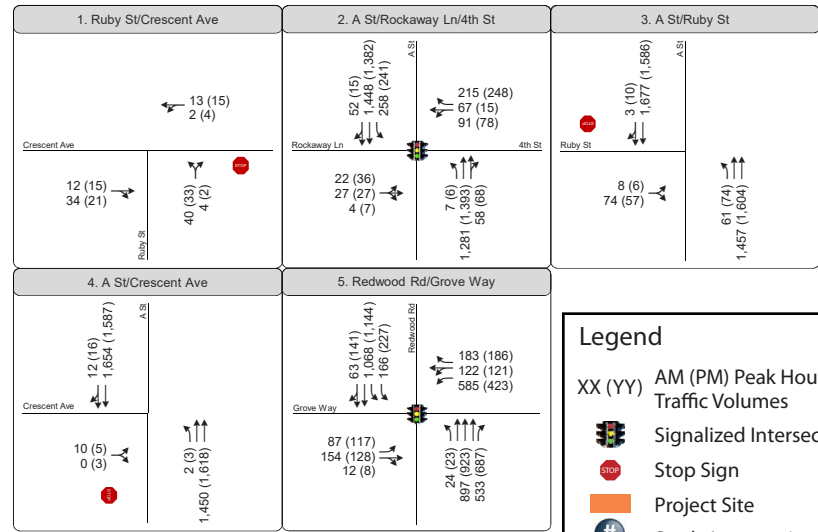
The traffic volumes, intersection lane configurations, and traffic controls presented in Figure III.M-2 form the basis for the intersection level of service (LOS) analysis under



Existing Conditions



Existing with Project Conditions



Legend

- XX (YY) AM (PM) Peak Hour Traffic Volumes
- Signalized Intersection
- Stop Sign
- Project Site
- Study Intersection
- Castro Valley BART Station

1744 Ruby Street

Source: Fehr & Peers, 2018.

Figure III.M-2
Existing and Existing with Project Conditions
Intersection Traffic Volumes

Existing Conditions.¹²⁴ Table III.M-2 summarizes AM and PM peak hour operations under Existing Conditions. The one intersection not along a CMP roadway, Ruby Street/Crescent Avenue (#1), operates at LOS A during both AM and PM peak hours under Existing Conditions, and all four study intersections along a CMP roadway operate at LOS E or better during the AM and PM peak hours under Existing Conditions. The stop-controlled approach of the A Street/Crescent Avenue intersection (#4) operates at LOS F during both AM and PM peak hours. The intersections would not meet the Manual on Uniform Traffic Control Devices (MUTCD) Peak Hour Signal Warrant. Detailed intersection LOS calculation worksheets are presented in Appendix C.

Table III.M-2 Existing Conditions Intersection Peak Hour Levels of Service^a

Intersection	Control ^b	Peak Hour	Existing Conditions		Existing with Project Conditions		Significant Impact?
			Delay	LOS	Delay	LOS	
1. Ruby Street/ Crescent Avenue	SSSC	AM	4 (9)	A (A)	4 (9)	A (A)	No
		PM	4 (9)	A (A)	4 (9)	A (A)	
2. A Street/4 th Avenue- Rockaway Lane	Signal	AM	22	C	23	C	No
		PM	19	B	18	B	
3. A Street/Ruby Street	SSSC	AM	<1 (23)	A (A)	1 (32)	A (A)	No
		PM	<1 (19)	A (A)	<1 (24)	A (A)	
4. A Street/ Crescent Avenue	SSSC	AM	<1 (>120)	A (F)	<1 (>120)	A (F)	No
		PM	<1 (56)	A (F)	<1 (>120)	A (F)	
5. A Street-Redwood Road/Grove Way	Signal	AM	43	D	43	D	No
		PM	59	E	59	E	

^a Analysis results present delay (seconds per vehicle) and LOS based on delay thresholds published in the HCM (Transportation Research Board, 2010). For side-street stop controlled intersections, average delay is listed first, followed by the delay for the worst movement in parentheses. Average delay is listed for signalized intersections.

^b Signal = signalized intersection; SSSC= side-street stop-controlled intersection.

Source: Fehr & Peers, 2018.

Existing with Project Conditions

¹²⁴ The operations of roadway facilities are typically described with the term level of service (LOS), a qualitative description of traffic flow based on factors such as speed, travel time, delay, and freedom to maneuver. Six levels are defined from LOS A, which reflects free-flow conditions where there is very little interaction between vehicles, to LOS F, where the vehicle demand exceeds the capacity and high levels of vehicle delay result. LOS E represents “at-capacity” operations. When traffic volumes exceed the intersection capacity, stop-and-go conditions result and a vehicle may wait through multiple signal cycles before passing through the intersection; these operations are designated as LOS F.

