2023-2031 Housing Element Update

Recirculated Draft Initial Study – Mitigated Negative Declaration

prepared by

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Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACBD	Ashland and Cherryland Business District Specific Plan
ACMC	Alameda County Municipal Code
ADU	accessory dwelling units
APN	Assessor's Parcel Number
BAAQMD	Bay Area Air Quality Management District
BMPs	best management practices
CAAQS	California Ambient Air Quality standards
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California's Green Building Standards Code
CalOSHA	California Occupational Safety and Health Administration
CARB	California Air Resources Board
CalRecycle	California Department of Resources, Recycling, and Recovery
Caltrans	California Department of Transportation
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFGC	California Fish and Game Commission
CFR	Code of Federal Regulations
CHRIS	California Historical Resources Information System
CH_4	methane
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CRHR	California Register of Historical Resources
dB	decibel
DOC	California Department of Conservation
DOT	U.S. Department of Transportation

DPM	diesel particulate matter
DTSC	California Department of Toxic Substances Control
ECBE	East Bay Community Energy
EO	Executive Order
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FHSZ	fire hazard severity zone
FHWA	United States Department of Transportation Federal Highway Administration
FTA	Federal Transit Administration
GHG	greenhouse gas
GWh	gigawatt hours
GWP	global warming potential
HCD	California Department of Housing and Community Development
HEU	Housing Element Update
HFCs	hydrofluorocarbons
HFHSZ	high fire hazard severity zone
HMTA	Hazardous Materials Transportation Act
HRA	health risk assessment
HWCL	Hazardous Waste Control Law
IS-MND	Initial Study-Mitigated Negative Declaration
kWh	kilo-watts per hour
LOS	level of service
LRA	local responsibility area
MERV	minimum efficiency reporting value
MGD	million gallons per day
MLD	most likely descendent
MRP	municipal regional stormwater permit
MT	metric ton
MTC	Metropolitan Transportation Commission
NAHC	Native American Heritage Commission
NAAQS	National Ambient Air Quality Standards
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System

NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
OEHHA	California Office of Environmental Health Hazard Assessment
OPR	Office of Planning and Research
PBDB	Paleobiology Database
PG&E	Pacific Gas and Electric
PFCs	perfluorocarbons
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PM_{10}	particulate matter less than 10 microns in diameter
PPV	peak particle velocity
PQS	professional qualification standards
PRA	paleontological resources assessment
PRC	Public Resources Code
RHNA	Regional Housing Needs Allocation
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCH	State Clearinghouse
SF_6	sulfur hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SFBRWQCB	San Francisco Bay Regional Water Quality Control Board
SFHA	special flood hazard areas
SRA	state responsibility area
SVP	Society of Vertebrate Paleontology
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TPA	Transit Priority Area
UCMP	University of California Museum of Paleontology
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

VHFHSZ	very high fire hazard severity zone
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WTP	water treatment plant

Initial Study

This document is a Recirculated Initial Study - Mitigated Negative Declaration (IS-MND) for the proposed 2023-2031 Housing Element Update (HEU), herein referred to as the "proposed HEU" or "proposed project." The proposed project would amend the Alameda County General Plan by updating the current Housing Element with the proposed 2023-2031 Housing Element. The proposed HEU establishes policies and programs to further the goal of meeting the existing and projected housing needs of all household income levels of the County. In addition, the HEU's sites inventory provides evidence of the County's ability to accommodate the Regional Housing Needs Allocation (RHNA) through the year 2031, as established by the Association of Bay Area Governments (ABAG). The proposed project would also involve amending the Castro Valley General Plan, Eden Area General Plan, Ashland Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, Madison Area Specific Plan, San Lorenzo Village Center Specific Plan, and Alameda County Municipal Code as needed for consistency and HEU implementation.

The County prepared an IS-MND for the project that was circulated for public review from November 3 to December 4, 2023. Since the time of circulation, the County has revised the HEU's sites inventory and new sites have been added. Therefore, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15073.5, the County of Alameda is recirculating the IS-MND.

This section describes the proposed project, including the project location, major project characteristics, project objectives, and discretionary actions needed for approval.

1. Project Title

Alameda County 2023-2031 Housing Element Update

2. Lead Agency Name, Address, and Contact Person

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3. Project Location and Setting

Alameda County

Alameda County is located in the San Francisco Bay Area and comprises much of the East Bay region. The whole of Alameda County covers approximately 831 square miles and borders the San Francisco Bay on the east, as shown on Figure 1. Alameda County is home to over 1.5 million people living in 14 incorporated cities as well as in six unincorporated communities and rural areas. The proposed HEU would apply to the unincorporated portions of Alameda County. This includes the unincorporated communities of Ashland, Castro Valley, Cherryland, Hayward Acres, Fairview, and San Lorenzo, which are shown on Figure 2.

Figure 1 Regional Location

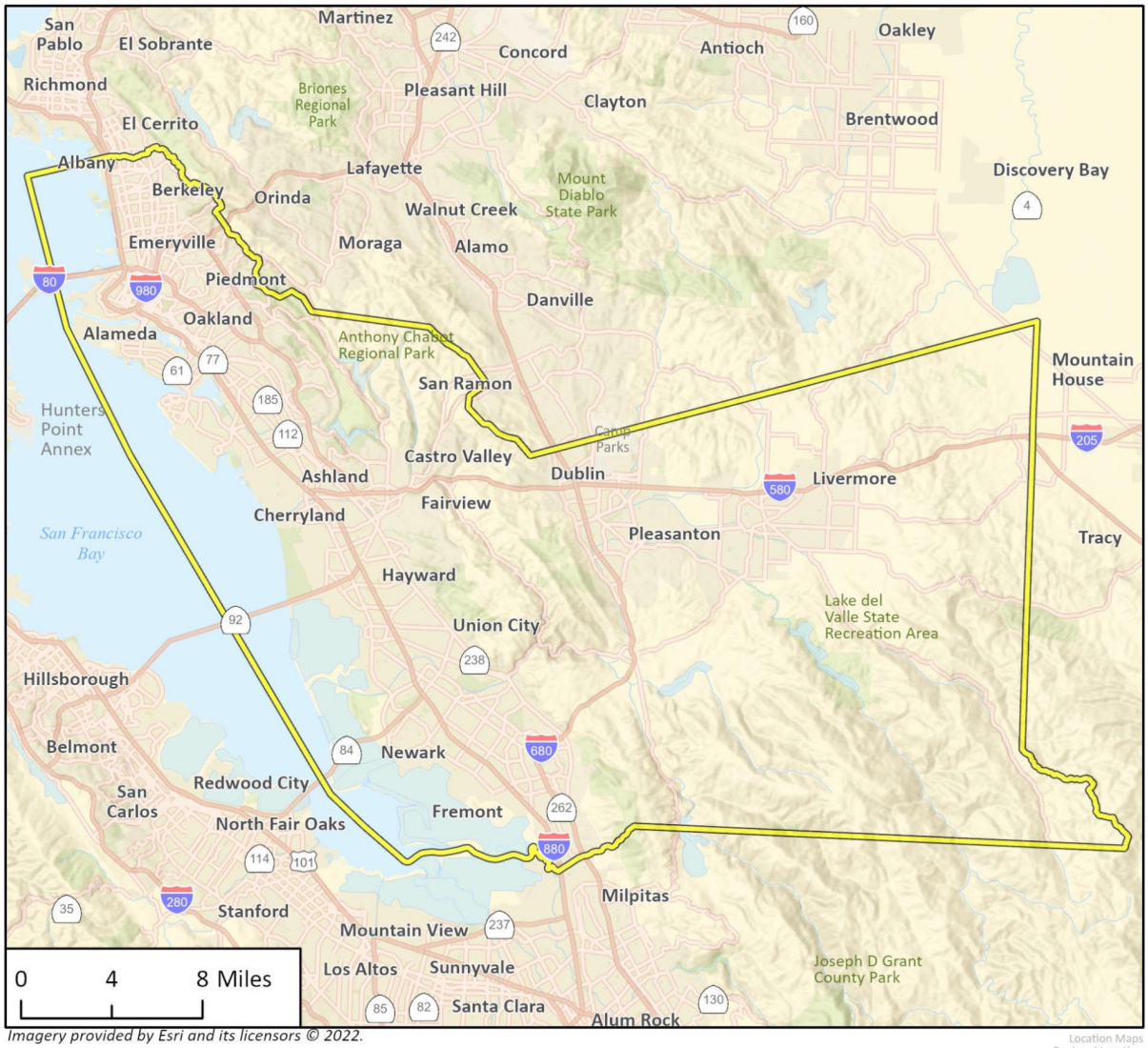

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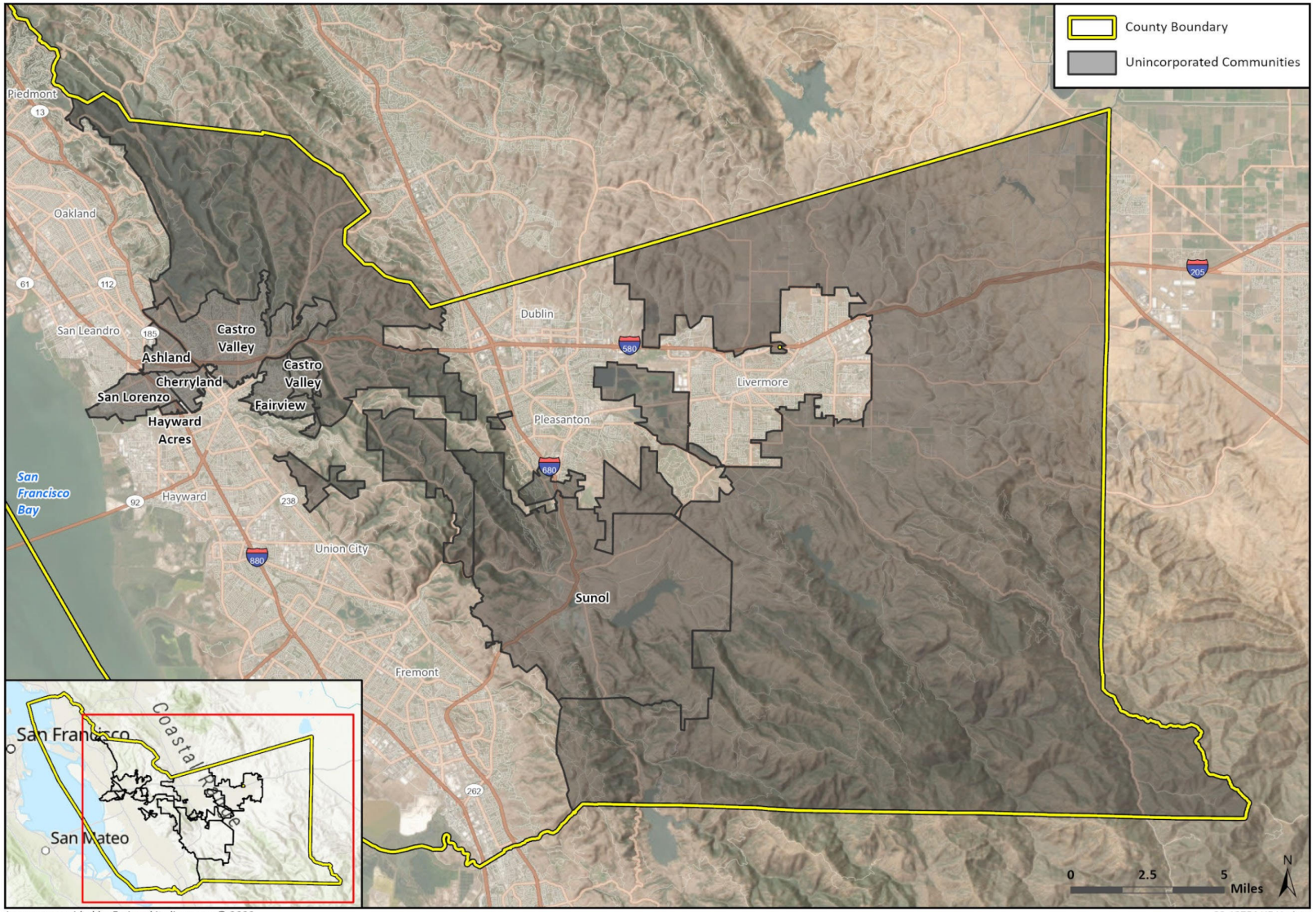
Figure 2 Unincorporated Areas and Communities in Alameda County



For the purpose of this analysis, the County has been divided into three geographic subareas to provide greater context. Together, these subareas are referred to in this analysis as the "project area." Because Alameda County is diverse not only in the size of its communities but also the substantial geographic area it covers, these three subareas are useful for general orientation and for framing and describing geographically unique planning issues. Each of the three subareas are described below.

Eden Area

The Eden Area is a roughly 8 square mile region that consists of unincorporated land in western Alameda County between the cities of San Leandro and Hayward. Much of the terrain in the Eden Area is flat or gently sloped. However, the eastern portion of the Eden Area stretches into the East Bay Hills. To the west, a small portion of the Eden Area touches the San Francisco Bay (Alameda County Community Development Agency 2010). The Eden Area is comprised of four communities: Ashland, Cherryland, Hayward Acres, and San Lorenzo:

- **Ashland**. Ashland is bounded on the east by Interstate 580 (I-580), on the south by San Lorenzo Creek, and on the north and west by the city of San Leandro along Hesperian Boulevard, the Bayfair Shopping Center, and the Bay Fair BART Station. Ashland is centered around Edendale Park, Ashland Avenue, and East 14th Street (Alameda County Community Development Agency 2010).
- **Cherryland.** The Cherryland community is characterized by a series of east-west streets forming a grid of large blocks typically made up of narrow, deep parcels. Most of the east-west streets intersect with the Union Pacific Railroad tracks at grade. Cherryland also includes the hillside neighborhoods east of Mission Boulevard to Foothill Boulevard (Alameda County Community Development Agency 2010).
- **Hayward Acres.** The Hayward Acres community is a relatively small portion of the Eden Area between the San Lorenzo community and the city of Hayward. It is bounded on the north by Bartlett Avenue, on the south by West 'A' Street, on the east by Hathaway Avenue, and on the west by Hesperian Boulevard (Alameda County Community Development Agency 2010).
- **San Lorenzo.** The San Lorenzo community is the largest of the Eden Area communities in size and extends beyond San Lorenzo Creek on the north, to the Union Pacific Railroad tracks on the east, Bartlett Avenue and the Skywest Public Golf Course on the south, and the San Francisco Bay and the tidelands on the west (Alameda County Community Development Agency 2010).

Land use in the Eden Area is governed by the Eden Area General Plan adopted in 2010 (Alameda County Community Development Agency 2010).

Castro Valley

Castro Valley is an 11 square mile unincorporated sub-area of Alameda County and is centrally located in the western part of the County. Castro Valley is bounded by the city of San Leandro and the unincorporated communities of Ashland and Cherryland to the west, the city of Hayward and unincorporated Fairview to the south, East Bay Regional Park District lands to the north, and Contra Costa County and the city of Dublin to the east. Castro Valley is divided by I-580 and the Dublin-Pleasanton BART line which together create a major regional transportation corridor that runs east-west through the community (Alameda County Community Development Agency 2012). Land use in Castro Valley is governed by the Castro Valley General Plan adopted in March 2012 (Alameda County Community Development Agency 2012).

Fairview Area

Fairview encompasses 2.8 square miles and is located north and east of the City of Hayward, south of Castro Valley, and west of Palomares Canyon. The Fairview Specific Plan adopted on June 3, 2021, contains goals, policies, and zoning regulations that apply to this area (Alameda County Board of Supervisors 2021).

4. Description of Project

The proposed project consists of a complete update to the Alameda County Housing Element. The updates are intended to enable the County to accommodate housing in accordance with State law while continuing to provide services, parks, schools, and environmental setting, and offering new programs that support the city's diversity and housing affordability.

The Housing Element is one of the State-mandated elements of the General Plan. The current Housing Element was adopted in 2015 and is in effect through 2023. The Housing Element identifies the county's housing conditions and needs and establishes the policies and programs that comprise the county's housing strategy to accommodate projected housing needs, including the provision of adequate housing for low-income households and for special-needs populations (e.g., unhoused people, seniors, single-parent households, large families, and persons with disabilities).

The 2023-2031 Housing Element would bring the element into compliance with State legislation passed since adoption of the 2015-2023 Housing Element and with the current RHNA. On December 16, 2021, the ABAG Executive Board adopted the 6th Cycle Final RHNA, which includes a "fair share" allocation for meeting regional housing needs for each community in the ABAG region.

The 2023-2031 Housing Element includes the following components, as required by State law:

- **Existing Programs Review:** An evaluation of the results of the goals, policies, and programs adopted in the previous Housing Element that compares projected outcomes with actual achieved results.
- **Housing Needs Assessment:** An analysis of the existing and projected housing needs of the community. It provides a profile of socio-demographic information, such as population characteristics, household information, housing stock, tenure, and housing affordability. The assessment also considers local special housing needs, such as seniors, farmworkers, homeless, large households, and female-headed households.
- **Sites Inventory and Methodology:** An inventory listing adequate sites that are suitably zoned and available within the planning period to meet the County's fair share of regional housing needs across all income levels.
- **Housing Resources:** An identification of resources to support the development, preservation, and rehabilitation of housing.
- **Housing Constraints**: An assessment of impediments to housing production across all income levels covering both governmental (e.g., zoning, fees, etc.) and nongovernmental (e.g., market, environmental, etc.) constraints.
- **Affirmatively Furthering Fair Housing Assessment:** AB 686 requires cities and counties to take deliberate actions to foster inclusive communities, advance fair and equal housing choice, and address racial and economic disparities through local policies and programs. The goal of AB 686 is to achieve better economic and health outcomes for all Californians through equitable

housing policies. The assessment of affirmatively furthering fair housing documents compliance with AB 686.

- **Goals, Policies, and Programs:** This Section provides a statement of the community's goals, quantified objectives, and policies to maintain, preserve, improve, and develop housing, as well as a schedule of implementable actions to be taken during the planning period to achieve the goals, objectives, and policies. Quantified objectives for new construction, rehabilitation, and conserved units by income category (i.e., very low, low, moderate, and above moderate) are included to make sure that both the existing and the projected housing needs are met, consistent with the County's share of the RHNA.

The draft Housing Element Update establishes objectives, policies, and programs to assist the County in achieving state-mandated housing goals. The County's implementation of these policies and programs includes future amendments to other elements of the General Plan (e.g., Land Use Element and Land Use/Zoning Map) and the rezoning of sites identified in the housing site inventory to meet the county's RHNA obligation.

Section I of the 2023-2031 Housing Element provides an overview to the Housing Element and relevant regulation. Section II provides a summary of the projected housing need. Section III summarizes the adequacy of housing sites and housing resources with reference to relevant appendices. Section IV contains goals, policies, and actions related to housing in Alameda County. The comprehensive research and analysis supporting the development of Section IV are compiled in appendices to the Housing Element.

Regional Housing Needs Allocation

The RHNA reflects the California Department of Housing and Community Development's (HCD's) determination of the projected housing needs in a region by household income level as a percent of the Area Median Income. ABAG was tasked with allocating the RHNA among the jurisdictions in the ABAG region, which includes Alameda County.

Alameda County's RHNA for the current planning period is 4,711 units, which includes:

- 1,251 extremely low- and very low-income housing units,
- 721 low-income housing units,
- 763 moderate-income housing units,
- 1,976 above moderate-income housing units.

Meeting the RHNA

To assess options for meeting its RHNA allocations, the County compiled an inventory of candidate housing sites that includes properties throughout Alameda County. Each site has undergone an assessment to determine development potential and residential unit capacity given existing zoning standards, potential capacity under new zoning regulations, and development trends.

Table 1 summarizes the County's plans for satisfying its RHNA. Of the required RHNA of 4,711 units, Alameda County can accommodate 427 with accessory dwelling unit (ADU) projections and 1,455 with entitled or proposed projects. Therefore, the remaining need to meet the RHNA is 2,829 units. The sites inventory includes vacant sites, underutilized sites focused primarily on commercial areas and along each commercial corridor, one BART facility, one former Redevelopment Agency site, and a property currently owned by the County Sheriff's department that will be vacated in the near

future. The sites inventory involved a yield of 587 units. Without a rezoning program, Alameda County is 2,242 units short of meeting the overall RHNA capacity.

Table 1 Residential Development Potential and RHNA – With Rezoning

Site Category	Extremely Low and Very Low	Low	Moderate	Above Moderate	Total Units
RHNA Required	**1,251**	**721**	**763**	**1,976**	**4,711**
Accessory Dwelling Units	129	128	128	42	427
Entitled/Proposed Projects[1]	0	339	62	1,054	1,455
RHNA Remaining Need	**1,122**	**254**	**573**	**1,880**	**2,829**
Sites Inventory[1]	See Low	60	236	291	587
Surplus/(Shortfall)	See Low	(1,316)	(337)	(589)	(2,242)
Rezone Sites[1]	See Low	**1,633**	**503**	**1,357**	**3,493**
Surplus/(Shortfall) with Rezone Sites		**317**	**166**	**768**	**1,251**

[1] Considers net new units only.

Source: Alameda County 2023

Rezone Program

To accommodate the remaining shortfall of 2,242 units, the proposed HEU includes a rezone program to rezone sufficient vacant land or land with redevelopment potential to provide capacity for this shortfall. The vacant and nonvacant land considered for rezoning includes:

- Previously considered nonvacant parcels that were zoned General Commercial or a Castro Valley Business District Specific Plan designation not currently allowing residential uses.
- Previously considered vacant residential parcels that were smaller than the minimum lot size based on current zoning, such as in the Fairview community, where certain sections of the community have 5 acre minimum lots, resulting in viable 1 acre parcels in residential areas being left vacant.
- In one case (parcel 413 001503302) a business owner's property was previously mis-zoned as Public; the owner has expressed a desire to close his business and transition the parcel to residential use, requiring rezoning.
- Larger sites previously considered for projects, such as Cherryland Place. By increasing the density of allowable residential use, staff anticipate that these sites will be more viable.
- Large parking lots.
- Publicly held land, where agencies have notified the Alameda County Planning Department of their intent to sell it during the planning period.
- Sites are proposed for zones that either match nearby residential uses or enable higher densities such that the lots can be used for lower income densities.

Potential rezone of vacant and nonvacant parcels to allow higher residential densities would accommodate 3,355 units. In preparation for future Housing Element Cycles, the County is also planning to rezone a second BART site, the Castro Valley BART station parking lots, in order to comply with AB 2923 and forthcoming Transit Oriented Community policies from MTC. Rezoning of the Castro Valley BART station, which is not included in the sites inventory but is factored into the analysis, would accommodate 424 units. Table 2 identifies potential parcels for rezoning to address this shortfall and provide excess capacity throughout the planning period, and Table 3 provides a

breakdown of the rezone sites by subarea. The rezone sites and the three geographical sub-regions are shown on Figure 3.

Table 2 Rezone Sites

APN	Parcel Size	Existing Use	Existing Zoning	Proposed Zone	Potential Buildout (Number of Units)
Castro Valley					
Castro Valley Central Business District					
84A-12-3	0.30	Auto Sales	CVBD-S02	CVBD-S02-86-HE	18
84A-12-2-2	1.69	Auto Repair	CVBD-S02	CVBD-S02-86-HE	101
84A-7-5	2.63	Car Dispatch	CVBD-S02	CVBD-S02-86-HE	158
84C-724-91-2	0.29	Retail	CVBD-S10	CVBD-S10-86-HE	17
84C-630-11-9	0.27	Auto Repair	CVBD-S10	CVBD-S10-86-HE	16
84A-60-4-3	2.10	Parking lot	CVBD-S07	CVBD-S07-86-HE	126
84A-68-9-9	4.05	Parking lot	CVCBD-CVBD-S08	CVBD-CTA-S08-86-HE	148
84A-68-9-8	3.30	Parking lot	CVCBD-CVBD-S09	CVBD-CTA-S08-86-HE	121
84A-72-8-5	2.63	Parking lot	CVCBD-CVBD-S08	CVBD-CTA-S08-86-HE	96
84A-64-12-9	0.89	Parking lot	CVCBD-CVBD-S08	CVBD-CTA-S08-86-HE	32
84A-60-14-2	0.75	Parking lot	CVCBD-CVBD-S08	CVBD-CTA-S08-86-HE	27
Subtotal					**860**
Madison Area Specific Plan					
84C-885-34-2	0.56	Vacant	MASP-R1-B40-CSU-RV	MASP-RSL-17-HE	6
84C-895-40	0.83	Vacant	MASP-R1-B40-CSU-RV	MASP-RSL-17-HE	9
Subtotal					**15**
Remainder of Castro Valley					
415-160-14	0.17	Vacant	R4	R-60-HE	7
415-160-15	0.17	Vacant	R4	R-60-HE	7
415-160-16	0.17	Vacant	R4	R-60-HE	7
415-160-18	0.17	Vacant	R4	R-60-HE	7
416-40-44	5.4	Former school	SCV-CSU-RV	RLM-22-HE	75
80A-221-40	0.25	Vacant	R1-RV-HO	RSL-17-HE	2
84B-553-1-4	0.12	Vacant	R1-CSU-RV	R-60-HE	5
84B-553-16	0.14	Vacant	R1-CSU-RV	R-60-HE	5
84B-570-123-3	0.25	Vacant	R1-CSU-RV	RSL-17-HE	2
84C-885-31-3	0.31	Vacant	R1-BE-CSU-RV	RSL-17-HE	3
84C-885-32-2	0.26	Vacant	R1-BE-CSU-RV	RSL-17-HE	3
84C-885-33-4	0.42	Vacant	R1-BE-CSU-RV	RSL-17-HE	3
85-1613-1	0.68	Vacant	R1-BE-CSU-RV-HO	RSL-17-HE	8
85-5450-54	0.52	Vacant	PD-1566	RSL-17-HE	4
85-5475-2	0.28	Vacant	PD-1489	RSL-17-HE	3
415-160-53	0.34	Vacant	R4	R-60-HE	10

APN	Parcel Size	Existing Use	Existing Zoning	Proposed Zone	Potential Buildout (Number of Units)
80A-153-3-6	2.05	Public	PF	HDR-100-HE	96
80A-199-1-5	2.83	Vacant	PD-1762	RMF-HE	57
84B-550-1-1	0.60	Religious	R1-CSU-RV	R-60-HE	8
84B-553-14-3	1.37	Religious	R1-CSU-RV	R-60-HE	35
84B-553-1-6	0.75	Vacant	R1-CSU-RV	R-60-HE	8
84C-1064-26	0.39	Religious	R1-CSU-RV	RSL-17-HE	4
84C-1064-27	1.23	Religious	R1-CSU-RV	RSL-17-HE	14
84C-1064-28	0.12	Religious	R1-CSU-RV	RSL-17-HE	1
416-30-14-3	4.19	Retail Commercial	RS-D20	CC-60-HE	260
80A-188-2-7	0.71	Vacant	PD	CN-60-HE	29
80A-209-4	0.09	Vacant	R1-RV-HO	RSL-17-HE	1
84A-240-2	0.13	Vacant	RSL	RSL-17-HE	1
84A-250-9-3	3.05	Vacant	RSL	RSL-17-HE	26
84A-250-9-4	1.53	Vacant	RSL	RSL-17-HE	12
Subtotal					**703**
Eden Area					
Ashland and Cherryland Business District Specific Plan					
414-41-33	0.30	Commercial	ACBD-DMU	ACBD-DMU-86-HE	18
414-41-31	0.19	Parking	ACBD-DMU	ACBD-DMU-86-HE	11
414-41-32	0.29	Car Rental	ACBD-DMU	ACBD-DMU-86-HE	17
413-23-67-4	0.59	Vacant	ACBD-R2	ACBD-R3-HE	9
80B-300-11	0.65	Auto Sales	ACBD-CMU-C	ACBD-CMU-C-86-HE	39
413-23-43-4	1.16	Vacant	ACBD-R2	ACBD-R3-HE	34
413-23-43-3	1.28	Residential	ACBD-R2	ACBD-R3-HE	30
413-93-1-3	0.09		ACBD-DC	ACBD-DC-43-HE	2
413-93-2-2	0.27	Vacant Commercial	ACBD-DC	ACBD-DC-43-HE	8
413-70-6-4	0.33	Broken Pavement	ACBD-DC	ACBD-DC-43-HE	9
414-16-22	0.52	Restaurant	ACBD-DMU	ACBD-DMU-43-HE	31
413-15-34-3	1.05	Commercial	ACBD-DC	ACBD-DC-86-HE	63
413-15-33-2	2.39	Industrial use	ACBD-P	ACBD-DC-86-HE	143
413-15-33-5	3.17	Commercial	ACBD-DC	ACBD-DC-86-HE	190
414-21-61	0.89	Paved lot	ACBD-DMU	ACBD-DMU-86-HE	53
414-21-78	0.84	Paved lot	ACBD-DMU	ACBD-DMU-86-HE	50
414-21-79	0.32	Paved lot	ACBD-DMU	ACBD-DMU-86-HE	19
414-21-60	0.21	Paved lot	ACBD-DMU	ACBD-DMU-86-HE	12
414-21-80	0.19	Paved lot	ACBD-DMU	ACBD-DMU-86-HE	11
Subtotal					**749**

APN	Parcel Size	Existing Use	Existing Zoning	Proposed Zone	Potential Buildout (Number of Units)
San Lorenzo Village Specific Plan					
412-34-2-6	0.15	Parking	SLVSP-C2	SLZ-86-HE	7
412-14-37-3	1.05	Parking	SLVSP-C2	SLZ-86-HE	8
412-14-38-2	0.42	Commercial	SLVSP-C2	SLZ-86-HE	25
412-14-39-2	0.50	Parking	SLVSP-C2	SLZ-86-HE	30
412-31-92	1.68	Commercial	SLZSP-C1	SLZ-86-HE	66
412-34-36	4.99	Parking	SLVSP-C1	SLZ-86-HE	105
412-39-24-3	0.98	Commercial	SLVSP-C1	SLZ-86-HE	58
Subtotal					**299**
Remainder of Eden Area					
411-21-5-2	0.61	Abandoned SFH	R3	HDR-86-HE	36
411-21-5-4	0.40	Vacant Commercial	C1	HDR-86-HE	23
411-91-2	0.65	Vacant	PD-1209	MHDR-43-HE	11
80D-563-17	0.88	Parking	RS-D15	BTA-HDR-125 / GC-HE	54
80D-565-29	1.99	Parking	RS-D15	BTA-HDR-125 / GC-HE	124
80D-565-30	1.17	Parking	RS-D15	BTA-HDR-125 / GC-HE	73
80D-568-30	1.57	Parking	RS-D15	BTA-HDR-125 / GC-HE	97
80D-568-31	1.60	Parking	RS-D15	BTA-HDR-125 / GC-HE	100
412-14-34-2	0.63	Storage	PD-1468	R-9-HE	9
412-22-7-2	9.90	School	R1	R-S-22-HE	57
415-160-51	1.03	Vacant	RS-DV	HDR-86-HE	31
429-10-59-2	0.30	Vacant	CN	GC-MHDR-43-HE	9
412-87-71-2	0.97		C1 and RS-D25 split zoning	C1-22-HE	29
80D-566-36-1	0.89	Vacant	PD-1997	MHDR-43-HE	26
413-63-6-3	0.31	Commercial	CN	CN-43-HE	9
413-67-5-2	0.50	Storage	CC	CN-43-HE	14
432-4-28-6	0.89	Restaurant	C1	C1-22-HE	13
432-4-30-2	0.20	SFH	RS-DV	MHDR-43-HE	5
432-4-34-2	0.69	Affordable housing	RS-DV	HDR-86-HE	20
Subtotal					**740**
Fairview Area Specific Plan					
416-200-22-6	0.80	Vacant	FASP-R1	FA-17-HE	37
416-180-1	1.38	Vacant	FASP-R1	FA-17-HE	16
416-180-12	0.35	Vacant	FASP-R1	FA-17-HE	4
416-180-14	0.34	Vacant	FASP-R1	FA-17-HE	4
417-220-40	0.88	Vacant	FASP-R1-BE	FA-17-HE	10
417-220-42	0.54	Vacant	FASP-R1-BE	FA-17-HE	6
417-240-1-2	1.45	Vacant	FASP-R1-BE	FA-17-HE	17

APN	Parcel Size	Existing Use	Existing Zoning	Proposed Zone	Potential Buildout (Number of Units)
417-240-5-3	1.05	Vacant	FASP-R1-BE	FA-17-HE	12
417-240-6-1	1.67	Vacant	FASP-R1-BE	FA-17-HE	9
417-270-3	1.11	Vacant	FASP-R1-BE	FA-17-HE	13
417-270-6	3.10	Abandoned SFH	R1-BE	FA-17-HE	26
425-10-6	0.74	Vacant	FASP-R1-BE	FA-17-HE	8
425-50-22-1	2.68	Vacant	FASP-R1-L-BE	FA-17-HE	31
425-50-25-2	2.57	Vacant	FASP-R1-L-BE	FA-17-HE	30
425-90-44	0.25	Vacant	FASP-R1-BE	FA-17-HE	3
425-90-45	0.25	Vacant	FASP-R1-BE	FA-17-HE	2
426-120-17	0.68	Vacant	FASP-R1-BE	FA-17-HE	8
426-160-91	3.39	Vacant	FASP-R1-BE	FA-17-HE	40
426-170-13	1.08	Vacant	FASP-R1-BE	FA-17-HE	12
426-170-14-2	0.38	Vacant	FASP-R1-BE	FA-17-HE	4
426-170-16	0.36	Vacant	FASP-R1-BE	FA-17-HE	4
426-170-9	0.92	Vacant	FASP-R1-BE	FA-17-HE	10
426-180-44	0.51	Vacant	FASP-R1-BE	FA-17-HE	6
426-50-10	0.27	Vacant	FASP-R1-BE 10000	FA-17-HE	3
426-50-12	0.65	Vacant	FASP-R1-BE 10000	FA-17-HE	7
417-210-72	2.49	Residential	R1	FA-17-HE	15
416-180-20	0.65	Religious facility	FASP-R1	FASP-29-HE	13
425-170-2	0.8	Vacant	FASP-C1	FA-C-29-HE	11
425-50-23-6	3.02	Vacant	FASP-R1-L-BE	FA-17-HE	35
426-140-9-2	2.39	Commercial	CN	FA-CN-22-HE	17
Subtotal					**413**
Total Rezone Sites					**3,779**

ACBD-DMU=Ashland Cherryland Business District- District Mixed Use
ACBD-DC= Ashland Cherryland Business District- District Commercial
AO-CMU-R=Auto Overlay-Corridor Mixed Use-Residential
APN=Assessor's Parcel Number
C1=Retail Business District
CC=Community Commercial
CMU-C=Corridor Mixed Use-Commercial
CN=Neighborhood Business District
CVBD=Castro Valley Business District
CVCBD=Castro Valley Central Business District
CVBD-SO2
FASP = Fairview Area Specific Plan
GC-MDR=General Commercial-Medium Density Residential
P=Parking District
PD=Planned Development
R1=Single Family Residence District
R3=Four Family Residence District

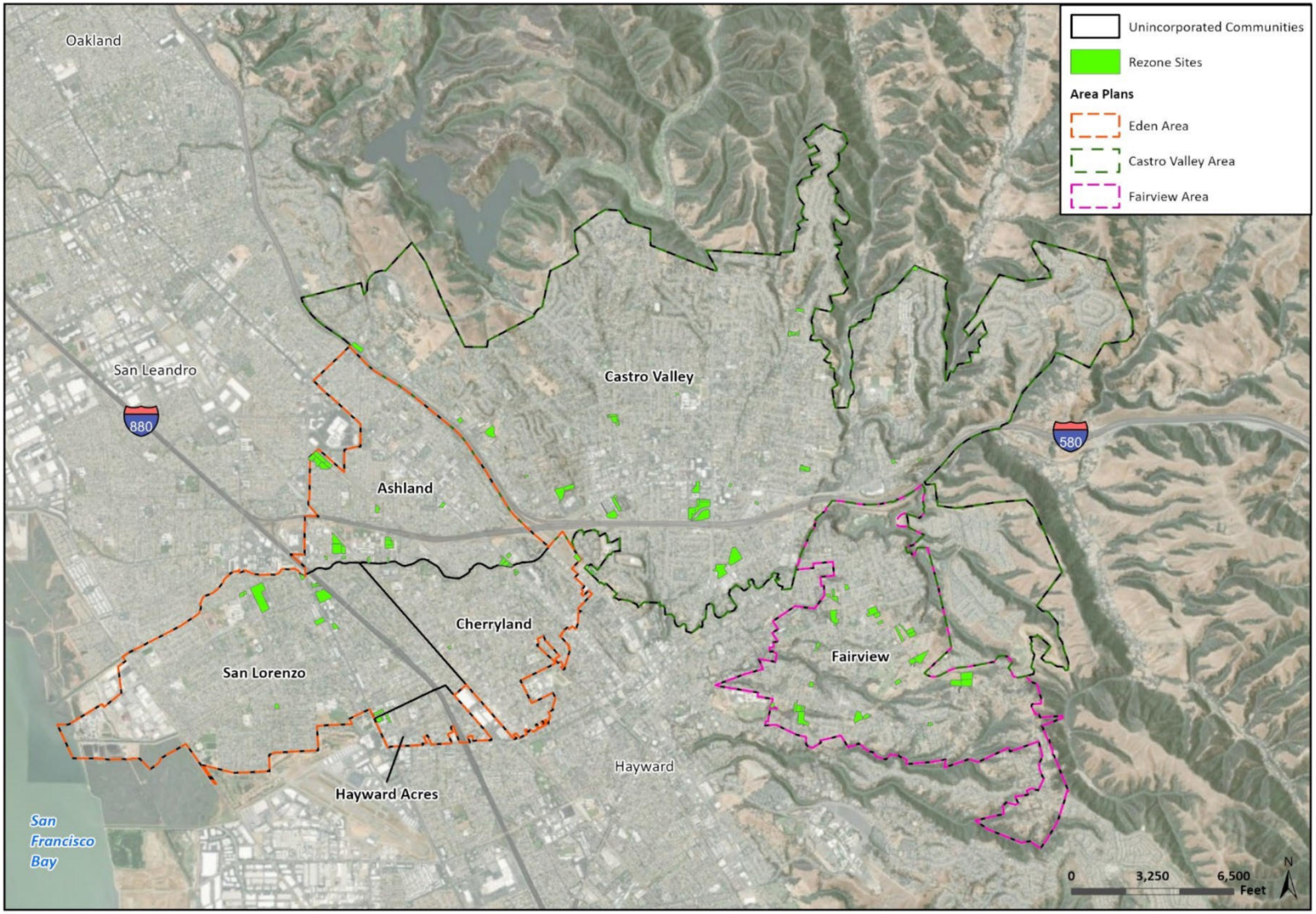
APN	Parcel Size	Existing Use	Existing Zoning	Proposed Zone	Potential Buildout (Number of Units)
RS=Suburban Residence District					
RS-D20=Suburban Residence Density 2,000 per Unit					
RSL=Residential Small Lot					
RSL-CSU-RV=Residential Small Lot-Conditional Secondary Unit-Recreational Vehicle					
SLVSP-C2=San Lorenzo Zoning General Commercial District					
SLVSP-C1=San Lorenzo Zoning Retail Business District					
HDR=High Density Residential (43-86 units per acre)					
MHDR= Medium High Density Residential (22-43 units per acre)					
RMU= Residential Mixed Use					
MDR=Medium Density Residential					
R-1-B-E-1=Single Family Residence Density 1 per 1 acre					
R1-5000= Minimum 5,000 square foot lots					
R1-BE-10,000=Single Family Residence 1 per 10,000 square feet					
R1-BE-20,000=Single Family Residence 1 per 20,000 square feet					
RMXD-15=Residential Mixed Density-1,500 per dwelling unit					
Source: https://acgov.org/cda/planning/ordinance/maps.htm					

Table 3 Number of Rezone Units by Subarea

Subareas	Number of Units
Eden Area General Plan	
Ashland Cherryland Business District	749
San Lorenzo Village Specific Plan	299
Remainder of Eden Area General Plan	740
Eden Area General Plan Subtotal	**1,788**
Castro Valley General Plan	
Castro Valley Central Business District Specific Plan	860
Madison Area Specific Plan	15
Remainder of Casto Valley General Plan	703
Castro Valley General Plan Subtotal	**1,578**
Fairview Area Specific Plan	**413**
Total	**3,779**

Source: Alameda County 2023

Figure 3 Rezone Sites Locations and Subareas



Buildout Assumptions

For the purposes of the California Environmental Quality Act (CEQA) analysis, this document assesses a higher range of development potential, considered the "reasonable maximum development scenario," to fully analyze potential impacts if development occurs at a rate higher than it has historically. This reasonable maximum development scenario assumes that all the rezone sites would develop as housing and does not account for removal of existing development on non-vacant sites (such as existing commercial) that would be demolished to allow for housing. As a result, the impact analysis represents a conservative approach to assessment of potential impacts.

The CEQA analysis for the HEU is focused on the physical changes that would result from the implementation of the required rezonings to meet RHNA as listed in Table 2 and shown on Figure 3. The buildout assumptions for use in this CEQA document include only the buildout associated with the rezones as shown on Table 2 of 3,779 units. While some of the inventory sites are identified sites for the purpose of meeting RHNA, only rezone sites are analyzed in this analysis. Inventory sites that don't involve rezoning are not assessed for the purposes of the CEQA analysis because they could be built to the projected Housing Element buildout with or without adoption of the Housing Element.

According to the California Department of Finance, as of May 2024 there were an estimated 52,449 housing units in unincorporated Alameda County. The HEU analyzes the development of up to 3,779 net additional units by 2031. If all units were to be permitted and built, there would be a total of 56,228 housing units in unincorporated Alameda County by 2031. The pace of development is difficult to predict, and it is unlikely that all of these units will be built, but the inventory demonstrates more than sufficient capacity to meet the 6th cycle RHNA.

Density Bonus

Residential projects proposed in the 2023-2031 Housing Element cycle may be eligible to utilize provisions of the State Density Bonus (California Government Code Sections 65915 – 65918). The State Density Bonus encourages the development of affordable and senior housing, including up to a 50 percent increase in project densities for most projects, depending on the amount of affordable housing provided, and up to an 80 percent increase in density for certain projects which are 100 percent affordable. The State Density Bonus also includes a package of incentives intended to help make the development of affordable and senior housing economically feasible. These include waivers and concessions, such as reduced setback, increased height or modified open space and other requirements.

Whether an individual project will utilize the State Density Bonus, or which aspects of State Density Bonus law an individual project would utilize, is difficult to predict. However, based on recent experience, multi-family residential projects in higher density residential and commercial zoning districts are most likely to utilize the State Density Bonus. The analysis in this document assesses a development potential greater than the projected housing need (RHNA), which accounts for units that could be built using State Density Bonus.

County Code Amendments

The project includes Housing Element programs that would result in direct amendments to Title 17 of the Alameda County Municipal Code and the Alameda County Zoning Map.

Specific Plan Amendments

Since the Ashland Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, Madison Area Specific Plan, San Lorenzo Village Center Specific Plan serve as zoning for their respective plan areas, amendments to these plans would be necessary to reflect changes in density and land uses permitted on properties in each plan area as indicated in Table 2.

Other General Plan Element Amendments

Amendments to the Castro Valley General Plan and Eden Area General Plan will be necessary to change the land use designations for parcels being rezoned to maintain consistency between the general plan and zoning designations on these properties.

5. Required Approvals

Implementation of the draft Housing Element Update would require the following discretionary actions by the Alameda County Board of Supervisors:

- Adoption of the IS-MND prepared for the 2023-2031 Housing Element
- Approval of a resolution adopting the 2023-2031 Housing Element
- Approval of a resolution amending additional General Plan documents to be consistent with the 2023-2031 Housing Element
- Adoption of ordinances amending Title 17 of the Alameda County General Code and the Ashland Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, Madison Area Specific Plan, and San Lorenzo Village Center Specific Plan
- Approval of a resolution amending additional General Plan documents to maintain consistency with zoning ordinance and specific plan amendments

The 2023-2031 Housing Element will be submitted to HCD for review and comment prior to review and recommendation by the Planning Commission, followed by action and adoption by the Board of Supervisors.