The project trip assignment was added to the Existing Conditions peak hour traffic volumes to estimate the Existing with Project peak hour traffic volumes, as shown in Figure III.M-2. The project does not propose any changes to roadway geometry or traffic control, and the Existing with Project Conditions analysis assumes the same signal timings as Existing Conditions.

Table III.M-2 compares intersection operations under Existing and Existing with Project Conditions at the five study intersections. The one study intersection not along a CMP roadway, Ruby Street/Crescent Avenue (#1), would continue to operate at LOS A during the AM and PM peak hours under Existing with Project conditions, and all study intersections along a CMP roadway would continue to operate at LOS E or better during the AM and PM peak hours under Existing with Project Conditions. The stop-controlled Crescent Avenue approach of the A Street/Crescent Avenue intersection (#4) would continue to operate at LOS F during both AM and PM peak hours. None of the stop-controlled study intersections would meet the MUTCD Peak Hour Signal Warrant.

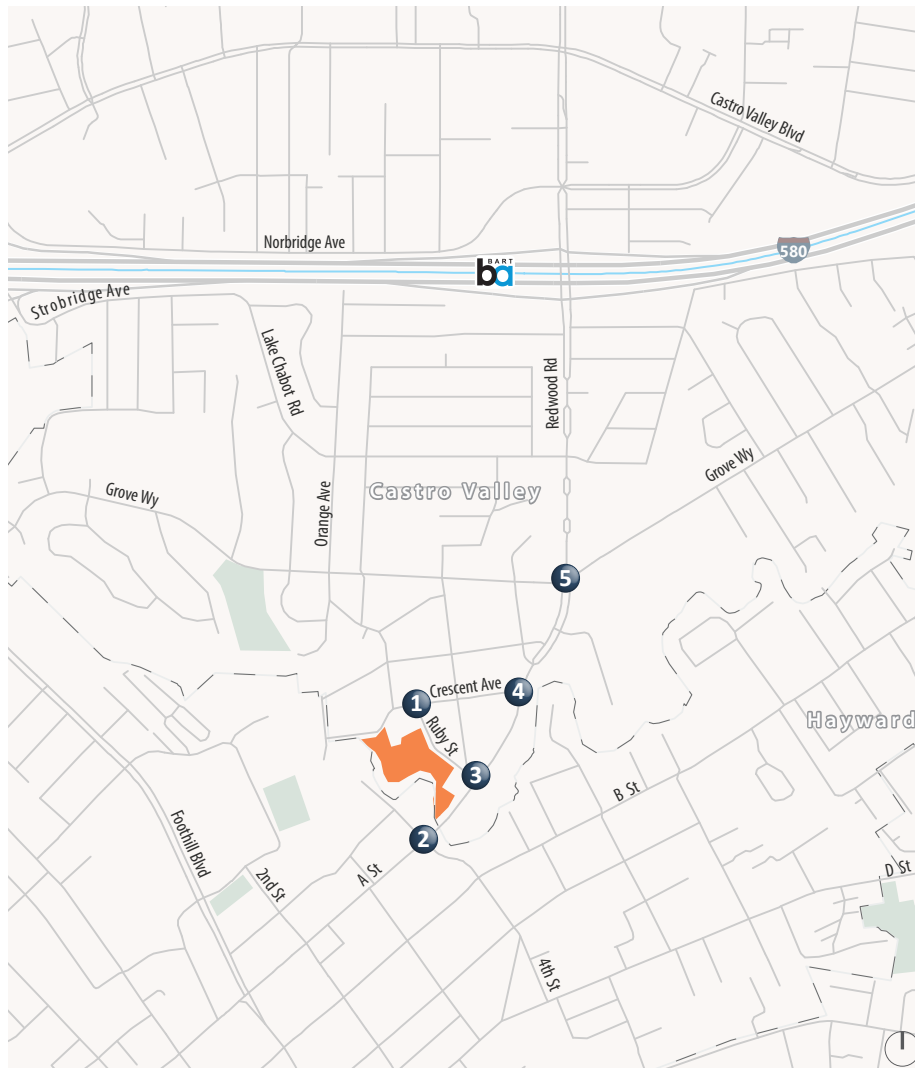
Cumulative (Year 2040) Conditions

Cumulative (Year 2040) without Project intersection turning movement forecasts were developed based on an annual growth factor derived from the Alameda CTC Countywide Travel Demand Model. An annual growth factor of 1.0 percent was applied to the Existing Conditions (2018) turning volumes at the study intersections. The project trip assignment was added to the Cumulative peak hour traffic volumes to estimate the Cumulative with Project peak hour traffic volumes. Figure III.M-3 shows the Cumulative and Cumulative with Project forecasts.