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

On June 23, 2023, the County of Alameda contacted California Native American Tribal governments by sending a Senate Bill (SB) 18 and Assembly Bill (AB) 52 notification letters to tribes with an affiliation with the project area based on a list provided by the Native American Heritage Commission (NAHC). Under AB 52, Native American tribes have 30 days to respond and request further project information and request formal consultation. Under AB 52, Native American tribes have 90 days to respond and request further project information and request formal consultation. The County did not receive a request for formal consultation under AB 52 or SB 18. Therefore, no California Native American Tribes traditionally or culturally affiliated with the project area have requested consultation pursuant to Public Resources Code Section 21080.3.1.

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Environmental Factors Potentially Affected

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

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

Determination

Based on this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

■ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

☐ I find that the proposed project MAY have a "potentially significant impact" or "less than significant with mitigation incorporated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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

Signature

September 5, 2024

Date

Elizabeth McElligott

Printed Name

Assistant Deputy Director

Title

Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	■	☐
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	■	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	■	☐
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	■	☐

Environmental Setting

The following describes the aesthetic setting in the Eden Area, Castro Valley, and Fairview according to the Eden Area General Plan (Alameda County Community Development Agency 2010), the Castro Valley General Plan (Alameda County Community Development Agency 2012), and the Fairview Specific Plan (Alameda County Board of Supervisors 2012).

Scenic Views and Vistas

A scenic vista is a view from a public place (roadway, designated scenic viewing spot, etc.) that is expansive and considered important. It can be obtained from an elevated position (such as from the top of a hillside) or it can be seen from a trail, park or roadway with a longer-range view of the landscape.

The terrain in the Eden Area is mostly flat or gently sloped. The eastern portion of the area stretches into the East Bay Hills with the western portion stretching to the San Francisco Bay. There are no designated scenic views or vistas in the Eden Area.

Castro Valley is characterized by sloping hills. From most streets there are views of nearby hillsides and canyons. These hillsides are generally designated as permanent open space with development clustered in the flat portions of the community (Alameda County Community Development Agency 2012).

In the Fairview area, canyons and arroyos follow local streams and creeks, creating topographic relief and many views and vistas. Views are generally to the west, taking in San Francisco Bay and distant landmarks such as the Oakland and San Francisco skylines, the San Mateo Bridge, and the Santa Cruz Mountains. At the higher elevations, there are also panoramic views across the East Bay and to the open hills on the east. There are sweeping views across Hayward and Castro Valley on many streets, as well as views of adjacent canyons and ridgeline. Views and vistas are important throughout the community, but particularly in the upper elevations along these canyons and ridgelines.

Scenic Highways and Routes

A section of I-580 in Alameda County is designated as a State Scenic Highway. This section is approximately 2.8 miles northeast of the Eden Area. In addition, a section of I-580 is eligible for designation as a State Scenic Highway that runs through the southeast portion of the Eden Area, the southern portion of Castro Valley, and along the northern border of Fairview.

Alameda County's Scenic Route Element identifies the I-238 and I-580 freeways as scenic freeways within the County (Alameda County 1994a). Pursuant to Section 17.104.060 of the Alameda County Municipal Code (ACMC), the northern edge of the scenic corridor associated with the I-238 is defined as within the highway's right-of-way from the I-580 interchange to Kent Avenue, extending to the southern right-of-way of Lynn Court to the west of Kent Avenue, and then within the highway's right-of-way until the Interstate 880 interchange.

Visual Character

The Eden Area is made up of several smaller neighborhoods, each with their own visual character: Ashland, Cherryland, Hayward Acres, and San Lorenzo. The Ashland community is predominantly made up of single-family homes with higher-intensity development centered around the major road corridors such as Ashland Avenue and East 14th Street. Cherryland is characterized by many east-west streets and hillside neighborhoods east of Mission Boulevard to Foothill Boulevard. Hayward acres is a small community within the Eden Area between San Lorenzo and the city of Hayward. San Lorenzo consists predominantly of single-family homes with commercial development along the major roadways. San Lorenzo also includes the Grant Avenue Industrial Area.

Castro Valley includes some remaining agricultural sites, undeveloped hillsides and canyons, and neighborhoods without curbs and sidewalks. Housing in this area is clustered in the flat areas of the community and steep hillsides are preserved as open space.

Fairview includes a mix of suburban and rural residential neighborhoods with very little commercial development. Approximately 65 percent of the community is comprised of residential uses, with 35 percent comprised of parks, schools, churches, private open space, vacant land, and roads.

Light and Glare

The project area is mostly urban and developed in character. More urban areas, such as portions of Castro Valley and the Eden Area, have high nighttime light levels due to streetlights as well as exterior lights at commercial uses and residences. Headlights from motor vehicles traveling through the project area also contribute to nighttime lighting. Glare is primarily a daytime phenomenon, caused by sunlight reflecting from structures (including windows), roadways, and cars. However, glare can also be created at night by vehicle headlights. Land uses in the project area that would be most sensitive to night lighting and glare are residences.

Regulatory Setting

The following includes applicable state regulations related to aesthetics as well as local goals and policies from the Alameda County General Plan Scenic Route Element, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan.

Senate Bill 743

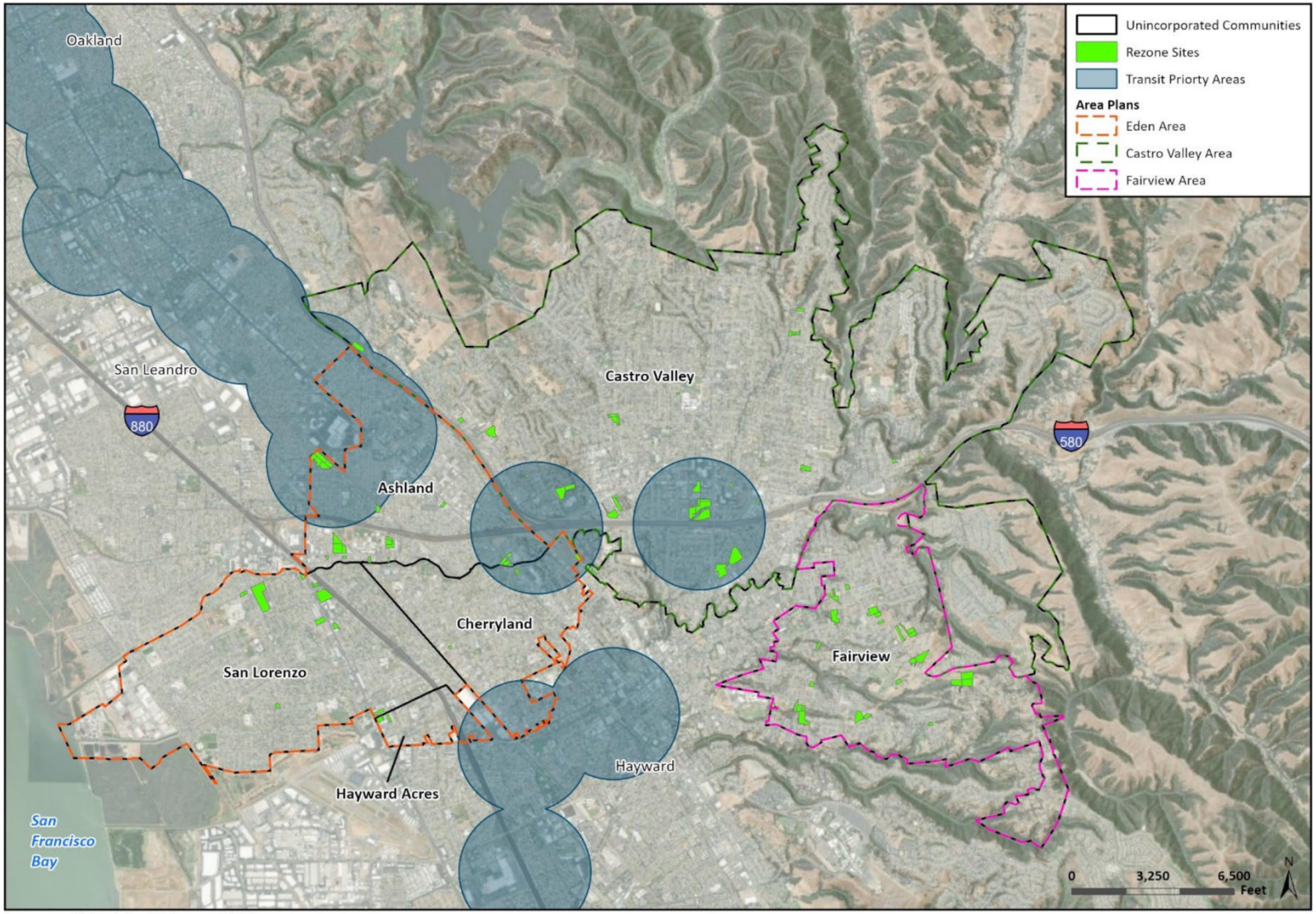
Senate Bill 743 (California Public Resources Code Section 21099) passed in 2013, made changes to the CEQA for projects located in transit-oriented development areas. Among these changes are that a project's aesthetics impacts are no longer considered significant impacts on the environment if the project is a residential, mixed-use residential, or employment center project and if the project is located on an infill site within a transit priority area (TPA). Pursuant to Section 21099 of the California Public Resources Code, a "transit priority area" is defined as an area within 0.5 mile of an existing or planned major transit stop. A "major transit stop" is defined in Section 21064.3 of the California Public Resources Code as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Transit priority areas within the project area are shown below in Figure 4. As seen in the figure, some of the rezone sites in the Eden Area and in Castro Valley are within TPAs. Therefore, this analysis focuses on portions of the project area where the proposed project facilitates new housing development not within a TPA.

Alameda County Scenic Route Element

The County's Scenic Route Element (amended in May 1994) identifies the I-238 Freeway and I-580 Freeway as scenic freeways. Pursuant to Section 17.104.060 of the Alameda County Municipal Code, the northern edge of the scenic corridor associated with the I-238 Freeway is defined as within the highway's right-of-way from the I-580 Freeway interchange to Kent Avenue, extending to the southern right-of-way of Lynn Court to the west of Kent Avenue, and then within the highway's right-of-way until the Interstate 880 interchange. The Alameda County Scenic Route Element is intended to serve as a guide to local jurisdictions for development of more detailed, individual city scenic route plans to supplement the county plan. This Element includes the following principles that are applicable to scenic route corridors.

Figure 4 Transit Priority Areas in Relation to Rezone Sites



Imagery provided by Esri and its licensors © 2024.
Additional data provided by the County of Alameda, 2023; ABAG/MTC, 2021.

- **Provide for Normal Uses of Land and Protect Against Unsightly Features**: In both urban and rural areas, normally permitted uses of land should be allowed in scenic corridors, except that panoramic views and vistas should be preserved and enhanced through supplementing normal zoning regulations with special height, area, and side yard regulations; through providing architectural and site design review; through prohibition and removal of billboards, signs not relevant to the main use of the property, obtrusive signs, automobile wrecking and junk yards, and similar unsightly development or use of land. Design and location of all signs should be regulated to prevent conglomerations of unsightly signs along roadsides.
- **Establish Architectural and Site Design Review:** Architectural and site design review by the appropriate local jurisdiction should be provided for each site and for all new or altered structures so that particular consideration will be given to appearances that will enhance scenic qualities from the scenic routes. Originality in landscape and construction design should be encouraged. Such designs should be in keeping with cityscape and natural skyline and reflect the density, movement and activities of the population.

The Alameda County Scenic Route Element also includes the following principles that apply to both the scenic route corridor and the remainder of the county:

- **Landscape All Properties and Streets:** All new building sites, including parking areas and vehicular entrances in business; commercial and industrial areas should be landscaped, and street trees should be planted along all rights-of way in the county as a means of improving the scenic quality of the county.
- **Design Hill Area Streets and Access drives to be Compatible with Natural Features:** Hill area street and access drive alignments should be designed to preserve stands of mature trees; and in such a manner as to be compatible with the natural topography. Narrow and one-way streets should be utilized in hill areas where necessary to preserve natural features.
- **Preserve and Enhance Natural Scenic Qualities in Areas Beyond the Scenic Corridor:** Views from scenic routes-will comprise essentially all of the remainder of the county beyond the limits of the scenic corridor: the corridor is intended to establish a framework for the observation of the views beyond. Therefore, in all areas in the county extending beyond the scenic route corridors, scenic qualities should be preserved through retaining the general character of natural slopes and natural formations, and through preservation and enhancement of water areas, water courses, vegetation and wildlife habitats. Development of lands adjacent to scenic route corridors should nor obscure views of scenic areas and development should be visually compatible with the natural scenic qualities.

Eden Area General Plan

The Eden Area General Plan Land Use Element (Alameda County Community Development Agency 2010) includes the following goals and policies related to aesthetics.

Goal LU-5: Allow Appropriately Scaled Development in Neighborhoods

- **Policy P2:** New residential projects in Neighborhoods should enhance the existing character of the area and have high quality site planning and architectural design. Architectural diversity and variety, including variation in lot sizes, setbacks, orientation of homes and other site features should be allowed to maintain visual interest.
- **Policy P4:** Infill development that increases the density of existing Neighborhoods may be allowed so long as it is well designed and enhances the character of the Neighborhoods.

- **Policy P5:** New development along Corridors shall meet the following urban design requirements:
  - Buildings shall be designed with minimal setback to create a consistent, pedestrian-oriented environment.
  - Buildings shall be designed to have an active street face with windows, entrances, awnings and other amenities.
  - Building entrances shall be oriented to the street.
  - Parking and loading activities as well as other areas for similar activities shall be located behind or on the side of buildings away from the main street frontage.
  - The number of curb cuts and other intrusions of vehicles across the sidewalks shall be minimized.
  - Buildings shall be constructed using high-quality materials.
  - To the extent feasible, buildings should step down in height to adjacent Low-Medium Density residential uses at the edges of Corridors where they meet adjacent Neighborhoods.

Goal LU-12: Improve the visual quality of the Eden Area.

- **Policy P1**: The County should not approve projects that have a substantial adverse effect on scenic vistas, substantially damage scenic resources, or substantially degrade the existing visual character or quality of the Eden Area.
- **Policy P3**: When reviewing development proposals, the County should ensure that projects do not diminish views of natural features along public rights-of-way. Natural features are both within and around the Eden Area and include the San Francisco Bay and the East Bay hills.
- **Policy P5**: New development projects shall include street trees along public right-of-ways. Street trees should provide shade to pedestrians, buffer from moving traffic and enhance the visual quality of the area.

Castro Valley General Plan

The Castro Valley General Plan Community Character and Design Element (Alameda County Community Development Agency 2012) includes the following goal and action related to aesthetic resources.

Goal 5.1-1: Protect and enhance the hillsides, canyons, and creeks that are the foundation of Castro Valley's natural setting and visual character as well as the views of these resources from public streets, parks, trails, and other community facilities.

- **Action 5.1-1**: Require Visual Impact Analysis: Require visual impact analysis During the development review process for public and private projects to ensure protection of views to natural areas from public streets, parks, trails, and community facilities.

Fairview Specific Plan

The Fairview Specific Plan (Alameda County Board of Supervisors 2021 includes the following goals and policies related to aesthetics.

Goal LU-3: Protect and enhance the hillsides, canyons, and creek that are the foundation of Fairview's natural setting and character.

- **Policy LU-3.1:** Residential development on or near hillsides, canyons or creeks should employ creative site design, landscape and architecture that protect the natural characteristics of each location.
- **Policy LU-3.2:** Ensure that development projects do not diminish views of natural features along public rights-of-way, including San Francisco Bay and the East Bay Hills. Visual impact analyses should be required when necessary to ensure protection of views.

Impact Analysis

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

An adverse effect would occur if a proposed project would block or otherwise damage the scenic vista upon implementation. As discussed above, in the *Environmental Setting*, Castro Valley, Fairview, and the Eden Area contain protected views and visual resources such as hillsides, canyons, and creeks. The proposed project would facilitate increased density and residential development; however, most of this development would be on infill sites surrounded by existing neighborhoods and development where views of scenic vistas are fully or partially obstructed. Development facilitated by the proposed project would be required to adhere to applicable general plan policies included in Alameda General Plan Scenic Route Element, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan, as discussed in the setting section above, to preserve scenic vistas available within the project area. These policies are especially applicable to any development on or near hillsides, canyons, and creeks, although as discussed above, many of the rezone sites are not within these areas. Due to the nature of the majority of the rezone sites and with adherence to the goals and policies included in the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

A portion of I-580 which is eligible for designation as a State Scenic Highway (California Department of Transportation [Caltrans] 2018) traverses through Castro Valley and the Eden Area and along the northern border of Fairview. Existing views from I-580 include largely developed areas in the Eden Area and Castro Valley. There are no rezone sites in Fairview or the Eden Area that are near I-580; but, there are several rezone sites in Castro Valley that are near this eligible state scenic highway. However, there is a large sound barrier constructed between I-580 and adjacent housing. Due to intervening development and the sound barrier along I-580, views of the rezone sites would not generally be clearly visible from the highway. Additionally, development facilitated by the proposed project would be consistent with the development in Castro Valley and would not result in significant impacts to I-580 or any scenic resources within the state scenic highway. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Although the project area and the locations of the rezone sites are mostly in urbanized, developed areas, the Eden Area, Castro Valley, and Fairview do not meet the *CEQA Guidelines* definition of an "urbanized area[1]." As such, the following analysis focuses on whether the proposed project would substantially degrade the existing visual character or quality of public views of the site and its surroundings.

The construction of additional residential units in the Eden Area, Castro Valley, and Fairview could change the visual character or quality of the area. However, development facilitated by the proposed project would primarily be on undeveloped or underdeveloped infill sites, such as the BART parking lots. Therefore, development on rezone sites would fill in undeveloped or underdeveloped sites with a similar development pattern form as is currently present, preserving the overall visual character. Further, adherence to the goals, policies, and development standards listed above in the Regulatory Setting would serve to maintain and improve the visual character of the rezone sites and their surroundings. Therefore, development on individual rezone sites would not substantially degrade the existing visual character or quality of sites and their surroundings.

Impacts associated with scenic views are discussed under Threshold Question (a). As discussed above, the proposed project would facilitate increased density and residential development; however, most of this development would be on infill sites surrounded by existing neighborhoods and development. Development facilitated by the proposed project would be required to adhere to applicable policies included in Alameda General Plan Scenic Route Element, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan, as discussed in the Environmental Setting section above, to preserve public views available within the project area. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

For the purposes of this analysis, light refers to light emissions (brightness) generated by a source of light. Stationary sources of light include exterior parking lot and building security lighting; moving sources of light include the headlights of vehicles driving on roadways within the project area. Streetlights and other security lighting also serve as sources of light in the evening hours.

Glare is defined as focused, intense light emanated directly from a source or indirectly when light reflects from a surface. Daytime glare is caused in large part by sunlight shining on highly reflective surfaces at or above eye level. Reflective surfaces are associated with buildings that have expanses of polished or glass surfaces, light-colored walls or pavement, and the windshields of parked cars.

[1] According to CEQA Guidelines § 21071.the project area does not fit the strict definition of an "urbanized area" as described in impact c, because it is not completely surrounded by one or more incorporated cities and is not located within an urban growth boundary and has an existing residential population of at least 5,000 persons per square mile. However the area is generally thought of as an urban area due to its nature as a built-out community.

The Eden Area, Castro Valley, and Fairview areas are largely built-out areas with residential, commercial, and public uses with commensurate levels of light and glare. New lighting from future development on rezone sites could occur on buildings for safety and in pedestrian walkways, and light could be emitted from interior sources through windows on upper stories of taller buildings. The main source of glare would likely be from the sun shining on vehicles and reflective or light-colored building materials and glazing.

Development facilitated by the proposed HEU on the rezone sites would mainly occur as redevelopment of existing built sites or infill development of unused parcels between existing built sites. When facilities such as parking lots are replaced with buildings, these replacements may reduce nighttime sources of light, because parking lots are often more brightly lit at night than many buildings. Development of underutilized or vacant parcels may result in new light sources, but they would likely be congruous with nearby light sources (e.g., lighting from residential windows). Furthermore, as the development facilitated by the project would be residential, light from windows would be mostly filtered or obscured by window coverings. Light spillover from exterior residential lighting is typically blocked by adjacent structures or trees.

Lastly, future development under the proposed HEU would be required to comply with Chapter 30-5.16 of the ACMC which is the Alameda Dark Skies Ordinance. This Ordinance sets requirements for outdoor lighting such as the requirement that all outdoor lights be shielded and directed downward and away from property lines to prevent excessive light and glare.

Therefore, new residential development would be in existing residential neighborhoods or along corridors where sources of light and glare already exist. Accordingly, implementation of the proposed HEU would not create new sources of substantial light or glare that would adversely affect daytime or nighttime views in the area and this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	■
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	■
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	■

Environmental Setting

Historically, parts of Alameda County were used for agriculture, including cattle and horse grazing, and orchards. Within the last 60 years, many of the larger agricultural parcels have been converted to residential uses, including suburban-style subdivisions and large ranchettes. Areas in Alameda County still contain rural and agricultural or undeveloped properties.

In Fairview, several properties continue to support small farms and non-commercial livestock operations, including barns, stables, and facilities for horses. There are also a number of active agricultural operations, including a vineyard, in Fairview.

As shown in Figure 4-3 (Existing Zoning) of the Castro Valley General Plan, only the northwestern area of the Castro Valley General Plan limits surrounded by Foothill Boulevard and Fairmont Drive is designated as Agricultural (A). According to the Alameda County Community Development Agency, the area east of Dublin and east and south of Livermore are designated as Large Parcel Agriculture (Alameda County Community Development Agency 2020). There is no agricultural land within the Eden Area.

Farmland Classifications and Williamson Act Contracts

The California Department of Conservation administers the Farmland Mapping and Monitoring Program (FMMP), California's statewide agricultural land inventory. The FMMP is updated every two years and utilizes an automated map and database system to record changes in the use of agricultural lands. The FMMP is an information service only and does not constitute state regulation of local land use decisions.

Farmland is classified according to its ability to support crops or livestock. The FMMP uses four categories of farmland: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. Conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance is typically considered an adverse impact. Conversion of Farmland of Local Importance is not considered a significant impact pursuant to FMMP or CEQA standards.

The FMMP sets standards and relies on information from the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) soil surveys, NRCS land inventory and monitoring criteria, and land use and water availability. Topography, climate, soil quality, and available irrigation water all factor into the FMMP farmland classifications.

As shown on Figure 5, the Eden Area, Fairview, and Castro Valley do not contain Prime Farmland, Unique Farmland, or Farmland of Local Importance. Some areas in the hillsides on the eastern portion of Fairview are designated as grazing land, otherwise all land in the Eden Area and Castro Valley is classified as "Urban and Built-Up Land" or "Other Land" (California Department of Conservation [DOC] 2016).

Regulatory Setting

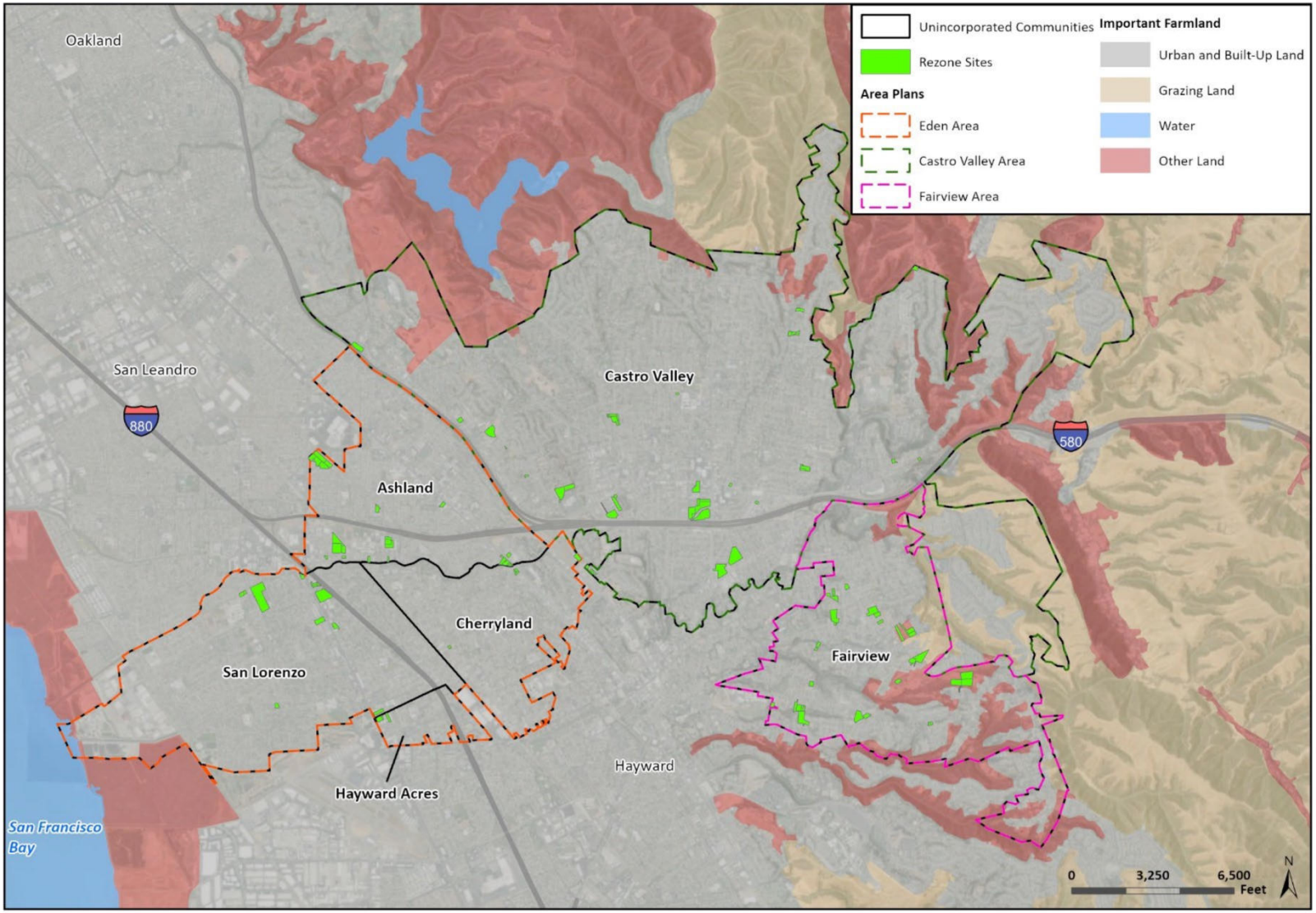
State Regulations

WILLIAMSON ACT

The California Land Conservation Act of 1965—commonly referred to as the Williamson Act—enables local governments to enter into contracts with private landowners for the purpose of preserving land for agricultural use. In return, landowners receive reduced property tax assessments because the assessments are based on agricultural and open space uses instead of the full market value.

There is no land under Williamson Act contract in the project area (DOC 2022).

Figure 5 Farmland Classifications in Alameda County



FOREST RESOURCES

In accordance with the definition provided in California Public Resources Code Section 12220(g), "forest land" is land that can support, under natural conditions, 10 percent native tree cover of any species, including hardwoods, and that allows for the preservation or management of forest-related resources such as timber, aesthetic value, fish and wildlife, biodiversity, water quality, recreational facilities, and other public benefits (California Public Resources Code).

ALAMEDA COUNTY GENERAL PLAN

The Alameda County General Plan details the importance of agriculture in Alameda County, although this has greatly diminished as a result of increased urbanization throughout the county, especially in western Alameda County where the Fairview Plan Area is located.

ALAMEDA COUNTY RIGHT TO FARM ORDINANCE

The Right to Farm Ordinance, adopted in 2005, alerts prospective property owners within 2,000 feet of agricultural operations that nearby agriculture and agriculture-related activities are permitted. The ordinance encourages and promotes agriculture, and protects agricultural uses from nuisance laws, as long as the agricultural operation fits the following criteria:

- Is conducted in zoning that allows such uses
- Is conducted or maintained in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality, and in a lawful manner
- Predates the affected use(s) on the neighbor's property

ANIMAL FANCIER PERMIT REGULATIONS

Alameda County has adopted special regulations for the keeping of animals in Fairview. These regulations supersede those that apply in the County as a whole and were drafted to reflect Fairview's unique combination of suburban residential and small-scale agricultural uses. The regulations are discussed in the Land Use section of this report.

Impact Analysis

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

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

The Eden Area is made up of almost entirely of "urban and built up land" and Fairview and Castro Valley include a mix of "urban and built up" land, "grazing land," and "other" land (DOC 2016). None of the rezone sites contain land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (DOC 2022). Furthermore, none of the rezone sites support active agricultural uses or are on land under a Williamson Act contract. Table 2 shows the existing zoning of the rezone sites. As shown in Table 2, none of the sites are zoned for agriculture. The proposed project would not result in the conversion of Farmland to non-agricultural use or conflict with existing zoning for agriculture or a Williamson Act contract. No impact would occur.

NO IMPACT

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

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

Castro Valley, Fairview, and the Eden Area are predominantly urbanized and do not contain forest or timberland resources according to the California Department of Fish and Wildlife (CDFW) (CDFW 2015). None of the proposed rezone sites are currently zoned for forestry, timberland, or timberland production. The proposed project would not result in an impact related to the conversion or rezoning of forest land, timberland, or areas zoned for timberland production, and there would be no impact.

NO IMPACT

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

As discussed under checklist questions (a) through (d), there would be no impacts associated with agricultural or forest lands. There are no areas zoned as agriculture land in the Eden Area (Alameda County 2019a). There are areas in the northern area of Fairview and in parts of Castro Valley zoned as agricultural land; however, there are no rezone sites on or adjacent to these areas (Alameda County 2009, Alameda County 2019b). Therefore, the proposed project would not involve other changes in the existing environment or indirect effects to agricultural uses that could result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use. No impact would occur.

NO IMPACT

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3 Air Quality

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

Environmental Setting

Overview of Air Pollution

The federal and State Clean Air Acts mandate the control and reduction of certain air pollutants. Under these laws, the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for "criteria pollutants" and other pollutants. Some pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere, including carbon monoxide (CO), volatile organic compounds (VOC)/reactive organic gases (ROG),[2] nitrogen oxides (NO_X), particulate matter with diameters of ten microns or less (PM_{10}) and 2.5 microns or less ($PM_{2.5}$), sulfur dioxide, and lead. Other pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between ROG and NO_X. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog).

Air pollutant emissions are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories:

- Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat.

[2] CARB defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term ROG is used in this IS-MND.

- Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products.

Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and can also be divided into two major subcategories:

- On-road sources that may be legally operated on roadways and highways.
- Off-road sources include aircraft, ships, trains, and self-propelled construction equipment.

Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

Air Quality Standards and Attainment

Alameda County is located within the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). As the local air quality management agency, BAAQMD is required to monitor air pollutant levels to ensure that the NAAQS and CAAQS are met and, if they are not met, to develop strategies to meet the standards. Depending on whether the standards are met or exceeded, the U.S. EPA classifies specific geographic areas as "attainment area" or "nonattainment area" for each pollutant. Under state law, air districts are required to prepare a plan for air quality improvement for pollutants for which the district is in non-compliance. BAAQMD is in nonattainment for the ozone NAAQS and CAAQS, the $PM_{2.5}$ NAAQS and CAAQS, and the PM_{10} CAAQS and is required to prepare a plan for improvement (BAAQMD 2023). The health effects associated with criteria pollutants for which the Basin is in non-attainment are described in Table 4.

Table 4 Health Effects Associated with Non-Attainment Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Suspended particulate matter (PM_{10})	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma).
Suspended particulate matter ($PM_{2.5}$)	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma.[1]

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

Source: Climate Change Indicators: Atmospheric Concentrations of Greenhouse Gases. Last updated April 2021. https://www.epa.gov/climate-indicators/climate-change-indicators-atmospheric-concentrations-greenhouse-gases (accessed July 2022).

The Bay Area 2017 Clean Air Plan (the 2017 Plan) provides a plan to improve Bay Area air quality and protect public health as well as the climate. The legal impetus for the 2017 Plan is to update the most recent ozone plan - the 2010 Clean Air Plan - to comply with state air quality planning requirements as codified in the California Health & Safety Code. Although steady progress in reducing ozone levels in the SFBAAB has been made, the region continues to be designated as non-attainment for both the one-hour and eight-hour ozone CAAQS. In addition, emissions of ozone precursors in the Bay Area contribute to air quality problems in neighboring air basins. Under these circumstances, state law requires the 2017 Plan to include all feasible measures to reduce emissions of ozone precursors.[3]

In 2006, the U.S. EPA reduced the 24-hour $PM_{2.5}$ NAAQS regarding short-term exposure to fine particulate matter from 65 micrograms per cubic meter ($\mu g/m^3$) to 35 $\mu g/m^3$. Based on air quality monitoring data for the 2006-2008 cycle showing that the region was slightly above the standard, in December 2008 the U.S. EPA designated the SFBAAB as non-attainment for the 24-hour $PM_{2.5}$ NAAQS. This triggered the requirement for the BAAQMD to prepare a State Implementation Plan to demonstrate how the region would meet the standard. However, data for both the 2008-2010 and the 2009-2011 cycles showed that $PM_{2.5}$ levels in the SFBAAB currently meet the standard. On October 29, 2012, the U.S. EPA issued a proposed rulemaking to determine that the SFBAAB now meets the 24-hour $PM_{2.5}$ NAAQS. The SFBAAB will continue to be designated as nonattainment for the 24-hour $PM_{2.5}$ NAAQS until such time as the BAAQMD elects to submit a "redesignation request" and a "maintenance plan" to the U.S. EPA, and the U.S. EPA approves the proposed redesignation.

Regulatory Setting

The following includes applicable air quality goals and policies from the Eden Area General Plan, Castro Valley General Plan, Ashland and Cherryland Business District Specific Plan, and Fairview Specific Plan.

Eden Area General Plan

Chapter 3, *Land Use*, of the Eden Area General Plan contains the following applicable air quality goals and policies to address air pollution concerns in the Eden Area.

Goal LU-17: Preserve and improve air quality in the Eden Area.

- **Policy P1:** New development projects shall be analyzed in accordance with the BAAQMD CEQA Guidelines. Appropriate mitigation measures to reduce vehicle trips and vehicle miles traveled should be applied to projects.
- **Policy P2:** New development that would emit air toxic contaminants or odors shall provide adequate buffers and screening to protect sensitive land uses from unhealthy levels of air pollution or objectionable odors.
- **Policy P3:** New development involving sensitive receptors shall be located an adequate distance from sources of air pollution and odor, such as freeways, arterial roadways and stationary air pollutant sources, or shall provide appropriate mitigation measures.

[3] Bay Area Air Quality Management District (BAAQMD). 2017b. Final 2017 Clean Air Plan. https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf (accessed July 2022).

- **Policy P4:** New development shall apply control measures to reduce PM10 emissions from construction activities. The following list of feasible control measures, recommended by the BAAQMD for construction projects, shall be included as requirements at construction sites to reduce air pollutant emissions.

  For all construction projects:

  - Sprinkle all active construction areas at least twice daily and more often when conditions warrant.
  - Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
  - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
  - Sweep daily all paved access roads, parking areas and staging areas at construction sites.
  - Sweep streets daily if visible soil material is carried onto adjacent public streets.

  For construction sites that are located adjacent to sensitive receptors or warrant additional controls:

  - Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
  - Suspend grading activities when winds exceed 25 miles per hour (mph) and visible dust clouds cannot be prevented from extending beyond active construction areas.
  - Limit the area subject to excavation, grading and other construction activity at any one time.

Castro Valley General Plan

Chapter 12, *Air Quality and Climate Change*, of the Castro Valley General Plan contains the following applicable air quality goals and policies to address air pollution concerns in the Castro Valley.

Goal 12.1-1: Improve air quality and meet all Federal and State ambient air quality standards by reducing the generation of air pollutants from stationary and mobile sources and by appropriate siting and design of sensitive land uses.

- **Policy 12.1-1: Promotion of Alternate Travel Modes to Reduce Air Pollution.** Promote pedestrian, bicycle, and transit modes of travel to reduce air pollutant emissions from automobiles.
- **Policy 12.1-2: Land Use Planning to Reduce Air Pollution.** Promote land use mixes and development densities that encourage pedestrian, bicycle and transit modes of travel to reduce air pollutant emissions from automobiles.
- **Policy 12.1-3: Protection of Sensitive Receptors Adjacent to I-580.** Protect sensitive receptors, including residential uses, schools, day care centers, parks with recreation facilities, and medical facilities, which are located within 1000 feet of the Interstate 580 corridors from air pollutants. Also consider the impacts of odors and toxic emissions on sensitive receptors
- **Policy 12.1-4: Location of Sensitive Receptors in Relation to I-580.** Locate sensitive receptors at least 300 feet away, and ideally 500 feet away, from the edge of Interstate 580.
- **Policy 12.1-5: Air Quality Requirements for Construction and Demolition Activities.** Reduce combustion emissions and release of suspended and inhalable particulate matter during construction and demolition phases.

Ashland and Cherryland Business District Specific Plan

Chapter 5, *Implementation and Financing*, of the Ashland and Cherryland Business District Specific Plan contains the following applicable air quality goals and policies to address air pollution concerns in the Ashland and Cherryland Business District area.

Goal 4: Development of E. 14th Street/ Mission Boulevard as a place for higher intensity uses.

- **Policy 4.1:** Promote High-Intensity, Clustered Development Supporting Increased Transit Use.
- **Policy 4.2:** Provide Transit Supportive Development.
- **Policy 4.3:** Encourage Pedestrian Scale Development.

Goal 8: A balanced and complete circulation network that creates a strong economy and vibrant community and accommodates the internal and external transportation needs of the Plan Area by promoting walking, biking, and transit while continuing to serve automobile traffic.

- **Policy 8.2:** Promote Safe and Efficient Bicycle Network Connections.
- **Policy 8.5:** Enhance Transit Efficiency and Effectiveness.

Fairview Specific Plan

The Environmental Hazards Element of the Fairview Specific Plan contains the following applicable air quality development standards to address air pollution concerns.

Development Standard 7.4.4 Air Quality

(a): **Land Uses Creating Air Emissions.** Land uses producing toxic air contaminants or air pollution levels that result in unacceptable health conditions are prohibited.

(b): **Construction Emissions.** New development involving grading or excavation or development on sites over one acre shall comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM10 (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the May 2017 BAAQMD CEQA Guidelines). (CEQA Mitigation Measure AQ-1)

(c): **Toxic Air Contaminant Exposure.** New development located within 1,000 feet of the edge of the pavement of I-580 shall comply with Bay Area Air Quality Management District Guidelines and State Office of Environmental Health Hazard Assessment policies and procedures requiring health risk assessments (HRA) for residential development and other sensitive receptors near sources of toxic air contaminants. Based on the results of the HRA, the County shall require applicants to identify and implement measures (such as air filtration systems, waterproofed caulking on windows and doors, and/or requirements for closed windows) as appropriate to reduce potential exposure to particulate matter, diesel fumes, and other potential health hazards. Measures identified in HRAs shall be included into the site development plan as a component of the proposed project. (CEQA Mitigation Measure AQ-2)

BAAQMD Significance Thresholds

This analysis uses the BAAQMD's 2022 *CEQA Air Quality Guidelines* to evaluate air quality. The plan-level thresholds specified in the 2022 BAAQMD *CEQA Air Quality Guidelines* were used to determine whether the proposed project impacts exceed the thresholds identified in *CEQA Guidelines* Appendix G.

Consistency with Air Quality Plan

Under BAAQMD's methodology, a determination of consistency with *CEQA Guidelines* thresholds should demonstrate that a project:

1. Supports the primary goals of the 2017 Clean Air Plan
2. Includes applicable control measures from the 2017 Clean Air Plan
3. Does not disrupt or hinder implementation of any 2017 Clean Air Plan control measures

Criteria Air Pollutants - Construction

The BAAQMD's 2022 *CEQA Air Quality Guidelines* have no plan-level significance thresholds for construction air pollutants emissions. However, they do include project-level screening and emissions thresholds for temporary construction-related emissions of air pollutants. These thresholds represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions and are discussed in detail below (BAAQMD 2023). Construction emissions associated with plan implementation are discussed qualitatively to evaluate potential air quality impacts.

The BAAQMD developed screening criteria in the 2022 *CEQA Air Quality Guidelines* to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant air quality impacts. The screening criteria for residential land uses are shown in Table 5.

Table 5 BAAQMD Criteria Air Pollutant Screening Levels

Land Use Type	Operational Criteria Pollutant Screening Size (du)	Construction Criteria Pollutant Screening Size (du)
Single Family Housing	421	254
Apartments	638	416
Condo-Townhouse	637	416
Mobile Home Park	721	377
Congregate Care/Retirement Community	1,008	416

du = dwelling unit; NOX = oxides of nitrogen; ROG = reactive organic gases

Source: BAAQMD 2023

In addition to the screening levels above, several additional factors are outlined in the *2022 CEQA Air Quality Guidelines* that construction activities must satisfy for a project to meet the construction screening criteria:

- All best management practices from Table 5-2 of Chapter 5 of the *2022 CEQA Air Quality Guidelines* must be included in project design and implemented during construction,
- Construction-related activities would not overlap with operational activities,

- Construction-related activities would not include any of the following:
  - Demolition
  - Simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously)
  - Extensive site preparation (e.g., grading, cut and fill, or earth movement),
  - Extensive material transport (e.g., soil import and export requiring a considerable amount of haul truck activity), or
  - Stationary sources (e.g., backup generators) subject to Air District rules and regulations.

If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions. These screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration (BAAQMD 2023).

For projects that do not meet the screening criteria above, the BAAQMD construction significance thresholds for criteria air pollutants, shown in Table 6, are used to evaluate a project's potential air quality impacts.

Table 6 BAAQMD Criteria Air Pollutant Significance Thresholds

Pollutant	Construction Thresholds Average Daily Emissions (lbs/day)	Operational Threshold Average Daily Emissions (lbs/day)	Operational Threshold Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO_X	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust	Best Management Practices	None	None

lbs = pounds; NO_X = oxides of nitrogen; ROG = reactive organic gases; $PM_{2.5}$ = particulate matter with an aerodynamic diameter equal to or less than 2.5 microns

Source: BAAQMD 2023

For all projects in the SFBAAB, the BAAQMD 2022 *CEQA Air Quality Guidelines* recommends implementation of the Basic Best Management Practices for Construction-Related Fugitive Dust Emissions listed in Table 5-2 of the Guidelines (BAAQMD 2017a). For projects that exceed the thresholds in Table 6, the BAAQMD 2022 *CEQA Air Quality Guidelines* recommends implementation of the Additional Construction Mitigation Measures listed in Table 8-3 of the Guidelines (BAAQMD 2023).

Criteria Air Pollutants – Operation

The BAAQMD's *2022 CEQA Air Quality Guidelines* contain specific operational plan-level significance thresholds for criteria air pollutants. Plans must show the following over the planning period:

- Consistency with current air quality plan control measures, and
- Vehicle miles traveled (VMT) or vehicle trips increase is less than or equal to the plan's projected population increase.

If a plan can demonstrate consistency with both criteria, then impacts would be less than significant. The current air quality plan is the 2017 Clean Air Plan.

For project-level thresholds, the screening criteria for operational emissions are shown in Table 5. For projects that do not meet the screening criteria, the BAAQMD operational significance thresholds for criteria air pollutants, shown in Table 6, are used to evaluate a project's potential air quality impacts.

Carbon Monoxide Hotspots

BAAQMD provides a preliminary screening methodology to conservatively determine whether a proposed project would exceed CO thresholds. If the following criteria are met, a project would result in a less than significant impact related to local CO concentrations:

1. The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.
2. Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
3. Project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Toxic Air Contaminants

For health risks associated with TAC emissions from construction or operation of projects, the BAAQMD *2022 CEQA Air Quality Guidelines* state a project would result in a significant impact if the any of the following thresholds are exceeded (BAAQMD 2023):

- Non-compliance with Qualified Community Risk Reduction Plan;
- Increased cancer risk of > 10.0 in a million;
- Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or
- Ambient $PM_{2.5}$ increase of > 0.3 $\mu g/m^3$ annual average

Odors

The BAAQMD provides minimum distances for siting of new odor sources shown in Table 7. A significant impact would occur if the project would result in other emissions (such as odors) affecting substantial numbers of people or would site a new odor source as shown in Table 7 within the specified distances of existing receptors.

Table 7 BAAQMD Odor Source Thresholds

Odor Source	Minimum Distance for Less than Significant Odor Impacts (in miles)
Wastewater Treatment Plant	2
Wastewater Pumping Facilities	1
Sanitary Landfill	2
Transfer Station	1
Composting Facility	1
Petroleum Refinery	2
Asphalt Batch Plant	2
Chemical Manufacturing	2
Fiberglass Manufacturing	1
Painting/Coating Operations	1
Rendering Plant	2
Coffee Roaster	1
Food Processing Facility	1
Confined Animal Facility/Feed Lot/Dairy	1
Green Waste and Recycling Operations	1
Metal Smelting Plants	2

Source: BAAQMD 2023

Methodology

Construction Emissions

Construction-related emissions are temporary but may still result in adverse air quality impacts. Construction of development facilitated by the project would generate temporary emissions from three primary sources: the operation of construction vehicles (e.g., scrapers, loaders, dump trucks, etc.); ground disturbance during site preparation and grading, which creates fugitive dust; and the application of asphalt, paint, or other oil-based substances.

At this time, there is not sufficient detail to provide analysis of individual construction projects that would be facilitated by the project, and thus it would be speculative to analyze project-level impacts. Rather, consistent with the programmatic nature of the project, construction impacts for the project are discussed qualitatively and emissions are not compared to the project-level thresholds.

Operation Emissions

Based on plan-level guidance from the BAAQMD 2022 *CEQA Air Quality Guidelines,* long-term operational emissions associated with implementation of the proposed project are discussed qualitatively by comparing the proposed project to the 2017 Clean Air Plan goals, policies, and control measures. In addition, comparing the rate of increase of plan VMT and population is recommended by BAAQMD for determining significance of criteria pollutants. If the proposed project does not meet either criterion, then impacts would be potentially significant.

Impact Analysis

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

Project Consistency with the Current Air Quality Plan

The California Clean Air Act requires that air districts create a Clean Air Plan that describes how the jurisdiction will meet air quality standards. The most recently adopted air quality plan is the BAAQMD 2017 Clean Air Plan. The 2017 Clean Air Plan updates the most recent Bay Area plan, the 2010 Clean Air Plan, pursuant to air quality planning requirements defined in the California Health and Safety Code. To fulfill state ozone planning requirements, the 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors—ROG and NO_X—and reduce transport of ozone and its precursors to neighboring air basins. The Clean Air Plan builds upon and enhances the BAAQMD's efforts to reduce emissions of fine particulate matter and TACs. The 2017 Clean Air Plan does not include control measures that apply directly to individual development projects. Instead, the control strategy includes control measures related to stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants.

The 2017 Clean Air Plan focuses on two paramount goals, both consistent with the mission of BAAQMD:

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

Under BAAQMD's methodology, a determination of consistency with the 2017 Clean Air Plan should demonstrate that a project:

- Supports the primary goals of the air quality plan
- Includes applicable control measures from the air quality plan
- Does not disrupt or hinder implementation of any air quality plan control measures

As shown in Table 2, assumed buildout under the proposed HEU involves a net increase of 3,779 residential units, mainly located within the urbanized areas of Eden Area, Castro Valley, and Fairview. Figure 4 also shows rezone sites located within TPAs [4] in Ashland, Cherryland, and Castro Valley, as defined by ABAG and the Metropolitan Transportation Commission (MTC). As shown in the figure, many of the rezone sites are located within a TPA, meaning that the proposed project would encourage residential development with access to transit. Of the rezone sites within a TPA, the proposed project involves rezoning the Castro Valley and Bay Fair BART station parking lots to accommodate housing, which would allow for convenient use of BART. By encouraging and allowing for the easier use of alternative modes of transportation, the proposed HEU could reduce the use of

[4] A Transit Priority Area is defined in California Public Resource Code, Section 21099, as an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan. A major transit stop is defined in California Public Resource Code, Section 21064.3 as a site containing any of the following: an existing rail or bus rapid transit station; a ferry terminal served by either a bus or rail transit service; or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

personal vehicles and subsequent mobile emissions compared to a scenario wherein the residential units were placed farther from transit. In addition, development facilitated by the project would be required to comply with the latest Title 24 regulations, including requirements for residential indoor air quality. These requirements currently mandate Minimum Efficiency Reporting Value (MERV)-13 (or equivalent) filters for heating/cooling systems and ventilation systems in residences (Section 150.0[m]) or implementation of future standards that would be anticipated to be equal to or more stringent than current standards. Therefore, the project would improve air quality compared to development farther from transit and services through reducing VMT and would protect public health through stringent requirements for MERV-13 filters or equivalent indoor air quality measures, which would be consistent with the primary goals of the 2017 Clean Air Plan.

The 2017 Clean Air Plan includes 85 control measures under the following sectors: stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants. Many of these measures are industry-specific and would not be applicable to development facilitated by the proposed HEU (e.g., stationary sources, agriculture, and natural and working lands). Measures from transportation, energy, building, water, waste, and super-GHG pollutants sectors are focused on larger-scale planning efforts (e.g., transit funding, utility energy procurement, regional energy plans) and would not directly apply to development facilitated by the proposed HEU. Table 8 shows project consistency with applicable control measures from the 2017 Clean Air Plan.

Table 8 Project Consistency with Applicable 2017 Clean Air Plan Control Measures

Control Measures	Consistency
Transportation	
TR9: Bicycle and Pedestrian Access and Facilities. Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities.	**Consistent**. The proposed HEU would facilitate development of housing within the urbanized areas of unincorporated Alameda County, as well as within the county's TPAs and near or adjacent to transportation corridors currently served by Class II and Class III bicycle lanes such as Foothill Boulevard, Castro Valley Boulevard, Redwood Boulevard, Ashland Avenue, E. Lewelling Boulevard, Meekland Avenue, Five Canyons Road, Maud Avenue, and Grant Avenue (Alameda County Public Works Agency 2019). By locating rezone sites in proximity to Class II and Class III bicycle lanes, the proposed HEU would encourage the use of bicycles and reduce reliance on single-occupancy vehicles. The County's Bicycle and Pedestrian Master Plan also contains goals and policies to improve upon the bicycle and pedestrian network by developing new facilities and improving connectivity, which would further encourage residents to bicycle and walk to transit and services (Alameda County Public Works Agency 2019).
Energy	
EN2: Decrease Electricity Demand. Work with local governments to adopt additional energy-efficiency policies and programs. Support local government energy efficiency program via best practices, model ordinances, and technical support. Work with partners to develop messaging to decrease electricity demand during peak times.	**Consistent.** Development facilitated by the project would be required to comply with Title 15, Chapter 15.08 of the Alameda County Municipal Code (ACMC), which mandates the implementation of Title 24. Compliance would include complying with the most updated rooftop solar requirements at the time of construction. Future development would also be required to comply with Section 15.08.205 of the ACMC which provides standards for new residential buildings of three stories or fewer to improve energy performance by installing solar photovoltaic (PV) systems which would ensure 80 percent of the buildings' annual electric requirements are provided by on-site solar power. Electricity would be provided by East Bay Community Energy (EBCE) and delivered by Pacific Gas and Electric (PG&E), which are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. As the county's main electricity provider, EBCE enrolls new customers in their Bright Choice program, which sources 42 percent of electricity from renewable energy sources. Customers have the option to upgrade to EBCE's Renewable 100 program which sources 100 percent of electricity from renewable energy sources (EBCE 2023).

Control Measures	Consistency
Buildings	
BL1: Green Buildings. Collaborate with partners such as KyotoUSA to identify energy-related improvements and opportunities for on-site renewable energy systems in school districts; investigate funding strategies to implement upgrades. Identify barriers to effective local implementation of the CALGreen (Title 24) statewide building energy code; develop solutions to improve implementation/ enforcement. Work with ABAG's BayREN program to make additional funding available for energy-related projects in the buildings sector. Engage with additional partners to target reducing emissions from specific types of buildings.	**Consistent**: Development facilitated by the project would be required to comply with the energy and sustainability standards of Title 24 (including the California Energy Code and California's Green Building Standards Code [CALGreen]), which are updated every three years and become increasingly more stringent over time, as well as and the county's associated amendments that are in effect at that time. For example, the current 2022 CALGreen standards require a minimum of 65 percent diversion of construction and demolition debris, while Section 4.38.030 of the ACMC requires at least 75 percent diversion of asphalt, concrete, and earth debris and at least 50 percent of diversion for other debris. Future development would also be required to comply with Section 15.08.205 of the ACMC which provides standards for new residential buildings of three stories or fewer to improve energy performance by installing solar photovoltaic (PV) systems which would ensure 80 percent of the buildings' annual electric requirements are provided by on-site solar power. Additionally, future development would also have to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide.
Water	
WR2: Support Water Conservation. Develop a list of best practices that reduce water consumption and increase on-site water recycling in new and existing buildings; incorporate into local planning guidance.	**Consistent**: Future development that needs new or expanded water service would be required to comply with the East Bay Municipal Utility District's (EBMUD) and CALGreen's water efficiency regulations, and the state's Model Water Efficiency Landscape Ordinance to reduce indoor and outdoor water use. Future development would also be required to comply with Bay-Friendly Landscaping guidelines pursuant to Alameda County's Resolution No. 2008-222 (Alameda County Board of Supervisors 2008).

Control measures from BAAQMD 2017a

As shown in Table 8, the project would be consistent with the applicable measures as development facilitated by the project would be required to comply with the latest Title 24 regulations and would increase density in urbanized areas and along TPAs and transportation corridors, allowing for greater use of alternative modes of transportation. Development facilitated by the project would not contain elements that would disrupt or hinder implementation of a 2017 Clean Air Plan control measures. In addition, as described above, the project would support the primary goals of the 2017 Clean Air Plan. Therefore, the project would be consistent with the 2017 Clean Air Plan.

Project VMT and Population Growth

According to the BAAQMD 2022 *CEQA Air Quality Guidelines,* the threshold for criteria air pollutants and precursors includes an assessment of the rate of increase of plan VMT versus population growth. As discussed above under Environmental Setting, to result in a less than significant impact, the analysis must show that the project's projected VMT increase would be less than or equal to its

projected population increase. In other words, the projected VMT per resident must be less than what would occur without the project. As shown below in Table 9, VMT associated with project buildout would decrease by approximately 23.2 percent over baseline 2020 conditions and would not exceed the rate of increase from the forecast population of approximately 21.7 percent over baseline 2020 conditions. Therefore, the project's vehicle trip increase would not conflict with the BAAQMD's *2022 CEQA Air Quality Guidelines* operational plan-level significance thresholds for criteria air pollutants and would be consistent with the 2017 Clean Air Plan.

Table 9 Increase in Population Compared to VMT Under Project

Scenario	Baseline (2020)	2023-2031 Housing Element Update (Proposed Project)	Net Increase	Percent Change
Population	1,719,968	2,094,331	374,363	21.7%
VMT	33,332,131	25,604,947	-7,727,184	-23.2%

Source: Data provided by TJKM Transportation Consultants 2024 (Appendix A)

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Construction

Development facilitated by the project would involve construction activities that result in air pollutant emissions. These would include activities such as demolition, grading, construction worker travel, delivery and hauling of construction supplies and debris, and fuel combustion by on-site construction equipment, particularly during site preparation and grading that typically involves heavy equipment and hauling trips. The extent of daily criteria pollutant emissions generated by construction equipment would depend on the quantity of equipment used and the hours of operation for each project. The extent of fugitive dust ($PM_{2.5}$ and PM_{10}) emissions would depend upon the following factors: 1) the amount of disturbed soils; 2) the length of disturbance time; 3) whether existing structures are demolished; 4) whether excavation is involved; and 5) whether transporting excavated materials offsite is necessary. Dust emissions can lead to both nuisance and health impacts.

Site preparation and grading during construction activities facilitated by development under the proposed project may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The BAAQMD has not established a quantitative threshold for fugitive dust emissions but rather states that projects that incorporate best management practices (BMPs) for fugitive dust control during construction would have a less-than-significant impact related to fugitive dust emissions. The BAAQMD has identified feasible fugitive dust control measures for construction activities. These Basic Best Management Practices for Construction-Related Fugitive Dust Emissions include:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. 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.

4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
5. 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.
6. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
7. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
8. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
9. Publicly visible signs shall be posted with the telephone number and name of the 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 General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

Future development would be required to comply with rules, regulations, and standards of the BAAQMD, including BAAQMD's Basic Best Management Practices for Construction-Related Fugitive Dust Emissions, pursuant to Action 12.1-4 of Chapter 12, Air Quality and Climate Change, of the Castro Valley General Plan; Goal LU-17 and associated policies and actions of Chapter 3, Land Use, of the Eden Area General Plan; and Development Standard 7.4.4b of the Environmental Hazards Element of the Fairview Specific Plan. In addition, the BAAQMD and CARB have regulations that address the handling of hazardous air pollutants such as lead and asbestos, which could be aerially disbursed during demolition activities. BAAQMD rules and regulations address both the handling and transport of these contaminants. The above-mentioned goals, policies, and actions would require mandatory incorporation of BAAQMD Best Management Practices for Construction-Related Fugitive Dust Emissions outlined above to reduce temporary construction impacts and fugitive dust emissions.

As discussed above under BAAQMD Significance Thresholds, BAAQMD's *2022 CEQA Air Quality Guidelines* has no plan-level significance thresholds for construction air pollutant emissions. However, the guidelines include project-level thresholds for construction emissions. If an individual project's construction emissions fall below the project-level thresholds, the project's impacts on regional air quality would be individually and cumulatively less than significant. At this stage of planning, specific project-level details under the HEU are unknown. Construction of development envisioned under the project would temporarily increase air pollutant emissions, possibly exceeding project-level BAAQMD criteria pollutant thresholds. Therefore, construction air quality impacts are conservatively assessed as potentially significant. Mitigation Measure AQ-1 would require future development that does not meet the BAAQMD construction screening criteria under Table 5 to conduct individual air quality analysis and compare emissions to BAAQMD significance thresholds as detailed under Table 6, and to implement mitigation measures to reduce emissions.

Operation

According to the BAAQMD 2022 *CEQA Air Quality Guidelines,* the threshold for criteria air pollutants and precursors requires an assessment of the rate of increase of plan VMT and population and if the project is consistent with current air quality plan control measure. As discussed under checklist question (a), the VMT per resident would decrease with the proposed HEU compared to conditions without the HEU. VMT increases at a lower percentage because the proposed project would change land uses to concentrate growth and residences to jobs and services to reduce singular vehicle trips

and encourage alternative models of travel. This would mean that the project would result in substantially lower mobile criteria pollutant emissions than compared to a no project scenario. In addition, as discussed under Table 8 , the project is consistent with 2017 Clean Air Plan control measures. Therefore, impacts concerning criteria pollutants generated from operation of the project would be less than significant.

Although plan-level operational impacts from emissions of criteria pollutants would be less than significant, future projects that do not satisfy the BAAQMD operational screening criteria as shown in Table 5 would also be required to implement Mitigation Measure AQ-1, which would ensure emissions from individual projects are reduced to below thresholds detailed under Table 6.

Mitigation Measures

The following mitigation measures are required.

AQ-1 Project-level Air Quality Analysis

The County shall establish the following Standard Condition of Approval for discretionary projects on rezone sites requiring County approval:

> For individual projects subject to CEQA that do not meet the BAAQMD construction and/or operational screening criteria under Table 4-1 of the BAAQMD *2022 CEQA Air Quality Guidelines*, individual air quality analysis shall be conducted to determine project significance. Where individual projects exceed BAAQMD project-level significance thresholds, mitigation measures shall be incorporated to reduce emissions to below thresholds. Construction mitigation measures may include, but are not limited to, incorporation of U.S. Environmental Protection Agency Tier 4 and/or alternative fueled equipment, use of onsite power sources instead of generators, and use of low/no-VOC content architectural coatings. Operational mitigation measures may include, but are not limited to, increased incorporation of photovoltaic systems (PV) beyond regulatory requirements, increased incorporation of EV charging stations and/or infrastructure beyond regulatory requirements, incorporation of a development-wide ride-share system, or elimination of natural gas usage within residential developments. Individual project analysis and accompanying emission-reduction measures shall be conducted by a qualified air quality consultant and approved by the County prior to issuance of a permit to construct or permit to operate.

Significance After Mitigation

Implementation of Mitigation Measure AQ-1 would require individual air quality analysis for projects that do not meet BAAQMD project-level screening criteria and for projects that exceed BAAQMD thresholds, incorporation of measures to reduce emissions to below thresholds. Therefore, impacts would be less than significant with mitigation.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

Carbon Monoxide Hotspots

A CO hotspot is a localized concentration of CO that is above a CO ambient air quality standard. The entire Basin is in conformance with state and federal CO standards (BAAQMD 2017b). There are no current exceedances of CO standards within the BAAQMD jurisdiction and have not had a CO

exceedance in the Bay Area since before 1994.[5] For 2019, the Bay Area's reported maximum 1-hour and average daily concentrations of CO were 5.6 ppm and 1.7 ppm, respectively (BAAQMD 2019).[6] These are well below the respective 1-hour and 8-hour standards of 20 ppm and 9 ppm. Given the ambient concentrations, which include mobile as well as stationary sources, a project in the Bay Area would need to emit concentrations three times the hourly maximum ambient emissions for all sources before project emissions would exceed the 1-hour standard. Additionally, the project would need to emit seven times the daily average for ambient concentrations to exceed the 8-hour standards. Typical development projects, even plan-level growth, would not emit the levels of CO necessary to result in a localized hot spot. Therefore, impacts to CO hotspots would be less than significant.

Toxic Air Contaminants

Construction

Construction-related activities would result in short-term emissions of diesel particulate matter (DPM) exhaust emissions from off-road, heavy-duty diesel equipment for site preparation (e.g., excavation, grading, and clearing), building construction, and other miscellaneous activities. DPM was identified as a TAC by CARB in 1998. The potential cancer risk from the inhalation of DPM, as discussed below, outweighs the potential non-cancer[7] health impacts (CARB 2021).

Generation of DPM from construction typically occurs in a single area for a short period. Construction of development facilitated by the project would occur over approximately a decade, but use of diesel-powered construction equipment in any one area would likely occur for no more than a few years for an individual project and would cease when construction is completed in that area. It is not possible to accurately quantify risk without identified specific project details, timelines, and locations.

Each project developed under the proposed HEU would be required to comply with applicable BAAQMD regulatory requirements and control strategies and the CARB In-Use Off-Road Diesel Vehicle Regulation, which are intended to reduce emissions from construction equipment and activities. Additionally, future development facilitated by the proposed HEU would be required to comply with Action 12.1-4 of Chapter 12, Air Quality and Climate Change, of the Castro Valley General Plan; Goal LU-17 and associated policies and actions of Chapter 3, Land Use, of the Eden Area General Plan; and Development Standard 7.4.4b of the Environmental Hazards Element of the Fairview Specific Plan, which would reduce construction-related TACs. According to the California Office of Environmental Health Hazard Assessment (OEHHA), construction of individual projects lasting longer than two months could potentially expose sensitive receptors to substantial pollutant concentrations and therefore could result in potentially significant health risk impacts. CARB suggests sensitive receptors located within 1,000 feet of a freeway could be exposed to similar TAC concentrations as receptors within 1,000 feet of a freeway (CARB 2017a). Therefore, for the purposes of this analysis, construction of a project within 1,000 feet of a sensitive receptor could expose receptors to TAC concentrations. Emissions tend to be higher during the most intensive phases of construction (e.g., demolition, site preparation, and grading). In addition, individual residential development projects larger than single-family residences, ADUs, or duplexes can result in potentially significant health risk impacts when U.S. EPA Tier 4 construction equipment and/or

[5] BAAQMD only has records for annual air quality summaries dating back to 1994.
[6] Data for 2019 was used as the data for 2020 and 2021 are not currently available.
[7] Non-cancer risks include premature death, hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma, increased respiratory symptoms, and decreased lung function (CARB 2021a).

electric equipment, which results in substantially lower TAC emissions than older construction equipment, is not utilized. As a result, certain individual housing development projects could exceed BAAQMD's thresholds of an increased cancer risk of greater than 10.0 in a million and an increased non-cancer risk of greater than 1.0 Hazard Index (Chronic or Acute). Therefore, construction impacts from TAC emissions would be potentially significant and Mitigation Measure AQ-2 would be required.

Operation

In the Bay Area, there are several urban or industrialized communities where the exposure to TACs is relatively high in comparison to others. Eden Area, Fairview, and the south-most portion of Castro Valley are located in the Western Alameda impacted community according to the BAAQMD's Impacted Communities Map due to its proximity to the freeway (BAAQMD 2023). Sources of TACs include, but are not limited to, land uses such as freeways and high-volume roadways, truck distribution centers, ports, rail yards, refineries, chrome plating facilities, dry cleaners using perchloroethylene, and gasoline dispensing facilities (BAAQMD 2023). Operation of development facilitated by the project would not involve these uses; therefore, it is not considered a source of TACs. In addition, residences do not typically include new stationary sources onsite, such as emergency diesel generators. However, if residences did include a new stationary source onsite, it would be subject to BAAQMD Regulation 2, Rule 2 (New Source Review) and require permitting. This process would ensure that the stationary source does not exceed applicable BAAQMD health risk thresholds. Additionally, BAAQMD employs the Community Air Risk Evaluation (CARE) Program, which applies strategies to reduce health impacts in impacted communities (BAAQMD 2014). CARE is currently activated in Eden Area, Fairview, and the south-most portion of Castro Valley since they are located in an impacted community. Development facilitated by the project would be required to comply with the residential indoor air quality requirements in the Title 24 Building Energy Efficiency Standards, which currently require Minimum Efficiency Reporting Value 13 (or equivalent) filters for heating/cooling systems and ventilation systems in residences (Section 150.0[m])). Furthermore, future development would be required to comply with policies 12.1-3 and 12.1-4 of Chapter 12, Air Quality and Climate Change, of the Castro Valley General Plan; Policy P3 of Chapter 3, Land Use, of the Eden Area General Plan; and Development Standard 7.4.4c of the Environmental Hazards Element of the Fairview Specific Plan, which outline requirements for sensitive receptors and TAC exposure, specifically requiring buffers for future residential development in proximity to the I-580. Therefore, this impact would be less than significant.

Mitigation Measures

The following mitigation measure is required.

AQ-2 Construction Health Risk Assessment

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:

> Individual projects that do not meet at least one of the following screening criteria shall implement the measure listed below these criteria:
>
> - The project is the development of an accessory dwelling unit, single-family residence, or duplex;
> - Construction of the project would not occur within 1,000 feet of sensitive receptors;

- Construction of the project would not involve demolition, site preparation, or grading phases;
- Construction would not last longer than two months; or
- Construction would utilize U.S. Environmental Protection Agency (EPA) Tier 4 construction equipment and/or electric equipment for all off-road equipment.

Prior to issuance of construction permit(s), the County shall confirm that the applicable plan(s) stipulates that the measure listed below would be implemented by the construction contractor during construction:

- All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the U.S. EPA Tier 4 final standards and/or be electrically powered. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards. In the event that Tier 4 or electrically-powered engines are not commercially available, use of alternatively fueled equipment or other control technology (i.e., diesel particulate filters) may suffice, as long as emissions during construction can be demonstrated by a qualified air quality consultant to not exceed BAAQMD health risk thresholds.

Significance After Mitigation

Implementation of Mitigation Measure AQ-2 would require projects that may result in a potentially significant health risk impact from construction to implement measures to reduce the health risk below BAAQMD health risk thresholds, including U.S. EPA Tier 4 final construction equipment or other measures that would have the effect of reducing health risk. Therefore, impacts would be less than significant with mitigation.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust both during normal use and when idling. However, these odors would be temporary and transitory and would cease upon completion. Therefore, development facilitated by the project would not generate objectionable odors affecting a substantial number of people.

BAAQMD includes odor screening distances for land uses with the potential to generate substantial odor complaints, as shown in Table 4. Those uses include wastewater treatment plants, landfills or transfer stations, refineries, composting facilities, confined animal facilities, food manufacturing, smelting plants, and chemical plants. The proposed HEU would facilitate residential development that would not have the potential to generate substantial odor emissions. Therefore, development facilitated by the project would not generate objectionable odors affecting a substantial number of people during operation. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	■	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	■	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

Environmental Setting

Eden Area

The Eden Area General Plan does not include discussion of biological resources in the project area. Further, there is no critical habitat for threatened or endangered species in the Eden Area (U.S. Fish and Wildlife Service [USFWS] 2022).

Castro Valley

According to the Castro Valley General Plan, Castro Valley has significant biological resources, primarily concentrated in creek corridors, canyons, and hillside open space areas. Many of the hillsides on the eastern side of the community have been designated as open spaces which serve as wildlife corridors. Oak riparian woodland, coastal scrub, and grassland vegetation serve as the primary wildlife movement corridors for common and special-status wildlife species within the Castro Valley area.

The western and central portions of Castro Valley are largely developed. There are small pockets of areas that provide wildlife habitat, primarily along creeks, within these developed areas. Ornamental landscaping with large trees, shrubs and other vegetation may provide potential nesting habitat for raptors known to nest in urbanized areas and other special-status bird species.

Castro Valley has the potential to support the following special status animal species, based on the type of habitat that supports these species that exists in Castro Valley: Steelhead, California tiger salamander, California red-legged frog, Alameda whipsnake, Western pond turtle, California horned lizard, Yellow warbler, Burrowing owl, Sharp-shinned hawk, white-tailed kite, Bats (Myotis spp., Pacific western big-eared bat, and greater western mastiff bat), Lum's micro-blind harvestman, great blue heron, Cooper's hawk, and red-tailed hawk. In addition, the following special-status plant species have the potential to occur in the project area: Santa Cruz tarplant, alkali milk vetch, big-scale balsamroot, fragrant fritillary, Diablo helianthella, and Robust monardella. The only special status animal species that have been observed in the Castro Valley area in the last ten years are yellow warbler and steelhead trout (Alameda County Community Development Agency 2012).

Fairview

The majority of Fairview is developed or disturbed, although there are several parks, undeveloped areas and open space areas throughout Fairview and surroundings which may provide habitat and connectivity for special-status species. Don Castro Regional Recreational Area is the largest of these parks, providing about 100 acres of open space, and is located in the northern portion of Fairview, just south of I-580. Additionally, Fairview is surrounded by open space areas including the East Bay Hills, located to the west and Green Belt Park to the south.

The Fairview Specific Plan indicates that the California Department of Fish and Wildlife has not identified any sensitive natural communities or critical habitat in Fairview. There is a large area to the east of the Fairview area which is considered critical habitat for the Alameda whipsnake and California red-legged frog. In total, there are 27 special status animal species and 14 plant species that are known to occur or have the potential to occur within a five-mile radius of Fairview. Movement of species in wildlife corridors occurs along San Lorenzo Creek (northern project area), along Ward Creek (southern project area), and along the North, Middle, and South Forks of Sulphur Creek, as well as un-named tributaries and drainageways in Fairview (Alameda County Board of Supervisors 2021).

Creek Channels

Five creeks are located within the project area: Kelly Canyon Creek, San Lorenzo Creek, Coyote Creek, Eden Creek, and Pacheco Creek. Portions of these creeks provide wildlife movement opportunities and areas for preservation of biological resources and riparian habitat. Figure 6 shows creeks, streams, and waterbodies within Alameda County in relation to the rezone sites.

Regulatory Setting

Alameda County Conservation Element

The Alameda County Conservation Element (Alameda County 1994b) includes the following goals and objectives related to biological resources.

Goal: To protect and enhance wildlife habitats and natural vegetation areas in Alameda County.

- **Objective 2:** To maintain and, if necessary, restore deteriorating environments to a level of diversity appropriate in this area of California.

Eden Area

The Eden Area General Plan does not include policies relevant to biological resources.

Castro Valley

The Castro Valley General Plan contains the following goals and policies related to biological resources.

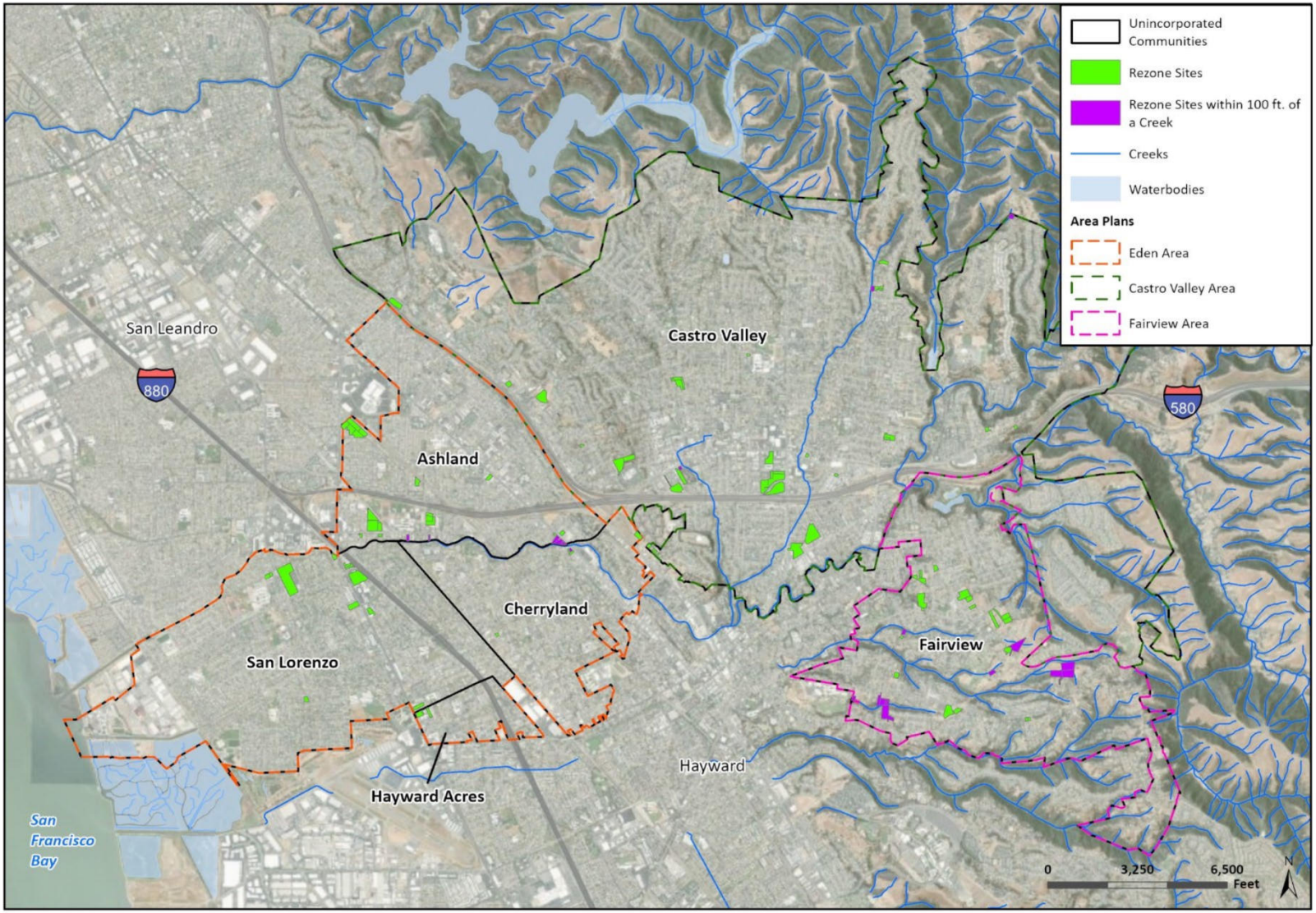
Goal 7.1-1: Protect Castro Valley's native wildlife through conservation and restoration of natural habitat.

- **Policy 7.1-1: Major Wildlife Corridors Protection**. Protect the major wildlife corridors that run through or are adjacent to Castro Valley: (1) the corridor along the East Bay Hills in the forest and chaparral between major interstate highways; and (2) along creeks.
- **Policy 7.1-4: Open Space Objectives**. Require that open space provided as part of a development project be designed to achieve multiple objectives, including but not limited to: recreation, scenic values, habitat protection, and public safety.
- **Policy 7.1-5: Riparian Habitat**. New development shall not disturb any riparian habitat.

Goal 7.2-1: Preserve and restore creek channels, and riparian habitat to protect and enhance wildlife and aquatic-life corridors, flood protection, and the quality of surface water and groundwater.

- **Policy 7.2-1: Creek and Flood Channels.** Protect all creeks and engineered channels that traverse the urbanized area of Castro Valley.

Figure 6 Surface Water in Relation to Rezone Sites



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Goal 7.3-1: Maintain, preserve, and enhance trees and vegetation to provide environmental and aesthetic benefits.

- **Policy 7.3-1: Alameda County Tree Ordinance.** Continue to implement and enforce the Alameda County Tree Ordinance to protect trees in the public right-of-way.
- **Policy 7.3-2: Native Environment.** Maintain and enhance the existing environment by preserving existing native trees and plants whenever feasible, replacing trees on-site, and adding trees and other vegetation in the public right-of-way.

Fairview

Goal LU-1: Maintain Fairview's low-density character and mix of open space, agriculture, and residential uses.

- **Policy LU-1.1:** New development should be consistent with community character, protect sensitive biological resources, and minimize exposure to natural hazards.

Goal CO-2: Protect Fairview's plant and animal life.

- **Policy CO-2.1**: Require compliance with all state and federal wetland protection regulations.
- **Policy CO-2.2:** Conserve and sustain the health of existing habitat, especially riparian woodland and oak woodland plant communities.
- **Policy CO-2.3:** Preserve areas known to support special status species, as required by State and Federal laws. In adjacent areas where development is permitted, mitigation measures may be required as needed to reduce impacts to such species.
- **Policy CO-2.4:** Protect the major wildlife corridors that run through or are adjacent to Fairview, including creeks and canyons, the Palomares Hills, and the Don Castro Reservoir area south of I-580. Wherever possible, open space should be protected in contiguous bands of land, rather than in piecemeal disconnected sites. Continuous open spaces provide more viable wildlife habitat and better opportunities for recreational activities such as hiking.
- **Policy CO-2.5:** For projects with the potential to adversely affect important plant and animal resources, the County shall require environmental assessments by biologists who are trained and specialized to evaluate the species that may be present on the site.
- **Policy CO-2.6:** Preserve and enhance native trees wherever feasible and encourage the use of native and/or drought-tolerant vegetation in landscaping.

Alameda County Municipal Code

The ACMC includes the Alameda County Tree Ordinance which protects trees in the public right of way. It also protects all coast live oaks (*Quercus agrifolia*) with a diameter of ten inches or more, all Mexican fan palms (*Washingtonia robusta*) and California fan palms (*Washingtonia filifera*) in the public right of way on both sides of Burbank Street, Portola Avenue, and Eighth Street between Central and Portola Avenues, all trees in the three median islands on Thompson Avenue between High Street and Fernside Boulevard, known as Christmas Tree Lane, and all sycamore (London plane trees) (*Platanus acerifolia*) in the public rights of way on both sides of Central Avenue between Fernside Boulevard and 5th Street.

Impact Analysis

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS) or the CDFW. According to the USFWS Critical Habitat for Threatened & Endangered Species Map, there is critical habitat for the Alameda Whipsnake within the project area along the northern edge of Castro Valley. None of the rezone sites are in or near this habitat. Additionally, as discussed in the setting section above, there is Alameda Whipsnake habitat to the east of Fairview. There are no rezone sites within this area (USFWS 2024).

While there is the potential for several other special status plant and animal species to be within Castro Valley and the Fairview area, development facilitated by the proposed housing would mostly occur on infill sites that have been developed or are surrounded by development. As such, the rezone sites do not contain native or natural habitat. Further, future development under the proposed project would be subject to federal and State laws, regulations, and management policies regarding biological resources, such as the federal and State Endangered Species Act and permitting pursuant to California Fish and Game Code (CFGC) Section 1600 et seq. Additionally, future development under the proposed HEU would be required to comply with General Plan policies included in the *Regulatory Setting,* above which would protect special status species and their habitats throughout Fairview and Castro Valley.

Although special-status species would be protected by the CFGC or the Migratory Bird Treaty Act (MBTA) regulations, special-status bat species could potentially be present in Alameda County and may be affected by proposed projects where they occur in buildings or similar structures or in native habitat adjacent to construction areas. Therefore, impacts to these species are potentially significant. Additionally, trees, shrubs, man-made structures, and the ground surface provide suitable nesting substrates for birds protected under the MBTA and CFGC. If construction of specific development projects implemented under the proposed project occurs during the breeding season, impacts to nesting birds may occur. Impacts may include direct impacts to active nests, including eggs or young, if nesting substrates are removed as part of the project. Indirect impacts may result if noise, vibration, artificial lighting, and human presence cause adult birds to abandon the nests for prolonged periods of time, preventing them from incubating eggs, brooding chicks, and defending the nest from predators. This impact would be potentially significant.

Mitigation Measures

The following mitigation measure is required.

BIO-1 Special-status Bat Species Avoidance and Minimization

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:

> For projects that involve demolition of uninhabited buildings or removal of mature trees large enough to contain crevices and hollows that could support bat roosting, focused surveys to determine the presence/absence of roosting bats shall be conducted prior to demolition or tree

removal. If active maternity roosts are identified, a qualified biologist shall establish avoidance buffers applicable to the species, the roost location and exposure, and the proposed construction activity in the area. If active non-maternity day or night roosts are found on the project site, measures shall be implemented to passively relocate bats from the roosts prior to the onset of construction activities. Such measures may include removal of roosting site during the time of day the roost is unoccupied or the installation of one-way doors, allowing the bats to leave the roost but not to re-enter. These measures shall be presented in a Bat Passive Relocation Plan that shall be submitted to, and approved by, CDFW.

BIO-2 Preconstruction Surveys for Nesting Birds

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:

For projects that would involve native or naturalized vegetation or tree removal, a general pre-construction nesting bird survey shall be conducted by a qualified biologist within 14 days prior to the initiation of construction activities. If construction is stopped for more than 14 days during the nesting season, a pre-construction survey shall be conducted prior to the re-start of construction activities. Surveys shall include the disturbance area plus a 50-foot buffer for passerine species, and a 500-foot buffer for raptors.

If active nests are located, an appropriate avoidance buffer shall be established within which no work activity would be allowed that would impact these nests. The avoidance buffer shall be established by the qualified biologist on a case-by-case basis based on the species and site conditions. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until juveniles have fledged and/or the nest is inactive. A qualified biologist shall confirm that breeding/nesting is complete, and the nest is no longer active prior to removal of the buffer. If work within a buffer area cannot be avoided, then a qualified biologist shall be present to monitor all project activities that occur within the buffer. The biological monitor shall evaluate the nesting avian species for signs of disturbance and shall have the ability to stop work.

Significance After Mitigation

Implementation of Mitigation Measure BIO-1 would reduce impacts to roosting bats to a less than significant level by requiring surveys for special status bat species and implementing avoidance buffers and relocation measures. Implementation of Mitigation Measure BIO-2 would reduce impacts to nesting birds to a less than significant level by requiring pre-construction surveys and avoidance buffers and/or a biological monitor to be present during construction.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The five creeks and other waterbodies in the project area shown on Figure 6 may provide corridors for wildlife movement and may provide refuge and habitat for wildlife. There are 22 rezone sites within 100 feet of a waterbody. Of these rezone sites, there are 11 rezone sites with a creek or waterbody that traverses a portion of the parcel. Common and special-status wildlife and plant

species that have acclimated to urban areas could be present on the rezone sites at the time of development, particularly on parcels that are located in proximity to the creeks. The five creeks present within the project area could provide a wildlife corridor for fish and other aquatic species, and construction activities from future development could potentially result in impacts to the movement of native fish.

Since the proposed HEU would mostly facilitate development in already developed areas and increase density and height on sites to accommodate the City's RHNA numbers, there is a low likelihood that habitat for listed species would occur on the sites.

Additionally, future development would be required to comply with the Alameda County Watercourse Protection Ordinance which outlines setback requirements from creeks and waterways in unincorporated Alameda County. Additionally, Alameda County Municipal Code (ACMC) Chapter 13.08 details requirements for stormwater pollution prevention measures which would reduce stormwater runoff from polluting the creeks. This would reduce the potential for modifications to the waterways that would prohibit wildlife movement or affect riparian habitat or sensitive species.

Future development proposals would also be subject to the Eden Area and Castro Valley General Plans in addition to the Fairview Specific Plan and their policies regarding the protection of biological resources. Specifically, Policies 7.1-1, and 7.1-5 of the Biological Resources Element of the Castro Valley General Plan which aims to protect creeks, wildlife corridors, and riparian habitats and prohibits development on riparian habitat, and Policy LU 3.1 in the Fairview Specific Plan which requires development to be designed to protect creeks. Additionally, housing sites near creeks and streams would be subject to Alameda County's Watercourse Protection Ordinance which is intended to preserve watercourses in Alameda County.

Nonetheless, because implementation of the proposed HEU could encourage development and rezone sites that intersect with or are near waterways and may contain sensitive species or habitat, this impact is potentially significant.

Mitigation Measures

The following mitigation measure is required.

BIO-3 Biological Resources Screening and Assessment

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:

> For projects located on parcels that intersect with a creek or are within 100 feet of a creek, the project applicant shall hire a qualified biologist to perform a preliminary biological resources screening, for the County's review and approval, to determine whether the project has the potential to impact special status biological resources, inclusive of special status plants and animals, sensitive vegetation communities, jurisdictional waters (including creeks, drainages, streams, ponds, vernal pools, riparian areas and other wetlands), critical habitat, wildlife movement area, or biological resources protected under local or regional ordinances or an existing HCP or NCCP. If it is determined that the project has no potential to impact biological resources, no further action is required.
>
> If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 50 feet around the

project footprint, as is feasible, and to determine the potential impacts to those resources, as approved by the County. The project-specific biological analysis shall evaluate the potential for impacts to all biological resources including, but not limited to special status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, State, and/or federal agencies. If the project would have the potential to impact these resources, recommendations developed to enhance wildlife movement (e.g., installation of wildlife friendly fencing), as applicable, to reduce impacts to less than significant levels. Pending the results of the project-specific biological analysis, County review, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, NMFS, CDFW, and/or other local, State, and federal agencies may be required.

Significance After Mitigation

Implementation of Mitigation Measure BIO-3 would reduce impacts to special status species by requiring biological resources studies for projects located on or adjacent to creeks and implementation of further requirements to avoid or reduce impacts on a project-by-project basis.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

As discussed above and shown on Figure 6, there are 22 rezone sites that are within 100 feet of a waterbody and 11 rezone sites that intersect a mapped waterbody. Although the HEU would facilitate development adjacent to the waterbodies, future development would be required to comply with County's Watercourse Protection Ordinance, Chapter 13.08 of the ACMC which require the preservation of creeks and waterbodies and prevents pollution and other disturbance of these resources. The County's Watercourse Protection Ordinance also establishes setback requirements for development on or adjacent to creeks. Therefore, adherence to local regulations would reduce impacts to wetlands and creeks and this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

There is potential for wildlife corridors to be present within the project area, as discussed in the setting section above. Wildlife corridors often overlap land designated as open space. A majority of the rezone sites are within developed areas where wildlife corridors are not likely to be present; however, as discussed in checklist question (b) above, the project area's five creeks could provide wildlife corridors for fish and other aquatic and non-aquatic species, and construction activities from future development could potentially result in impacts to the movement of native fish. However, adherence to local regulations discussed above would reduce impacts to a less than significant level.

Alameda County contains mature groves of trees that could provide suitable nesting substrates for birds protected under the MBTA and CFGC. In addition, mature tree groves exist along creek corridors, which could be used for nursery sites by native bird species. Future development would be required to comply with tree protection regulations for trees in the County right of way included in the Alameda County Tree Ordinance. Furthermore, sensitive species such as nesting birds and

roosting bats would be protected by the California Fish and Game Code or the Migratory Bird Treaty Act regulations. Nonetheless, if construction of specific development projects implemented under the proposed project occurs during the breeding season, impacts to nesting birds may occur. Impacts may include direct impacts to active nests, including eggs or young, if nesting substrates are removed as part of the project. Indirect impacts may result if noise, vibration, and human presence cause adult birds to abandon the nests for prolonged periods of time, preventing them from incubating eggs, brooding chicks, and defending the nest from predators. Therefore, this impact is potentially significant and Mitigation Measure BIO-2 would be required.

Mitigation Measures

Mitigation Measure BIO-2, as discussed above would be required.