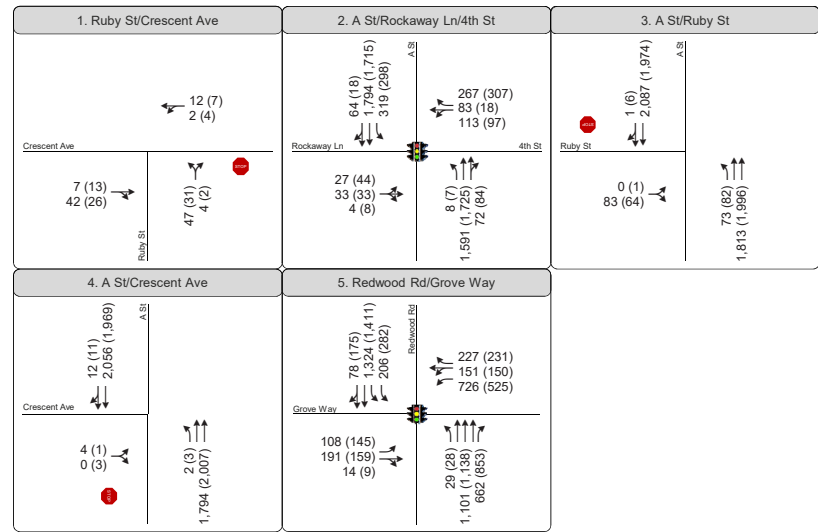
No changes to roadway geometries, traffic controls, or signal timings are assumed under Cumulative or Cumulative with Project Conditions, as Alameda County currently does not have any planned improvement projects in the vicinity of the project.

Table III.M-3 presents the Cumulative and Cumulative with Project conditions intersection analysis results. The one study intersection not along a CMP roadway, Ruby Street/Crescent Avenue (#1), is projected to operate at LOS A under Cumulative and Cumulative with Project conditions, and the four study intersections along a CMP roadway are projected to operate at a LOS E or better, except the following:

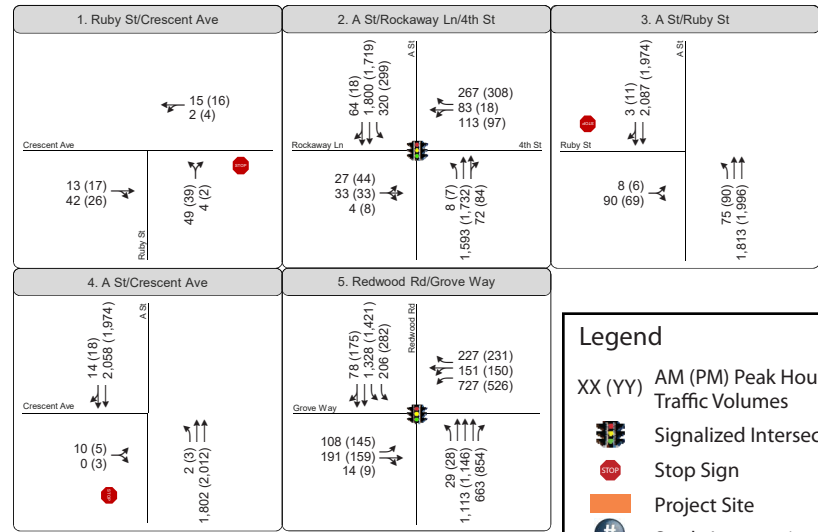
- The A Street/Crescent Avenue intersection (#4) would operate at an overall LOS A, but the Crescent Street approach would operate at LOS F under Cumulative and Cumulative with Project conditions during both AM and PM peak hours. The intersection would not meet the MUTCD Peak Hour Signal Warrant.
- The A Street-Redwood Road/Grove Way intersection (#5) would operate at LOS F during the PM peak hour under Cumulative and Cumulative with Project conditions.