Significance After Mitigation

Implementation of Mitigation Measure BIO-2 would reduce impacts to nesting birds to a less than significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

Future development facilitated by the proposed HEU may involve the removal of mature trees during construction. Future development would be subject to tree preservation requirements. Alameda County Tree Ordinance 0-2004-23 and Chapter 12.11 of the ACMC provides protection to any tree in the public right-of-way (ROW) meeting specific height and diameter criteria in addition to specific species and trees in specific locations within the county as described in the *Regulatory Setting* section. Under the Ordinance, no tree meeting these criteria may be removed from the County ROW without first obtaining a permit from the Director of Public Works. Tree removal must also be mitigated through tree replacement or payment of an in-lieu fee. A Tree Advisory Board has been created for appeals. Changes to the Ordinance in 2016 clarified that property owners are responsible for maintaining trees in the public ROW adjacent to their properties, even if they did not plant the tree. Although the Tree Ordinance does not cover trees on private property, the County encourages the retention of trees unless they pose a hazard, interfere with utilities, or have a negative effect on neighborhood aesthetics. Therefore, future development would be subject to the County Tree Ordinances and would not conflict with this ordinance. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

There are no habitat conservation plans or natural community conservation plans adopted in Alameda County (CDFW 2019). There would be no impact.

NO IMPACT

5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	■	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	■	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	■	☐

Regulatory Setting

California Environmental Quality Act

CEQA requires a lead agency determine whether a project may have a significant effect on historical resources (Public Resources Code (PRC), Section 21084.1). A historical resource is a resource listed in, or determined by the California Historical Resources Commission to be eligible for listing, in the California Register of Historical Resources (CRHR), a resource included in a local register of historical resources, or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines on the basis of substantial evidence to be historically significant (*CEQA Guidelines* Section 15064.5(a)(1-3)). Historical resources may include eligible built environment resources and archaeological resources from any time period.

If a resource has sufficient integrity to convey information about the past, it may be considered historically significant based on substantial evidence that it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a "unique archaeological resource" as identified in PRC Section 21083.2. If it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all these resources to be

preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC, Section 21083.2[a], [b]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

CEQA Guidelines Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

Alameda County Municipal Code

Alameda County's Historic Preservation Ordinance defines the criteria for historic landmark designation. Section 17.62.060 establishes the criteria for designation:

1. A nominated resource shall be added to the Alameda County Register as a landmark if the Boards of Supervisors finds, after holding the hearings required by this chapter, that all of the requirements set forth below are satisfied: The nominated resource meets one or more of the following criteria:
    a. It is associated with events that have made a significant contribution to the broad patterns of the history of the County, the region, the state, or the nation;
    b. It is associated with the live of persons significant in the County's past;
    c. It embodies the distinctive characteristics of a type, period, or method of construction;
    d. It represents the work of an important creative individual or master
    e. It possesses high artistic values; or
    f. It has yielded, or may be likely to yield, information important in the prehistory or history of the County, the region, the state, or the nation.
2. The nominated resource has integrity of location, design, setting, materials, workmanship, feeling and association. Integrity shall be judged with reference to the particular criterion or criteria specified in subparagraph 1.
3. The nominated resource has significance historically or architecturally and its designation as a landmark is reasonable, appropriate and necessary to promote, protect, and further the goals and purposes of this chapter.
4. The nominated resource has been evaluated by a qualified historical resources consultant who meets one or more of the Secretary of the Interior's professional qualifications standards or who are certified by the Register of Professional Archaeologists and the evaluator has submitted documents that provide evidence of the resources historical or architectural significance.

The following includes applicable goals and policies related to cultural resources from the Eden Area General Plan, Castro Valley General Plan, Ashland and Cherryland Business District Specific Plan and Fairview Specific Plan.

Eden Area General Plan

The Eden Area General Plan Land Use Element (Alameda County Community Development Agency 2010) includes the following goals and policies related to cultural and historic resources.

Goal LU-16: Preserve significant cultural resources in the Eden Area.

- **Policy P1:** Historic or culturally significant buildings and other resources in the Eden Area should be preserved.
- **Policy P2:** To the extent possible, the County shall cause no substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5 of the California Environmental Quality Act (Title 14. California Code of Regulations) through its direct or indirect actions.
- **Policy P5:** Prior to the completion of a professionally prepared historic survey, property owners of potentially significant historic resources shall be required to prepare professional historic surveys prior to demolition of any structure. Potentially significant historic resources may be defined as those resources identified in professionally prepared surveys or where additional evidence suggests that the property or structure may be significant.
- **Policy P6:** New development, alterations and remodeling projects on or adjacent to historic properties should be sensitive to historic resources and should be compatible with the surrounding historic context.

Castro Valley General Plan

The following goals and policies are included in the Community Character and Design Element of the Castro Valley General Plan (Alameda County Community Development Agency 2012) to protect historical resources.

Goal 5.6-1: Protect historic sites and structures and other cultural resources that help to maintain the special character and identity of Castro Valley and represent important physical connections to the community's past.

- **Policy 5.6-1: Preserve Designated Historic Sites.** Protect and preserve Federal and State-designated historic sites, structures, and properties that are deemed eligible for designation to the maximum extent feasible. Enhance the maintenance of key historic structures such as the Stanton House, Strobridge House, and the Adobe Arts Center, and ensure that they remain, or are relocated, to attractive and prominent settings consistent with their character and history.
- **Policy 5.6-3**: **Consider Cultural Resources in Development Review Process.** Integrate consideration of historical and cultural resources into the development review process to promote early resolution of conflicts between cultural resources preservation and other community goals and objectives.
- **Policy 5.6-4: Balance Goals for Historic Preservation with Infill Development Goals.** Balance preservation goals with goals for promoting infill development and for renovating and improving the appearance of commercial areas in Castro Valley. Strategies to consider include:

- Ensuring that project review requirements are based on a clear understanding of public and private responsibilities;
- Promoting and facilitating projects that incorporate new development while preserving the character of local cultural resources that contribute to the community

- **Policy 5.6-5: Promote Cultural Resource Rehabilitation** Promote the maintenance, restoration, and rehabilitation of historic and cultural resources through a variety of financial and regulatory incentives.

Ashland and Cherryland Business District Specific Plan

The ACBD Specific Plan (Alameda County 2015) includes the following policies related to cultural and historical resources.

Goal 5: ACBD SP landscaped areas, parks, open space, and trails that are supportive of the public life of the community and part of the Plan Area revitalization.

- **Policy 5.4:** Identify, conserve, and restore historic resources, including buildings and places such as the cemetery in the Four Corners Neighborhood, that have value and importance to the identity of the community.

Fairview Specific Plan

The Fairview Specific Plan includes the following policies related to cultural and historical resources:

- **Policy LU-3.5:** Preserve important cultural resources and features that reflect Fairview's history and traditions, such as residences, public buildings, open spaces, barns, stables, and fence lines.

Environmental Setting

The environmental setting research completed for this analysis included a review of the National Register of Historic Places (NRHP), CRHR, the California Office of Historic Preservation Built Environment Resource Directory, and the Alameda County Historic Register to identify designated and previously evaluated historic properties within Alameda County. The research identified a number of properties that are listed in or eligible for listing in the NRHP, CRHR, or the County's historic register; however, none are located in the rezone sites.

Research also included a review of three previous historic resource surveys within the area including the Preliminary Cultural Resources Survey Ashland and Cherryland Districts from 1998 (Siegel & Strain Architects 1998), Unincorporated San Lorenzo Historical Building Survey from 2000 (Corbett et al. 2000), and the East Alameda County Survey from 2005 (Corbett 2005). Resources which were recommended historic in each of these surveys were subsequently compiled into an inventory named the Alameda County Landmarks & Contributing Buildings Identified in 2005-2008 Comprehensive Survey (Alameda County 2008). The inventory identified no properties within the rezone sites.

There are 118 parcels identified for rezoning under the proposed project. Many of these sites currently meet the 45-year threshold, which generally triggers the need for historical resources evaluation pursuant to California Office of Historic Preservation guidelines. Further, additional properties would become 45 years of age during the 2023-2031 Housing Element Update period. Pending further analysis there is a potential for these properties to qualify as historical resources pursuant to CEQA.

Eden Area

The Eden Area includes several buildings from the late 1880s including the First Southern Baptist Church (1875), Queen Anne Cottages (1890 and 1895), and Holy Ghost Hall (1890). The Eden Area also includes the historic San Lorenzo town center which is border by Sycamore Street, Albion Avenue, Hesperian Boulevard, and Via Granada. This center is home to properties from the 1850s to 1920s. The properties in the Eden Area that are listed on the National Register of Historic Places or the List of California Historical Landmarks are the Meek Mansion and Carriage House, the Eden Congregational Church, and the Lorenzo Theater.

Castro Valley

According to the Castro Valley General Plan, Castro Valley has a number of older buildings that reflect the different time periods of Castro Valley's history. There are a total of 56 properties that the County Parks, Recreation, and Historic Resources Commission (PRHC) has selected for documentation. The General Plan lists the most notable sites and structures including The Redwood SchoolHouse Site (1866), Stanton House (1860), Herrick-Strobridge House (1894), Castro Valley Exchange Site (1881), Palomares School Site (1868), Jensen House (1872), Auguste Borloz (McDouletter)Farm , Red Barn (1855), Adobe Art Center (1938), Fairmont Hospital (1936), Valley Cathedral at the Crossroads (now Neighborhood Church) (1969), and Castro Village Center (1949).

The Castro Valley Area also includes archeological resources and the General Plan notes there is a "high possibility" of identifying additional archaeological and Native American cultural sites.

Fairview

According to the Fairview Specific Plan, there are no known culturally significant sites in Fairview (Alameda County Board of Supervisors 2021).

Impact Analysis

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

The proposed HEU does not propose any specific development. However, it envisions development including the proposed rezoning of sites for the potential development of additional housing units to meet the City's RHNA needs on parcels that contain buildings that meet the age threshold for potential historical resources pursuant to CEQA. It is important to note that all the rezone sites are currently zoned for development, even if not residential in nature, and therefore development that is currently allowed but is not associated with the proposed project could result in impacts to these historical resources in the same way that development facilitated by the proposed project could. Development occurring as part of the rezoning proposed under the HEU could result in the material impairment of historical resources, which *CEQA Guidelines* Section 15064.5[b][2][A] defines as the demolition or alteration in an adverse manner of those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register. The preservation goals and their associated policies in the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan, outlined above, would reduce potential impacts to historical resources for proposed rezoning sites within those areas The Alameda County Historic Preservation Ordinance provides procedures for designating a property as part of the local Historic Inventory and provisions to review and regulate proposed changes to designated properties, including demolition, new construction, or alteration (Chapter 17.62).

The County's regulations would mitigate impacts to historical resources listed in the County's Historic Register, but the regulations do not include a requirement to evaluate the eligibility of potential historical resources or limit impacts to historical resources that are solely listed on or eligible for the NRHP or CRHR. Therefore, this impact is potentially significant and mitigation measures CUL-1 and CUL-2 are required.

Mitigation Measures

The following mitigation measures are required.

CUL-1 Identification of Historical Resources

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:

> For a project that involves demolition or alteration of a building or structure over 45 years of age, the project applicant shall hire a qualified professional to conduct a historical resources survey and evaluation of the building(s) or structure(s) to determine their eligibility for recognition under State, federal, or local historic resource designation criteria. The evaluation shall be prepared by an architectural historian or historical architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards (PQS) as defined in 36 Code of Federal Regulations (CFR) Part 61. The historical age building or structure shall be evaluated considering their historic context and documented in a report meeting the California Office of Historic Preservation's guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to Alameda County for review and concurrence prior to project approval.

CUL-2 Treatment of Historical Resources

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:

> If historical resources are identified as a result of a survey and evaluation conducted, efforts shall be made to ensure that the relocation, rehabilitation, or alteration of the resource under the proposed project is consistent with the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards). A report identifying and specifying the treatment of character-defining features and construction activities shall be provided, demonstrating how the project complies with the Standards and avoids the substantial adverse change in the significance of the historical resource as defined by *CEQA Guidelines* Section 15064.5(b). The report shall be prepared by an architectural historian or historical architect meeting the PQS as defined by 36 CF Part 61 and provided to the County for review and concurrence prior to project approval.

Significance After Mitigation

The implementation of mitigation measures CUL-1 and CUL-2 would reduce impacts on historical resources by requiring historical significance evaluations for projects involving historical age buildings. Projects involving historical resources would be required to comply with the Standards, thereby reducing impacts to a less than significant level pursuant to *CEQA Guidelines* Section 15064.5(b)(3).

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

Although Alameda County does not maintain an inventory of archaeological sites, it is understood that archaeological sites are present in the county and the surrounding areas. Therefore, there is potential to encounter archaeological resources on the rezone sites included in the proposed project. Undeveloped properties have a higher probability of containing previously unidentified archaeological resources given the probable lack of previous ground-disturbing activities on those properties. Ground-disturbance into native soils on rezone sites could encounter prehistoric or historic-period archaeological resources.

Because the proposed HEU is a policy document and does not include specific development proposals, it cannot be ascertained with certainty where ground-disturbing activities could occur in these areas. Specific effects on archaeological resources can only be known once a specific project has been proposed, because potential effects are highly dependent on the individual project site conditions and the characteristics of proposed ground-disturbing activity. However, the proposed HEU would prioritize the development of new housing on previously developed but underutilized sites. It is likely that on future development sites under the proposed project, prior grading, construction, and modern use of the sites would have either removed or impacted archaeological resources within surficial soils.

Nonetheless, there is the potential for archaeological resources to exist below the ground surface on the rezone sites which could be disturbed by grading and excavation activities associated with new housing development. As such, individual development projects under the proposed project that would involve ground disturbing activities would have the potential to damage or destroy archaeological resources, especially if they occur below the existing road base or in less disturbed or native soils.

Consequently, damage to, or destruction of previously unknown sub-surface archaeological resources could occur as a result of development implemented under the proposed HEU. This represents a potentially significant impact.

Mitigation Measures

The following mitigation measures are required.

CUL-3 Archaeological Resources Assessment

The County shall establish the following Standard Condition of Approval for projects on rezone requiring discretionary approval:

> Prior to approval of an individual development projects under the 2023-2031 Housing Element that will involve ground disturbance activities that may include, but are not limited to, grading and excavation, an archaeological resources assessment shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in either prehistoric or historic archaeology. Assessments shall include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center (NWIC) and a Sacred Lands File Search maintained by the Native American Heritage Commission (NAHC). The records searches shall characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the project site. A Phase I pedestrian survey shall be undertaken in proposed project sites that are undeveloped to identify the presence or absence of any surface

cultural materials. By performing a records search, a Sacred Lands File search, and a Phase I survey, a qualified archaeologist will classify the project site as having high, medium, or low sensitivity for archaeological resources.

If the Phase I archaeological survey identifies resources that may be affected by the project, the archaeological resources assessment shall also include Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III Data Recovery Program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant by adding fill soils on top of the resources rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist in consultation with the County of Alameda and with other relevant parties.

CUL-4 Unanticipated Discoveries of Archaeological Resources

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:

In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities associated with the 2023-2031 Housing Element, work within 50 feet of the find shall halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the resource. If the resource is determined by the qualified archaeologist to be prehistoric, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the qualified archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of California Code of Regulations (CCR) Guidelines Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The County of Alameda shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Guidelines Section 15126.4(b)(3)(C).

Significance After Mitigation

Mitigation measures CUL-3 and CUL-4 would reduce potential impacts to a less than significant level by requiring the identification and evaluation of any archaeological resources that may be present

prior to project construction and by providing steps for the evaluation and protection of unanticipated finds encountered during construction.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

Human burials outside of formal cemeteries often occur in prehistoric archaeological contexts. Although much of Alameda County is developed, particularly the western and northern portions, and Alameda County does not keep records of burial sites, the potential still exists for these resources to be present. Excavation during construction activities in Alameda County related to the proposed HEU would have the potential to disturb these resources, including Native American burials.

Human burials, in addition to being potential archaeological resources, have specific provisions for treatment in PRC Section 5097. The California Health and Safety Code (Section 7050.5, 7051, and 7054) has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains, and protect them from disturbance, vandalism, or destruction. They also include established procedures to be implemented if Native American skeletal remains are discovered. PRC Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and established the NAHC to resolve any related disputes.

Development projects are subject to State of California Health and Safety Code Section 7050.5 which states that, if human remains are unearthed, no further disturbance can occur until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to the PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. If the landowner rejects the MLD's recommendations, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance and shall take additional steps outlined in the statute for protecting the site where the human remains and associated items are reinterred. With adherence to these existing regulations, impacts to human remains would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	■	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	■	☐

Environmental Setting

California is one of the lowest per-capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate. Most of the electricity generated in California is from natural gas-fired power plants, which provided approximately 50.2 percent of total electricity generated in 2021. According to the California Energy Commission (CEC), in 2021 California used 194,127 gigawatt hours (GWh) of electricity and produced 57 percent (110,652 GWh) of the electricity it used and imported the rest from outside the state (CEC 2023a). In 2018, SB 100 accelerated the state's Renewable Portfolio Standards Program, codified in the Public Utilities Act, by requiring electricity providers to increase procurement from eligible renewable energy and zero-carbon resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Transportation accounts for 48 percent of the state's energy consumption, amounting to approximately 2,785 trillion Btu in 2022 (U.S. Energy Information Administration 2023). Most gasoline and diesel fuel sold in California for motor vehicles is refined in California to meet state-specific formulations required by the California Air Resources Board (CARB).

According to the CEC, Alameda County consumed approximately 10,237 giga-watts per hour (GWh) of electricity and 377 million therms of natural gas in 2021 (CEC 2023b).

Electricity is provided to all of unincorporated Alameda County by East Bay Community Energy (EBCE), and natural gas service is provided by PG&E. As the county's main electricity provider, EBCE enrolls new customers in their Bright Choice program, which sources 42 percent of electricity from renewable energy sources. Customers have the option to upgrade to EBCE's Renewable 100 program which sources 100 percent of electricity from renewable energy sources (EBCE 2023).

Regulatory Setting

The following includes applicable energy goals and policies from the Alameda County Community Climate Action Plan, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan.

Alameda County Community Climate Action Plan

Alameda County adopted its Community Climate Action Plan (CCAP) in 2014. This plan includes the following measures related to energy performance in new construction:

- **Measure E-9:** Provide incentives for buildings that exceed the California Title-24 standards for energy efficiency by 30 percent (Tier 2)
- **Measure E-12:** Require all new multi-unit buildings and major renovations to existing multi-unit buildings to be "submetered" in order to enable each individual unit to monitor energy and water consumption.

Castro Valley General Plan

Chapter 12, *Air Quality and Climate Change*, of the Castro Valley General Plan contains the following applicable energy goals and policies to address energy concerns in Castro Valley.

Goal 12.2-1: Reduce greenhouse gas emissions in Castro Valley.

Goal 12.2-2: Prepare Castro Valley for the effects of climate change through the adoption of adaptation and resiliency strategies.

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

Eden Area General Plan

Chapter 9, *Greenhouse Gas Action Element*, of the Eden Area General Plan contains the following applicable energy goals and policies to address energy concerns in the Eden Area.

Goal GHG-3: Improve the energy efficiency of new and remodeled buildings in the Eden Area.

- **Policy P1:** New County-owned buildings in the Eden Area shall achieve a Leadership in Energy and Environmental Design (LEED) Silver certification (or higher) under the United States Green Building Council's LEED program, or equivalent certification.
- **Policy P2:** New privately-developed construction and remodels above a certain size shall achieve certification under LEED, Build It Green GreenPoint Rated, or equivalent rating system. This policy shall be implemented through the County's Green Building Ordinance. New construction and remodels not required to achieve certification under the Green Building Ordinance shall be encouraged to incorporate green building techniques designed to reduce the energy and water use of new or remodeled buildings.
- **Policy P3:** The County shall encourage the adaptive reuse of existing buildings, so long as they can be used efficiently or remodeled for energy-efficient operations.
- **Policy P4:** The planting of trees should be required on the south- and westfacing sides of new buildings to reduce energy usage, unless trees would interfere with existing solar equipment.
- **Policy P5:** New development projects should be designed to maximize passive solar energy techniques, including house orientation, street and lot layout, vegetation and protection of solar access. Maximum efficiency is gained by siting homes on an east-west axis.

Fairview Specific Plan

The Environmental Hazards Element of the Fairview Specific Plan contains the following applicable energy goal, policy, and development standard to address energy concerns.

Goal CO-3: Encourage more sustainable development, reduced consumption of non-renewable resources, and land use and transportation decisions that are consistent with the County's Climate Action Plan.

- **Policy CO-3.4:** Encourage energy conservation, renewable energy systems, recycled material use, and other green building methods in new development and major construction projects.

Development Standard 8.4.8 Energy and Communication Systems.

(d): *Greenhouse Gas Emission Reduction.* New development in the Plan Area shall be screened for potential to exceed applicable project-specific GHG thresholds based on BAAQMD screening criteria. If projects are determined to exceed thresholds, the development shall include GHG reduction measures which may include but are not limited to: installation of solar photovoltaic energy systems, installation of energy-efficient lighting and all-electric appliances, tree planting, purchase of carbon offsets, the use of electrically powered landscape equipment, the use of 100 percent renewable energy, or avoiding the use of natural gas. (CEQA Mitigation Measure GHG-3)

Impact Analysis

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

Energy consumption is directly related to environmental quality in that the consumption of nonrenewable energy resources releases criteria air pollutant and GHG emissions into the atmosphere. The environmental impacts of air pollutant and GHG emissions associated with the project's energy consumption are discussed in detail in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, respectively. Development under the proposed HEU would consume energy during construction and operation, using petroleum fuel, natural gas, and electricity, as discussed below.

Energy use during construction associated with future development under the proposed project would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. Temporary grid power may also be provided to construction trailers or electric construction equipment. Energy use during the construction of individual projects would be temporary in nature, and equipment used would be typical of construction projects in the region. Construction contractors would be required to demonstrate compliance with applicable CARB regulations that restrict the idling of heavy-duty diesel motor vehicles and govern the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. Construction activities associated with reasonably foreseeable development under the proposed HEU would be required to utilize fuel-efficient equipment consistent with federal and State regulations and would comply with State measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. In addition, individual projects would be required to comply with Section 4.38.030 of the ACMC, which requires at least 75 percent diversion of asphalt, concrete, and earth debris and at least 50 percent of diversion for other debris generated during construction activities. These practices would result in efficient use of

energy during construction of future development under the proposed HEU. Therefore, future construction activities associated with development under the proposed HEU would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

Long-term operation of future development under the proposed HEU would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. Electricity would be supplied by EBCE which offers a Renewable 100 program option for future residents; natural gas would be supplied by PG&E. Development facilitated by the proposed HEU would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings), the California Green Building Standards Code (CALGreen, Title 24, Part 11 of the California Code of Regulations). The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. This code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances and provides guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls, and ceilings. The code emphasizes saving energy at peak periods and seasons and improving the quality of installation of energy efficiency measures. CALGreen sets targets for energy efficiency, water consumption, dual plumbing systems for potable and recyclable water, diversion of construction waste from landfills, and use of environmentally sensitive materials in construction and design, including ecofriendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels. These standards for new buildings are designed for energy efficient performance, using clean electricity, so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. Additionally, future development would also be required to comply with Section 15.08.205 of the ACMC that provides standards for new residential buildings of three stories or fewer to improve energy performance by installing solar photovoltaic (PV) systems that would ensure 80 percent of the buildings' annual electric requirements are provided by on-site solar power. Future development would also have to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide. Moreover, future development would be required to comply with goals and policies outlined in the Regulatory Setting which would ensure that buildings are energy efficient and sustainable.

The rezone sites are located in the county's urbanized areas as well as in TPAs and along transportation corridors with bicycle facilities, which would reduce trip distances and encourage the use of alternative modes of transportation such as transit, bicycling, and walking. The proposed project involves rezoning the Castro Valley and Bay Fair BART station parking lots to accommodate housing, which would allow for convenient use of BART. These factors would minimize the potential of the proposed project to result in the wasteful or unnecessary consumption of vehicle fuels. As a result, operation of development projects under the proposed HEU would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Several State plans, as well as the Castro Valley General Plan, Eden Area General Plan, and Fairview Specific Plan, include energy conservation and energy efficiency strategies intended to enable the State and the county to achieve renewable energy and energy efficiency goals. As shown in Table 10, the project would be consistent with applicable State renewable energy and energy efficiency plans.

Table 10 Consistency with State Renewable Energy and Energy Efficiency Plans

Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
Assembly Bill 2076: Reducing Dependence on Petroleum. Pursuant to AB 2076, the CEC and CARB prepared and adopted a joint-agency report, Reducing California's Petroleum Dependence, in 2003. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita VMT. One of the performance-based goals of AB 2076 is to reduce petroleum demand to 15 percent below 2003 demand.	**Consistent**. The proposed HEU would facilitate development of housing within the urbanized areas of unincorporated Alameda County, as well as within the county's TPAs and near or adjacent to transportation corridors currently served by bus stations and the Castro Valley BART and Bay Fair BART, as well as Class II and Class III bicycle lanes such as Foothill Boulevard, Castro Valley Boulevard, Redwood Boulevard, Ashland Avenue, E. Lewelling Boulevard, Meekland Avenue, Five Canyons Road, Maud Avenue, and Grant Avenue (Alameda County Public Works Agency 2019). The HEU would facilitate housing development on the Castro Valley and Bay Fair BART station parking lots which would allow for convenient use of BART. By locating rezone sites in proximity to bus and BART stations and Class II and Class III bicycle lanes, the proposed HEU would encourage walking or the use of bicycles and reduce reliance on single-occupancy vehicles. The County's Bicycle and Pedestrian Master Plan also contains goals and policies to improve upon the bicycle and pedestrian network by developing new facilities and improving connectivity, which would further encourage residents to bicycle and walk to transit and services. All housing units constructed under the proposed HEU would be subject to the requirements of the most recent iteration of CALGreen and locally adopted amendments, which include provisions for electric vehicle charging infrastructure, reducing dependence on gasoline powered vehicles.
2019 Integrated Energy Policy Report. The 2019 report highlights the implementation of California's innovative policies and the role they have played in establishing a clean energy economy, as well as provides more detail on several key energy policies, including decarbonizing buildings, increasing energy efficiency savings, and integrating more renewable energy into the electricity system.	**Consistent.** Development facilitated by the project would be required to comply with Title 15, Chapter 15.08 of the ACMC, which mandates the implementation of Title 24. Compliance would include complying with the most updated rooftop solar requirements at the time of construction. Future development would also be required to comply with Section 15.08.205 of the ACMC which provides standards for new residential buildings of three stories or fewer to improve energy performance by installing solar photovoltaic (PV) systems which would ensure 80 percent of the buildings' annual electric requirements are provided by on-site solar power. Electricity would be provided by East Bay Community Energy (EBCE) and delivered by Pacific Gas and Electric (PG&E), which are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. As the county's main electricity provider, EBCE enrolls new customers in their Bright Choice program, which sources 42 percent of electricity from renewable energy sources. Customers have the option to upgrade to EBCE's Renewable 100 program which sources 100 percent of electricity from renewable energy sources (EBCE 2023).

Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
California Renewable Portfolio Standard. California's RPS obligates investor-owned utilities, energy service providers, and community choice aggregators to procure 33 percent total retail sales of electricity from renewable energy sources by 2020, 60 percent by 2030, and 100 percent by 2045.	**Consistent.** Electricity would be provided by East Bay Community Energy (EBCE) and delivered by Pacific Gas and Electric (PG&E), which are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. As the county's main electricity provider, EBCE enrolls new customers in their Bright Choice program, which sources 42 percent of electricity from renewable energy sources. Customers have the option to upgrade to EBCE's Renewable 100 program which sources 100 percent of electricity from renewable energy sources (EBCE 2023).
Energy Action Plan. In October 2005, the CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues, and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the State's ongoing actions in the context of global climate change. The nine major action areas in the EAP include energy efficiency, demand response, renewable energy, electricity adequacy/reliability/infrastructure, electricity market structure, natural gas supply/demand/infrastructure, transportation fuels supply/demand/infrastructure, research/development/demonstration, and climate change.	**Consistent.** Future development facilitated by the proposed project would be required to be constructed in accordance with the latest iteration of CALGreen, the California Energy Code, and any locally adopted amendments, which include requirements for the use of energy-efficient design and technologies as well as provisions for incorporating renewable energy resources into building design. Electricity would be provided by East Bay Community Energy (EBCE) and delivered by Pacific Gas and Electric (PG&E), which are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. As the county's main electricity provider, EBCE enrolls new customers in their Bright Choice program, which sources 42 percent of electricity from renewable energy sources. Customers have the option to upgrade to EBCE's Renewable 100 program which sources 100 percent of electricity from renewable energy sources (EBCE 2023). Given these features, the project would facilitate implementation of the nine major action areas in the EAP.
AB 1007: State Alternative Fuels Plans. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-State production of biofuels without causing a significant degradation of public health and environmental quality. Bioenergy Action Plan, EO S-06-06. The EO establishes the following targets to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels in California by 2010, 40 percent by 2020, and 75 percent by 2050.	**Consistent.** The project would not interfere with or obstruct the production of biofuels in California. Vehicles used by future residents would be fueled by gasoline and diesel fuels blended with ethanol and biodiesel fuels as required by CARB regulations. Development facilitated by the project would be required to comply with Title 15, Chapter 15.08 of the ACMC, which mandates the implementation of Title 24. Title 24 contains requirements for EV spaces in new construction. Future development facilitated by the project would be required to comply with the most updated EV requirements outlined in Title 24 at the time of construction.

Renewable Energy or Energy Efficiency Plan	Proposed Project Consistency
Title 24, CCR – Part 6 (Building Energy Efficiency Standards) and Part 11 (CALGreen). The 2019 Building Energy Efficiency Standards move toward cutting energy use in new homes by more than 50 percent and will require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories and less. The CALGreen Standards establish green building criteria for residential and nonresidential projects. The 2019 Standards include the following: increasing the number of parking spaces that must be prewired for electric vehicle chargers in residential development; requiring all residential development to adhere to the Model Water Efficient Landscape Ordinance; and requiring more appropriate sizing of HVAC ducts.	**Consistent.** Development facilitated by the project would be required to comply with Title 15, Chapter 15.08 of the ACMC, which mandates the implementation of Title 24. Compliance would include complying with the most updated rooftop solar requirements at the time of construction. Future development would also be required to comply with Section 15.08.205 of the ACMC which provides standards for new residential buildings of three stories or fewer to improve energy performance by installing solar photovoltaic (PV) systems which would ensure 80 percent of the buildings' annual electric requirements are provided by on-site solar power. Additionally, future development would also have to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide. Lastly, future development would be required to adhere to goals and policies in the Castro Valley General Plan, Eden Area General Plan, Fairview Specific Plan, and the County's CCAP outlined above under Regulatory Setting which would further ensure energy efficiency in future buildings.

Furthermore, as outlined under Regulatory Setting, the Castro Valley General Plan, Eden Area General Plan, Fairview Specific Plan, and the County's CCAP also contain goals and policies related to energy efficiency and renewable energy. As discussed under Table 16 in Section 8, *Greenhouse Gas Emissions*, the proposed project would be consistent with recommended goals, policies, and actions in the County's CCAP related to energy efficiency and renewable energy. Table 11 summarizes the project's consistency with the applicable Castro Valley General Plan, Eden Area General Plan, Fairview Specific Plan policies. As shown therein, the proposed project would be consistent with the applicable policies and therefore would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

Table 11 Project Consistency with Applicable General Plan Policies

General Plan Policy	Project Consistency
Castro Valley General Plan Chapter 12, Air Quality and Climate Change	
Policy 12.2-4: Energy Efficiency. Encourage improvement to the energy efficiency of new and remodeled buildings in Castro Valley.	**Consistent.** Future development facilitated by the proposed project would be required to be constructed in accordance with the latest iteration of CALGreen, the California Energy Code, and any locally adopted amendments, which include green building practices. Additionally, future development would also have to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide.
Eden Area General Plan Greenhouse Gas Action Element	
Policy P2: New privately-developed construction and remodels above a certain size shall achieve certification under LEED, Build It Green GreenPoint Rated, or equivalent rating system. This policy shall be implemented through the County's Green Building Ordinance. New construction and remodels not required to achieve certification under the Green Building Ordinance shall be encouraged to incorporate green building techniques designed to reduce the energy and water use of new or remodeled buildings.	**Consistent.** Future development would be required to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide.
Policy P4: The planting of trees should be required on the south- and west-facing sides of new buildings to reduce energy usage, unless trees would interfere with existing solar equipment.	**Consistent.** Future development would be reviewed by County staff for General Plan consistency and this policy would be applied where warranted.
Fairview Specific Plan Conservation Element	
Policy CO-3.4: Encourage energy conservation, renewable energy systems, recycled material use, and other green building methods in new development and major construction projects.	**Consistent.** Future development facilitated by the proposed project would be required to be constructed in accordance with the latest iteration of CALGreen, the California Energy Code, and any locally adopted amendments, which include green building practices. Additionally, future development would also have to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide. Future development would also be required to divert at least 75 percent of asphalt, concrete, and earth debris and at least 50 percent of other debris during construction activities pursuant to Section 4.38.030 of the ACMC.

Source: Alameda County Community Development Agency 2010; Alameda County Community Development Agency 2012; Alameda County Board of Supervisors 2021

LESS THAN SIGNIFICANT IMPACT

7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	■	☐
2. Strong seismic ground shaking?	☐	☐	■	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
4. Landslides?	☐	☐	■	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	■	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	■	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	■	☐	☐

Environmental Setting

Regional and Local Geology

Castro Valley, Eden, and Fairview areas are part of the Coast Ranges geomorphic province. A geomorphic province is a naturally defined geologic region that displays a distinct landscape or landform according to its geology, faults, topographic relief and climate (Department of Conservation [DOC] 2002). The Coast Ranges are Northwest trending mountain ranges and valleys, running subparallel to the San Andreas Fault. They are composed of thick Mesozoic and Cenozoic sedimentary strata (DOC 2002).

Fault Zones

Similar to much of California, Castro Valley, Eden, and Fairview areas are located in a seismically active region. The USGS defines Holocene-active faults as those that are likely to have moved one or more times (surface displacement) in the last 10,000 years (USGS, n.d.), while inactive faults have not had surface displacement within that period. As illustrated on Figure 7, several major faults are located near and within the Eden Area, Castro Valley, and Fairview. These faults and fault zones include:

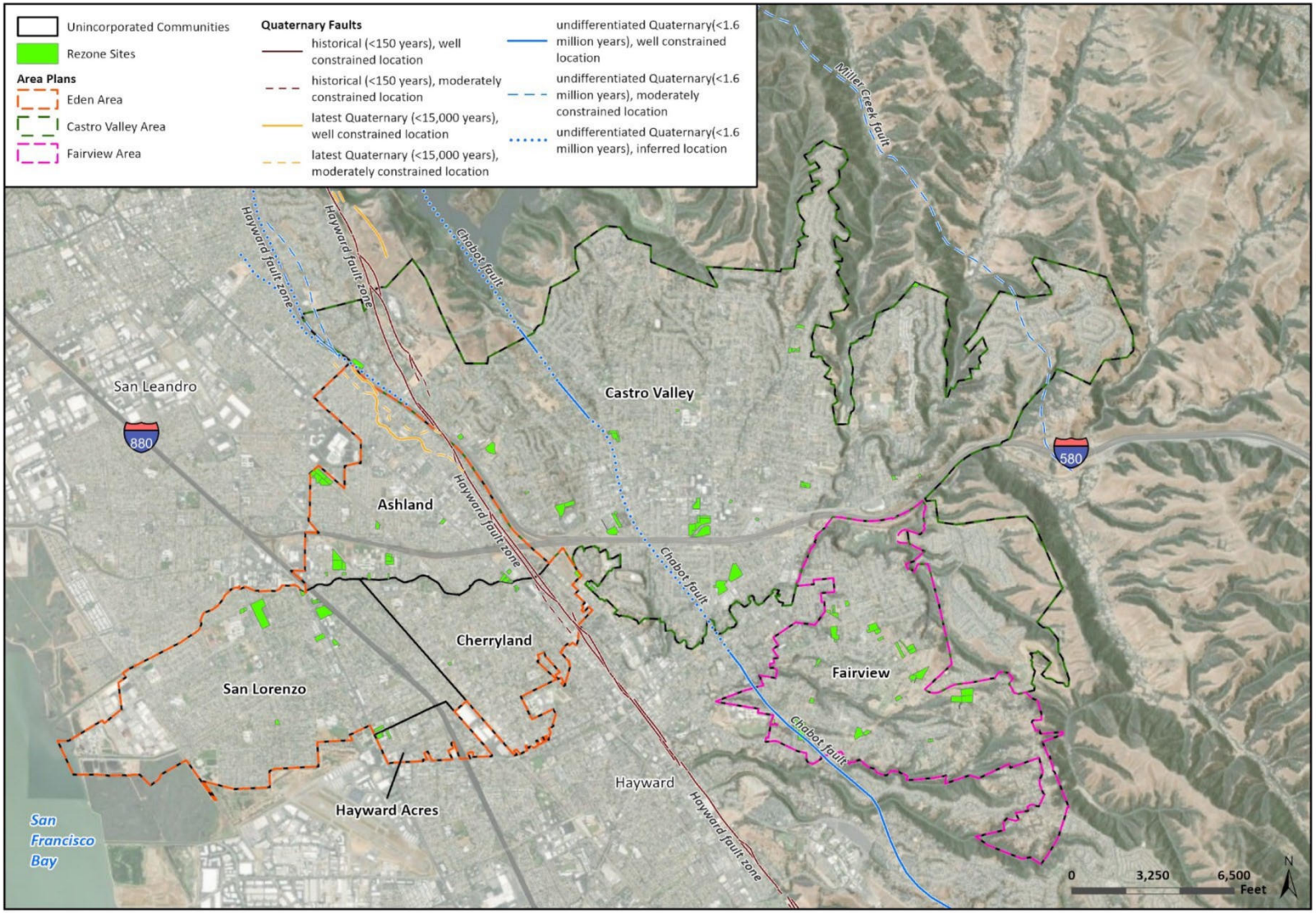
- The San Andreas Fault: Located approximately 20 miles west of the project area. The San Andreas Fault is the primary surface boundary between the Pacific and the North American plates. There have been numerous historic earthquakes along the San Andreas Fault, and it generally poses the greatest earthquake risk to California.
- The Hayward Fault: Located 0.5 miles west of Fairview, this fault runs through the western portion of Castro Valley and alongside the Eastern edge of the Eden Area. The Hayward Fault is part of the wide plate boundary between the Pacific and the North American plates.
- The Calaveras Fault: Located approximately 7 miles east of Fairview, approximately 8 miles east of Castro Valley and approximately 10 miles east of the Eden Area.

The San Andreas, Hayward, and Calaveras faults are Holocene-active. As shown on Figure 7, the Chabot Fault also runs through Castro Valley and a portion of southwestern Fairview and the Miller Creek Fault runs through a portion of eastern Castro Valley. However, the Chabot Fault and the Miller Creek Fault system are not known to be Holocene active and therefore are not specified as an Alquist-Priolo earthquake fault. Therefore, the closest Holocene-active fault to the rezone sites is the Hayward Fault.

Seismic Hazards

In addition to primary hazards like surface fault ruptures, earthquakes also result in secondary hazards and impacts such as ground shaking, landslides, and liquefaction, which could cause widespread damage.

Figure 7 Fault Zones



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Additional data provided by the County of Alameda, 2024; USGS, 2020.

GROUND SHAKING

Seismically induced ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. The USGS and Association of Bay Area Governments (ABAG) have worked together to map the likely intensity of ground-shaking throughout the Bay Area under various earthquake scenarios. The most intense ground-shaking scenario mapped in the vicinity assumes a 7.0 magnitude earthquake on the Hayward Fault system (northern and peninsula segments). The predicted ground-shaking level from such an earthquake would be "severe shaking" with some areas of "violent shaking" throughout the project area (ABAG/MTC 2012).

LIQUEFACTION AND SEISMICALLY INDUCED SETTLEMENT

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

There are areas of varying liquefaction risk throughout Castro Valley, the Eden Area, and Fairview. As shown in Figure 8, the Eden Area has areas of moderate, high, and very high liquefaction risk. Most of the rezone sites within the Eden Area are within areas of moderate liquefaction risk, with the exception of three sites which are in an area of high liquefaction risk. Castro Valley is made up of very low, low, and moderate areas of liquefaction risk. Rezone sites within Castro Valley fall into one of these categories as shown in Figure 8. Fairview is made up of areas with very low liquefaction risk and the rezone sites proposed for this area are all within low liquefaction risk zones.

Landslides

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

Areas susceptible to landslides are typically characterized by steep, unstable slopes in weak soil/bedrock units which have a record of previous slope failure. There are numerous factors that affect the stability of the slope, including: slope height and steepness, type of materials, material strength, structural geologic relationships, ground water level, and level of seismic shaking.

As shown in Figure 9, there are minimal landslide zones located within the Eden Area. Both Castro Valley and Fairview have areas that are susceptible to landslides. There are rezone sites within Castro valley and Fairview that are partially within or adjacent to areas of high landslide susceptibility.