Cumulative without Project Conditions



Cumulative with Project Conditions



Legend

- XX (YY) AM (PM) Peak Hour Traffic Volumes
- Signalized Intersection
- Stop Sign
- Project Site
- Study Intersection
- Castro Valley BART Station

1744 Ruby Street

Source: Fehr & Peers, 2018.

Figure III.M-3
Cumulative and Cumulative with Project Conditions
Intersection Traffic Volumes

Table III.M-3 Cumulative (2040) Conditions Intersection Peak Hour Levels of Service^a

Intersection	Control ^b	Peak Hour	Cumulative Conditions		Cumulative with Project Conditions		Significant Impact?
			Delay	LOS	Delay	LOS	
1. Ruby Street/ Crescent Avenue	SSSC	AM	4 (9)	A (A)	4 (9)	A (A)	No
		PM	4 (9)	A (A)	4 (9)	A (A)	
2. A Street/4 th Avenue- Rockaway Lane	Signal	AM	68	E	69	E	No
		PM	51	D	52	D	
3. A Street/Ruby Street	SSSC	AM	2 (40)	A (A)	3 (75)	A (A)	No
		PM	1 (29)	A (A)	1 (39)	A (A)	
4. A Street/Crescent Avenue	SSSC	AM	<1 (>120)	A (F)	2 (>120)	A (F)	No
		PM	<1 (>120)	A (F)	1 (>120)	A (F)	
5. A Street-Redwood Road/Grove Way	Signal	AM	62	E	63	E	No
		PM	102 (v/c = 1.18)	F	104 (v/c = 1.18)	F	

^a Analysis results present delay (seconds per vehicle) and LOS based on delay thresholds published in the HCM (Transportation Research Board, 2010). For side-street stop-controlled intersections, average delay is listed first, followed by the delay for the worst movement in parentheses. Average delay is listed for signalized intersections.

^b Signal = signalized intersection; SSSC= side-street stop-controlled intersection.

Source: Fehr & Peers, 2018.

Project Impacts

Alameda County’s current *Castro Valley General Plan (2012)* level of service standard is to maintain LOS D or better at intersections not included in Alameda County’s CMP and LOS E or better at intersections on CMP roadways. Based on this standard, automobile traffic impacts at those intersections are significant if the project would:

- Cause (a) signalized intersection LOS on a CMP roadway to degrade from LOS E or better to LOS F, or (b) the V/C ratio to increase by 3 percent or more and the average intersection delay to increase by five seconds or more on CMP roadways that operate at LOS F without the project.

While the project would increase delay at signalized study intersections on CMP roadways, the A Street/4th Avenue-Rockaway Lane and A Street-Redwood Road/Grove Way intersections (#2 and #5), it is not expected to degrade operations from LOS E or better to LOS F under either Existing or Cumulative conditions.

The A Street-Redwood Road/Grove Way intersection (#5) would operate at LOS F during the PM peak hour under Cumulative Conditions. The project would not increase the V/C ratio by more than 3 percent or add more than five seconds of average delay per vehicle at the intersection.

Therefore, the traffic impact on signalized intersections on CMP roadways is less than significant.

- *Cause (a) unsignalized intersection LOS on a CMP roadway to degrade from LOS E or better to LOS F and meet the MUTCD Peak Hour Signal Warrant, or (b) the V/C ratio to increase by 3 percent or more and the average intersection delay to increase by five seconds or more on CMP roadways that operate at LOS F without the project and meet the MUTCD Peak Hour Signal Warrant.*

While the project would increase delay at the unsignalized study intersections on CMP roadways, the A Street/Ruby Street and A Street/Crescent Avenue intersections (#3 and #4), it is not expected to degrade operations from LOS E or better to LOS F under either Existing or Cumulative Conditions.

The A Street/Crescent Avenue intersection (#4) would operate at overall LOS A, but the Crescent Avenue approach would operate at LOS F during both AM and PM peak hours under both Existing and Cumulative Conditions. Neither intersection is anticipated to meet the MUTCD Peak Hour Signal Warrant. Therefore, the traffic impact on unsignalized intersections on CMP roadways is less than significant.

- *Cause (a) signalized intersection LOS on non-CMP roadways to degrade from LOS D or better to LOS E or F, or (b) the V/C ratio to increase by 3 percent or more and the average intersection delay to increase by five seconds or more on non-CMP roadways that operate at LOS E or F without the project.*

None of the study intersections are signalized intersections on non-CMP roadways.

- *Cause (a) unsignalized intersection LOS on non-CMP roadways to degrade from LOS D or better to LOS E or F and meet the MUTCD Peak Hour Signal Warrant, or (b) the V/C ratio to increase by 3 percent or more and the average intersection delay to increase by five seconds or more on non-CMP roadways that operate at LOS E or F without the project and meet the MUTCD Peak Hour Signal Warrant.*

While the project would increase delay at the unsignalized study intersection on non-CMP roadways, the Ruby Street/Crescent Avenue intersection (#1), it would not degrade operations from LOS D or better to LOS E or F. No study intersection on non-CMP roadways operates at LOS E or F without the project, and no intersection would be anticipated to meet the MUTCD Peak Hour Signal Warrant. Therefore, the traffic impact on unsignalized intersections on non-CMP roadways is less than significant.

For the above reasons, the project would not cause a significant impact related to traffic operations.

Public Transit, Bicycle, and Pedestrian Facilities

The *Alameda Countywide Active Transportation Plan (2019)* identifies a shared pedestrian and bicycle pathway along the San Lorenzo Creek linking the Don Castro Regional Recreational Area and the San Francisco Bay as a planned future project. The project would construct a bicycle and pedestrian trail along San Lorenzo Creek that is consistent with the *Active Transportation Plan*. Additional improvements to be incorporated as part of the project include the construction of new sidewalks along Crescent Avenue, Ruby Street, and A Street.

The project would not change any aspect of the transit network or impact transit performance or safety, and the project likewise would not change or impact the on-street bicycle network. The project would enhance the pedestrian experience and safety in the project vicinity by providing sidewalks on the project frontage, where either no sidewalks or gravel sidewalks are currently provided. Therefore, the project would not cause a significant impact not previously identified in the Castro Valley General Plan EIR related to public transit, bicycle, or pedestrian facilities.

Conflict with Congestion Management Program (Criterion L.b)

The Alameda County Transportation Commission (Alameda CTC), the County's congestion management agency identifies Grove Way, Redwood Road, and A Street as CMP roadway segments in the project area. Since the project would generate fewer than 100 PM peak hour trips, Alameda CTC does not require the use of the Countywide Travel Demand Model to assess the impacts on the CMP roadways in the project vicinity. Therefore, the project would not cause a significant impact related to Alameda County's CMP.

Hazardous Design Feature or Incompatible Uses (Criterion L.c)

Various aspects of project design are discussed below, based on the project site plan submitted June 11, 2019.

Driveway Access and Sight Distance

The project would provide two parking lots for project residents and visitors, which are described below:

- The main residential parking area would be accessed through a two-way driveway on Crescent Avenue, approximately 175 feet west of North 4th Street. The driveway would provide access to 71 surface parking spaces, including three accessible spaces.
- The other residential parking area would be accessed through a two-way driveway on Ruby Street, about 350 feet northwest of A Street. The driveway would provide 38 surface parking spaces, including three accessible spaces.

The project driveways provide adequate sight distance between vehicles entering and exiting the driveways and vehicles, bicycles, and pedestrians on the adjacent street, assuming that no on-street parking would be provided adjacent to the driveways. According to the *Caltrans Highway Design Manual*, for streets with a speed of 25 mph (Crescent Avenue and Ruby Street), a minimum stopping sight distance of 150 feet should be provided for vehicles exiting the project driveways.¹²⁵ The project driveways would meet the minimum Caltrans stopping sight distance requirements.

Adequate sight distance for pedestrians is defined as a continuous line-of-sight between an exiting motorist 10 feet back from the sidewalk and a pedestrian 10 feet away on the adjacent sidewalk on either side of the driveway. The project driveways would provide adequate sight distance between vehicles entering and exiting the driveways and pedestrians on the adjacent sidewalks.

On-Site Automobile Circulation

Alameda County's *Residential Design Standards and Guidelines for Unincorporated Communities of West Alameda County* (2014) specifies drive aisle and parking stall dimensions that are dependent on the angle of parking spaces adjacent to the aisle. All parking spaces at the project would be perpendicular, which requires a 25-foot drive aisle. Standard parking spaces are required to be 9 feet wide and 18 feet deep, with a curb length per stall of 9 feet, and compact parking spaces are required to be a minimum 8 feet wide and 16 feet long.

Vehicles in the Crescent Avenue lot would travel along a main two-way, 26-foot-wide drive aisle with perpendicular standard parking spaces on both sides of the drive aisle. The main drive aisle would connect to four parking courts. The parking courts would provide two-way, 24-foot-wide drive aisles with perpendicular compact spaces, some of which would be provided in tandem. The main drive aisle width would meet the County standard width of 25 feet for a drive aisle with perpendicular parking, but the parking court drive aisles would not. All parking spaces in this lot would meet the County standards for standard or compact parking spaces. The proposed parking lot on Crescent Avenue would also provide a 26-foot-wide and 47-foot-deep space for emergency vehicles and loading.