Figure 8 Liquefaction Zones

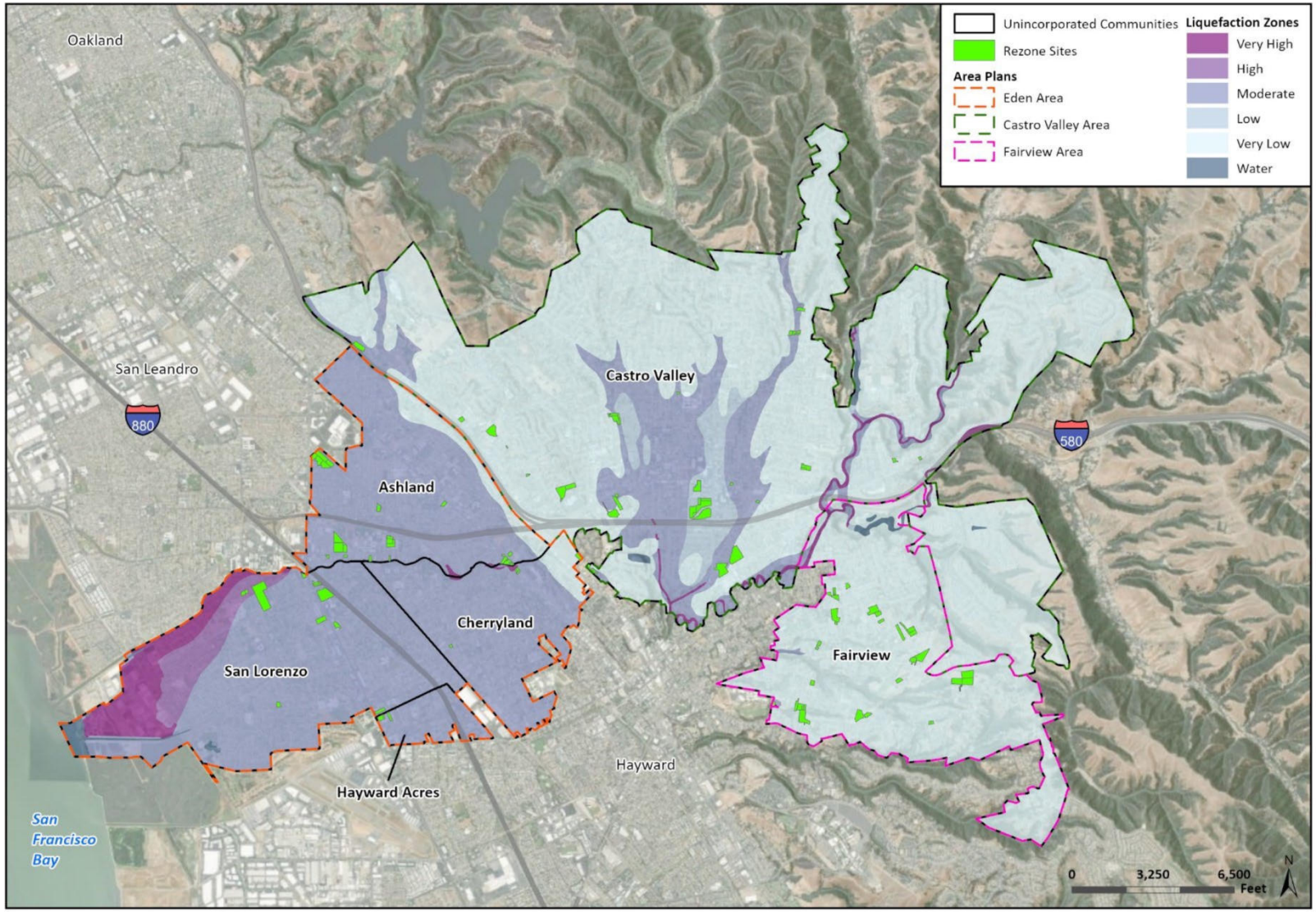

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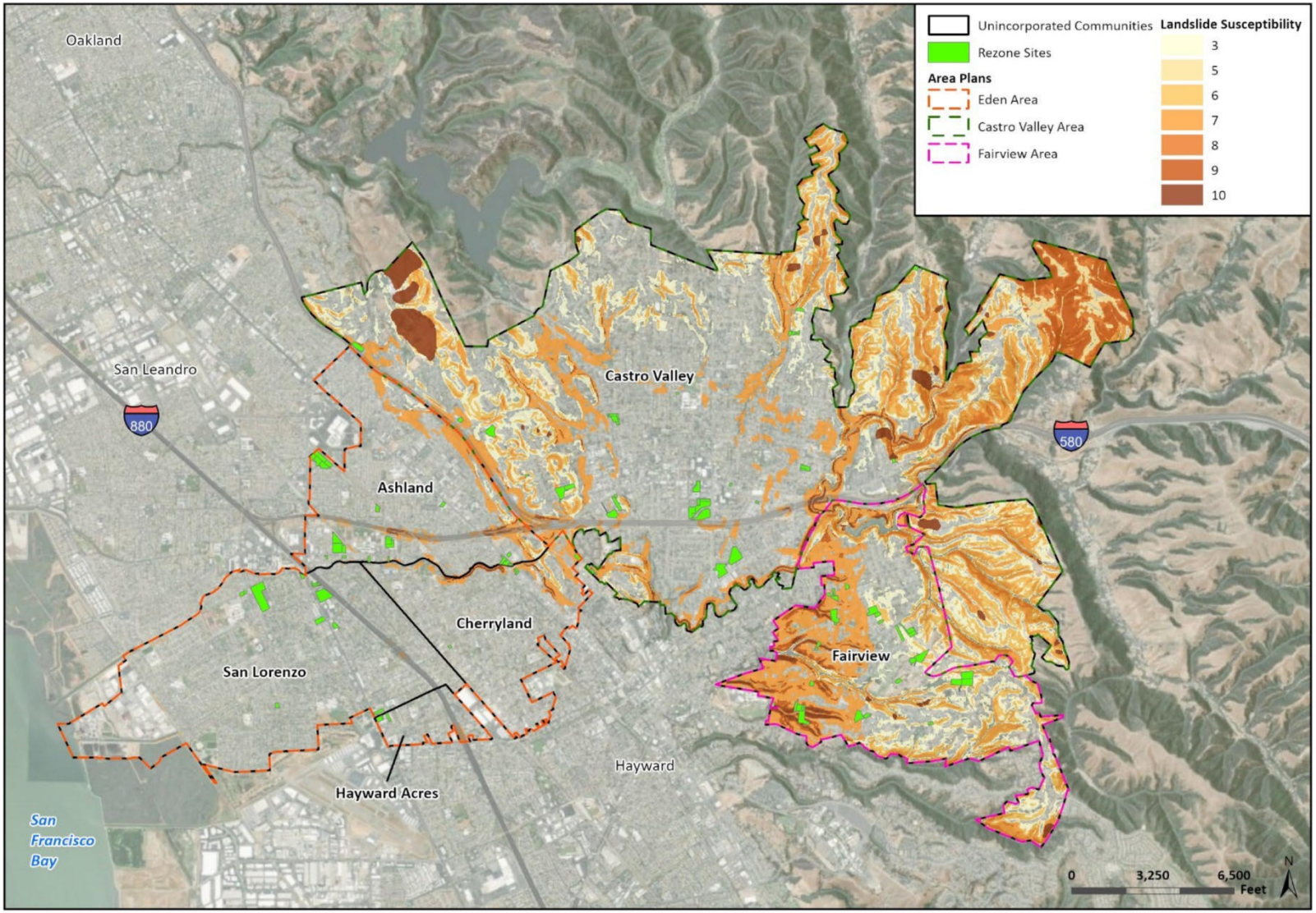
Figure 9 Landslide Hazard Zones



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Expansive Soils

Expansive soils can change dramatically in volume depending on moisture content. When wet, these soils can expand; conversely, when dry, they can contract or shrink. Sources of moisture that can trigger this shrink-swell phenomenon include seasonal rainfall, landscape irrigation, utility leakage, and/or perched groundwater. Expansive soil can develop wide cracks in the dry season, and changes in soil volume have the potential to damage concrete slabs, foundations, and pavement. Special building/structure design or soil treatment are often needed in areas with expansive soils. Expansive soils are typically very fine-grained with a high to very high percentage of clay. The clay minerals present typically include montmorillonite, smectite, and/or bentonite. Linear extensibility is used to determine the shrink-swell potential of soils. The shrink-swell potential or expansivity is low if the soil has a linear extensibility of less than 3 percent; moderate if 3 to 6 percent; high if 6 to 9 percent; and very high if more than 9 percent. Figure 10 shows soil types within the county and Table 12 lists those soil types and describes their expansivity.

Erosion

Erosion is the wearing away of the soil mantle by running water, wind or geologic forces. It is a naturally occurring phenomenon and ordinarily is not hazardous. However, excessive erosion can contribute to landslides, siltation of streams, undermining of foundations, and ultimately the loss of structures. Removal of vegetation tends to heighten erosion hazards.

Table 12 Unincorporated Alameda County Soil Parameters

Map Unit #	Name	Expansivity[1]
100	Altamont clay, 5 to 15 percent slopes	High
103	Azule clay loam, 9 to 30 percent slopes	Moderate
106	Botella loam, 0 to 2 percent slopes, MLRA 14	Low
107	Clear Lake clay, drained, 0 to 2 percent slopes, MLRA 14	Very high
108	Clear Lake clay, 2 to 9 percent slopes, drained	High
109	Climara clay, 30 to 50 percent slopes, MLRA 15	High
111	Danville silty clay loam, 0 to 2 percent slopes	Moderate
113	Diablo clay, 9 to 15 percent slopes, MLRA 15	Very high
116	Gaviota-Rock outcrop complex, 15 to 50 percent slopes	Low
117	Laugenour loam, drained	Low
119	Los Gatos-Los Osos complex, 50 to 75 percent slopes	Moderate
120	Los Osos silty clay loam, 9 to 30 percent slopes	Moderate
121	Los Osos silty clay loam, 30 to 50 percent slopes	Moderate
122	Los Osos-Millsholm complex, 9 to 30 percent slopes	Moderate
123	Los Osos-Millsholm complex, 30 to 50 percent slopes	Moderate
128	Millsholm silt loam, 30 to 50 percent slopes	Low
139	Reyes clay, 0 to 2 percent slopes	Moderate
143	Sycamore silt loam, drained, 0 to 2 percent slopes, MLRA 14	Low
145	Tierra loam, 0 to 5 percent slopes	Moderate
146	Urban Land	N/A

Map Unit #	Name	Expansivity[1]
152	Urban land-Tierra complex, 15 to 30 percent slopes	N/A
154	Willows clay, drained	High
157	Xerorthents-Altamont complex, 30 to 50 percent slopes	High
158	Xerorthents-Los Osos complex, 30 to 50 percent slopes	N/A
161	Yolo silt loam, 0 to 3 percent slopes, dry, MLRA 14	Low
162	Water	N/A
113aw	Diablo clay, 9 to 15 percent slopes	High
122aw	Los Osos-Millsholm complex, 9 to 30 percent slopes	Moderate
123aw	Los Osos-Millsholm complex, 30 to 50 percent slopes	Moderate
AzD	Azule clay loam, 3 to 30 percent slopes	Moderate
DaB	Danville silty clay loam, 3 to 10 percent slopes	Moderate
DbC	Diablo clay, 7 to 15 percent slopes	Moderate
GaE2	Gaviota rocky sandy loam, 5 to 40 percent slopes, eroded	Low
LaE2	Linne clay loam, 30 to 45 percent slopes, eroded	Moderate
LpF2	Los Gatos-Los Osos complex, 30 to 75 percent slopes, eroded, MLRA 15	Low
LsC	Los Osos loam, seeped variant, 3 to 15 percent slopes	Low
LtD	Los Osos silty clay loam, 7 to 30 percent slopes	Moderate
LtE2	Los Osos silty clay loam, 30 to 45 percent slopes, eroded	Moderate
LtF2	Los Osos silty clay loam, 45 to 75 percent slopes, eroded	Moderate
LuD	Los Osos and Millsholm soils, 7 to 30 percent slopes	Moderate
LuDaa	Los Osos and Millsholm soils, 7 to 30 percent slopes	Moderate
LuE2	Los Osos and Millsholm soils, 30 to 45 percent slopes, eroded	Moderate
LuE2aa	Los Osos and Millsholm soils, 30 to 45 percent slopes, eroded	Moderate
MhE2	Millsholm silt loam, 30 to 45 percent slopes, eroded	Low
MhF2	Millsholm silt loam, 45 to 75 percent slopes, eroded	Low
RoF	Rock Land	N/A

[1] Low expansivity: <3% linear extensibility

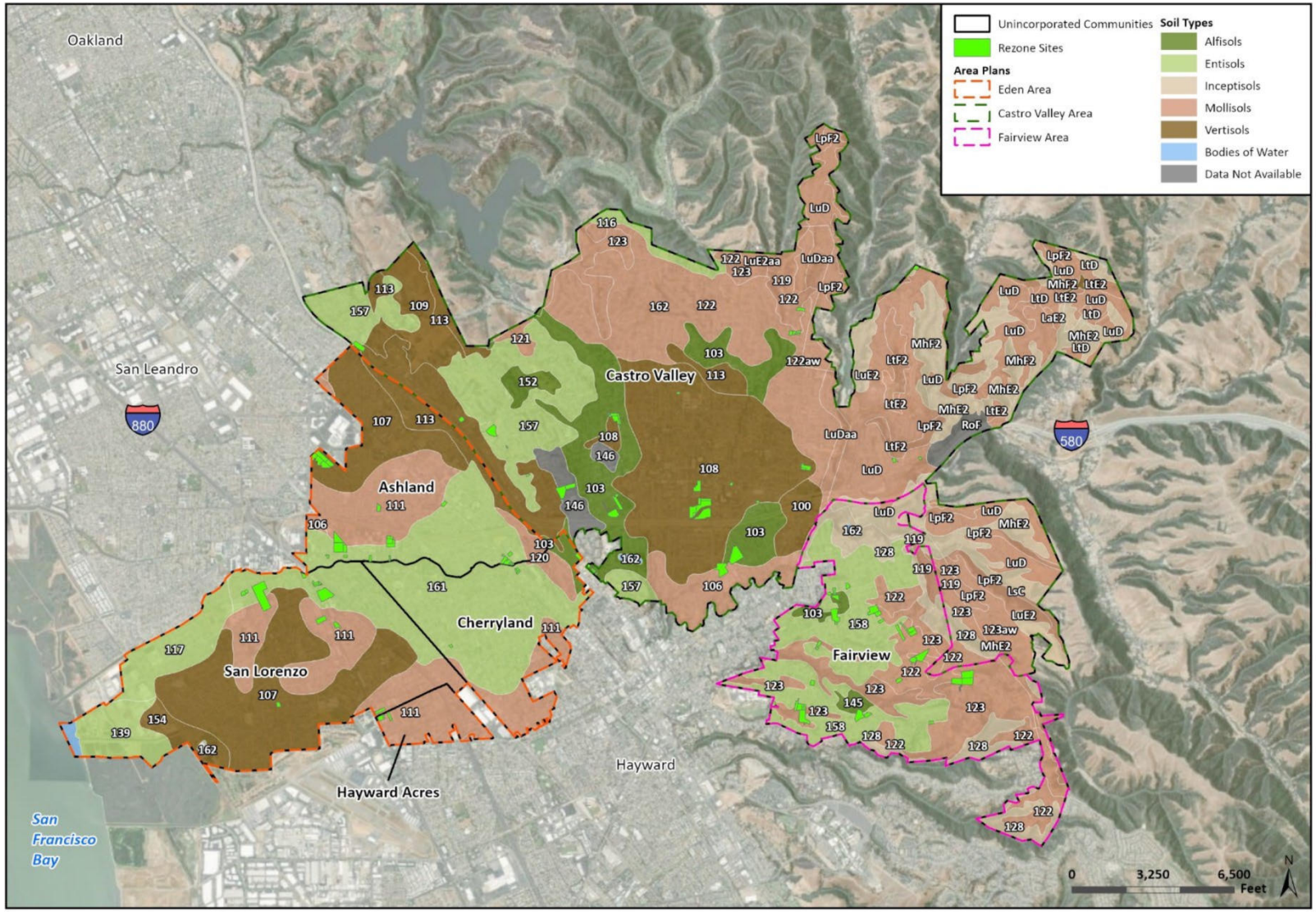
Moderate expansivity: 3-6% linear extensibility

High expansivity: 6-9% linear extensibility

Very high expansivity: >9% linear extensibility

Sources: USDA 2022

Figure 10 Soil Types in the Project Area



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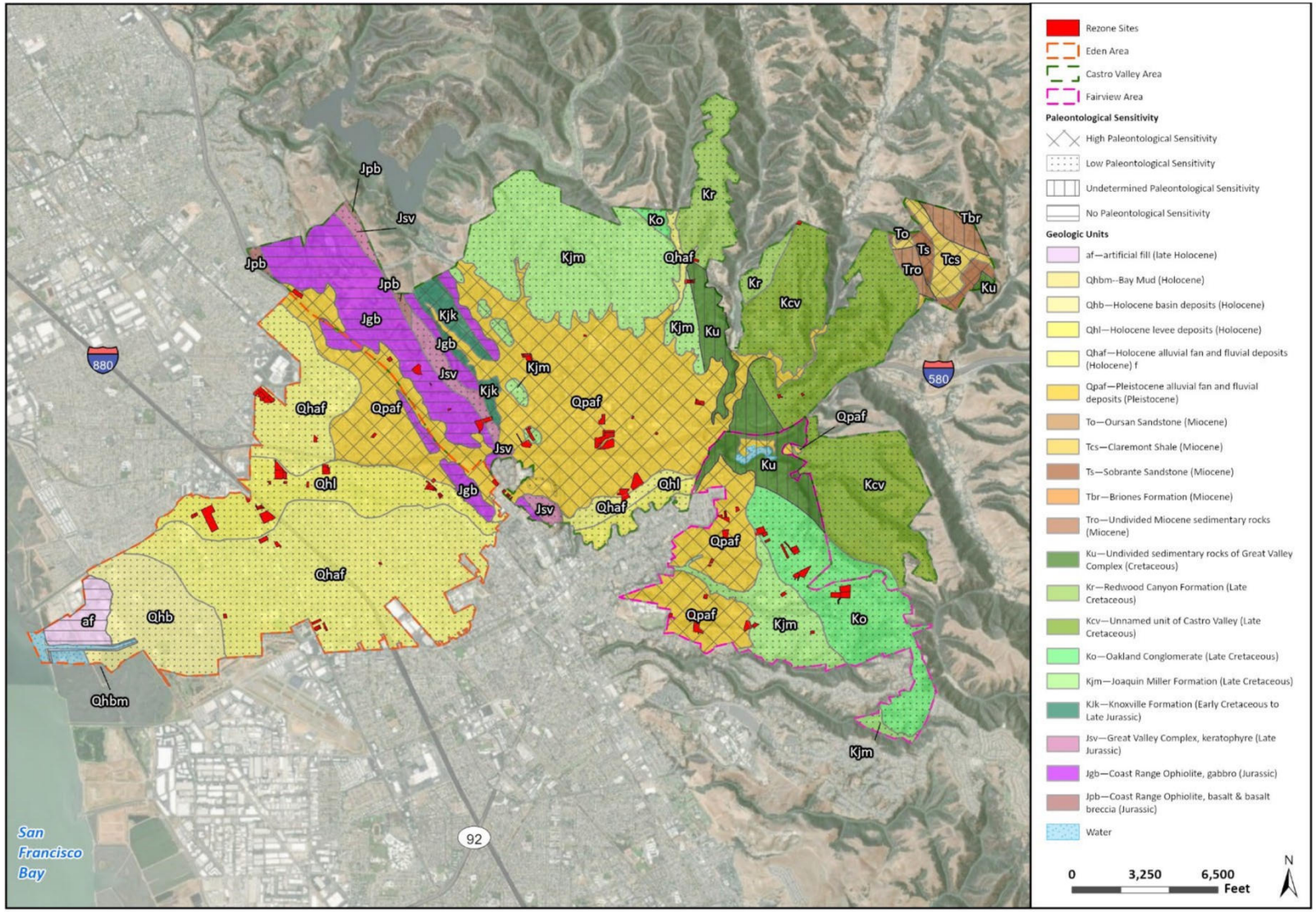
Paleontological Resources

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in "soil" but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors. It is possible to evaluate the potential for geologic units to contain scientifically important paleontological resources, and therefore evaluate the potential for impacts to those resources and provide mitigation for paleontological resources if they are discovered during construction of a development project.

The region surrounding the Eden Area, Fairview Area, and Castro Valley Area, was mapped by Graymer (2000) and as shown on Figure 11, the area is underlain by twenty geologic units:

- Artificial fill
- Holocene basin deposits
- Holocene levee deposits
- Holocene alluvial fan and fluvial deposits
- Bay Mud
- Pleistocene alluvial fan and fluvial deposits
- Briones Formation
- Oursan Sandstone
- Claremont Shale
- Sobrante Sandstone
- Undivided Miocene sedimentary rocks
- Undivided sedimentary rocks of Great Valley Complex
- Redwood Canyon Formation
- Unnamed unit of Castro Valley
- Oakland Conglomerate
- Joaquin Miller Formation
- Knoxville Formation
- Great Valley Complex, keratophyre
- Coast Range Ophiolite, gabbro
- Coast Range Ophiolite, basalt & basalt breccia

Figure 11 Geologic Map and Paleontological Sensitivity



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Geologic data provided by R.W. Graymer, 2000.

Regulatory Setting

The following includes applicable State regulations pertaining to geology and soils as well as goals and policies from the Alameda County Safety Element, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan.

California Building Code

The California Building Code (CBC), Title 24, Part 2 provides building codes and standards for the design and construction of structures in California. It requires, among other things, seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities and requires the implementation of erosion control measures. The County is responsible for enforcing the CBC within the unincorporated areas of the County Chapter 15 of the ACMC enforces the adoption of the 2022 California Building Code (Title 24, Part 2).

The referenced codes and standards include requirements for evaluations of geologic conditions at future project sites and design and construction standards to address geologic hazards. Geotechnical investigations are performed to identify the geologic conditions at a site and to evaluate whether a proposed project is feasible given the existing geological conditions. The Geotechnical report must be completed by a California licensed professional and must provide recommendations for foundation and structural design to address any geologic hazards. Such reports are required under the following conditions:

- New structures designed under the California Building Code in accordance with CBC 1803.5.11 and CBC 1803.5.12.
- New structures designed under the California Residential Code and located in a seismic hazard zone in accordance with CRC R401.4. This requirement does not apply to new accessory structures including utility sheds, garages and accessory dwelling units.
- New structures within a delineated earthquake fault zone:
- A single-family wood-frame or steel-frame dwelling exceeding two stories or when any dwelling is part of a development of four or more dwellings. Multi-family and commercial of any kind.
- Alterations or additions to any structure within a seismic hazard zone which exceed either 50 percent of the value of the structure or 50 percent of the existing floor area of the structure.
- In accordance with CBC 1803.5.2 and CRC R401.4.1 where design values exceed the presumptive values or the classification, strength or compressibility of the soil is in doubt.
- Where deep foundations will be used, a geotechnical investigation shall be conducted in accordance with CBC 1803.5.5.
- For new structures assigned to Seismic Design Category C, D, E or F, a geotechnical investigation shall be conducted in accordance with CBC 1803.5.11.

Alameda County Safety Element

The Alameda County General Plan Safety Element (Alameda County 2022a) includes the following goals and policies related to geologic hazards.

Goal 1: To minimize risks to lives and property due to seismic and geologic hazards.

- **Policy P1:** To the extent possible, projects should be designed to accommodate seismic shaking and should be sited away from areas subject to hazards induced by seismic shaking (landsliding, liquefaction, lurking, etc.) where design measures to mitigate the hazards will be uneconomic or will not achieve a satisfactory degree of risk reduction.
- **Policy P2:** Structures should be located at an adequate distance away from active fault traces, such that surface faulting is not an unreasonable hazard.
- **Policy P3:** Aspects of all development in hillside areas, including grading, vegetation removal and drainage, should be carefully controlled in order to minimize erosion, disruption to natural slope stability, and landslide hazards.
- **Policy P4:** Within areas of demonstrated or potential slope instability, development should be undertaken with caution and only after existing geological and soil conditions are known and considered. In areas subject to possible widespread major landsliding, only very low density development should be permitted, consistent with site investigations; grading in these areas should be restricted to minimal amounts required to provide access.
- **Policy P6:** The County shall not approve new development in areas with potential for seismic and geologic hazards unless the County can determine that feasible measures will be implemented to reduce the potential risk to acceptable levels, based on site-specific analysis. The County shall review new development proposals in terms of the risk caused by seismic and geologic activity.
- **Policy P7:** The County, prior to approving new development, shall evaluate the degree to which the development could result in loss of lives or property, both within the development and beyond its boundaries, in the event of a natural disaster.
- **Policy P9:** Site specific geologic hazard assessments, conducted by a licensed geologist, shall be completed prior to development approval in areas with landslide and liquefaction hazards as indicated and for development proposals submitted in Alquist-Priolo Zones. Mitigation measures needed to reduce the risk to life and property from earthquake induced hazards should be included.
- **Policy P10:** Buildings shall be designed and constructed to withstand ground shaking forces of a minor earthquake (1-4 magnitude) without damage, of a moderate (5 magnitude) earthquake without structural damage, and of a major earthquake (6-8 magnitude) without collapse of the structure. The County shall require that critical facilities and structures (e.g. hospitals, emergency operations centers) be designed and constructed to remain standing and functional following an earthquake.
- **Policy P11:** All construction in unincorporated areas shall conform to the Alameda County Building Ordinance, which specifies requirements for the structural design of foundations and other building elements within seismic hazard areas.
- **Policy P14:** In order to minimize off-site impacts of hillside development, new construction on landslide-prone or potentially unstable slopes shall be required to implement drainage and erosion control provisions to avoid slope failure and mitigate potential hazards.

Goal 6: Prepare and keep current County emergency procedures in the event of potential natural or man-made disaster.

- **Policy P2:** Adequate emergency water flow, emergency vehicle access and evacuation routes shall be incorporated into any new development prior to project approval.

Eden Area General Plan

The Public Safety Element of the Eden Area General Plan (Alameda County Community Development Agency 2010) includes the following goal and policies related to geologic hazards.

Goal SAF-1: Minimize the risks to lives and property due to seismic and geologic hazards.

- **Policy P1:** Site specific geologic hazard assessments, conducted by a licensed geologist, shall be completed prior to development approval in areas with landslide and liquefaction hazards. Hazards to be mapped include:
  - Seismic features
  - Landslide potential
  - Liquefaction potential
  - Mitigation measures needed to reduce the risk to life and property from earthquake induced hazards should be included.
- **Policy P2:** Buildings shall be designed and constructed 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 of the structure. The County shall require that critical facilities and structures (e.g. hospitals, emergency operations centers) be designed and constructed to remain standing and functional following an earthquake.
- **Policy P3:** All construction in the Eden Area shall conform with the Uniform Building Code and the Alameda County Building Code, which specify requirements for seismic design, foundations and drainage.
- **Policy P6:** New development in areas with the potential for landslides or liquefaction hazards, shall not be approved unless the County can determine that feasible measures will be implemented to reduce the potential risk to acceptable levels, based on site-specific analysis. The County shall review new development proposals in terms of the risk caused by seismic and geologic activity.
- **Policy P7:** In order to minimize off-site impacts of hillside development, new construction on landslide-prone or potentially unstable slopes shall be required to implement drainage and erosion control provisions to avoid slope failure and mitigate potential hazards.

Castro Valley General Plan

The Natural Hazards and Public Safety Element of the Castro Valley General Plan (Alameda County Community Development Agency 2012) includes the following goal and policies related to geologic hazards.

Goal 10.3-1: Minimize risks of property damage and personal injury posed by geologic and seismic hazards.

- **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.
- **Policy 10.3-2:** Erosion and Landslides. Reduce damage to properties caused by erosion and landslides.

Fairview Specific Plan

The Fairview Specific Plan includes the following goal and policies related to geologic hazards.

Goal EH-1: Minimize risks to life, property, and the environment from natural hazards, including earthquakes, landslides, wildfires, and floods.

- **Policy EH 1.1:** All State and County Building Code, Fire Code, and Subdivision Code requirements related to seismic hazards, landslides, flooding, erosion, wildfire, and weed abatement shall be enforced.
- **Policy EH-1.2:** All buildings shall be designed and constructed to withstand the ground-shaking forces of a major earthquake. Critical facilities such as schools and fire stations shall be designed and constructed to remain standing and functional after such an event.
- **Policy EH-1.3:** Major infrastructure, including roads, pipelines, water lines, gas mains, and communication facilities, shall be designed to minimize damage and service disruptions during and after an earthquake.
- **Policy EH-1.5:** Construction on landslide-prone or potentially unstable slopes shall include drainage and erosion control provisions to avoid slope failure. Construction may only be permitted if the County can determine that feasible measures can be implemented to reduce the potential risk to acceptable levels, based on site specific analysis.

The Fairview Specific Plan also includes Development Standards which requires Site Specific Geotechnical/ Geologic Hazard Assessments, limits construction over fault lines, and require construction in areas prone to geologic or seismic hazards to incorporate design features to minimize building failure. These development standards also address erosion and restrict construction in erosion prone areas.

Alameda County Municipal Code

The ACMC includes Chapter 15 which sets guidelines and regulations for buildings and construction in Alameda County. Specifically, ACMC Chapter 15.36.320 sets requirements for a geotechnical investigation to be conducted on a project site when the shrink-swell rating of the soil in the area of proposed grading is greater than 0.5 or when the property is located within an earthquake fault zone of seismic hazard zone. Additionally, Chapter 15.08 of the ACMC adopts the California Building Code which includes standards for building structures that are engineered to withstand seismic activity.

Impact Analysis

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The Hayward fault runs through a portion of the Eden Area and Castro Valley as delineated on the Alquist-Priolo Earthquake Fault Zoning Map (DOC 2021a). There are rezone sites in both the Eden Area and Castro Valley that are near the Hayward Fault. The closest rezone site is within 70 feet of the Hayward fault (APN 80A-153-3-6). This site falls within the Hayward Fault Zone and therefore development on this site would be subject to regulations under the Alquist-Priolo Act. According to this law, structures for human occupancy cannot be placed over the fault and must be a minimum

distance from the fault (generally 50 feet). Therefore, while the boundary of the site is near the fault location, with compliance with existing regulations habitable structures would not be placed within 50 feet of the fault such that structures would be subject to ground rupture. Further, for future development near a fault, a geotechnical investigation would be required prior to any development on site in accordance with ACMC Chapter 15.36.320. Furthermore, development facilitated by the proposed project at all sites would be required to adhere to the CBC Chapter 18A which outlines seismic requirements for development including the requirement of a geotechnical investigation and geohazard reporting to be completed prior to project construction to identify and mitigate potential geological hazards on site. Therefore, with compliance with existing regulations to address development on or in close proximity to faults, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

CEQA is concerned with the impacts of a project on the environment, and not the impacts of the environment on a project. Therefore, a project would not have a significant environmental effect involving strong seismic ground shaking unless the project would increase the risk of harm to surrounding properties from such ground shaking. Any such impacts from any development project facilitated by the HEU is unlikely, not currently known, and wholly speculative at this time based upon available evidence. Therefore, the project would not have any known environmental impact under CEQA involving strong seismic ground shaking.

Even if CEQA were concerned with impacts of the environment on projects, the impact would be less than significant. As with any site in the Bay Area region, development under the proposed HEU is susceptible to strong seismic ground shaking in the event of a major earthquake. Nearby faults include the San Andreas Fault, the Hayward Fault and the Calaveras Fault. These faults are capable of producing strong seismic ground shaking in the unincorporated areas of Alameda County.

Although nothing can ensure that residences and infrastructure do not fail under seismic stress, proper engineering can minimize the risk to life and property. Accordingly, building standards have been developed for construction in areas subject to seismic ground-shaking. Development facilitated by the proposed HEU would be required to comply with standards established by Chapter 15.08 of the County Municipal Code, which adopts the California Building Code. The requirements of the California Building Code ensure that new habitable structures are engineered to withstand the expected ground acceleration at a given location. Further, California Building Code Chapter 18 requires that actions recommended in a site-specific soil investigation are incorporated into the construction of each structure. Additionally, the project would promote infill development, which may involve replacing older buildings subject to seismic damage with newer structures built to current seismic standards that could better withstand the adverse effects of strong ground shaking. Although the risk of sustaining an earthquake with higher ground accelerations can never be completely eliminated, compliance with all applicable provisions of the California Building Code and the County Municipal Code would ensure that potential impacts from ground-shaking would be minimized to the extent possible. Furthermore, development facilitated by the proposed project would be required to comply with policy 10.3-1 in the Castro Valley General Plan, policies P1, P2, and P3 of the Eden Area General Plan, and policy EH-1.2 of the Fairview Specific Plan as described above. Compliance with these policies would ensure that development is designed to withstand seismic ground shaking.

Conformance with the requirements of the California Building Code, AMCM, and General Plan policies would reduce impacts related to seismic ground shaking to be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

CEQA is concerned with the impacts of a project on the environment, and not the impacts of the environment on a project. Therefore, a project would not have a significant environmental effect involving seismic-related ground failure, including liquefaction, unless the project would increase the risk of harm to surrounding properties from such geologic hazards. Any such impacts from any development project facilitated by the HEU is unlikely, not currently known, and wholly speculative at this time based upon available evidence. Therefore, the project would not have any known environmental impact involving seismic-related ground failure, including liquefaction.

Even if CEQA were concerned with impacts of the environment on projects, the impact would be less than significant. As shown on Figure 8, although the majority of rezone sites are located in very low and low risk liquefaction zones, some are located on moderate liquefaction risk zones within Castro Valley and the Eden Area and three sites in the Eden Area are fully or partially located in a high liquefaction risk zone (APN 411-21-5-2, 411-21-5-4, and 412-22-7-2). However, future development facilitated by the proposed HEU would be subject to applicable policies within the ACMC chapter 15.36 which requires a geotechnical investigation to be completed if a site is within a seismic hazard zone. Chapter 18 of the California Building Code also requires that actions recommended in a site-specific soil investigation are incorporated into the construction of each structure. Compliance with State and County requirements would reduce seismic ground shaking impacts with current engineering practices and the project would not exacerbate liquefaction potential in the area. As such, the proposed HEU would not directly or indirectly cause substantial adverse effects from liquefaction risk.

LESS THAN SIGNIFICANT IMPACT

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

As shown in Figure 9, there are rezone sites within areas of moderate landslide risk. Development on these sites would be required to adhere to the CBC, the Public Resources Code (PRC) Section 2690-2699.6, *Seismic Hazards Mapping Act,* and the California Residential Code, respectively, and the County's design review process, which regulates and provides requirements for development on steeper slopes. Furthermore, development facilitated by the proposed HEU would be required to adhere to applicable general plan policies as discussed in the setting section above. Therefore, the impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The proposed HEU would mostly include infill development in undeveloped and underutilized areas and rezoning to allow for increased density. Demolition and construction activities would be required to comply with CBC, Appendix Section J110, Erosion Control Standards, which ensures appropriate erosion and stormwater pollution control during grading and construction activities.

Further, construction activities that occur on more than one acre are required to obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit. NPDES requires the development of a storm water pollution prevention plan (SWPPP), which includes BMPs to reduce erosion and topsoil loss from stormwater runoff. BMP examples generally include an effective combination of erosion and sediment controls, which include barriers such as silt fences, hay bales, drain inlet protection, or gravel bags. Additionally, ACMC Section 15.36.600, which includes measures such as the planting of permanent vegetation and the preservation of natural features to reduce erosion during the grading process and Section 15.36.620 which requires the preparation of erosion and sediment control plans, would be applicable to development facilitated by the project. Furthermore, ACMC Section 16.16.080, which requires erosion and siltation control measures such as the installation of debris basins, would be applicable to reduce erosion from development facilitated by the proposed project. Therefore, through compliance with existing regulations, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

CEQA is concerned with the impacts of a project on the environment, and not the impacts of the environment on a project. Therefore, a project would not have a significant environmental effect involving landslides, lateral spreading, subsidence, liquefaction, or collapse, unless the project would increase the risk of harm to surrounding properties from such geologic hazards. Any such impacts from any development project facilitated by the HEU is unlikely, not currently known, and wholly speculative at this time based upon available evidence. Therefore, the project would not have any known environmental impact involving landslides, lateral spreading, subsidence, liquefaction, or collapse.

While there are rezone sites within and near areas at risk of landslides, development on these sites would be required to complete a geotechnical investigation, pursuant to ACMC Chapter 15.36. Additionally, development facilitated by the HEU would be required to comply with the Alameda County Residential Design Guidelines which outline requirements for building on hillsides such as the restriction of building on slopes greater than 30 percent. Lastly, future development would be required to conform to the CBC as required by State law including Chapter 38 of the CBC which contains specific requirements for structural design, including seismic loads.

The project would also facilitate development that would replace older buildings subject to seismic damage with newer structures built to current seismic standards that could better withstand the adverse effects associated with unstable soils and liquefaction. The County would review future development for consistency with the CBC and confirm whether appropriate investigations and design measures have been employed to effectively minimize or avoid potential hazards associated with redevelopment and/or new building construction. Proper engineering, including compliance with the CBC, would minimize the risk to life and property associated with potential seismic activity in the area. Proper engineering, including compliance with the CBC, would minimize the risk to life and property associated with geologic hazards. With adherence to applicable local and state requirements, impacts would be less than significant.

NO IMPACT

d. Would the project 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?

Soils that volumetrically increase (swell) or expand when exposed to water and contract when dry (shrink) are considered expansive soils. The potential for soil to shrink and swell depends on the amount and types of clay in the soil. Highly expansive soils can cause structural damage to foundations and roads without proper structural engineering and are less suitable or desirable for development than non-expansive soils because of the necessity for detailed geologic investigations and costlier grading applications.

A project would not have a significant environmental effect involving expansive soils unless the project would increase the risk of harm to surrounding properties from such geologic hazards. Such impacts from a development project facilitated by the proposed project are unlikely, not currently known, and wholly speculative at this time based upon available evidence. Therefore, the project would not have a known environmental impact involving expansive soils.

There are rezone sites within map units that have moderate to high soil expansivity. Future development would be required to comply with Chapter 18A of the CBC and Section 15.36.320 if the ACMC which requires geotechnical investigations to be completed prior to project construction. Additionally, the CBC requires development proposed in areas where expansive soil may exist to complete soil testing prior to project construction to determine where the expansive soil is on site. The CBC also includes requirements to address soil-related hazards. Typical measures to treat hazardous soil conditions involve removal of soil or fill materials, proper fill selection, and compaction. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils. This would ensure that the potential for projects to occur on expansive soils such that substantial direct or indirect risks to life or property to occur would be reduced. The County would review future development for consistency with the CBC and confirm whether appropriate investigations and design measures have been employed to effectively minimize or avoid potential hazards associated with redevelopment and/or new building construction. Therefore, impacts would be less than significant.

NO IMPACT

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

The rezones sites in Castro Valley, the Eden Area, and Fairview are served by the County's established wastewater system and would continue to be served by the County's wastewater system. The project would not include the use of septic tanks or alternative wastewater disposal systems. There would be no impact.

NO IMPACT

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

Rincon Consultants evaluated the paleontological sensitivity of the geologic units that underlie the rezone sites to assess the proposed project's potential for significant impacts to scientifically important paleontological resources. The analysis was based on a review of existing information in the scientific literature regarding known fossils within geologic units mapped within the project area. According to the SVP (2010) classification system, geologic units can be assigned a high, low,

undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources. Following the literature review, a paleontological sensitivity classification was assigned to each geologic unit. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units. This analysis is presented below and Table 13 summarizes the age and paleontological sensitivity of each geologic unit in the project area as well as whether any of the proposed rezoning sites overlies that geologic unit.

Artificial fill is found in the western part of the Eden Area along the shore of San Francisco Bay (Figure 11). Artificial fill represents sediment deposited by humans for construction or development (Graymer 2000). Artificial fill was not naturally deposited and cannot preserve scientifically significant paleontological resources. Therefore, artificial fill has no paleontological sensitivity.

Holocene basin deposits are found in the western part of the Eden Area (Figure 11). Holocene basin deposits consist of silty clay or clay that were deposited in flat-floored basins at the edge of alluvial fans (Graymer 2000). These sediments are Holocene in age, and thus, are likely too young to preserve paleontological resources (SVP 2010). Therefore, Holocene basin deposits have low paleontological sensitivity.

Holocene levee deposits are found along San Lorenzo Creek in the Eden Area and Castro Valley Area (Figure 11). Holocene levee deposits consist of unconsolidated, moderately to well-sorted, sandy silt to silty clay bordering stream channels (Graymer 2000). These sediments are Holocene in age, and thus, are likely too young to preserve paleontological resources (SVP 2010). Therefore, Holocene basin deposits have low paleontological sensitivity.

Holocene alluvial fan and fluvial deposits are found in the Eden Area and Castro Valley Area (Figure 11). Holocene alluvial fan and fluvial deposits are brown or tan and range from sandy gravel to silty clay (Graymer 2000). These sediments are Holocene in age, and thus, are likely too young to preserve paleontological resources (SVP 2010). Therefore, Holocene alluvial fan and fluvial deposits have low paleontological sensitivity.

Bay Mud is found in the southwestern part of the Eden Area (Figure 11). Bay Mud consists of gray or green clay and silty clay with occasional sandy or shelly lenses (Graymer 2000). Bay Mud is Holocene in age and may be up to 40 meters thick. These sediments are Holocene in age, and thus, are likely too young to preserve paleontological resources (SVP 2010). Therefore, Bay Mud has low paleontological sensitivity.

Pleistocene alluvial fan and fluvial deposits are found in the Eden Area, Castro Valley Area, and Fairview Area (Figure 11). Pleistocene alluvial fan and fluvial deposits are brown and range from clayey gravel to sandy clay and are Pleistocene in age (Graymer 2000). Pleistocene alluvial sediments have produced many paleontological resources in Alameda County, including mammoth (Mammuthus), mastodon (Mammut), ground sloth (Paramylodon), bison (Bison), camel (Camelops), rodents, birds, reptiles, and invertebrates (Jefferson 2010; Paleobiology Database [PBDB] 2023; University of California Museum of Paleontology [UCMP] 2023). Given this fossil-producing history, Pleistocene alluvial fan and fluvial deposits have high paleontological sensitivity.

The Briones Formation is found in the eastern part of the Castro Valley Area (Figure 11). The Briones Formation consists of conglomerate, shell breccia, sandstone, and siltstone that is late to middle Miocene in age (Graymer 2000). The Briones Formation has produced significant fossil localities throughout the northern Coast Ranges, bearing taxa such as marine mammals (*Desmostylus*), birds,

turtles, sharks, and invertebrates (PBDB 2023; UCMP 2023). Given this fossil-producing history, the Briones Formation has high paleontological sensitivity.

The Oursan Sandstone is found in the eastern part of the Castro Valley Area (Figure 11). The Oursan Sandstone consists of greenish-gray, medium-grained sandstone with calcareous concretions and is Miocene in age (Graymer 2000). The Oursan Sandstone has produced fossils such as bivalves and gastropods (UCMP 2023). Although common invertebrates are generally not considered scientifically significant, their presence shows that the Oursan Sandstone can preserve fossils and may yield other, more significant fossils in the future. Therefore, the Oursan Sandstone has high paleontological sensitivity.

The Claremont Shale is found in the eastern part of the Castro Valley Area (Figure 11). The Claremont Shale consists of brown siliceous shale that contains yellow carbonate concretions and chert interbeds and is Miocene in age (Graymer 2000). The Claremont Shale has produced scientifically significant fossils, including dolphin (*Kampholophos*), sea cow (Sirenia), sharks, ray-finned fish, and invertebrates (PBDB 2023; UCMP 2023). Given this fossil-producing history, the Claremont Shale has high paleontological sensitivity.

The Sobrante Sandstone is found in the eastern part of the Castro Valley Area (Figure 11). The Sobrante Sandstone consists of white, massively bedded, medium-grained calcareous sandstone and is Miocene in age (Graymer 2000). The Sobrante Sandstone has produced scientifically significant fossils, including seal (*Allodesmus*), shark, ray-finned fish, invertebrates, and plants (UCMP 2023). Given this fossil-producing history, the Sobrante Sandstone has high paleontological sensitivity.

Undivided Miocene sedimentary rocks are found in the eastern part of the Castro Valley Area (Figure 11). Per Graymer (2000), areas mapped as undivided Miocene sedimentary rocks may represent Rodeo Shale, Hambre Sandstone, Tice Shale, or Oursan Sandstone, but in these areas, the different geologic units cannot be distinguished. Some of these geologic units, particularly the Hambre Sandstone, have produced scientifically significant paleontological resources (PBDB 2023; UCMP 2023). However, no fossil localities are known from the Rodeo Shale or Tice Shale. Therefore, undivided Miocene sedimentary rocks have undetermined paleontological sensitivity.

Undivided sedimentary rocks of the Great Valley Complex are found in the Castro Valley Area and Fairview Area (Figure 11). Undivided rocks of the Great Valley Complex consist of brown-weathering, massively or distinctly bedded, sandstone, siltstone, or mudstone, that are late Cretaceous in age (Graymer 2000). Late Cretaceous-aged rocks of the Great Valley Complex (some of which are assigned to named units such as the Moreno and Panoche formations) have produced fossils throughout California, including dinosaurs (Hadrosauridae), mosasaurs, sharks, ray-finned fish, bivalves, gastropods, and cephalopods (PBDB 2023; UCMP 2023). However, these rocks cannot be confidently assigned to these or any other named geologic unit of the Great Valley Complex. Therefore, undivided sedimentary rocks of the Great Valley Complex have undetermined paleontological sensitivity.

The Redwood Canyon Formation is found in the northern part of the Castro Valley Area (Figure 11). The Redwood Canyon Formation consists of cross-bedded or massively bedded, biotite- and quartz-rich, fine- to coarse-grained sandstone with thin siltstone interbeds and is Late Cretaceous in age (Graymer 2000). The Redwood Canyon Formation has produced few fossil localities, yielding fragmentary invertebrates. Therefore, the Redwood Canyon Formation has low paleontological sensitivity.

Unnamed unit of Castro Valley is found in the Castro Valley Area and Fairview Area (Figure 11). This geologic unit consists of distinct siltstone, sandstone, and conglomerate layers and is Late Cretaceous in age (Graymer 2000). No fossil localities are known from this geologic unit (PBDB 2023; UCMP 2023), but its lithology is conducive to fossilization. Therefore, the unnamed unit of Castro Valley has low paleontological sensitivity.

The Oakland Conglomerate is found in the Castro Valley Area and Fairview Area (Figure 11). The Oakland Conglomerate consists of massively bedded, medium- to coarse-grained sandstone with frequent lenses of pebble to cobble conglomerate and is Late Cretaceous in age (Graymer 2000). The Oakland Conglomerate has produced few fossil localities, yielding fragmentary invertebrates. Therefore, the Oakland Conglomerate has low paleontological sensitivity.

The Joaquin Miller Formation is found in the Castro Valley Area and Fairview Area (Figure 11). The Joaquin Miller Formation consists of thin-bedded shale with occasional sandstone interbeds that grades into fine sandstone near the top of the formation and is Late Cretaceous in age (Graymer 2000). No fossil localities are known from the Joaquin Miller Formation (PBDB 2023; UCMP 2023), but its lithology is conducive to fossilization. Therefore, the Joaquin Miller Formation has low paleontological sensitivity.