Vehicles in the Ruby Street lot would travel along a two-way, 24-foot-wide drive aisle with perpendicular standard parking spaces along both sides of the drive aisle. This drive aisle would not meet the County standard width of 25 feet for a drive aisle with perpendicular parking. All parking spaces in this lot would meet the County standards for standard parking spaces. The Ruby Street lot would also provide a 26-foot-wide and 68-foot-deep space for emergency vehicles and loading.

¹²⁵ The minimum stopping sight distance is the distance required by the user, traveling at a given speed, to bring the vehicle to a stop after an object ½-foot high on the road becomes visible.

Both parking lots would provide adequate circulation for passenger vehicles, and vehicles would have adequate space to wait and maneuver into and out of spaces with minimal conflict. Both lots would also provide adequate space for an emergency vehicle or loading truck to back into their designated spaces.

Pedestrian Access and Circulation

Pedestrian access to the main entrance of the residential building would be provided via a pedestrian walkway off of Ruby Street. A second pedestrian walkway off of Ruby Street would provide access to an entrance on the east side of the building and two entrances adjacent to the project's courtyard, as well as access to the San Lorenzo Creek Trail. The trail would connect A Street and Crescent Avenue along San Lorenzo Creek. A walkway connecting the courtyard and the Crescent Street parking lot would provide access to an entrance on the south side of the building.

The project would provide new 10-foot-wide sidewalks along the project frontages on Crescent Avenue and Ruby Street.

Bicycle Parking

The Residential Standards and Guidelines for the Unincorporated Communities of West Alameda County requires long-term and short-term bicycle parking for new residential units. Long-term bicycle parking includes lockers or locked enclosures and should be provided on-site. Short-term bicycle parking includes bicycle racks and should be located within 50 feet of the primary building entrance, maintaining a 4-foot clearance on sidewalks. The standards require one long-term space for every four multi-family dwelling units and one short-term space for every 25 multi-family dwelling units.

Table III.M-4 presents the bicycle parking requirements for the project. The project would be required to provide 18 long-term bicycle parking spaces and 3 short-term spaces. The project would provide 56 long-term spaces in a ground-floor bike room that is accessible from an entrance off of the Ruby Street parking lot or through a hallway. The project would provide 8 short-term outdoor spaces in the form of 4 bicycle racks with 2 spaces each adjacent to the entrance on the east side of the building, about 90 feet and around the corner from the main entry. The short-term bicycle parking location would not meet the County standard of within 50 feet of the main entry.

Impacts to Safety from Hazardous Design Features or Incompatible Uses

The project would not make any changes to the roadway network and would not include any design features that create a hazard, as described in detail above. The proposed residential project would be located in a mostly residential area, and the project would not add vehicles or equipment, such as farm equipment or tractors, that would be incompatible with existing land uses in the surrounding area. Therefore, the project would not cause a significant impact regarding hazardous design features or incompatible uses.

Table III.M-4 Bicycle Parking Requirements

Land Use	Size ^a	Long-Term		Short-Term	
		Spaces per Unit ^b	Spaces	Spaces per Unit ^b	Spaces
Residential	72 DU	1:4 DU	18	1:25 DU	3
Bicycle Parking Spaces Provided			56	8	
Bicycle Parking Met?			Yes	Yes	

^a DU = dwelling unit

^b Based on *Residential Standards and Guidelines for the Unincorporated Communities of West Alameda County, Chapter 6*.

Source: Fehr & Peers, 2018.

Recommendations

While not required to address a significant impact, the following recommendations should be considered before the project site plan is finalized. These recommendations are provided to improve access and circulation for the project, address minor design issues, or align the project with Alameda County standards. These recommendations are not mitigation measures because the project would not cause a significant impact regarding hazardous design features.

Recommendation TRANS-1: Designate 10 feet of no parking zones immediately on either side of all driveways used as vehicle exits to ensure adequate sight distance between motorists and bicyclists traveling on the street and motorists exiting the driveway.

Recommendation TRANS-2: Provide drive aisles with width of at least 25 feet for the parking courts in the Crescent Street parking lot.

Recommendation TRANS-3: Provide a drive aisle with width of at least 25 feet for the Ruby Street parking lot.