The Knoxville Formation is found in the Castro Valley Area and Fairview Area (Figure 11). The Knoxville Formation consists of dark greenish-gray silt of clay shale with thin sandstone interbeds and is early Cretaceous to late Jurassic in age (Graymer 2000). Many fossil localities are known from the Knoxville Formation in Alameda County, yielding ammonites, bivalves, gastropods, and crinoids (PBDB 2023; UCMP 2023; Woodring and Bramlette 1950). Given this fossil-producing history, the Knoxville Formation has high paleontological sensitivity.

Keratophyre of the Great Valley Complex is found in the Castro Valley Area and Fairview Area (Figure 11). Keratophyre of the Great Valley Complex consists of altered silicic volcanic rocks that are Late Jurassic in age. Keratophyre includes extrusive igneous rocks which formed by the cooling of molten rock at Earth's surface. In rare circumstances, extrusive igneous rocks can preserve fossils, so keratophyre of the Great Valley Complex has low paleontological sensitivity.

Gabbro of the Coast Range Ophiolite is found in the Castro Valley Area and Fairview Area (Figure 11). The Coast Range Ophiolite represents a large block of oceanic crust containing sedimentary, igneous, and metamorphic rocks that were thrusted onto the continental plate during the Early Cretaceous or Late Jurassic (Graymer 2000). Gabbro is a plutonic igneous rock, meaning it forms from molten rock that cools below Earth's surface, and therefore, cannot preserve fossils. Therefore, gabbro of the Coast Range Ophiolite has no paleontological sensitivity.

Basalt and basalt breccia of the Coast Range Ophiolite is found in the Castro Valley Area and Fairview Area (Figure 11). The Coast Range Ophiolite represents a large block of oceanic crust containing sedimentary, igneous, and metamorphic rocks that were thrusted onto the continental plate during the Early Cretaceous or Late Jurassic (Graymer 2000). Basalt is an extrusive igneous rock, meaning it formed by the cooling of molten rock at Earth's surface. In rare circumstances, extrusive igneous rocks can preserve fossils, so basalt and basalt breccia of the Coast Range Ophiolite has low paleontological sensitivity.

Adverse effects to paleontological resources can only be determined once a specific project has been proposed because the effects are highly dependent on both the individual project site conditions and the characteristics of the proposed ground-disturbing activity. Ground-disturbing activities associated with construction facilitated by the proposed HEU, particularly in areas that have not previously been developed with urban uses, have the potential to damage or destroy

paleontological resources that may be present on or below the ground surface in areas of high or undetermined paleontological sensitivity (i.e., Pleistocene alluvial fan and fluvial deposits, Oursan Sandstone, Claremont Shale, Sobrante Sandstone, Briones Formation, undivided Miocene sedimentary rocks, undivided sedimentary rocks of the Great Valley Complex, or Knoxville Formation; Table 13). Consequently, damage to or destruction of fossils could occur due to development under the proposed HEU. Impacts would be potentially significant, but mitigable.

Table 13 Geologic Units of the Project Area and Paleontological Sensitivity

Geologic Unit[1]	Age	Paleontological Sensitivity (SVP 2010)	Contains Rezone Sites?
Artificial fill	Late Holocene	None	No
Holocene basin deposits	Holocene	Low	No
Holocene levee deposits	Holocene	Low	Yes
Holocene alluvial fan and fluvial deposits	Holocene	Low	Yes
Bay Mud	Holocene	Low	No
Pleistocene alluvial fan and fluvial deposits	Pleistocene	**High**	**Yes**
Oursan Sandstone	Miocene	High	No
Claremont Shale	Miocene	High	No
Sobrante Sandstone	Miocene	High	No
Briones Formation	Miocene	High	No
Undivided Miocene sedimentary rocks	Miocene	Undetermined	No
Undivided sedimentary rocks of Great Valley Complex	Cretaceous	Undetermined	No
Redwood Canyon Formation	Late Cretaceous	Low	Yes
Unnamed unit of Castro Valley	Late Cretaceous	Low	Yes
Oakland Conglomerate	Late Cretaceous	Low	Yes
Joaquin Miller Formation	Late Cretaceous	Low	Yes
Knoxville Formation	Early Cretaceous to Late Jurassic	**High**	**Yes**
Great Valley Complex, keratophyre	Late Jurassic	Low	Yes
Coast Range Ophiolite, gabbro	Jurassic	None	Yes
Coast Range Ophiolite, basalt & basalt breccia	Jurassic	Low	No

Mitigation Measure

GEO-1 Paleontological Resources Assessment

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval for projects that could disturb geologic units with high or undetermined paleontological sensitivity:

> **Paleontological Resources Assessment**. Prior to initial ground disturbance on sites on geologic units with high or undetermined paleontological sensitivity (including Pleistocene alluvial fan and fluvial deposits, undivided Miocene sedimentary rocks, Undivided sedimentary rocks of Great Valley Complex, and Knoxville Formation), the project applicant shall retain a Qualified Professional Paleontologist, as defined by SVP (2010), to conduct a paleontological resources

assessment (PRA). The PRA shall determine the paleontological sensitivity of geologic formation(s) underlying the proposed disturbance area, consistent with SVP (2010) guidelines and assess the potential for the project to impact those formations. If the PRA concludes that the project could have a significant impact on paleontological resources, the Qualified Professional Paleontologist shall create a Paleontological Mitigation and Monitoring Program, which will be approved by the County.

Significance After Mitigation

Implementation of Mitigation Measure GEO-1 would ensure procedures are in place to avoid destruction of paleontological resources. With mitigation, this impact would be less than significant.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	■	☐	☐
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐

Environmental Setting

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and natural processes, such as oceanic evaporation, largely determine its atmospheric concentrations. GHGs are emitted by natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. CO_2 is emitted through burning fossil fuels like coal, natural gas, and oil, solid waste, trees, and other biological materials, and as a result of chemical reactions. CH_4 is emitted through livestock and agricultural practice as well as the production and transport of coal, oil, and natural gas (U.S. EPA 2022). Human-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and SF_6 (U.S. EPA 2022). Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO_2e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO_2 on a molecule per molecule basis (Intergovernmental Panel on Climate Change 2021).[8]

The most recent greenhouse gas emissions inventory that has been conducted for the unincorporated areas of Alameda County is for the year 2019. There are no greenhouse gas emissions inventories for the sub regions of unincorporated county, therefore this analysis is based on greenhouse gas emissions for the entire unincorporated area which includes but is not limited to the Eden Area, Castro Valley, and Fairview. The unincorporated areas of Alameda County emitted

[8] The Intergovernmental Panel on Climate Change's (2021) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change's (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes a GWPs from the Fourth Assessment Report.

approximately 950,235 metric tons of CO_2e in 2019 (Alameda County 2024). On-road transportation accounted for the largest amount of emissions (73 percent of all emissions in unincorporated Alameda County). Table 14 provides a summary of the 2019 emissions by emissions sector.

Table 14 2019 Unincorporated Alameda County Production-Based GHG Emissions Inventory

GHG Emissions Sector	GHG Emissions (MT CO_2e)	Percent of GHG Emissions Totals
On-Road Transportation	692,138	73%
Building Energy	179,606	19%
Agriculture	32,288	3%
Off-Road Vehicles and Equipment	22,886	2%
Solid Waste	20,562	2%
Wastewater Treatment	2,404	<1%
Water Supply	350	<1%
Total	**950,235**	**100%**

MT CO_2e = metric tons of carbon dioxide equivalent

Source: Alameda County 2019

Regulatory Setting

The following includes applicable GHG reduction goals and policies from the Alameda County Climate Action Plan, Eden Area General Plan, Castro Valley General Plan, Ashland and Cherryland Business District Specific Plan, and Fairview Specific Plan.

Alameda County Community Climate Action Plan

Alameda County adopted its Community Climate Action Plan (CCAP) in 2014. This plan includes the following measures related to greenhouse gas emissions:

- **Measure T-1:** Improve bicycle infrastructure near community activity areas.
- **Measure T-4:** Enhance pedestrian infrastructure within easy walking distance from community activity centers.
- **Measure T-6:** Improve pedestrian connectivity and route choice in neighborhoods.
- **Measure T-14:** Reduce minimum parking requirements for mixed-use, pedestrian and transit-oriented development.
- **Measure L-1:** Facilitate the establishment of mixed-use, pedestrian- and transit-oriented development near major transit stations or transit corridors.
- **Measure E-5:** Expand outreach to low-income homeowners in order to encourage participation in federally funded energy efficiency and weatherization programs.
- **Measure E-8:** Renew the County Green Building Ordinance.
- **Measure E-9:** Provide incentives, such as priority permitting for buildings that exceed the current California Title-24 standards for energy efficiency by 30 percent (Tier 2).
- **Measure E-10:** Require or provide incentives for new construction to use building materials containing recycled content.

- **Measure E-12:** Require all new construction and major renovation of multi-unit buildings to be "sub-metered" to enable each individual unit to monitor energy consumption.
- **Measure E-15:** Develop a comprehensive residential renewable energy program that provides outreach, financing, and other forms of assistance
- **Measure W-2:** Require new landscape projects to reduce outdoor potable water use by 40 percent.
- **Measure W-3:** Adopt an ordinance that allows the installation and use of greywater (recycled) systems for subsurface irrigation.
- **Measure W-4:** Work with EBMUD and Zone 7 to redesign water bill format to encourage water conservation in residential and commercial users.
- **Measure WS-1:** Increase solid waste reduction and diversion to 90 per- cent by 2030.
- **Measure WS-2:** Strengthen the Construction and Demolition Debris Management Ordinance.
- **Measure WS-3:** Develop a food waste collection program and adopt an ordinance that requires all household and commercial food wastes and food-soiled paper to be placed in organics carts.

Eden Area General Plan

Chapter 9, *Greenhouse Gas Action Element*, of the Eden Area General Plan contains the following applicable GHG goals and policies to address GHG concerns in the Eden Area.

Goal GHG-1: Reduce greenhouse gas emissions in the Eden Area.

- **Policy P1:** The County shall continue to participate in the ICLEI Climate Protection Program or a similar program designed to guide actions toward reductions in greenhouse gas emissions.
- **Policy P2:** The County shall continue to participate in State and regional efforts to reduce greenhouse gas emissions.
- **Policy P3:** The County's Climate Action Plan (CAP) shall be a guiding document for reductions of greenhouse gases in the Eden Area and shall be integrated into the County General Plan.
- **Policy P4:** The County shall participate in regional and statewide efforts to improve the proportion of renewable energy available to energy customers in the Eden Area.

Castro Valley General Plan

Chapter 12, *Air Quality and Climate Change*, of the Castro Valley General Plan contains the following applicable GHG goals and policies to address GHG concerns in Castro Valley.

Goal 12.2-1 Reduce greenhouse gas emissions in Castro Valley.

Goal 12.2-2 Prepare Castro Valley for the effects of climate change through the adoption of adaptation and resiliency strategies.

- **Policy 12.2-1: GHG Reduction Program Participation.** The County shall continue to participate in international, national, regional, and local programs to reduce greenhouse gas emissions.
- **Policy 12.2-2: County Climate Action Plan.** The County's Climate Action Plan shall be the guiding document for the reduction of greenhouse gases in Castro Valley and shall be implemented through all components of the County General Plan including the Castro General Plan.
- **Policy 12.2-3: Renewable Energy.** Decrease dependency on nonrenewable fuel by increasing availability and use of renewable energy sources.

- **Policy 12.2-5: Adaptation Strategies.** The County shall participate in regional efforts focused on adapting communities to the effects of climate change.

Ashland and Cherryland Business District Specific Plan

Chapter 5, *Implementation and Financing*, of the Ashland and Cherryland Business District Specific Plan contains the following applicable GHG goals and policies to address GHG concerns in the Ashland and Cherryland Business District area.

Goal 4: Development of E. 14th Street/ Mission Boulevard as a place for higher intensity uses.

- **Policy 4.1:** Promote High-Intensity, Clustered Development Supporting Increased Transit Use.
- **Policy 4.2:** Provide Transit Supportive Development.
- **Policy 4.3:** Encourage Pedestrian Scale Development.

Goal 8: A balanced and complete circulation network that creates a strong economy and vibrant community and accommodates the internal and external transportation needs of the Plan Area by promoting walking, biking, and transit while continuing to serve automobile traffic.

- **Policy 8.2:** Promote Safe and Efficient Bicycle Network Connections.
- **Policy 8.5:** Enhance Transit Efficiency and Effectiveness.

Fairview Specific Plan

The Environmental Hazards Element of the Fairview Specific Plan contains the following applicable GHG goal, policy, and development standard to address GHG concerns.

Goal CO-3 Encourage more sustainable development, reduced consumption of non-renewable resources, and land use and transportation decisions that are consistent with the County's Climate Action Plan.

- **Policy CO-3.5:** Support public education and outreach programs that increase awareness of Fairview's environmental resources and ways that residents can reduce greenhouse gas emissions.

Development Standard 8.4.8 Energy and Communication Systems.

(d): **Greenhouse Gas Emission Reduction.** New development in the Plan Area shall be screened for potential to exceed applicable project-specific GHG thresholds based on BAAQMD screening criteria. If projects are determined to exceed thresholds, the development shall include GHG reduction measures which may include but are not limited to: installation of solar photovoltaic energy systems, installation of energy-efficient lighting and all-electric appliances, tree planting, purchase of carbon offsets, the use of electrically powered landscape equipment, the use of 100 percent renewable energy, or avoiding the use of natural gas. (CEQA Mitigation Measure GHG-3)

Impact Analysis

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

In response to climate change, California implemented AB 32, the "California Global Warming Solutions Act of 2006." AB 32 requires the reduction of statewide GHG emissions to 1990 emissions levels (essentially a 15 percent reduction below 2005 emission levels) by 2020 and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions. On September 8, 2016, the Governor signed SB 32 into law, extending AB 32 by requiring the State to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program and the Low Carbon Fuel Standard, and implementation of recently adopted policies and legislation, such as SB 1383 (aimed at reducing short-lived climate pollutants including methane, hydrofluorocarbon gases, and anthropogenic black carbon) and SB 100 (discussed further below). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan Update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends local governments adopt policies and locally appropriate quantitative thresholds consistent with a statewide per capita goal of 6 metric tons MT CO_2e by 2030 and 2 MT CO_2e by 2050 (CARB 2017b). On September 10, 2018, the Governor signed Executive Order (EO) B-55-18, which identifies a new goal of carbon neutrality by 2045 and supersedes the goal established by Executive Order (EO) S-3-05.[9] AB 1279, "The California Climate Crisis Act," was passed on September 16, 2022, and declares the State would achieve net zero GHG emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative GHG emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045. In response to the passage of AB 1279 and the identification of the 2045 GHG reduction target, CARB published the Final 2022 Climate Change Scoping Plan in November 2022 (CARB 2022).

BAAQMD recently adopted updated thresholds for evaluating the significance of climate impacts from development projects (BAAQMD 2023). The new project-level thresholds state that projects must either include the following project design elements, or be consistent with a local GHG reduction strategy that meets the criteria under *CEQA Guidelines* Section 15183.5(b):

1. **Buildings**
    a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
    b. The project will not result in any wasteful, inefficient, or unnecessary energy use as determined by the analysis required under *CEQA Guidelines* Section 21100(b)(3) and Section 15126.2(b).

[9] Executive Order (EO) S-3-05, signed by Governor Arnold Schwarzenegger in 2005, proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra Nevada snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the EO established total GHG emission targets for the state. Specifically, emissions are to be reduced to the 2000 level by 2010, the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

2. **Transportation**
    a. The project will achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target that reflects the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory: *Evaluating Transportation Impacts in CEQA*:
        i. Residential projects: 15 percent below the existing VMT per capita
        ii. Office projects: 15 percent below the existing VMT per employee
        iii. Retail projects: no net increase in existing VMT
    b. The project will achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

Since Alameda County does not have a qualified CAP that meets the criteria under *CEQA Guidelines* Section 15183.5(b), this analysis is based on project consistency with BAAQMD's building and transportation design elements threshold. Alameda County currently does not have requirements for all-electric development or the inclusion of electric vehicle supply equipment for residential development. Therefore, future development facilitated by the proposed HEU could potentially include natural gas appliances and not include electric vehicle supply equipment in compliance with the most recently adopted version of CALGreen Tier 2, which would be inconsistent with BAAQMD GHG thresholds and result in a potentially significant impact.

As discussed above under Section 5, *Energy*, development facilitated by the proposed HEU would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings), and the California Green Building Standards Code (CALGreen, Title 24, Part 11 of the California Code of Regulations), as well as Sections 4.38.040, 15.08.185, and 15.08.205 of the ACMC, which would ensure that the proposed HEU would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. Additionally, as discussed below under Section 14, *Transportation*, the proposed project would result in a VMT per capita of 12.24, which is substantially below the Alameda County threshold of 16.47 VMT per capita (15 percent below the baseline VMT per capita of 19.38). Therefore, the proposed project would meet the locally adopted SB 743 VMT target. Future development facilitated by the proposed HEU would be consistent with 1.b. and 2.a. of the project-level BAAQMD thresholds. Overall, because the proposed project would be inconsistent with the BAAQMD GHG reduction strategy threshold for buildings, this impact would be potentially significant.

Mitigation Measures

The following mitigation measure is required.

GHG-1 Consistency with BAAQMD's Project-Level GHG Threshold

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:

Individual projects should be consistent with one of the following measures:

- The project should not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and the project shall achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
- Be consistent with the future Alameda County Climate Action Plan if it meets the criteria under State *CEQA Guidelines* Section 15183.5(b).

Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would ensure future development facilitated by the proposed project would be consistent with BAAQMD's updated GHG thresholds, which would reduce GHG impacts to a less than significant level.

Potential Emissions Generated by the Proposed HEU

For informational purposes, GHG emissions associated with development under the proposed HEU are shown in Table 15. As shown in the table, annual emissions from full buildout of the project's envisioned increase of 3,779 dwelling units over existing conditions would be 12,123 MT of CO_2e per year. With a project increase in population of 10,657 over existing conditions (see Section 14, *Population and Housing*), this would result in an increase of 1.1 MT of CO_2e per service population per year. This analysis is provided for informational purposes only because GHG impacts for the proposed project are based on consistency with the BAAQMD project-level significance thresholds, as discussed above.

Table 15 Operational GHG Emissions

Emission Source	Annual Emissions (MT of CO_2e)
Mobile	7,895
Area	240
Energy	2,975
Water	136
Waste	872
Refrigerants	4
Operational Total	**12,123**
Project Population Increase	10,657
MT of CO_2e per Service Population	**1.1**

Source: See Appendix B for modeling results. Trip generation information provided by TJKM Transportation Consultants.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

Alameda County adopted its CCAP on February 4, 2014, which aims to reduce GHG emissions to 15 percent below 2005 levels by 2020 and 80 percent below 1990 levels by 2050. Table 16 shows the project's consistency with applicable CCAP strategies and measures. As shown in Table 16, the proposed HEU would be consistent with applicable strategies and measures from the CCAP. This impact would be less than significant.

Table 16 Project Consistency with Applicable Climate Action and Adaptation Plan Actions

Recommended Strategies and Measures	Project Consistency
Transportation	
Measure T-1: Improve bicycle infrastructure near community activity areas.	**Consistent.** The proposed HEU would facilitate development of housing near or adjacent to transportation corridors currently served by Class II and Class III bicycle lanes such as Foothill Boulevard, Castro Valley Boulevard, Redwood Boulevard, Ashland Avenue, E. Lewelling Boulevard, Meekland Avenue, Five Canyons Road, Maud Avenue, and Grant Avenue (Alameda County Public Works Agency 2019). By locating rezone sites in proximity to Class II and Class III bicycle lanes, the proposed HEU would encourage the use of bicycles and reduce reliance on single-occupancy vehicles. The County's Bicycle and Pedestrian Master Plan also contains goals and policies to improve upon the bicycle and pedestrian network by developing new facilities and improving connectivity, which would further encourage residents to bicycle and walk to transit and services.
Measure T-3: Retrofit bicycle racks and parking facilities in under- served civic and commercial areas.	**Consistent.** Future development would be required to comply with bicycle parking requirements in the County's Design Standards and Guidelines for the unincorporated communities of West Alameda County, which state that residential uses would be required to provide a minimum of one short term bicycle parking space per every 25 units, and a minimum of one long-term bicycle parking space per every four units (Alameda County Community Development Agency 2014).
Measure T-6: Improve pedestrian connectivity and route choice in neighborhoods.	**Consistent.** Future development would be required to comply with pedestrian facility requirements for new multi-family development as outlined in the County's Design Standards and Guidelines for the unincorporated communities of West Alameda County.
Measure T-14: Reduce minimum parking requirements for mixed-use, pedestrian and transit-oriented development.	**Consistent.** Future development would be reviewed by County staff for General Plan consistency and this policy would be applied where warranted.
Land Use	
Measure L-1: Facilitate the establishment of mixed-use, pedestrian- and transit-oriented development near major transit stations or transit corridors.	**Consistent.** The proposed HEU would facilitate development of housing within the urbanized areas of unincorporated Alameda County, as well as within the county's TPAs and near or adjacent to transportation corridors currently served by bus stations as well as Class II and Class III bicycle lanes such as Foothill Boulevard, Castro Valley Boulevard, Redwood Boulevard, Ashland Avenue, E. Lewelling Boulevard, Meekland Avenue, Five Canyons Road, Maud Avenue, and Grant Avenue (Alameda County Public Works Agency 2019). The proposed HEU would facilitate residential development on the Castro Valley and Bay Fair BART station parking lots, which would allow for the convenient use of the BART. By locating rezone sites in proximity to bus and BART stations Class II and Class III bicycle lanes, the proposed HEU would encourage walking or the use of bicycles and reduce reliance on single-occupancy vehicles.

Recommended Strategies and Measures	Project Consistency
Measure L-4: Improve the vitality of mixed-use neighborhood-serving commercial centers.	**Consistent.** The proposed project would facilitate the rezoning of sites within the County to allow for higher densities, which would increase the number of residents in neighborhood commercial districts and increase the usage of existing services.
Building Energy	
Measure E-8: Renew the County Green Building Ordinance.	**Consistent.** Future development would be required to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide.
Measure E-10: Require or provide incentives for new construction to use building materials containing recycled content.	**Consistent.** Pursuant to the County's Design Standards and Guidelines for the unincorporated communities of West Alameda County, future construction should use highly durable construction materials that will last the life of the building (Alameda County Community Development Agency 2014). This may involve the use of recycled content materials.
Measure E-12: Require all new construction and major renovation of multi-unit buildings to be "sub-metered" to enable each individual unit to monitor energy consumption.	**Consistent.** Future multi-family development would be required to install electricity and gas meters for each unit.
Water Use	
Measure WT-1: Encourage residents and businesses to conserve water in existing buildings and landscapes.	**Consistent.** Future development that needs new or expanded water service would be required to comply with the East Bay Municipal Utility District's (EBMUD) and CALGreen's water efficiency regulations, and the state's Model Water Efficiency Landscape Ordinance to reduce indoor and outdoor water use. Future development would also be required to comply with Bay-Friendly Landscaping guidelines pursuant to Alameda County's Resolution No. 2008-222 (Alameda County Board of Supervisors 2008).
Measure WT-2: Require new landscape projects to reduce outdoor potable water use by 40 percent.	**Consistent.** Future development would be required to comply with indoor and outdoor potable water use requirements in the most recent iteration of CALGreen.
Measure WT-3: Adopt an ordinance that allows the installation and use of greywater (recycled) systems for subsurface irrigation.	**Consistent.** Future development would be required to comply with the most recent iteration of the California Plumbing Code which outlines requirements for greywater systems. Future applicants would also be required to submit an irrigation design plan pursuant to Section 17.64.100 of the ACMC which would require the utilization of the minimum amount of water to maintain plant health.
Waste Reduction	
Measure WS-1: Increase solid waste reduction and diversion to 90 percent by 2030.	**Consistent.** Future development would be required to comply with Alameda County's Waste Program, which outlines requirements for mandatory curbside recycling as well as organic wastes recycling pursuant to SB 1383.
Measure WS-2: Strengthen the Construction and Demolition Debris Management Ordinance.	**Consistent.** Future development would be required to comply with Section 4.38.030 of the ACMC, which requires at least 75 percent diversion of asphalt, concrete, and earth debris and at least 50 percent of diversion for other debris generated during construction activities.

Recommended Strategies and Measures	Project Consistency
Measure WS-3: Develop a food waste collection program and adopt an ordinance that requires all household and commercial food wastes and food-soiled paper to be placed in organics carts.	**Consistent.** Future development would be required to recycle organic wastes recycling pursuant to SB 1383.

Source: Alameda County Board of Supervisors 2014

Project Consistency with 2022 Scoping Plan

The principal State plans and policies for reducing GHG emissions are AB 32, SB 32, and AB 1279. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020; the goal of SB 32 is to reduce GHG emissions to 40 percent below 1990 levels by 2030; and the goal of AB 1279 is to achieve net zero greenhouse gas emissions no later than 2045, and reduce GHG emissions by 85 percent below 1990 levels no later than 2045. The 2022 Scoping Plan expands upon earlier plans to include the AB 1279 targets. The 2022 Scoping Plan's strategies that are applicable to the proposed project include reducing fossil fuel use and vehicle miles traveled; decarbonizing the electricity sector, maximizing recycling and diversion from landfills; and increasing water conservation. The proposed project would be consistent with these goals since future development would be required to comply with the latest Title 24 Green Building Code and Building Efficiency Energy Standards, as well as the AB 341 waste diversion goal of 75 percent and recycle organic wastes pursuant to SB 1383. The proposed project would facilitate development of housing within the urbanized areas of unincorporated Alameda County, as well as within the county's TPAs and near or adjacent to transportation corridors currently served by bus stations as well as Class II and Class III bicycle lanes such as Foothill Boulevard, Castro Valley Boulevard, Redwood Boulevard, Ashland Avenue, E. Lewelling Boulevard, Meekland Avenue, Five Canyons Road, Maud Avenue, and Grant Avenue (Alameda County Public Works Agency 2019). The proposed project also involves rezoning the Castro Valley and Bay Fair BART station parking lots to accommodate housing, which would allow for convenient use of BART. By locating rezone sites in proximity to bus and BART stations Class II and Class III bicycle lanes, the proposed HEU would encourage walking or the use of bicycles and reduce reliance on single-occupancy vehicles and VMT.

Future development would also be required to comply with Section 15.08.205 of the ACMC which provides standards for new residential buildings of three stories or fewer to improve energy performance by installing solar photovoltaic (PV) systems which would ensure 80 percent of the buildings' annual electric requirements are provided by on-site solar power. Additionally, future development would also have to comply with the County's Green Building Ordinance pursuant to Sections 4.38.040 and 15.08.185 of the ACMC, which require future projects to achieve at least the minimum rating according to the latest Build it Green GreenPoint Rated home construction guidelines or achieve a minimum Leadership in Energy and Environmental Design (LEED) for Homes rating according to the latest LEED Reference Guide. Electricity would be provided by East Bay Community Energy (EBCE) and delivered by Pacific Gas and Electric (PG&E), which are required to generate electricity that would increase renewable energy resources to 60 percent by 2030 and 100 percent by 2045. As the county's main electricity provider, EBCE enrolls new customers in their Bright Choice program, which sources 42 percent of electricity from renewable energy sources.

Given the aforementioned, the proposed project would be consistent with the 2022 Scoping Plan and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	■	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	■	☐
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	■	☐
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	■	☐
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	■	☐

Environmental Setting

The assessment of potential to encounter hazardous materials in soil and groundwater in the project area is generally based on a search of federal, State, and local regulatory databases that identify permitted hazardous materials uses, environmental cases, and spill sites. The Department of Toxic Substances Control (DTSC) EnviroStor database contains information on properties in California where hazardous substances have been released or where the potential for a release exists. The California State Water Resources Control Board (SWRCB) GeoTracker database contains information on properties in California for sites that require cleanup, such as LUST sites, which may impact, or have potential impacts, to water quality, with emphasis on groundwater.

Cleanup sites within the project area are shown in Figure 12. According to databases of hazardous material sites maintained by the DTSC (EnviroStor) (DTSC 2023) and the SWRCB (GeoTracker) (SWRCB 2023), there are three LUST Cleanup sites in the Eden Area, two in Castro Valley, and no LUST sites in Fairview. There are eleven Cleanup Program Sites in the Eden Area, seven in Castro Valley, and none in Fairview.

Regulatory Setting

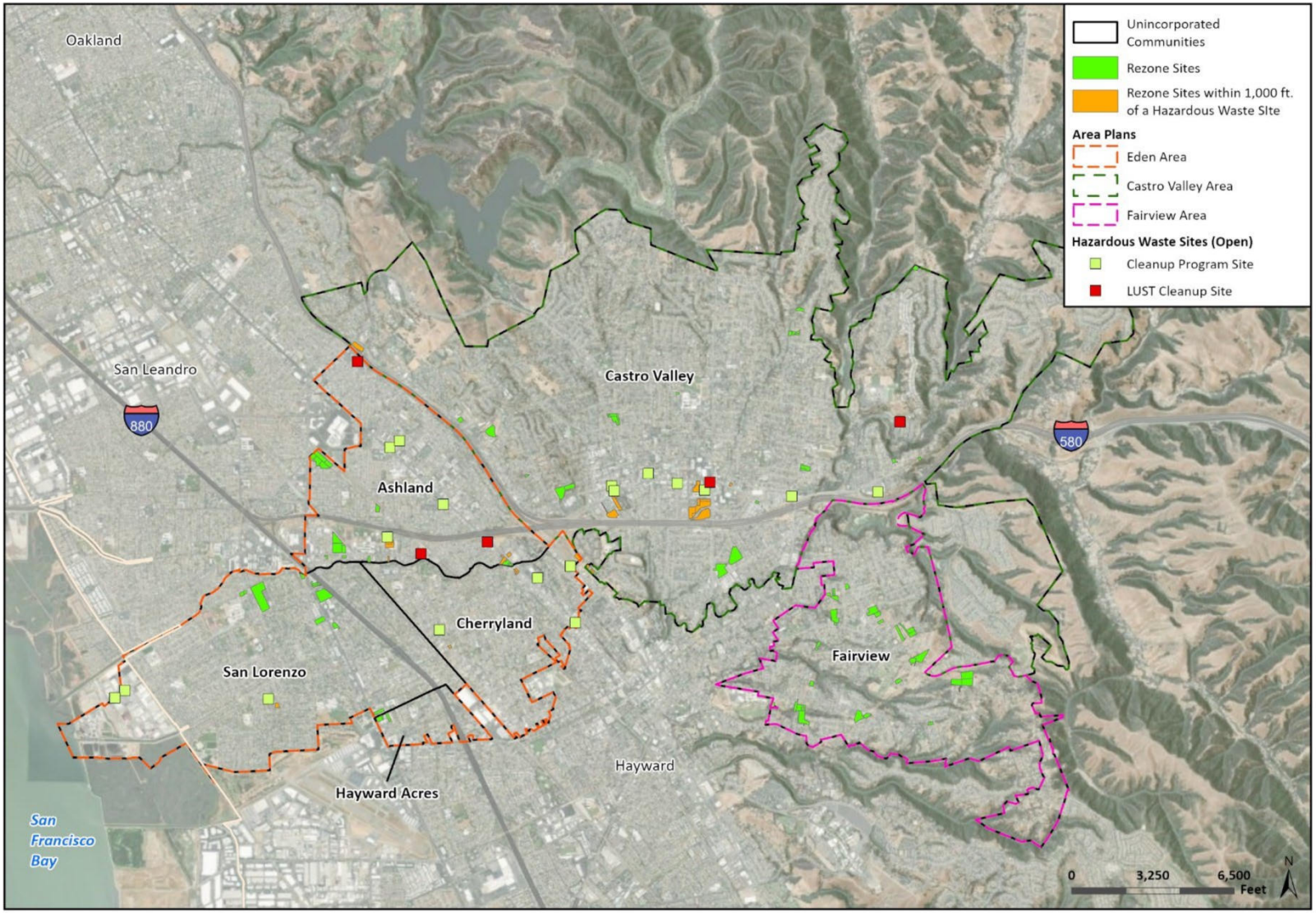
Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA)

These acts established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle to grave” system of regulating hazardous wastes. Among other things, the use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act.

U.S. Department of Transportation Regulations

The U.S. Department of Transportation (DOT) prescribes strict regulations for the safe transportation of hazardous materials, including requirements for hazardous waste containers and licensed haulers that transport hazardous waste on public roads. The Secretary of the DOT receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA), as amended and codified in in 49 U.S. Code (U.S.C.) Section 5101 et seq. The Secretary is authorized to issue regulations to implement the requirements of 49 U.S.C. The Pipeline and Hazardous Materials Safety Administration, formerly the Research and Special Provisions Administration, was delegated the responsibility to write the hazardous materials regulations, which are contained in Title 49 of the CFR Parts 100-180. Title 49 of the CFR, which contains the regulations set forth by the HMTA, specifies requirements and regulations with respect to the transport of hazardous materials. It requires that every employee who transports hazardous materials receive training to recognize and identify hazardous materials and become familiar with hazardous materials requirements. Under the HMTA, the Secretary "may authorize any officer, employee, or agent to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties relate to: (1) the manufacture, fabrication, marking, maintenance, reconditioning, repair, testing, or distribution of packages or containers for use by any 'person' in the transportation of hazardous materials in commerce; or (2) the transportation or shipment by any 'person' of hazardous materials in commerce.

Figure 12 Hazardous Waste Sites within the Project Area



Imagery provided by Esri and its licensors © 2024.
Additional data provided by the County of Alameda, 2024; GeoTracker Database, 2023.

Department of Toxic Substances Control

As a department of the California Environmental Protection Agency, the DTSC is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the California Health and Safety Code.

The DTSC also administers the California Hazardous Waste Control Law (HWCL) to regulate hazardous wastes. While the HWCL is generally more stringent than RCRA, until the U.S. EPA approves the California program, both state and federal laws apply in California. The HWCL lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

Government Code Section 65962.5 requires the DTSC, the State Department of Health Services, the State Water Resources Control Board, and the California Department of Resources, Recycling, and Recovery (CalRecycle) to compile and annually update lists of hazardous waste sites and land designated as hazardous waste sites throughout the state. The Secretary for Environmental Protection consolidates the information submitted by these agencies and distributes it to each city and county where sites on the lists are located. Before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the site at issue is included.

If any soil is excavated from a site containing hazardous materials, it would be considered a hazardous waste if it exceeded specific criteria in Title 22 of the California Code of Regulations. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed, or if certain other soil disturbing activities would occur. Even if soil or groundwater at a contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking jurisdiction.

California Occupational Safety and Health Act – California Labor Code, Section 6300 et seq.

The California Occupational Safety and Health Act of 1973 addresses California employee working conditions, enables the enforcement of workplace standards, and provides for advancements in the field of occupational health and safety. The Act also created California Occupational Safety and Health Administration (CalOSHA), the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. CalOSHA's standards are generally more stringent than federal regulations. Under the former, the employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure. The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings. At sites known or suspected to be contaminated by hazardous materials, workers must have training in hazardous materials operations and a Site Health and Safety Plan must be prepared, which establishes policies and procedures to protect workers and the public from exposure to potential hazards at the contaminated site.

California Code of Regulations, Title 22, Hazardous Waste Management

At the State level, under Title 22, Division 4.5 of the CCR, DTSC regulates hazardous waste in California primarily under the authority of the Federal RCRA and the California Health and Safety Code. The HWCL, under CCR 22, Chapter 30, establishes regulations that are similar to RCRA but more stringent in their application and empowers the DTSC to administer the State's hazardous waste program and implement the federal program in California. The DTSC is responsible for permitting, inspecting, ensuring compliance, and imposing corrective action programs to ensure that entities that generate, store, transport, treat, or dispose of potentially hazardous materials and waste comply with federal and State laws. The DTSC defines hazardous waste as waste with a chemical composition or other properties that make it capable of causing illness, death, or some other harm to humans and other life forms when mismanaged or released into the environment. The DTSC shares responsibility for enforcement and implementation of hazardous waste control laws with the SWRCB and, at the local level, the Regional Water Quality Control Board (RWQCB), and city and county governments.

California Code of Regulations Title 23, Chapter 15 Discharges of Hazardous Waste to Land Section 2511(b)

CCR 23, Chapter 15 Discharges of Hazardous Waste to Land Section 2511(b) pertains to water quality aspects of waste discharge to land. The regulation establishes waste and site classifications as well as waste management requirements for waste treatment, storage, or disposal in landfills, surface impoundments, waste piles, and land treatment facilities. Requirements are minimum standards for proper management of each waste category, which allows regional water boards to impose more stringent requirements to accommodate regional and site-specific conditions. In addition, the requirements of CCR 23, Chapter 15 applies to cleanup and abatement actions for unregulated hazardous waste discharges to land (e.g., spills).

Alameda County Emergency Operations Plan

The Alameda County Emergency Operations Plan (EOP) establishes policies and procedures to guide Alameda County's preparation for, response to, and recovery from natural or human-caused disasters. The EOP prioritizes saving lives, protecting health and safety, protecting property, and preserving the environment. The EOP includes the roles and responsibilities for local agencies in the event of a disaster to effectively coordinate a county-wide response (Alameda County 2012a).

Alameda County Safety Element

The following includes applicable goals and policies related to hazardous materials from the Alameda County Safety Element (Alameda County 2022a).

Goal 4: Minimize residents' exposure to the harmful effects of hazardous materials and waste.

- **Policy P1:** Uses involving the manufacture, use or storage of highly flammable (or toxic) materials and highly water reactive materials should be located at an adequate distance from other uses and should be regulated to minimize the risk of on-site and off-site personal injury and property damage. The transport of highly flammable materials by rail, truck, or pipeline should be regulated and monitored to minimize risk to adjoining uses.

- **Policy P8:** Developers shall be required to conduct the necessary level of environmental investigation to ensure that soil, groundwater and buildings affected by hazardous material releases from prior land uses and lead or asbestos in building materials will not have a negative impact on the natural environment or health and safety of future property owners or users. This shall occur as a pre-condition for receiving building permits or planning approvals for development on historically commercial or industrial parcels.
- **Policy P9:** The safe transport of hazardous materials through the unincorporated areas shall be promoted by implementing the following measures:
  - Maintain formally-designated hazardous material carrier routes to direct hazardous materials away from populated and other sensitive areas.
  - Prohibit the parking of empty or full vehicles transporting hazardous materials on County streets.
  - Require new pipelines and other channels carrying hazardous materials avoid residential areas and other immobile populations to the extent possible.
  - Encourage businesses to ship hazardous materials by rail.

Eden Area General Plan

The following includes applicable goals and policies from the Public Safety Element of the Eden Area General Plan(Alameda County Community Development Agency 2010).

Goal SAF-4: Minimize Eden Area residents' exposure to the harmful effects of hazardous materials and waste.

- **Policy P5:** Adequate separation shall be provided between areas where hazardous materials are present and sensitive uses such as schools, residences and public facilities.
- **Policy P6:** Developers shall be required to conduct the necessary level of environmental investigation to ensure that soil, groundwater and buildings affected by hazardous material releases from prior land uses and lead or asbestos in building materials will not have a negative impact on the natural environment or health and safety of future property owners or users. This shall occur as a pre-condition for receiving building permits or planning approvals for development on historically commercial or industrial parcels.
- **Policy P7:** The safe transport of hazardous materials through the Eden Area shall be promoted by implementing the following measures:
  - Maintain formally-designated hazardous material carrier routes to direct hazardous materials away from populated and other sensitive areas.
  - Prohibit the parking of empty or full vehicles transporting hazardous materials on County streets.
  - Require new pipelines and other channels carrying hazardous materials avoid residential areas and other immobile populations to the extent possible.
  - Encourage businesses to ship hazardous materials by rail.

Castro Valley General Plan

The following includes applicable goals and policies related to hazardous materials from the natural Hazards and Public Safety Element of the Castro Valley General Plan (Alameda County Community Development Agency 2012).

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 10.4-4: 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 Heath, Department of Toxic Substances Control, or Regional Water Quality Control Board.

Fairview Specific Plan

The following includes applicable goals and policies related to hazardous materials from the Fairview Specific Plan.

Goal EH-2: Minimize risks associated with the production, use, storage and transportation of hazardous materials.

- **Policy EH-2.1:** Risks of exposure or contamination by hazardous materials shall be minimized through public education, performance standards for uses that involve hazardous materials, development review, and monitoring and enforcement programs.
- **Policy EH-2.2:** Developers shall be required to conduct the necessary level of environmental investigation to ensure that soil and groundwater affected by hazardous material releases from prior land uses and lead or asbestos from prior building materials will not have a negative impact on the natural environment or safety of future property owners or users.
- **Policy EH-2.3:** Transport of hazardous materials on Fairview streets should be limited. Because Fairview does not have arterial streets, direct freeway access, or land uses associated with hazardous materials, its streets should not be used for the transport of such materials. Applicable County regulations for commercial trucks should be fully enforced.

Impact Analysis

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

Construction Activities

Construction associated with future development under the proposed HEU may include the temporary transport, storage, and use of potentially hazardous materials including fuels, lubricating fluids, cleaners, or solvents. If spilled, these substances could pose a risk to the environment and to human health. However, the transport, storage, use, or disposal of hazardous materials is subject to various federal, State, and local regulations designed to reduce risks associated with hazardous materials, including potential risks associated with upset or accident conditions. Specifically, as

discussed under Regulatory Setting, DOT regulations would regulate the transportation process of hazardous materials and reduce the risk of accidental release into the environment. Compliance with existing regulations would reduce the risk of potential release of hazardous materials during construction.

In addition, grading or excavation on sites with existing contamination may result in the transport and disposal of hazardous materials if they are unearthed and removed from the site. Potential health and environmental concerns related to contaminated groundwater and soil are discussed under Checklist Question (d).

The rezone sites may contain residential and commercial buildings that, due to their age, may contain asbestos and/or lead-based paint. Structures built before the 1970s typically contained asbestos containing materials. Demolition or redevelopment of these structures could result in health hazard impacts to workers if not remediated prior to construction activities. Future development would be required to adhere to BAAQMD Regulation 11, Rule 2, which governs the proper handling and disposal of asbestos containing materials for demolition, renovation, and manufacturing activities in the Bay Area, and CalOSHA regulations regarding lead-based materials. The California Code of Regulations, Section 1532.1, requires testing, monitoring, containment, and disposal of lead-based materials, such that exposure levels do not exceed CalOSHA standards. Therefore, with adherence to State and local regulations listed in the Regulatory Setting, risk of public exposure to hazardous materials would be greatly reduced, and impacts related to hazards and hazardous materials during construction would be less than significant.

Operation

The proposed HEU is intended to expand housing capacity and would not facilitate the establishment of uses that would sell, use, store, transport, or release substantial quantities of hazardous materials such as industrial, warehouse, auto-service, or manufacturing uses. Residential uses do not typically use hazardous materials other than small amounts for cleaning and landscaping. These materials would not be different from household chemicals and solvents already in wide use throughout the project area. Residents are anticipated to use limited quantities of products routinely for periodic cleaning, repair, and maintenance or for landscape maintenance/pest control that could contain hazardous materials. Those using such products would be required to comply with all applicable regulations regarding the disposal of household waste. Therefore, operation of new residential uses poses little risk of exposing the public to hazardous materials, and impacts would be less than significant.

CEQA is concerned with the impacts of a project on the environment, and not the impacts of the environment on a project. However, for informational purposes, the effects of the location of new housing units is analyzed. Although the project would place new housing units in areas near major transportation corridors where hazardous materials may be transported, the DOT's Office of Hazardous Materials Safety regulates the transportation of hazardous materials, as described in Title 49 of the CFR, and implemented by Title 13 of the CCR, would reduce the chances of hazardous release during transport. Additionally, all new development that uses hazardous materials would be required to comply with the regulations, standards, and guidelines established by the U.S. EPA, the State, and the County of Alameda related to storage, use, and disposal of hazardous materials. Therefore, with adherence to State and local regulations, impacts related to hazards and hazardous materials during operation would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As discussed under checklist question (a) above, grading or excavation on sites with existing contamination may result in the transport, disposal, and release of hazardous materials if they are unearthed and removed from the site. However, future development under the project would be subject to regulatory programs such as those overseen by the RWQCB and the DTSC. These agencies require applicants for development of potentially contaminated properties to perform investigation and cleanup if the properties are contaminated with hazardous substances. Therefore, impacts would be less than significant.