Recommendation TRANS-4: Provide a minimum of four short-term bicycle parking spaces in the form of two bicycle racks within 50 feet of the lobby entrance near Ruby Street, with at least 5 feet of pedestrian clearance on the Ruby Street sidewalk.

Result in Inadequate Emergency Access (Criterion L.d)

The project would not make any changes to the roadway network, and emergency access to the project site would remain unchanged. The Alameda County Fire Department would review the project’s final site plans to ensure that project driveways provide adequate fire and emergency services accessibility to the project. Therefore, the project would not cause a significant impact related to emergency access.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to transportation and traffic and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant transportation and traffic impacts identified in the General Plan EIR, nor would it result in new significant impacts related to transportation and traffic that were not identified in the General Plan EIR.

N. Tribal Cultural Resources

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
Would the project: cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	LTS	■	□	LTS
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	LTS	■	□	LTS
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	LTS	■	□	LTS

1. General Plan EIR Findings

Impacts to tribal cultural resources are not analyzed in the Castro Valley General Plan, other than the relevant discussion in Section 3.12, Cultural Resources. Assembly Bill (AB) 52 required the Office of Planning and Research to update Appendix G of the CEQA Guidelines to include a separate impact category for tribal cultural resources, rather than incorporating the issue into the existing Cultural Resources category. However, the bill specified that the provisions are only applicable to projects that have a Notice of Preparation, Negative Declaration, or Mitigated Negative Declaration filed on or after July 1, 2015. The Notice of Preparation for the Draft Castro Valley General Plan EIR was filed with the State Clearinghouse on March 7, 2007 and the Final EIR was published in 2012. As such, the General Plan EIR was not subject to the AB 52 requirement. Nonetheless, this CEQA document conservatively assumes the AB 52 requirement applies to the proposed project.

2. Project Analysis

Tribal Cultural Resources (Criteria N.a and N.b)

AB 52 mandates a notification and, if needed, consultation process with all tribes that have requested in writing that the lead agency notify them of projects in the tribe's area of traditional and cultural affiliation. AB 52 further provides three statutory deadlines: 14 days for the lead agency to notify tribes of a project after finding that a project application is complete (or, if the project proponent is the public agency, 14 days after deciding to undertake the project); 30 days for tribes to request consultation after receiving the notification; and 30 days for the lead agency to initiate consultation after receiving a consultation request. If no tribes request consultation within 30 days, a lead agency's duties pursuant to AB 52 are deemed complete.

Alameda County provided a list of tribes that have requested notification in the project's vicinity. On behalf of the County, the project archaeologist sent notification letters to the tribes on the County's list via certified mail on November 13, 2018 (the template notification letter and certified mail receipts are provided in Appendix D). No responses were received within the 30-day statutory period, or as of the date of this CEQA document's publication.

In addition, as described in *Section III.D, Cultural Resources*, a qualified archaeologist has identified measures that the project would be required to implement during construction, including the provision that "the project sponsor shall retain the services of a Native American Ohlone tribe member to monitor grading and construction activities per the direction of the project archaeologist". The tribal cultural resources monitor would ensure that if tribal resources are unearthed during grading, resources would be identified and protected as needed. Therefore, impacts pertaining to tribal cultural resources would be less than significant.

3. Conclusion

Further environmental analysis is not required because impacts would be less than significant. The General Plan EIR was not subject to AB 52 and did not analyze impacts to tribal cultural resources, and thus contains no other mitigation measures applicable to the project.

O. Utilities and Service Systems

	CV GP EIR Findings with MMs (If Required)	Project Relationship to CV GP EIR Findings		Project Level of Significance
		Equal or Less Severe	New or Substantial Increase	
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	LTS	■	<input type="checkbox"/>	LTS
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	LTS	■	<input type="checkbox"/>	LTS
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments?	LTS	■	<input type="checkbox"/>	LTS
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	LTS	■	<input type="checkbox"/>	LTS
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	LTS	■	<input type="checkbox"/>	LTS

1. General Plan EIR Findings

The General Plan EIR found that water supply, wastewater, and solid waste facilities and services are all adequate to accommodate the additional development that may occur by 2025 under the General Plan. State law authorizes public agencies to impose development impact fees to defray all or a portion of the cost of new or expanded public facilities needed to accommodate new development. The General Plan includes a series of policies and actions that would further reduce the impact on these utilities and services.