Residential uses do not typically use hazardous materials other than small amounts for cleaning and landscaping. These materials would not be different from household chemicals and solvents already in wide use throughout the project area. Residents and workers are anticipated to use limited quantities of products routinely for periodic cleaning, repair, and maintenance or for landscape maintenance/pest control that could contain hazardous materials. Those using such products would be required to comply with all applicable regulations regarding the disposal of household waste. Therefore, operation of new residential uses poses little risk of exposing the public to hazardous materials. Impacts would be less than significant.

NO IMPACT

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

Several rezone sites are located within 0.25 mile of an existing school. However, the proposed HEU would not involve new industrial or manufacturing uses, or involve the use, storage, disposal, or transportation of significant quantities of hazardous materials. They may involve use and storage of some materials considered hazardous, though primarily these would be limited to solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be different from household chemicals and solvents already in general and wide use throughout the project area. Development accommodated under the project therefore would not pose a health risk to nearby schools or childcare facilities.

Additionally, as mentioned above under impacts a and b, construction activities associated with future development may include the temporary transport, storage, and use of potentially hazardous materials including fuels, lubricating fluids, cleaners, or solvents. Specifically, demolition of existing buildings and grading and excavation activities associated with new construction may result in emissions and transport of hazardous materials within one-quarter mile of existing schools. As discussed under Checklist Question (d), there are no rezone sites overlapping with cleanup sites, therefore grading or excavation on the rezone sites would not result in hazardous contamination within proximity of a school. Additionally, development facilitated by the HEU would be required to comply with applicable regulations, including DOT and DTSC regulations, which would further ensure impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

As shown in Figure 12, there are 23 active cleanup sites in the project area. Two rezone sites in the Eden Area are located on cleanup sites (APNs 413-23-67-4 and 80B-300-11). Further, there are 29 rezone sites within 1,000 feet of an active cleanup site (14 in the Eden Area and 15 within Castro Valley). Additionally, there could be unknown contamination on rezone sites throughout the project area. Development facilitated by the proposed project would be required to adhere to policies include in the Alameda County Safety Element as well as the Eden Area General Plan and Castro Valley General Plan as included above. Specifically, Policy P8 of the Alameda County Safety Element, Policy P6 of the Eden Area General Plan, and Action 10-4.4 of the Castro Valley General Plan require site assessment and cleanup to be completed before construction to minimize the release of hazardous substances. Therefore, with compliance with applicable plan policies, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

There are no public or private airports within the Eden Area, Castro Valley, or Fairview. The nearest airports are the Hayward Executive Airport (1.9 miles southwest from the Eden Area), and Oakland International Airport (4 miles northwest of the Eden Area). According to the Hayward Executive Airport Land Use Compatibility Plan (ALUCP), part of the Eden Area is within the airport influence area of the Hayward Executive Airport and the Oakland International Airport. The airport influence area (AIA) is defined as an area in which current or future airport-related noise, overflight, safety, and/or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses (Alameda County 2012b). All of the rezone sites in the Eden Area that fall within the AIA are within Zone 6. In this zone there is a low likelihood of accident and residential uses are allowed. Development facilitated by the HEU would be required to comply with FAA regulations and requirements set by the Alameda County Airport Commission including noise compatibility. Therefore, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The County has adopted its EOP which provides guidance for the County's response to emergency situations such as natural disasters and other large-scale incidents. Construction of housing development facilitated by the proposed HEU could interfere with implementation of the EOP during a disaster event, as construction may involve lane closures. However, lane closures would be coordinated with the County prior to permit issuance, and closures would be temporary. Therefore, the plan would not substantially impair an adopted emergency response or evacuation plan, and impacts would be less than significant.

Additionally, Policy P2 in the Public Safety Element of the Eden Area General Plan would ensure there is adequate emergency water flow, emergency vehicle access and evacuation routes incorporated into any new development prior to project approval. Therefore, development

facilitated by implementation of the proposed HEU would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Wildfire impacts are discussed in detail under Section 20, *Wildfire*. As discussed therein, the proposed HEU would result in less than significant impacts related to wildfire.

LESS THAN SIGNIFICANT IMPACT

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10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	■	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	■	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	■	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	■	☐
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	■	☐
(iv) Impede or redirect flood flows?	☐	☐	■	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	■	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	■	☐

Environmental Setting

Alameda County is under the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), which is responsible for the preparation and implementation of the water quality control plan, also known as the Basin Plan, for the region.

Crow Creek, Castro Valley Creek, Cull Creek, and Chabot Creek are all within the Castro Valley area. Ward Creek, and the North, Middle, and South forks of Sulphur Creek are within the Fairview area. San Lorenzo Creek flows through the Castro Valley Area, the Eden Area, and the Fairview Area.

Water supply to Alameda County is provided by the East Bay Municipal Utility District (EBMUD). Approximately 90 percent of the water used by EBMUD comes from the Mokelumne River watershed, and EBMUD transports it through pipe aqueducts to temporary storage reservoirs in the East Bay hills. EBMUD has water rights that allow for delivery of up to a maximum of 325 million gallons per day (MGD) from this source, subject to the availability of runoff and to the senior water rights of other users, downstream fishery flow requirements, and other Mokelumne River water uses. EBMUD is obligated to meet multiple operating objectives, including providing municipal water supply benefits, stream flow regulation, fishery/public trust interests, flood control, temperature management and obligations to downstream diverters. Among these factors, EBMUD's Mokelumne River flow commitments are generally tied to the variability in the Mokelumne River watershed rainfall and runoff patterns which govern the release requirements for the year (EBMUD 2020a).

Federal Emergency Management Agency (FEMA) flood zones in the Eden Area, Castro Valley, and Fairview are shown in Figure 13 below.

Regulatory Setting

Alameda County Flood Control and Water Conservation District

The Alameda County Flood Control and Water Conservation District operates as the flood control agency for Alameda County. They plan, design, construct, and maintain natural creeks, channels, levees, pump stations, dams, and reservoirs. They also manage pollution prevention efforts. A planning process and permits are required for construction, erosion repair, and planting occurring near a creek or waterway under Alameda County Flood Control and Water Conservation District's Water Course Protection Ordinance.

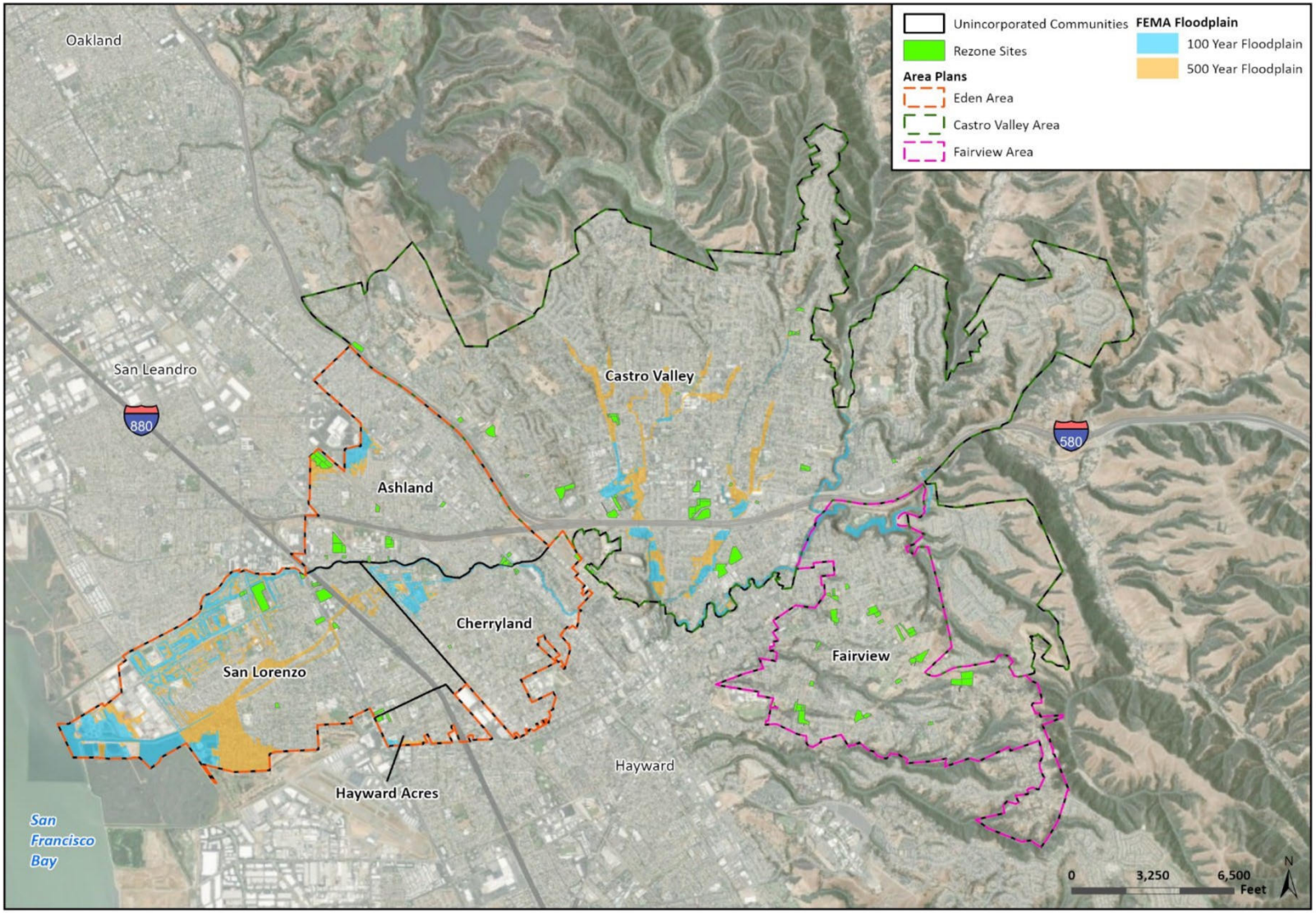
Alameda County Municipal Code Watercourse Protection Ordinance

The Alameda County Watercourse Protection Ordinance (Chapter 13.12 of the ACMC) is intended to safeguard and preserve watercourses, protect lives and property, prevent damage due to flooding, protect drainage facilities, control erosion and sedimentation, restrict discharge of polluted materials and enhance recreational and beneficial uses of watercourses.

Castro Valley General Plan

The Biological Resources Element of the Castro Valley General Plan (Alameda County Community Development Agency 2012) includes the following goals and policies related to water quality, groundwater, and drainage.

Figure 13 Federal Emergency Management Agency Flood Zone Map



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Additional data provided by the County of Alameda, 2024; FEMA, 2021.

Goal 7.2-1: Preserve and restore creek channels, and riparian habitat to protect and enhance wildlife and aquatic-life corridors, flood protection, and the quality of surface water and groundwater.

- **Policy 7.2-1**: Creek and Flood Channels. Protect all creeks and engineered channels that traverse the urbanized area of Castro Valley.
- **Policy 7.2-2 Creek Setbacks**. Establish adequate creek setbacks to maintain and where appropriate enhance important stream functions.
- **Policy 7.2-3: Creek Uses.** Manage creeks for multiple uses including: scenic quality, recreation, water quality, soil conservation, groundwater recharge, and wildlife habitats.
- **Policy 7.2-4: Natural/Nonstructural Creek Drainage Systems**. Use and reclaim or fully restore natural or nonengineered creek drainage systems to the maximum extent feasible and look for opportunities to convert structural stormwater drainage systems to natural or semi-natural creeks.

Eden Area General Plan

The Public Facilities Element of the Eden Area General Plan (Alameda County Community Development Agency 2010) includes the following goals and policies related to water quality, groundwater, and drainage.

Goal PF-11: Collect, store and dispose of stormwater in ways that are safe, sanitary and environmentally acceptable.

- **Policy P2:** New development projects should be designed to preserve permeable surfaces, minimize the amount of impervious surface and reduce stormwater impacts. Specific strategies that should be considered include permeable paving materials, green roofs and swales.
- **Policy P9:** The County shall apply the Alameda County Clean Water Program's conditions of approval as development standards for new construction.

Fairview Specific Plan

The Fairview Specific Plan includes the following goals and policies water quality, groundwater, and drainage.

Goal CO-3: Encourage more sustainable development, reduced consumption of non-renewable resources, and land use and transportation decisions that are consistent with the County's Climate Action Plan.

- **Policy CO-3.1:** Protect groundwater and surface water quality through grading/ construction runoff and agricultural runoff controls, maintenance of storm drains and culverts, reduced use of pesticides and herbicides, enforcement of regulations for illicit discharges, public education, and site design features that prevent runoff from developed areas. Water quality measures shall comply with applicable County, State, and Federal requirements.

The Fairview specific plan also includes development standards that restrict construction in erosion-prone areas and set guidelines to limit erosion and sedimentation. These standards also prohibit development in the 100 year flood zone and indicate that runoff from new development shall be controlled by the provisions of the Alameda County Watercourse Protection Ordinance.

Impact Analysis

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

Construction Impacts

Construction activities associated with development facilitated under the proposed HEU would have the potential to cause soil erosion from exposed soil, and accidental release of hazardous materials used for equipment such as vehicle fuels and lubricant, or temporary siltation from storm water runoff. Soil disturbance would occur during excavation for proposed building foundations, demolition of existing buildings, and grading for improvements to public spaces and landscaped areas or development projects. However, future development facilitated by the proposed project would be required to comply with State and local water quality regulations designed to control erosion and protect water quality during construction. This includes compliance with the requirements of the SFBRWQCB Construction General Permit and Chapter 13.08 of the ACMC which requires preparation and implementation of a SWPPP for projects that disturb one acre or more of land. The SWPPP must include erosion and sediment control BMPs that would meet or exceed measures required by the Construction General Permit, as well as those that control hydrocarbons, trash, debris, and other potential construction-related pollutants. Construction BMPs would include scheduling inlet protection, silt fencing, fiber rolls, stabilized construction entrances, stockpile management, solid waste management, and concrete waste management. Post-construction stormwater performance standards are also required to specifically address water quality and channel protection events. Implementation of these BMPs would prevent or minimize environmental impacts and ensure that discharges during the construction phase of new development facilitated by the proposed project would not cause or contribute to the degradation of water quality in receiving waters.

Should dewatering be necessary during construction, it may result in the discharge of potentially contaminated groundwater to surface water and may degrade the water quality of surrounding watercourses and waterbodies. However, future development projects would be subject to the San Francisco Bay Regional Water Quality Control Board Order No. R2-2012-0060, General Waste Discharge Requirements for Discharge or Reuse of Extracted Brackish Groundwater, Reverse Osmosis Concentrate Resulting from Treated Brackish Groundwater, and Extracted Groundwater from Structural Dewatering Requiring Treatment (Groundwater General Permit). The Groundwater General Permit requires dischargers to obtain an Authorization to Discharge, treat effluent to meet water quality-based effluent limitations, and comply with the Monitoring and Reporting Program. Pumped groundwater must be tested and if determined to be contaminated, the water must be collected and either treated or disposed of according to waste discharge requirements of Order No. R2-2012-0060. Future applicants are required to comply with all requirements of the Groundwater General Permit. Additionally, future development would be required to adhere to stormwater requirements for construction operations pursuant to Chapter 15.36 of the ACMC Therefore, construction-related water quality impacts would be less than significant.

Operational Impacts

The Eden Area, Castro Valley, and Fairview are largely built up, and the majority of housing sites are almost entirely covered with impervious surfaces except for landscaped areas. Development under the proposed HEU would involve infill and redevelopment of existing sites. Future development would be required to be implemented in compliance with existing programs and permits, including

the ACMC, and the Municipal Regional Stormwater NPDES Permit (No. CAS612008). Development design would include BMPs to avoid adverse effects associated with stormwater runoff quality. Specifically, future development facilitated by the proposed project would be required to implement LID Measures and on-site infiltration, as required under the C.3 provisions of the Municipal Regional Stormwater Permit (MRP) and SCVURPPP (SCVURPPP 2016). Implementation of LID measures would reduce water pollution from stormwater runoff as compared to existing conditions. For example, on-site infiltration would improve the water quality of stormwater prior to infiltration or discharge from the site.

The County of Alameda is responsible for enforcing the requirements of the MRP. Compliance with the MRP must include operational and maintenance control measures, or BMPs and construction-related BMPs. Provisions specified in the MRP that affect construction projects generally include but are not limited to Provision C.3 (New Development and Redevelopment), Provision C.6 (Construction Site Control), and Provision C.15 (Exempted and Conditionally Exempted Discharges). Provision C.3 of the MRP addresses post-construction stormwater requirements for new development and redevelopment projects that add and/or replace 10,000 square feet or more of impervious area or special land use categories that create and/or replace 5,000 square feet of impervious surfaces, such as auto service facilities, retail gas stations, restaurants, and uncovered parking lots. These "regulated" projects are required to meet certain criteria: 1) incorporate site design, source control, and stormwater treatment measures into the project design; 2) minimize the discharge of pollutants in stormwater runoff and non-stormwater discharge; and 3) minimize increases in runoff flows as compared to pre-development conditions. Additionally, future development would be required to comply with Chapter 15.36 and Chapter 13.08 which prevent pollution of stormwater.

Compliance with the MRP and ACMC would increase infiltration of stormwater, decrease stormwater runoff, and would reduce the risk of water contamination from operation of new developments to the maximum extent practicable, and the project would reduce water pollution from stormwater runoff as compared to existing conditions. Therefore, the proposed project would not violate water quality standards or waste discharge requirements, would not significantly contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and would not substantially degrade water quality. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

EBMUD supplies water to Alameda County and its 2020 Urban Water Management Plan (UWMP) (EBMUD 2020b) anticipates future growth in EBMUD's service area through 2040. EBMUD does not currently pump groundwater from the East Bay Plain Basin which underlies part of the Eden Area. The East Bay Plain Basin is considered a medium priority basin by the California Department of Water Resources (DWR).

Development facilitated by the proposed HEU may increase the amount of impervious surfaces on individual rezone sites, which could incrementally affect groundwater recharge on these sites. However, future projects would not include installation of new groundwater wells or use groundwater from existing wells. As discussed under checklist question (a) above, development would be required to comply with Provision C.3 requirements of the MRP as well as Chapter 15.36

of the ACMC, which outlines the requirements for permanent stormwater pollution prevention measures. Compliance with the ACMC would increase absorption of stormwater runoff and the potential for groundwater recharge. Water that does not recharge into the groundwater would be released into the County's existing storm drain system.

Alameda County is under the jurisdiction of the SFBRWQCB, which is responsible for preparing the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan designates beneficial uses of water in the region and establishes narrative and numerical water quality objectives. The Basin Plan serves as the basis for the SFBRWQCB's regulatory programs and incorporates an implementation plan for achieving water quality objectives. With adherence to the State and local water quality standards discussed above, the project would not have an adverse effect on water quality and would not interfere with the objectives and goals in the Basin Plan.

Therefore, development under the proposed HEU would not result in a net deficit in aquifer volume or a lowering of the groundwater table and would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

Construction

Construction activities would involve stockpiling, grading, excavation, paving, and other earth-disturbing activities, which may result in the alteration of existing drainage patterns. As described under checklist question (a) above, compliance with the NPDES Construction General Permit, NPDES MS4 General Permit, and the ACMC would reduce risk of short-term erosion and increased runoff resulting from drainage alterations during construction. Therefore, construction related impacts would be less than significant.

Operation

As discussed in Section 4, *Biological Resources,* while no rezone sites are located on a creek, there are several located within 100 feet of a creek. Future development would be required to comply with Chapter 15.36 and 13.08 of the ACMC which detail requirements for stormwater pollution prevention measures which would reduce stormwater runoff from polluting the creeks. This would reduce the potential for modifications to the waterways that would prohibit wildlife movement or affect riparian habitat or sensitive species. Additionally, rezone sites near creeks and streams would be subject to the setback requirements included in the Alameda County Watercourse Protection Ordinance.

Development could potentially alter the exiting drainage patterns at individual future development sites through the introduction of new impervious surfaces and infrastructure. However, the future development sites and vicinities are generally urbanized or surrounded by development and future development would be required to implement stormwater pollution prevention measures which would reduce erosion and stormwater pollutants in accordance with Chapter 15.36 of the ACMC. The introduction of impervious surfaces on these sites would not substantially affect the drainage patterns of the area or stormwater runoff volumes due to the relatively minor change in impervious

surface area in the larger context. Although site-specific drainage pattern alterations could occur with development facilitated by the proposed project, such alterations would not result in substantial adverse effects. Most rezone sites are currently developed and either fully or partially covered in impervious surfaces. As such, development under the proposed project would not introduce new impervious areas to the extent that the rate or amount of surface runoff would substantially increase. Development that could be facilitated by the proposed project would not introduce substantial new surface water discharges and would not result in flooding on- or off-site. Overall drainage patterns, including direction of flow and conveyance to stormwater infrastructure, would not be modified by the project, and the runoff volume and rate from the project would be reduced compared to existing conditions. Furthermore, MRP-regulated projects would be required to treat 80 percent or more of the volume of annual runoff for volume-based treatment measures. Projects that create or replace 2,500 square feet or more, but less than 10,000 square feet, of impervious surface must implement site design measures to reduce stormwater runoff. All future development that satisfies Provision C.3 of the MRP would be required to implement post-construction stormwater controls into the design of the project. Compliance with State and local regulations as well as the ACMC would increase infiltration of stormwater and reduce stormwater runoff from operation of new developments to the extent practicable. Additionally, future development facilitated under the proposed HEU would be required to comply with the Alameda County Watercourse Protection Ordinance which limits the amount of impervious surface within 100 feet of the top of the creek bed channel to limit erosion and acceleration of water flow into the creek channel.

Therefore, with compliance with existing regulations, development that could be facilitated by the proposed HEU would not substantially alter the existing drainage pattern of the site or area or alter the course of any stream or river in a manner that would substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

For the same reasons outlined above under checklist question (c.i), with compliance with existing regulations, development that could be facilitated by the proposed HEU would not substantially alter the existing drainage pattern of the site or area or alter the course of any stream or river in a manner which would result in flooding on- or off-site. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

For the same reasons outlined above under checklist question (c.i), with compliance with existing regulations, development that could be facilitated by the proposed HEU would not substantially alter the existing drainage pattern of the site or area or alter the course of any stream or river in a

manner which would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

For the same reasons outlined above under checklist question (c.i), with compliance with existing regulations, development that could be facilitated by the proposed HEU would not substantially alter the existing drainage pattern of the site or area or alter the course of any stream or river in a manner which would impede or redirect flood flows. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

There are no proposed rezone sites within a tsunami hazard zone (DOC 2021b). FEMA establishes base flood elevations for 100-year and 500-year flood zones and establishes Special Flood Hazard Areas (SFHA). SFHAs are those areas within 100-year flood zones or areas that will be inundated by a flood event having a one percent chance of being equaled or exceeded in any given year. The 500-year flood zone is defined as the area that could be inundated by the flood which has a 0.2 percent probability of occurring in any given year, or once in 500 years, and is not considered an SFHA. As shown in Figure 13, there are small areas of unincorporated Alameda County within the 100-year and 500-year FEMA flood zones. Most rezone sites are not within a flood zone, however there are some sites which are within Flood Zone X. There are also four rezone sites within the Eden Area (APNs 411-21-5-2, 411-21-5-4, 412-22-7-2, and 80D-563-17) that are within Flood Zone A. Development in flood zones is regulated through Chapter 15.40 of the ACMC, which outlines requirements for management of and development in flood hazard areas, such as obtaining permits for floodplain development, elevation requirements, and using flood damage-resistant materials for new construction. Therefore, development under the proposed HEU on these sites would be designed to withstand flooding hazards, including FEMA-designated Flood Hazard Areas. Additionally, the development facilitated by the proposed project would be required to adhere to existing federal, State, and local laws and regulations that address the management and control of pollutants, including regulations addressing the proper disposal, transportation, storage, and handling of potentially hazardous materials, including the California Health and Safety Code and Division 7 of the California Water Code. Adherence to existing regulations would reduce the risk of the release of pollutants. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

As discussed under checklist question (b), EBMUD does not currently pump groundwater from the East Bay Plain Basin which underlies part of the Eden Area. EBMUD partners with the City of Hayward to manage this basin through a groundwater sustainability plan. Additionally, Alameda County is under the jurisdiction of the SFBRWQCB, which is responsible for preparing the Water

Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan designates beneficial uses of water in the region and establishes narrative and numerical water quality objectives. The Basin Plan serves as the basis for the SFBRWQCB's regulatory programs and incorporates an implementation plan for achieving water quality objectives.

As discussed under checklist question (b), future development would not include installation of new groundwater wells or use groundwater from existing wells. Additionally, with adherence to the State and local water quality standards such as Provision C.3 requirements of the MRP as well as Chapter 15.36 of the ACMC. Development under the proposed HEU would not interfere with the objectives and goals in East Bay Plain Basin Groundwater Sustainability Plan or the Basin Plan. Therefore, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	■
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	■	☐

a. Would the project physically divide an established community?

The proposed HEU would not divide a community; rather, it is designed to meet the County's RHNA and includes implementation programs that would promote the development of existing vacant, underdeveloped, or underutilized properties, as well as implement a rezoning program to increase allowed density and height, thereby locating people closer to existing employment, goods and services within an established community. The proposed HEU involves policies and programs that would increase the potential number of dwelling units in the Eden Area, Castro Valley, and Fairview and intensify development in existing urban areas. The proposed HEU does not involve the construction of barriers, such as new roads or other linear development or infrastructure, that would divide the existing communities or neighborhoods. Existing roadways would not be permanently blocked, and temporary construction would not limit access to a community or restrict movement within a community. No impact related to dividing an established community would occur.

NO IMPACT

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed HEU would provide a framework for introducing new housing at all levels of affordability that is within access to transit, jobs, services, and open spaces. Through its identification of sites for future development and implementation of housing programs, the project would facilitate development of up to 3,779 new residential units, which would address the County's fair share housing needs as quantified in the RHNA. The proposed HEU would include amendments to the Alameda County Municipal Code, Alameda County Zoning Map, the Castro Valley General Plan, Eden Area General Plan, Ashland Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, Madison Area Specific Plan, and San Lorenzo Village Center Specific Plan to ensure consistency between the proposed project and these plans and ordinances. These amendments would be primarily focused on changing the zoning and land use designations of parcels that would be rezoned as part of the

proposed HEU. A discussion of the proposed zoning changes is included in the Project Description. Furthermore, consistency with the Alameda County General Plan Elements, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan are discussed throughout the initial study. Tables showing consistency between these plans and the proposed project are included in Section 1, *Aesthetics,* and Section 6, *Energy.* Applicable general plan policies are included in the Regulatory Setting Section of each issue area included in the Initial Study. Generally, development facilitated by the proposed HEU would be required to be consistent with current general plan policies and regulations found in the ACMC as described throughout the Initial Study. Therefore, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	■

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

Alameda County does not have significant mineral resources or active mining sites within its boundaries. No mineral resources are identified in the County's General Plan. The proposed project would only facilitate increased development in urbanized areas which are not compatible with, identified for, or used for mineral extraction. Development under the proposed HEU would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State. Therefore, there would be no impacts related to mineral resources.

NO IMPACT

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

For the same reasons outlined above under checklist question (a), development under the proposed HEU would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan or other land use plan. Therefore, there would be no impacts related to mineral resources.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	■	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	■	☐	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	■	☐

Environmental Setting

Overview of Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (Caltrans 2013).

HUMAN PERCEPTION OF SOUND

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response. Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; dividing the energy in half would result in a 3 dB decrease (Caltrans 2013).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not "sound twice as loud" as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible; and that an increase (or decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013).

SOUND PROPAGATION AND SHIELDING

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in the noise level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line), the path the sound will travel, site conditions, and obstructions.

Sound levels are described as either a "sound power level" or a "sound pressure level," which are two distinct characteristics of sound. Both share the same unit of measurement, the dB. However, sound power (expressed as L_{pw}) is the energy converted into sound by the source. As sound energy travels through the air, it creates a sound wave that exerts pressure on receptors, such as an eardrum or microphone, which is the sound pressure level. Sound measurement instruments only measure sound pressure, and noise level limits are typically expressed as sound pressure levels.

Noise levels from a point source (e.g., construction, industrial machinery, air conditioning units) typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance. Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this "shielding" depends on the size of the object and the frequencies of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). Structures can substantially reduce exposure to noise as well. The FHWA's guidance indicates that modern building construction generally provides an exterior-to-interior noise level reduction of 10 dBA with open windows and an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows (FHWA 2011).

NOISE DESCRIPTORS

The impact of noise is not a function of loudness alone. The time of day when noise occurs and the duration of the noise are also important factors of project noise impact. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. The noise descriptors used for this study are the equivalent noise level (L_{eq}), and the Day-Night Average Level (DNL; may also be symbolized as L_{dn}).

L_{eq} is one of the most frequently used noise metrics; it considers both duration and sound power level. The L_{eq} is defined as the single steady-state A-weighted sound level equal to the average sound energy over a period. When no period is specified, a 1-hour period is assumed. The L_{max} is the highest noise level within the sampling period, and the L_{min} is the lowest noise level within the measuring period. Normal conversational levels are in the 60 to 65-dBA L_{eq} range; ambient noise levels greater than 65 dBA L_{eq} can interrupt conversations (Federal Transit Administration [FTA] 2018).

Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (DNL or L_{dn}), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.).[10] The relationship between the peak-hour L_{eq} value and the L_{dn} depends on the distribution of noise during the day, evening, and night. Quiet suburban areas typically have L_{dn} noise levels in the range of 40 to 50 dBA, while areas near arterial streets are in the 50 to 60+ dBA L_{dn} range (FTA 2018).

Overview of Vibration

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent buildings or structures and vibration energy may propagate through the buildings or structures. Vibration may be felt, may manifest as an audible low-frequency rumbling noise (referred to as groundborne noise), and may cause windows, items on shelves, and pictures on walls to rattle. Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants at vibration-sensitive land uses and may cause structural damage.

Typically, ground-borne vibration generated by manmade activities attenuates rapidly as distance from the source of the vibration increases. Vibration amplitudes are usually expressed in peak particle velocity (PPV). The PPV is normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used as it corresponds to the stresses that are experienced by buildings (Caltrans 2020).

High levels of groundborne vibration may cause damage to nearby building or structures; at lower levels, groundborne vibration may cause minor cosmetic (i.e., non-structural damage) such as cracks. These vibration levels are nearly exclusively associated with high impact activities such as blasting, pile-driving, vibratory compaction, demolition, drilling, or excavation. As shown in Table 17, the FTA identifies criteria for evaluating the potential for architectural damage to buildings.

Table 17 Criteria for Vibration Damage Potential

Building Category	PPV (in/sec)
I. Reinforced concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Nonengineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12

in/sec = inches per second; PPV = peak particle velocity

Source: FTA 2018

Noise in Alameda County

Noise in Alameda County is primarily generated by vehicular traffic from cars and trucks. The greatest contributor to noise is traffic on the I-580, the I-680, I-880, I-238, SR-238, SR-185, and SR-84. Other surface streets with high volume of vehicles across the county also experience significant increases in ambient noise levels. Land uses adjacent to these roadways in Alameda County are affected by motor vehicle-generated noise. Secondary sources of noise in Alameda County include

[10] Because DNL is typically used to assess human exposure to noise, the use of A-weighted sound pressure level (dBA) is implicit. Therefore, when expressing noise levels in terms of DNL, the dBA unit is not included.

construction, landscaping activities, and mechanical and stationary equipment. As shown in Figure 14, noisy urban areas or commercial areas (e.g., commercial districts with major arterial roadways and transit routes) can commonly reach noise levels between 60 dBA L_{eq} and 80 dBA L_{eq} during the daytime, whereas a common outdoor noise level associated with a quiet urban area (e.g., residential neighborhood with local or collector streets) is 50 dBA L_{eq} during the daytime. These noise levels typically decrease during nighttime hours as traffic activity slows, such that quiet urban areas commonly experience nighttime noise levels of 40 dBA L_{eq}.

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Noise-sensitive land uses are those that may be subject to stress and/or interference from excessive noise. Noise-sensitive land uses include residential uses, schools and daycare facilities, hospitals, and institutional uses such as places of worship and museums. Vibration sensitive receptors are similar to noise-sensitive receptors and also include historical, fragile buildings.

Potential sensitive receptors that may be impacted by development facilitated by the proposed HEU would primarily be residential uses and schools. Residential uses would mainly include single- or multi-family residences near or adjacent to rezone sites, and schools would include those within the San Lorenzo Unified School District (USD), Castro Valley USD, Sunol Glen USD, Mountain House USD, and Livermore Valley USD.

Regulatory Setting

The following includes applicable noise goals and policies from the Alameda County General Plan, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan.

Alameda County General Plan

The Noise Element of the Alameda County General Plan contains Noise and Land Use Compatibility Standards that are applicable to the project. Residential land uses are considered to have little impact when sites are exposed to noise levels below 65 dBA CNEL, moderate impact when exposed to noise levels between 65 to 70 dBA CNEL, and significant impact when exposed to noise levels above 70 dBA CNEL (Alameda County Planning Commission 1975).

Alameda County Municipal Code

The County's Noise Control Ordinance was adopted to control unnecessary, excessive, and annoying noise and vibration within Alameda County. Specifically, ACMC Section 6.60.040 establishes exterior noise limits for residential uses, as shown in Table 18.

Figure 14 Examples of Typical Noise Levels

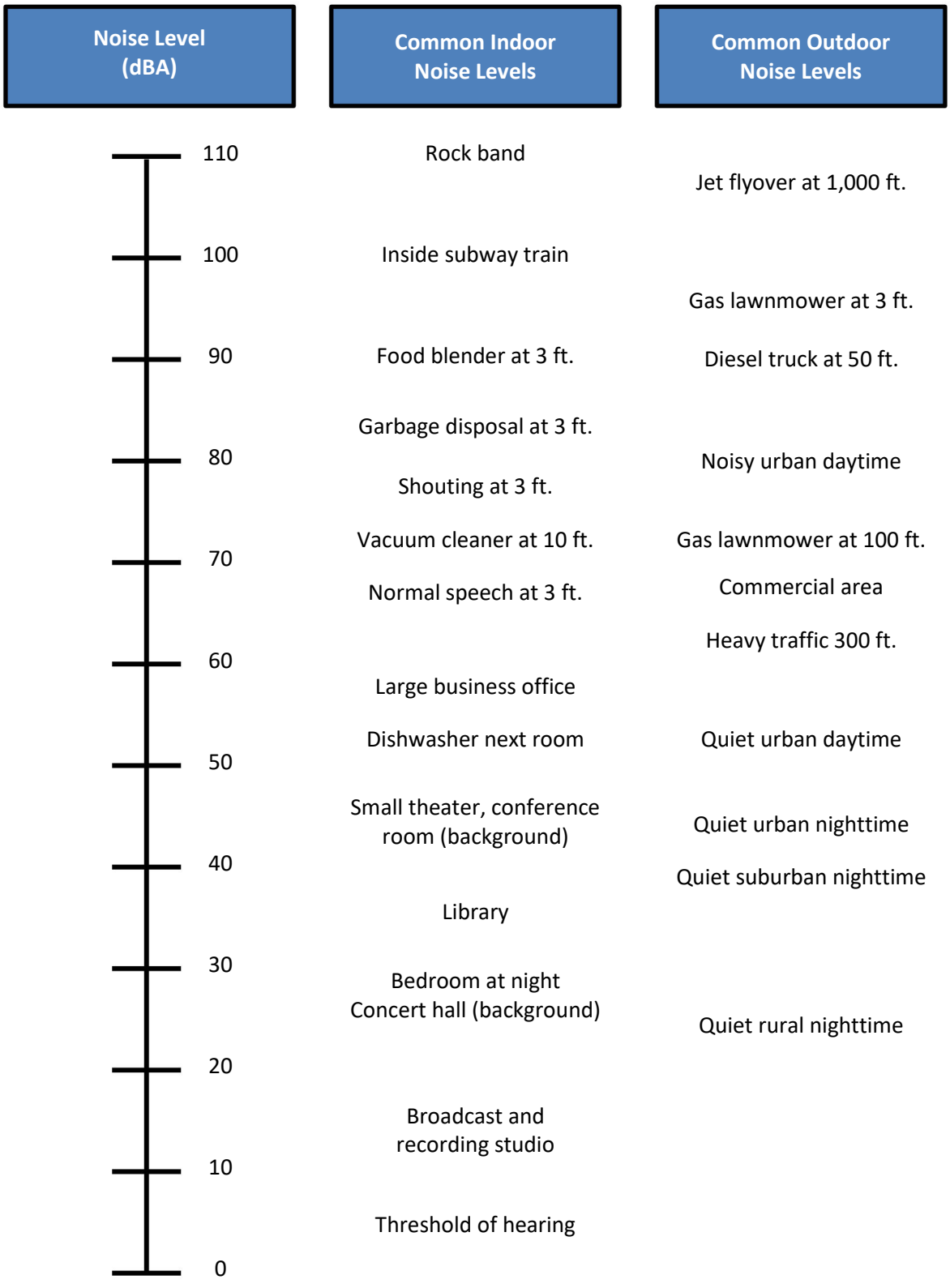

Table 18 Alameda County Municipal Code Exterior Noise Limits for Residential Use

Land Use	Time	Exterior Noise Limit (dBA) (levels not to be exceeded more than 30 minutes every hour)
Single- or Multi-Family Residential Uses	10 PM to 7 AM	45
	7 AM to 10 PM	50

Source: ACMC Section 6.60.040

Section 6.60.050(B)(1) of the ACMC prohibits radios, television sets, musical instruments and similar devices operating or playing at any time of the day plainly audible at a distance of 50 feet from the device. Section 6.60.050(B)(3) of the ACMC also prohibits the operation or use of any electric or gasoline powered leaf blower, sweeper, vacuum, lawn mower, trimmer, edger, hedger or similar tool or device in residential areas between hours of 7 p.m. to 7 a.m. on a weekday and between the hours of 7 p.m. and 8 a.m. on a weekend which produces a sound that is plainly audible at a distance of 50 feet from the device; as well as repairing, building, modifying, or testing any vehicle in residential areas between the hours of 7 p.m. to 7 a.m. in such a manner to produce sound which is plainly audible at a distance of 50 feet from the vehicle. Section 6.60.050(B)(7) of the ACMC prohibits loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects between the hours of 9 p.m. to 6 a.m. in such a manner to cause a noise disturbance across a residential property line. Additionally, pursuant to ACMC Section 6.60.050(C), any residential air conditioning or refrigeration system or associated equipment installed prior to July 1, 1980 should not exceed an exterior noise level of 55 dBA, and any equipment installed after July 1, 1980 should not exceed an exterior noise level of 50 dBA.

ACMC Section 6.60.070 establishes allowable hours of construction within residentially zoned properties. In these areas, construction is permitted between 7 a.m. to 7 p.m. from Monday to Friday, and 8 a.m. to 5 p.m. from Saturday and Sunday. The maintenance of residential properties should also take place between 7 a.m. and 9 p.m. from Monday to Friday, and 9 a.m. to 8 p.m. from Saturday and Sunday.

Impact Analysis

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Noise

Future construction activity would require the use of a variety of noise-generating equipment that would result in temporary increases in ambient noise levels on an intermittent basis. Noise levels would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receiver, and presence or absence of noise attenuation barriers. Typical noise levels at 50 feet from various types of equipment that may be used during construction are listed in Table 19. The loudest noise levels are typically generated by impact equipment (e.g., pile drivers) and heavy-duty equipment (e.g., cranes, scrapers, and graders). Construction noise would occur intermittently throughout construction, and in some instances, multiple pieces of equipment may operate simultaneously, generating overall noise levels that are incrementally higher than what is shown in Table 19.

Table 19 Construction Equipment Noise Levels

Equipment	Typical Noise Level (dBA) at 50 Feet from Source
Air Compressor	80
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Derrick	88
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Jackhammer	88
Loader	80
Paver	85
Pile-driver (Impact)	101
Pile-driver (Sonic)	95
Pneumatic Tool	85
Pump	77
Roller	85
Saw	76
Scarifier	83
Scraper	85
Shovel	82
Truck	84

Source: FTA 2018

Sensitive receptors are located throughout Alameda County and could be exposed to noise associated with construction activities from reasonably foreseeable development under the proposed project. As discussed in the Environmental Setting, sensitive receptors in Alameda County mainly consist of residences and schools. As a conservative assumption, this analysis assumes that construction activities for most projects under the proposed HEU would occur within 50 feet of sensitive receptors. As shown in Table 19, sensitive receptors would be exposed to noise levels ranging from 76 to 88 dBA at 50 feet from typical construction equipment and could reach as high as 101 dBA through the use of pile drivers.

However, a typical construction day includes the operation of multiple pieces of equipment at once with noise levels averaged over the construction day. For assessment purposes, a construction noise level at 50 feet from the source was estimated using RCNM and was based on an excavator, dozer, and jackhammer operating simultaneously. In addition, a separate scenario was also analyzed with these pieces of equipment and an impact pile driver. As shown in Table 20, the combined noise level (dBA Leq) from these pieces of equipment is estimated at 84 dBA Leq at 50 feet without a pile driver, and 95 dBA Leq at 50 feet with a pile driver.

Table 20 Typical Construction Noise Level at 50 Feet

Equipment	dBA Leq at 50 Feet
Excavator, Dozer, Jackhammer *without* Impact Pile Driver	84
Excavator, Dozer, Jackhammer *with* Impact Pile Driver	95

See Appendix C for RCNM results.

Construction noise levels would vary depending on the type of equipment, the duration of use, the distance to receptors, and the potential for pile driving. Engine noise reduction technology, including silencers, continues to improve, but heavy construction equipment still generates noise exceeding ambient levels that could cause intermittent annoyance to nearby receptors. Noise associated with construction of most development under the proposed HEU would be typical of residential construction in urban areas.

Future development would be required to comply with policies in the Castro Valley General Plan, Eden Area General Plan, and Fairview Specific Plan related to construction noise. Specifically, Action 11.1-5 of the Castro Valley General Plan requires the development of Standard Conditions of Approval for all construction projects to reduce short-term impacts of noise generated by construction equipment and traffic. Policies P1 through P7 of the Eden Area General Plan require noise analysis for all proposed projects that may result in potentially significant noise impacts to nearby noise-sensitive land uses; require all future construction to comply with the construction hours of 7 a.m. to 7 p.m. from Monday to Friday, and 8 a.m. to 5 p.m. from Saturday and Sunday; and require mitigation measures for construction noise to be included in environmental documents as a requirement of construction permit approval. Policies EH-4.1 and EH-4.5 of the Fairview Specific Plan requires implementation of measures to reduce construction noise when approving development projects and/or issuing building permits. Nonetheless, even with adherence to policies and actions within the Castro Valley General Plan, Eden Area General Plan, and Fairview Specific Plan related to a reduction in construction noise, if unmitigated, construction noise impacts could be significant. Therefore, this impact is potentially significant.

Operational Noise

ON-SITE OPERATIONAL NOISE

Noise generated by on-site activities for new development would be subject to the County's exterior noise limits listed in Table 18. On-site operational noise for residential uses would include air conditioning (HVAC) equipment, stationary heating, ventilation, on-site vehicle movement (e.g., trash handling), and outdoor activities. For large buildings, such units are typically located on the roof, where operational noise is greatly reduced by distance and the intervening building itself; however, for smaller buildings including smaller multi-family residential units, large HVAC units are often placed at ground level on a concrete pad adjacent to the building. Existing noise sensitive receptors could be affected by operational noise occurring on-site at properties developed under proposed HEU. However, noise levels from HVAC equipment associated with the proposed HEU would be comparable to noise levels of HVAC equipment associated with the existing urban environment and would be required to comply with the County's noise standards shown in Table 18. Therefore, operation of HVAC equipment would have a less than significant noise impact.