2. Project Analysis

Stormwater Drainage Facilities (Criterion O.a)

Stormwater from the project site would not be directed to the Alameda County Flood Control and Water Conservation District stormwater collection system. Instead, the stormwater would be conveyed directly to San Lorenzo Creek via a new outfall proposed at the southwestern portion of the project site near a bioretention area. As described in further detail in *Section III.H, Hydrology and Water Quality*, the runoff would be treated within the bioretention area, detained in a below-grade structure and metered before being discharged.

The outfall would be designed to prevent erosion at the creek and post-project runoff would be required to match the pre-project rates and durations. Therefore, the project would not generate substantial additional runoff that exceeds the capacity of existing stormwater drainage facilities and would not result in the need for construction of new facilities.

Water Supplies (Criterion O.b)

The project site is located within the service area of the East Bay Municipal Utilities District (EBMUD), which provides water service to approximately 1.4 million customers throughout Alameda and Contra Costa counties.

A net increase of 72 residential units would result in greater water consumption in the Plan Area. However, the proposed type and scale of development would be within that anticipated for the project site in the Castro Valley General Plan EIR, which found that the existing and planned water supply would be adequate to satisfy demand in the Plan Area through the year 2030. Therefore, the project would not substantially increase water demand and sufficient water supplies would be available to serve the project. In addition, the Castro Valley General Plan EIR proposed several General Plan Policies that would also reduce impacts to water supply and entitlements, such as the following:

- Policy 9.3-3: Reduce the need for developing new water supply sources by encouraging new development to incorporate water conservation measures to decrease peak water use.
- Policy 9.3-5: Promote appropriate use of recycled water for new and existing non-residential development.

Consistent with the Castro Valley General Plan EIR, the project would have a less-than-significant impact related to water supplies.

Wastewater Capacity (Criteria O.a and O.c)

The project site is within the boundary of the Castro Valley Sanitary District. The project would add new residents that would increase demand on wastewater capacity. However, the proposed type and scale of development would be consistent with that anticipated for the project site in the Castro Valley General Plan EIR, which found a less-than-significant impact related to wastewater treatment facilities and standards for the Plan Area as a whole. Therefore, the project would also have a less-than-significant impact for this issue.

Solid Waste (Criteria O.d and O.e)

The Castro Valley Sanitary District handles refuse collection and disposal in the Planning Area. The waste is hauled to the Davis Street Transfer Station and then to the Altamont Landfill east of Livermore. Altamont currently receives municipal solid wastes from twelve Alameda County jurisdictions, including Castro Valley. In 2013, Altamont Landfill received an estimated 1.5 million tons of waste. Altamont is permitted for a maximum of 1.6 million tons per year and daily disposal at Altamont is limited to a maximum of 11,150 tons per day.¹²⁶ As of December 31, 2014 (the latest date of available information), the Altamont Landfill had 65,400,000 cubic yards of capacity remaining, approximately half of its maximum permitted capacity.¹²⁷

In 2012, Castro Valley residents disposed of 3.6 pounds of solid waste per capita per day, not including recyclables and compostables.¹²⁸ Based on this rate, the additional 181 residents would generate approximately 119 additional tons of solid waste per year. The proposed type and scale of development would be within that anticipated for the project site in the General Plan EIR, which found adequate landfill capacity to serve new development in the Plan Area. Furthermore, the project would divert the majority of its solid waste in compliance with the Alameda County Waste Management Authority's Mandatory Recycling Ordinance of 2012, whereby multi-family properties with five or more units must sort recyclables and compostables from trash. Therefore, consistent with the Castro Valley General Plan EIR's finding for the Plan Area as a whole, the project would have a less-than-significant impact related to solid waste and landfill capacity.

3. Conclusion

Consistent with findings of the General Plan EIR, the project would not result in any significant impacts related to utilities and service systems and no mitigation is necessary. Therefore, implementation of the project would not substantially increase the severity of significant utilities and service systems impacts identified in the General Plan EIR, nor

¹²⁶ Alameda County Integrated Waste Management Plan, Countywide Element, February 26, 2003. Amended March 22, 2017.

¹²⁷ CalRecycle.ca.gov, 2019. Facility/Site Summary Details: Altamont Landfill & Resource Recovery (01-AA-0009). Available at: <https://www2.calrecycle.ca.gov/swfacilities/Directory/01-AA-0009>, accessed February 10.

¹²⁸ Alameda County Integrated Waste Management Plan, Countywide Element, 2003. February 26. Amended March 22, 2017.

would it result in new significant impacts related to utilities and service systems that were not identified in the General Plan EIR.

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