Future residential development may increase the number of delivery and trash hauling trucks traveling through the County to individual development sites. Increased delivery and trash hauling trucks could intermittently expose various sensitive receptors to increased truck noise. However,

Section 6.60.050(B)(7) of the ACMC prohibits loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects between the hours of 9 p.m. to 6 a.m. in such a manner to cause a noise disturbance across a residential property line. Additionally, while individual delivery truck and/or loading or trash pick-up operations would likely be audible at properties adjacent to individual development, such operations are already a common occurrence in the urban environment. Solid waste pick-up operations are also typically scheduled during daytime hours when people tend to be less sensitive to noise. Furthermore, these noise events from trucks are typically transient and intermittent, and do not occur for a sustained period of time. Therefore, the project would not result in a substantial permanent increase in ambient noise levels from trash and delivery trucks due their prevalence in the County, resulting in a less than significant impact.

Housing developments would generate noise from conversations, music, television, or other outdoor sound-generating equipment (e.g., leaf blowers), particularly in the event future residents maintain open windows or such activities take place on balconies. However, these noise-generating activities would be similar to those of the existing urban environment. Section 6.60.050(B)(3) of the ACMC also prohibits the operation or use of any electric or gasoline powered leaf blower, sweeper, vacuum, lawn mower, trimmer, edger, hedger or similar tool or device in residential areas between hours of 7 p.m. to 7 a.m. on a weekday and between the hours of 7 p.m. and 8 a.m. on a weekend which produces a sound that is plainly audible at a distance of 50 feet from the device; as well as repairing, building, modifying, or testing any vehicle in residential areas between the hours of 7 p.m. to 7 a.m. in such a manner to produce sound which is plainly audible at a distance of 50 feet from the vehicle. Additionally, Chapter 15.08, Article 2 of the ACMC includes the 2019 California Residential Code, as adopted in Title 24 Part 2.5 of the California Code of Regulations. Required compliance with code enforcement would reduce operational noise impacts related to conversations and sound-generating equipment to a less than significant level.

OFF-SITE OPERATIONAL NOISE

The project allows for higher density/intensity land uses in some areas of Alameda County than currently permitted, leading to associated vehicle trips on local roadways. However, as discussed under Section 3, *Air Quality*, the proposed HEU would decrease residential VMT from 2020 conditions by 23.2 percent. As discussed in the Environmental Setting, a 3 dBA increase is considered noticeable. A doubling of traffic volumes would be required to reach the threshold of noticeability (a 3-dba increase in noise levels). A doubling of traffic volumes on a roadway (i.e., a 100 percent increase) is not anticipated under the project, considering VMT is anticipated to decrease by 23.2 percent. Increases in roadway noise would be less than significant.

Mitigation Measure

The following mitigation measure is required.

NOI-1 Construction Noise Reduction Plan

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:

> For projects within 500 feet of a noise sensitive land use and that involve subterranean parking, large excavation, construction over 18 months in duration, and/or the use of heavy-duty equipment, project applicants shall include these measures on demolition, grading, and construction plans submitted to the County. The Alameda County Building Department shall

verify that grading, demolition, and/or construction plans submitted to the County include these notations prior to issuance of demolition, grading and/or building permits.

- **Mufflers.** During excavation and grading construction phases, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
- **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receivers.
- **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receivers.
- **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations.
- **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible.
- **Noise Disturbance Coordinator**. The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the County shall be posted at the construction site.

Significance After Mitigation

Implementation of Mitigation Measure NOI-1 would require that construction projects with the potential for significant noise impacts include feasible mitigation to reduce construction noise at nearby sensitive receptors. With mitigation, this impact would be less than significant.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

It is not anticipated that operation of residential housing development would involve activities that would result in substantial vibration levels, such as use of heavy equipment or machinery. Operational groundborne vibration in the vicinity of development associated with the proposed HEU would be primarily generated by vehicular travel on the local roadways. According to the FTA *Transit Noise and Vibration Impact Assessment* (2018) guidance document, rubber tires and suspension systems dampen vibration levels from trucks to a level that is rarely perceptible. Therefore, traffic vibration levels associated with the expected additional trips from the proposed HEU would not be perceptible by sensitive receptors. Impacts related to operational groundborne vibration would be less than significant. The remainder of this analysis focuses on impacts related to construction activities associated with future housing development.

Construction activities associated with housing development accommodated by the proposed HEU would result in varying degrees of groundborne vibration depending on the equipment and

methods employed. Construction equipment causes vibration that spreads through the ground and diminishes in strength with distance. Buildings with foundations in the soil in the vicinity of a construction site respond to these vibrations with varying results ranging from no perceptible effects at the lowest levels, low rumbling sounds and perceptible vibrations at moderate levels, and slight damage at the highest levels.

Construction for housing development would require heavy equipment, particularly development with certain geologic conditions that may require pile driving. Pile driving would be required if the project engineer determined that it was necessary and pile driving alternatives were not feasible. Pile driving more often occurs for buildings with subterranean parking garages or tall buildings (e.g., six or more stories). Such heavy equipment could potentially operate within 25 feet of nearby buildings when accounting for equipment setbacks. Table 21 shows typical vibration levels for various pieces of construction equipment used in the assessment of construction vibration (FTA 2018). As shown in Table 21, the greatest source of vibration during most construction would be caused by use of pile drivers, which would create approximately 1.518 in/sec PPV at the modeled distance of 25 feet (FTA 2018).

Table 21 Typical Vibration Levels for Construction Equipment

Equipment	PPV (inches/second) at 25 Feet
Pile Driver (Impact – upper range)	1.518
Pile Driver (Sonic – upper range)	0.734
Vibratory Roller	0.210
Hoe Ram	0.089
Large Bulldozer	0.089
Loaded Truck	0.076
Jackhammer	0.035
Small Bulldozer	0.003

Source: FTA 2018.

The County has not adopted a significance threshold to assess vibration impacts during construction. Therefore, the FTA Transit Noise and Vibration Impact Assessment Manual (2018) was used to evaluate potential construction vibration impacts related to potential building damage. Construction vibration impacts from housing development would be significant if vibration levels exceed the criteria shown in Table 17. As shown in Table 17, the threshold for historical structures is 0.12 in/sec PPV; 0.2 in/sec PPV for residential structures, and 0.3 in/sec PPV for commercial structures. Vibration Impacts from typical construction equipment, such as vibratory rollers and bulldozers would not result in vibration levels above building architectural damage thresholds beyond approximately 25 feet in any direction. However, development facilitated by the project could require additional construction equipment and/or longer periods of construction than what is allowed under the current land use designations and zoning districts due to the potential for new or deeper underground parking garages or deeper foundations to support taller buildings. Pile driving may be required due to the increase in allowable density and height within the Castro Valley Area, Eden Area, and Fairview Area to accommodate more housing. As discussed in Section 4, *Cultural Resources*, a number of historical and archaeological resources are located in Castro Valley and Eden Area, and development could potentially occur near a structure of historic significance. Given typical setbacks and equipment size, a pile driver may be used within close distance of nearby buildings and

structures. This analysis conservatively assumes the use of an impact pile driver, which would generate approximately 1.518 in/sec PPV at a distance of 25 feet (FTA 2018). This would exceed the building architectural damage thresholds of 0.12 to 0.3 in/sec PPV depending on the type of building impacted. Therefore, this impact would be potentially significant, and Mitigation Measure NOI-2 would be required to reduce impacts to a less than significant level.

Mitigation Measure

The following mitigation measure is required.

NOI-2 Construction Vibration Reduction Plan

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:

> Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); a vibratory roller within 40 feet of fragile historical resources or 25 feet of any other structure; or a dozer or other large earthmoving equipment within 20 feet for a fragile historical structure or 15 feet of any other structure, the project applicant shall prepare a groundborne vibration analysis to assess and mitigate potential vibration impacts related to these construction activities. This vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (e.g., 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry building, and 0.3 in/sec PPV for engineered concrete and masonry buildings).

Significance After Mitigation

Implementation of Mitigation Measure NOI-2 would require a construction vibration reduction plan for projects within the screening distances of nearby structures based on type of receptor to analyze and mitigate construction vibration levels below the significance thresholds. With mitigation, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

A few rezone sites in Hayward Acres and San Leandro are located approximately 0.3-mile north of the Hayward Executive Airport and one rezone site in San Leandro is located approximately 0.4-mile northwest of the Hayward Executive Airport. However, according to Exhibit 1C (Noise Abatement Procedures) of the Hayward Executive Airport Master Plan, these rezone sites would be located outside of the airport's noise sensitive areas. Other rezone sites would be located outside the one-mile radius of the Hayward Executive Airport. Therefore, the project would not expose future residents to excessive noise levels, and there would be no impact.

NO IMPACT

14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	■	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐

Environmental Setting

Table 22 provides 2024 estimates of population and housing for unincorporated Alameda County. Unincorporated Alameda County has an estimated 2024 population of 146,067 people and 52,449 housing units, with an average household size of 2.82 people (California Department of Finance 2024).

Table 22 Current Population and Housing Stock for Unincorporated Alameda County

	Alameda County (Unincorporated)	Alameda County
Population (number of people)	146,067	1,641,869
Average Household Size (persons/household)	2.82	2.58
Total Housing Units (number of units)	52,449	647,509
Vacant Housing Units	1,758 (3.4%)	31,885 (4.9%)

Source: California Department of Finance 2024

Plan Bay Area 2050 is the most recent regional long-range plan and regional growth forecast for the Bay Area (ABAG and MTC 2021). Though it does not include projections by jurisdiction, it does include employment and housing projections for East Alameda County, South Alameda County, and Central Alameda County, which include various unincorporated areas. These projections are shown in Table 23.

Table 23 2050 Plan Bay Area Population, Housing, and Employment Projections for East Alameda County, South Alameda County, and Central Alameda County

	2015	2050 (Projected)	Projected Growth (Percent Increase)
East Alameda County			
Housing (number of units)	72,000	132,000	60,000 (82%)
Employment (number of jobs)	138,000	156,000	18,000 (13%)
South Alameda County			
Housing (number of units)	105,000	152,000	47,000 (45%)
Employment (number of jobs)	142,000	221,000	79,000 (56%)
Central Alameda County			
Housing (number of units)	120,000	160,000	40,000 (33%)
Employment (number of jobs)	157,000	285,000	128,000 (82%)

Source: ABAB and MTC 2021a

Impact Analysis

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

For the purposes of this analysis, buildout under the proposed HEU would add up to 3,779 additional residential units to the unincorporated County by the year 2031. Based on an estimated number of 2.82 residents per household as shown in Table 22, this additional housing would lead to an increase of approximately 10,657 residents in the unincorporated County during the housing element cycle 2023 to 2031 assuming all of the estimated 3,779 units are built.

In the unlikely event that all potential buildout that is proposed in the HEU occurs, and assuming the growth is all new and not already accounted for under existing projections, the total population of the unincorporated county in 2031 would be 156,724 (146,067 current population + 10,657 new residents), or a population increase of approximately 7.3 percent. In addition, the total units of housing in the unincorporated county would be an estimated 56,228 (52,449 current housing units + 3,779 units), or a housing increase of approximately 7.2 percent. This would bring the total population in Alameda County to 1,652,526 (1,641,869 + 10,657), and the total number of housing units to 651,288 (647,509 + 3,779). The proposed project would be consistent with State requirements for meeting the RHNA and would be within the growth forecasts for East Alameda County, South Alameda County, and Central Alameda County in Plan Bay Area 2050, which projects an 82 percent increase in housing for East Alameda County; 45 percent increase in housing for South Alameda County; and 33 percent increase in housing for Central Alameda County.

Further, growth under the proposed HEU would be concentrated in urbanized locations where such development is encouraged by adopted plans due to their proximity to the county's TPAs and transportation corridors. In addition, the State requires that all local governments adequately plan to meet the housing needs of their communities. Given that the State is currently in an ongoing housing crisis due to an insufficient housing supply, the additional units under the proposed project would further assist in addressing the existing crisis and meeting the housing needs of the County's communities. Furthermore, the proposed HEU would first be submitted to the HCD for review and approval to ensure that it would adequately address the housing needs and demands of the county.

Approval by the HCD would ensure that population and housing growth under the 2023-2031 Housing Element would not be substantial or unplanned.

Lastly, this analysis is conservative because it assumes a maximum buildout scenario and a maximum buildout under the proposed zoning changes. The project's actual contribution to population growth may be less than estimated. In addition, the project would not involve the extension of roads or other infrastructure that could indirectly lead to population growth. The areas of development within the unincorporated Alameda County are mostly developed and supported by existing public services and infrastructure which are sufficient to serve the additional housing units. Therefore, the project would not result in substantial unplanned population growth, either directly or indirectly. There would be no impact.

NO IMPACT

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

"Substantial" displacement would occur if the proposed project would displace more residences than would be accommodated through growth facilitated by the project. The goal of the proposed project is to accommodate and encourage new residential development in Alameda County. A portion of the housing units would be developed at a density range that could accommodate low and very low-income housing as required to meet the 6th Cycle RHNA. Development under the proposed HEU could result in up to an estimated 3,779 new housing units developed by 2031. The proposed buildout, in addition to existing and planned housing projects, would result in an overall increase in available housing which exceeds the County's RHNA requirements. Therefore, overall, the proposed HEU would add to the County's housing stock to meet housing goals.

On an individual site basis, it is possible that some redevelopment projects could result in displacement of current residents. However, the proposed HEU includes policies and programs to reduce displacement impacts. For example, Policy 2.12 evaluates the feasibility of allocating local resources to preserve existing affordable housing units and prevent the displacement of low- and moderate-income households and Program 6.G protects residents from displacement by offering free legal services to low-income tenants and homeowners disproportionately impacted by the region's housing affordability crisis and County residents who are vulnerable to displacement to stabilize their housing.

In summary, the proposed project would facilitate the development of 3,779 additional dwelling units throughout Alameda County. Proposed residential units would provide additional housing opportunities in excess of the RHNA requirement for residents and there are policies in place to reduce displacement resulting from the proposed project. Therefore, the proposed project would not result in the net loss or displacement of housing necessitating the construction of replacement housing elsewhere. There would be no impact.

NO IMPACT

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15 Public Services

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	1 Fire protection?	☐	☐	■	☐
	2 Police protection?	☐	☐	■	☐
	3 Schools?	☐	☐	■	☐
	4 Parks?	☐	☐	■	☐
	5 Other public facilities?	☐	☐	■	☐

Environmental Setting

Fire Protection

The Alameda County Fire Department (ACFD) provides fire services to the unincorporated areas within Alameda County, not including Fairview. These areas include Ashland, Cherryland, Castro Valley, Sunol, unincorporated Livermore, and unincorporated Pleasanton. The Alameda County Fire Department (ACFD) was formed on July 1, 1993 as a dependent special district with the Alameda County Board of Supervisors as its governing body. This consolidation brought together into a single jurisdiction the Castro Valley Fire Department, Eden Fire Department and County Fire Patrol (each a dependent special district under the Board of Supervisors) (ACFD 2022a). The District's Board of Directors has not adopted fire or EMS outcome-based response time goals. However, the ACFD has adopted the performance goal of first unit on scene in seven minutes and 30 seconds from fire dispatch call pick up in urban areas 90 percent of the time (ACFD 2017). The ACFD currently has 28 stations and a five-minute response time for all fire and medical emergencies (ACFD 2022b). The ACFD has established automatic and mutual aid agreements with a variety of agencies in order to ensure the highest level of fire and medical response in the event of local or regional disasters. Automatic aid agreements exist with the U.C. Berkeley Lawrence National Laboratory, the City of Oakland, the San Ramon Valley Fire Protection District and the Livermore-Pleasanton Fire Department (Alameda County Community Development Agency 2010).

The Fairview Fire Protection District (FFPD) provides fire and emergency medical services to the Fairview and Five Canyon communities. The FFPD's service area encompasses 4.2 square miles. According to the FFPD's 2019-2024 Strategic Plan, the District has a target of 90 percent of responses within five minutes and 50 seconds (FFPD 2019). As discussed in the most recent FFPD Regular Board Meeting Agenda, the FFPD was within the target, with 91 percent of responses occurring within five minutes and 50 seconds or less (FFPD 2023). Fairview's original fire station at 24200 Fairview Avenue is now used for equipment storage and training only. In 2001, a new FFPD fire station (known as Station 8 and as the Fairview/ Five Canyons Fire Station) was constructed at 25862 Five Canyons Parkway. A City of Hayward fire station (Station 9) is also located within Fairview's boundaries, at 24912 Second Street. Both Stations 8 and 9 serve FFPD but may also respond to calls outside the District (Alameda County Board of Supervisors 2021).

Police Protection

The Alameda County Sheriff's Office (ACSO) provides police protection services to the unincorporated areas within Alameda County. The ACSO has over 1500 authorized positions, including more than 1,000 sworn personnel (Alameda County Community Development Agency 2012). The Alameda County's Extended Police Protection County Service Area (PPCSA) is administered by the ACSO and was established by Local Agency Formation Commission (LAFCO) on July 9, 1991 as a dependent special district to supplement police funding in the unincorporated area. The PPCSA boundary includes all of the unincorporated areas of Alameda County and serves an area of 428.3 square miles with a population of 183,149, about a third of who live in Castro Valley (Alameda County Community Development Agency 2012). The ACSO currently does not have performance metrics or standards in place.

Schools

EDEN AREA

The Eden Area is served by two school districts: the San Lorenzo Unified School District (SLZUSD) and the Hayward Unified School District (HUSD).

SLZUSD operates nine elementary schools, three middle schools, and two high schools in the Eden Area. All schools have declined in enrollment from 2020 to 2021, except for Edendale Middle School (California Department of Education 2022).

HUSD serves elementary-aged children from the Eden Area and operates one school in the area: Cherryland Elementary. It also serves high school-aged children at the Hayward High School campus. Additionally, Eden Gardens Elementary, located on Thayer Avenue, is attended by students from the unincorporated area.

CASTRO VALLEY AREA

The Castro Valley Area is served by three school districts: the Castro Valley Unified School District (CVUSD), the HUSD, and the SLZUSD. Schools within the three school districts include 12 elementary schools, five middle schools, and four high schools. All schools within the CVUSD have declined in enrollment from 2020 to 2021, except for Castro Valley High, Castro Valley Virtual Academy, Proctor Elementary, and Roy A. Johnson High (California Department of Education 2022).

FAIRVIEW AREA

The Fairview Area is served by the HUSD. There are two K-6 elementary school campuses in the community. Fairview Elementary is located at 23515 Maud Avenue (near D Street) and East Avenue Elementary is located at 2424 East Avenue (near Hansen). Beyond 6th grade, Fairview public school students attend middle and high schools in the City of Hayward. Bret Harte Middle School (1047 E Street) is a few blocks west of Fairview while Hayward High School (1633 East Avenue) abuts Fairview's southwest border (Alameda County Board of Supervisors 2021).

Regulatory Setting

The following includes applicable public services goals and policies from the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan.

Eden Area General Plan

The Public Facilities and Services Element of the Eden Area General Plan includes the following applicable goals and policies related to public services.

Goal PF-1: Maintain a safe environment in the Eden Area through the prompt and efficient provision of police service.

- **Policy P1:** The County shall strive to continuously improve performance and efficiency in the Sheriff's Office.
- **Policy P2:** The ACSO shall maintain adequate police staffing, performance levels and facilities to serve the Eden Area's existing population as well as its future growth.
- **Policy P3:** The County shall reserve adequate sites for sheriff facilities in the Eden Area.
- **Policy P4:** Old or outdated sheriff's facilities should be replaced, to the greatest extent feasible, with new facilities that have the necessary infrastructure and design features to adequately support police functions for the area.
- **Policy P5:** The level of service standard shall be a maximum of a five minute response time for Priority One Emergency calls.

Goal PF-2: Promote coordination between land use planning and law enforcement.

- **Policy P1:** Land use development proposals shall be reviewed for site design criteria and other law enforcement concerns.
- **Policy P2:** Physical site planning should be used as an effective means of preventing crime. Open spaces, landscaping, parking lots, parks, play areas and other public spaces should be designed for maximum exposure to community residents.
- **Policy P3:** The County should not approve development proposals or permits that create mini-subdivisions or apartment complexes. Gated developments shall be discouraged.
- **Policy P4:** As the need arises, new police substations shall be located in Districts or along Corridors wherever possible and feasible.

Goal PF-3: Minimize the loss of life and property from fires, medical emergencies and other types of emergencies.

- **Policy P1:** The County should strive to continuously improve the performance and efficiency of fire protection services for the Eden Area.

- **Policy P2:** The County shall plan for new fire station locations to maintain or enhance current response levels.
- **Policy P3:** The County shall provide adequate sites for fire facilities in the Eden Area. Planned facilities include a new station on the west side of Hesperian Boulevard and a new station in the vicinity of Cherryland.
- **Policy P4:** Old or outdated fire facilities shall be replaced with new facilities containing the necessary infrastructure and design features to adequately support fire and emergency functions for the area.
- **Policy P5:** Fire flow shall be improved to 1,000 gallons per minute in areas with identified deficiencies, including the industrial complex at the western end of Grant Avenue in San Lorenzo, along Meekland Avenue in Cherryland.
- **Policy P6:** Necessary fire and emergency response facilities and personnel shall be provided, to the greatest extent feasible, to meet residential and employment growth in the Eden Area.

Goal PF-4: Promote coordination between land use planning and fire protection.

- **Policy P1:** Fire hazards shall be identified and mitigated during the project review and

Goal PF-5: Provide sufficient library services to meet the information, cultural and educational needs of the population of the Eden Area.

- **Policy P1:** To the extent feasible, the County should strive for a standard of between 0.5 and 0.6 square feet of library space per capita in the Eden Area.
- **Policy P2:** The County should continue to support the upgrading and expansion of Alameda County Library System services in the Eden Area, including the San Lorenzo Library Replacement Project, in order to keep pace with community needs and changes in information technology.
- **Policy P3:** Library funding should remain adequate to sustain existing service levels and where possible, increase service levels.

Goal PF-7: The County shall encourage school services that meet the educational needs of Eden Area residents.

- **Policy P1:** The County shall strive to work with school districts to provide a high level of public education to all residents in the Eden Area
- **Policy P2:** The County shall continue to provide the school districts with the opportunity to review large proposed residential developments and make recommendations about the need for additional facilities based on student generation rates and existing school capacity.
- **Policy P3:** Lands designated 'School' in the General Plan shall be zoned for both school and residential uses. The zoning designation shall call out a density of development that is comparable to surrounding land uses.
- **Policy P4:** When a public school parcel is to be designated for a new public use or sold off for a private use, there should be a public input process to provide feedback to the County about the proposed new use of the parcel.
- **Policy P5:** The County shall work with the Hayward Area Recreation and Park District (HARD) and the school districts serving the Eden Area to expand the joint use of school sites for parks and recreational facilities.

- **Policy P6:** Safe and direct pedestrian and bicycle access to schools, including new sidewalks, bicycle paths, bike lanes on roadways and direct connections from residential areas shall be provided as funding becomes available and redevelopment opportunities occur.

Castro Valley General Plan

The Public Services and Utilities Element of the Castro Valley General Plan includes the following applicable goals and policies related to police and fire protection services:

Goal 9.2-1: Provide and maintain a safe environment for Castro Valley residents, workers, visitors and property owners.

- **Policy 9.2-1:** Comparable Public Safety Standards. Adopt and maintain public safety service standards that meet or exceed standards for comparable incorporated cities in Alameda County and surrounding counties.
- **Policy 9.2-2:** Community-Oriented Policing. Promote a community-oriented approach to law enforcement.
- **Policy 9.2-3:** Emergency Management Plan. Maintain and regularly update a standardized Emergency Management Plan in coordination with the Alameda County Fire Department, the East Bay Regional Parks District, and public safety agencies in surrounding cities.
- **Policy 9.2-4:** Defensible Space. Incorporate defensible space principles for fire protection in new development.
- **Policy 9.2-5:** Reduce Fire Risk. Plan new public and private buildings to minimize the risk of fires and identify measures to reduce fire hazards to persons and property in all existing development.
- **Policy 9.2-6:** Update and Inform of Disaster Plans. Ensure that disaster plans for the Castro Valley community are kept up-to-date and that all residents and businesses are informed of the plan and its procedures.
- **Policy 9.2-7:** Emergency Response. Improve the capability of Alameda County public safety agencies, Eden Medical Center Castro Valley, and other public facilities to respond to public emergencies such as earthquakes and major fires.

The Community Facilities, Parks and Schools Element of the Castro Valley General Plan includes the following goals and policies related to schools:

Goal 8.4-1: Provide for a system of schools and other educational facilities to meet the educational needs of community residents of all ages and promote community identity.

- **Policy 8.4-1:** Provision and Facilitation of Sufficient Public Schools. Provide sufficient K-12 school sites in the Castro Valley Planning Area and facilitate their development to meet or exceed State standards and the standards of the local school districts.
- **Policy 8.4-2:** Minimization of Conflicts between School Sites and Adjacent Residential Uses. Plan and use school sites to avoid or minimize conflicts with surrounding residences.
- **Policy 8.4-3:** Provision of Public School Facilities for Community Use. To the extent possible given fiscal considerations, ensure that public school facilities are available for community use and activities that will not interfere with the local school districts' primary educational mission.

- **Policy 8.4-4:** Closures and Alternative Use of School Facilities. If school facilities are no longer needed for and used for public education, first consideration should be given to the use of the sites/facilities for alternative public purposes, and in particular, for parks and recreation and other similar community uses.
- **Policy 8.4-6:** School District Boundaries. Support community efforts to change school district boundaries to include all Castro Valley neighborhoods within the planning area in the Castro Valley Unified School District.
- **Policy 8.4-7:** Zoning for Lands designated 'School'. Lands designated 'School' in the General Plan shall be zoned for both school and residential uses. The zoning designation shall call out a density of development that is comparable to surrounding land uses.
- **Policy 8.4-8:** Public Input. When a public school parcel is to be designated for a new public use or sold off for a private use, there should be a public input process to provide feedback to the County about the proposed new use of the parcel.

Fairview Specific Plan

The Community Services and Infrastructure Element of the Fairview Specific Plan includes the following applicable goals and policies related to public services:

Goal CS-2: Provide safe, modern, well-maintained schools and community facilities that meet the educational, civic, social needs of Fairview residents.

- **Policy CS-2.1:** Work with the Hayward Unified School District to provide quality school campuses and excellent educational services that are available to all students in the Fairview Area.
- **Policy CS-2.2:** Work with the HUSD to address facility planning and capital improvements at East Avenue and Fairview Elementary Schools.
- **Policy CS-2.3:** Engage HUSD in the review of proposed residential developments to ensure they may provide feedback on the need for additional facilities.
- **Policy CS-2.4:** Improve the safety of students walking and bicycling to Fairview's schools through sidewalks, crossing improvements, bike lanes, enforcement of traffic laws, and other methods.
- **Policy CS-2.5:** Ensure that the needs of Fairview residents are considered in the planning and delivery of County Library services.
- **Policy CS-2.6:** In the event that future County-operated facilities are located in Fairview, pursue opportunities to incorporate meeting rooms and other amenities that enable the facility to serve as a community gathering place.
- **Policy CS-2.7:** Require use permits for private schools and enforce approval conditions so that impacts on traffic, parking, noise, and nearby uses are mitigated to the greatest extent possible.

Goal CS-3: Provide professional, responsive, and effective law enforcement, fire, and emergency medical services to Fairview residents.

- **Policy CS-3.1:** Strive to continuously improve performance and efficiency in the Alameda County Sheriff's Office.
- **Policy CS-3.2:** Maintain law enforcement staffing, performance levels, and County Sheriff's Department facilities that adequately serve Fairview's existing and projected future population. Standards for Fairview should meet or exceed the standards adopted by incorporated cities in Alameda County.

- **Policy CS-3.3:** Provide neighborhood security and crime prevention information and training to citizens, neighborhood groups, and homeowners associations, and work with the community in establishing Neighborhood Watch and other crime prevention programs.
- **Policy CS-3.4:** Fairview's fire and emergency response staffing levels and facilities shall be adequate to meet existing and projected needs.
- **Policy CS-3.5:** Disaster preparedness and emergency response plans covering Fairview shall be regularly updated, and residents and businesses shall be kept informed of such plans and procedures.

Methodology

This analysis considers the *CEQA Guidelines* Appendix G thresholds in determining whether the proposed HEU, including future development accommodated by the proposed HEU, would result in impacts related to the provision of public services. Public services information was acquired through review of relevant documents. The determination that the proposed HEU would or would not result in "substantial" adverse effects concerning public services considers the relevant policies and regulations established by local and regional agencies, the proposed HEU's compliance with such policies, and whether the HEU would create the need for new or expanded facilities, the construction of which could result in environmental impacts.

In *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, the Court of Appeal held that significant impacts under CEQA consist of adverse changes in the physical conditions within the area of a project, and potential impacts on public safety services are not an environmental impact that CEQA requires a project applicant to mitigate: "[T]he obligation to provide adequate fire and emergency medical services is the responsibility of the city. (Cal. Const., art. XIII, § 35, subd. (a)(2) ["The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services."].) Thus, the need for additional fire and police protection services is not an environmental impact that CEQA requires a project proponent to mitigate.

Impact Analysis

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

The ACFD provides fire services to the Eden Area and Castro Valley, while the FFPD provides fire services to the Fairview Area. The proposed HEU would not expand the current fire service area but would result in an increased population within the existing service area. Currently, the ACFD has a five-minute response time for all fire and medical emergencies, and the FFPD has a five-minute and 50 second response time for 90 percent of the FFPD's responses (ACFD 2022b; FFPD 2019). The increase in residents associated with the project could increase demand for fire protection and emergency medical services such that additional staff, equipment or facilities would be needed to meet these response time goals.

The continued implementation of goals and policies in the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan listed under Regulatory Setting would allow the fire protection facilities to serve this future development. The policies provide requirements for

response time standards, performance and efficiency of fire services, and ensure fire services would be adequate to accommodate an increase in population.

Further, under the proposed HEU, future development would be required to comply with Title 6, Chapter 6.04 of the ACMC, which includes the adoption of the County Fire Code as well as fire safety and prevention standards. Future development under the proposed HEU would also be required to comply with abatement of fire-related hazards and pre-fire management prescriptions as outlined under the California Health and Safety Code and the California Fire Plan. A list of fire-related requirements included in these codes and that would apply to typical residential projects allowed by the proposed HEU includes:

a. Adequate marking of exterior building openings
b. Openings and fire escape stairs and balconies
c. Internal access, including via hallways and doorways
d. Manual and automatic fire alarm systems
e. Fire Fighter Air Replenishment Systems
f. Internal building sprinkler systems
g. New fire hydrants
h. External fire protection (setbacks, fire-resistant materials, etc.)

New residential projects allowed by the proposed HEU would be reviewed for compliance with these requirements and compliance with other building and safety regulations several times during different phases of project development. Compliance with these safety standards would reduce the demand for fire protection services and thereby reduce the need for new fire stations.

Should the County determine that new or expanded facilities are needed to provide fire protection services to unincorporated Alameda County, it is not known where such facilities would be located. No location has been identified for a new fire station as part of the proposed HEU. Nonetheless, this IS-MND analyzes the impact associated with development on vacant and underutilized sites throughout the county. A potential future facility would likely be developed on the same site as the current fire station or as infill development. As infill development, it is not anticipated that the construction of a new fire station would cause additional significant environmental impacts beyond those identified in this IS-MND. The environmental effects of constructing a fire station would be consistent with the impacts determined in other sections of this IS-MND, which would be less than significant or less than significant with mitigation. When the ACFD or FFPD proposes a new station and identifies an appropriate site and funding, the county will conduct a complete evaluation of the station's environmental impacts under CEQA. Therefore, the proposed HEU would not result in substantial adverse physical environmental impacts associated with the provision of new or physically altered fire protection facilities. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The Alameda County Sheriff's Office (ACSO) provides police protection services to the unincorporated areas within Alameda County. The ACSO has over 1,500 authorized positions, including more than 1,000 sworn personnel. As of 2024, the unincorporated County had a total of 146,067residents, which provides a ratio of 6.8 officers per 1,000 residents (DOF 2024).[11] The ASCO does not have an adopted service ratio goal for number of officers per population; however, this ratio is above the recommended standard for western United States of 1.6 officers per 1,000 residents set by the Federal Bureau of Investigation (FBI 2017). Implementation of the proposed HEU would result in the need for an increase in police staff. Under the proposed HEU, an estimated 10,657 new residents would be added to the service area. When added to the 2024 population, the proposed HEU would increase unincorporated Alameda County's total population to an estimated 156,724 residents. Although this would decrease the officer to resident ratio from 6.8 officers per 1,000 residents to 6.4 officers per 1,000 residents[12], the ratio would still be above the 2.0 officers per 1,000 standard set by the Federal Bureau of Investigation. Furthermore, the continued implementation of goals and policies in the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan listed under Regulatory Setting would allow police protection facilities to adequately serve future development. The policies provide requirements for response time standards, performance and efficiency of police services, and ensure police services would be adequate to accommodate an increase in population.

Should the County determine that new or expanded facilities are needed to provide police protection services to unincorporated Alameda County, it is not known where such facilities would be located. No location has been identified for a new police station as part of the proposed HEU. Nonetheless, this IS-MND analyzes the impact associated with development on vacant and underutilized sites throughout the county. A potential future facility would likely be developed on the same site as current police stations or as infill development. As infill development, it is not anticipated that the construction of a new police station would cause additional significant environmental impacts beyond those identified in this IS-MND. The environmental effects of constructing a police station would be consistent with the impacts determined in other sections of this IS-MND, which would be less than significant or less than significant with mitigation. When the ACSO proposes a new station and identifies an appropriate site and funding, the county will conduct a complete evaluation of the station's environmental impacts under CEQA. Therefore, the proposed HEU would not result in substantial adverse physical environmental impacts associated with the provision of new or physically altered police protection facilities. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

[11] 1,000 officers x 1,000 residents / 146,067 residents = 6.8 officers per 1,000 residents
[12] 1,000 officers x 1,000 residents / 156,724 residents = 6.4 officers per 1,000 residents

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

The Eden Area is served by two school districts: the San Lorenzo Unified School District (SLZUSD) and the Hayward Unified School District (HUSD); the Castro Valley Area is served by three school districts: the Castro Valley Unified School District (CVUSD), the HUSD, and the SLZUSD; and the Fairview Area is served by the HUSD.

The population of the unincorporated Alameda County would increase by approximately 10,657 people, as discussed under Impact (a) of Section 14, *Population and Housing*. Some of the residential growth in the County would be school-aged children, or adults who become parents and eventually have school-aged children. The increase in school-aged population and demographics in unincorporated Alameda County would result in increased demand for public services such as schools. Alameda County maintains a high level of communication and cooperation with each school district within its jurisdiction; however, all school districts within the County maintain their own planning documents which anticipate future growth, which include policies to meet future service and facilities demands. In addition, the continued implementation of goals and policies in the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan listed under Regulatory Setting would ensure schools are able to adequately serve future development.

Population growth anticipated under the proposed HEU would be adequately served by existing facilities in addition to new and/or altered facilities. The provision of new or physically altered facilities would be necessary because of development under the proposed HEU. Mitigation of impacts could be achieved through payment of school impact fees. Pursuant to Section 65995 (3) (h) of the California Government Code (SB 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." With payment of mandatory school impact fees by developers in the County, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

See Section 16, *Recreation.*

LESS THAN SIGNIFICANT IMPACT

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

Impacts related to other public facilities such as water, wastewater, storm water systems, and landfills are addressed in Section 10, *Hydrology and Water Quality,* and Section 19, *Utilities and Service Systems*.

LESS THAN SIGNIFICANT IMPACT

16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	■	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	■	☐

Environmental Setting

Eden Area

The Hayward Area Recreation & Park District (HARD) is an independent special district providing park and recreation services for over 250,000 residents living within a 64 square-mile area which includes the unincorporated Eden Area communities of Ashland, Cherryland, San Lorenzo, and Hayward Acres, as well as Castro Valley and Fairview. HARD operates and maintains 14 recreational facilities covering 65 acres inside the Eden Area, almost all of which contains some type of open lawn area with picnic tables and/or play area. In the Eden Area there are 66 acres of parkland, excluding the Hayward Regional Shoreline and sites maintained by schools (Alameda County Community Development Agency 2010). According to the United States Census Bureau, the Eden Area population was approximately 73,478 in 2021 (US Census Bureau 2023).[13] Thus, the park acreage-to-population ratio in the Eden Area is 0.9 acre per 1,000 residents. HARD has adopted minimal and optimal standards for park acreage per 1,000 residents. Local parks and school parks should at a minimum each offer one acre of park space per 1,000 residents with an optimal level of two acres per 1,000 residents (HARD 2013). The majority of the parks in the Eden Area are classified as local parks. One park, San Lorenzo Park, is classified as a community park. There are no regional parks located in the Eden Area. HARD also operates an extensive community and recreation program serving all ages throughout the 100 facilities in its service area. HARD's programming includes classes in many areas including art, aquatics, dance, drama, photography, golf, gymnastics, martial arts, tennis, soccer and naturalist activities. The San Lorenzo Library and REACH Ashland Youth Center both provide a variety of program-based recreation opportunities as well. However, community recreation programs at facilities located inside the Eden Area are very limited. Ashland Park and Community Center, and the San Lorenzo Community Park are the two recreational

[13] Ashland 2021 population: 23,823 people; Cherryland 2021 population: 15,808 people; San Lorenzo 2021 population: 29,581 people; Hayward Acres 2019 population: 4,266 people (only 2019 data was available, Alameda County-Oakland Community Action Partnership 2022)

facilities in the Eden Area that offer HARD programming (Alameda County Community Development Agency 2010).

The Eden Area is also served by two regional parks operated by the East Bay Regional Park District (EBRPD): Hayward Regional Shoreline Park, and Anthony Chabot Regional Park and Lake Chabot. Portions of Hayward Regional Shoreline Park fall within the Eden Area's planning boundaries. The Hayward Regional Shoreline Park includes the Bay Trail and can be accessed from Grant or West Winton Avenues (Alameda County Community Development Agency 2010). The Bay Trail is a bicycle and pedestrian trail that allows continuous travel around the shoreline of San Francisco Bay, and is more than 350 miles long.

There are also a number of park facilities located in the City of Hayward but which are adjacent to the Eden Area and thus accessible for Eden Area residents. Examples include Greenwood Park, Cannery Park, Kennedy Park, and Rancho Arroyo Park (Alameda County Community Development Agency 2010).

Castro Valley Area

Castro Valley has about 325 acres of neighborhood and community parks, which is approximately 4.9 acres of local parkland for every 1,000 residents (US Census Bureau 2023). In addition to neighborhood and community parks owned and operated by HARD, Castro Valley residents also have access to about 5,600 acres of East Bay Regional Park District facilities within or adjacent to the community. As outlined in the Community Facilities, Parks and Schools Element of the Castro Valley General Plan, most Castro Valley neighborhoods are within a 10-minute walk of a neighborhood or community park. However, except for residents of Hillcrest Knolls and the northern part of El Portal Ridge, most of the neighborhoods in the western part of Castro Valley do not have a park within a 10-minute walking distance (Alameda County Community Development Agency 2012).

Ten of Castro Valley's neighborhood parks are school district facilities that are developed on school land and available for recreation use by the general public. Castro Valley's 20 local and school parks comprise a substantial proportion of the community's neighborhood parks. Additionally, Castro Valley has six community parks as well as two regional parks, Cull Canyon and Don Castro, which provide a wider variety and higher intensity of recreational uses, with more focus on active and structured uses that are available to larger segments of the community (Alameda County Community Development Agency 2012).

Fairview Area

There are 53 acres of local parkland and 95 acres of regional parkland in Fairview. The local parks are managed by HARD, and the Don Castro Regional Park is managed by EBRPD. Don Castro is Fairview's largest park. It features a fishing lake, a swimming lagoon, picnic areas, and hiking trails. HARD facilities include East Avenue Park and San Felipe Park, both of which include picnic areas, basketball courts, play equipment, and large lawns. Other parks include Lakeridge and Fairview. The community's parks are supplemented by Hayward Unified School District facilities at Fairview and East Avenue Elementary Schools. Parks represent about 8 percent of Fairview's land area (Alameda County Board of Supervisors 2021). Based on Fairview's current population of 11,341, there are 13.0 acres of parkland per 1,000 residents (US Census Bureau 2023). When the regional parkland is excluded, the ratio drops to 4.7 acres of parkland per 1,000 residents.

Regulatory Setting

The following includes applicable recreation goals and policies from the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan.

Alameda County General Plan

The Recreation Plan of the Alameda County General Plan includes the following applicable objectives related to parks and recreational facilities:

- **Objective 1:** To take advantage of the county's opportunities for promoting desirable urban development and for preserving and enhancing natural features and historical points of interest while opportunities still exist.
- **Objective 2:** To achieve an integrated physical structure of land use and transportation facilities which will promote the optimum in efficiency, health, and well-being throughout the county, and which will also create opportunities for choice in a diversity of desirable living, recreational, cultural, and working conditions to meet the various needs and desires of individuals of all age and income groups.
- **Objective 3:** To provide a system of parks and recreation areas for the preservation of historical buildings and unusual physical features, the promotion of health and well-being through the constructive use of leisure time, and the conservation of natural resources.
- **Objective 4:** To provide sufficient and appropriate areas for park and recreation facilities and services of county, metropolitan, or state-wide significance and use, which, in conjunction with appropriately planned local neighborhood and community parks and recreation facilities and services, will satisfy the recreation needs of the entire population of the county.
- **Objective 5:** To provide a system of public open spaces of county, metropolitan, or state-wide significance and recreation use in proper relation to neighborhood, community, and other recreation areas serving cities and recreation districts, to other types of land use to other public services and facilities, and to transportation.

The Environmental Justice Element (adopted August 2024) of the Alameda County General Plan includes the following applicable policies and actions related to parks and recreational facilities:

- **Policy EJ3.6:** Support and collaborate in the development of a comprehensive and integrated system of parks, plazas, playgrounds, trails and open spaces that addresses existing deficits in the Priority Communities.
- **Action EJ3.6A:** The Public Works Agency will partner with park districts in utilization of county-owned properties for recreational purposes.
- **Action EJ3.6B:** CDA Planning will offer to collaborate with the Hayward Area Recreation and parks District (HARD) to engage Priority Community residents in the location, design, and programming of new parks and green space that respond to the community's specific needs.
- **Action EJ3.6C:** The County will encourage development of public pools in the Priority Communities.
- **Action EJ3.6D:** The County will encourage actively participate in the creation of pocket parks and other small green spaces in the Priority Communities.
- **Action EJ3.6E:** The County will encourage multi-use connector trails in the Priority Communities.

- **Action EJ3.6F:** The County will continue to collaborate with the Hayward Area Recreation and Parks District (HARD) to seek funding opportunities and establish funding mechanisms to support the development of new parks and recreation facilities in the Priority Communities.

Eden Area General Plan

The Parks and Recreation Element of the Eden Area General Plan includes the following applicable goals and policies related to parks and recreational facilities.

Goal PR-1: Improve the quality of life in the Eden Area through the maintenance and improvement of parks and recreation facilities.

- **Policy P1:** A full range of parks and recreational facilities should be provided for Eden Area residents of all ages and physical capabilities.
- **Policy P2:** Parks in the Eden Area should be regularly maintained and enhanced, as funding is available, to ensure continued public use and enjoyment, enhance public safety and prevent deterioration. Priorities set by the public for improvements to existing parks include the following:
  - Community centers at Hesperian Park, Edendale Park and Meek Park.
  - Athletic fields at Edendale Park.
  - Tennis and/or basketball courts at Ashland Park.
  - Dog park at Cherryland Park.
  - Playgrounds at Ashland Park.
  - Picnic and barbeque facilities at Ashland Park and Edendale Park.
- **Policy P3:** Park facilities in the Eden Area should maintain a balance between active and passive recreation and should ensure that the park system benefits a diverse range of interest groups.
- **Policy P4:** The County, working with HARD, shall strive to achieve a combined park acreage-to-population ratio of five acres per 1,000 population for local and community parks in the Eden Area.
- **Policy P5:** The County shall work with HARD to locate a park that is accessible to every Eden Area resident by foot or transit.
- **Policy P6:** The County shall work with HARD to identify sufficient, appropriately-located land to meet the park standards identified in HARD's parks Master Plan.
- **Policy P8:** Existing recreational programs shall be maintained and enhanced to the greatest extent feasible.

Goal PR-2: Develop new parks and recreational facilities in the Eden Area to meet existing deficiencies.

- **Policy P3:** Priorities for new park and recreational facilities should include: community centers, playgrounds, swimming pools, dog parks, athletic fields, a gymnasium, picnic sites and a skate park.
- **Policy P4:** Require new development to pay an impact fee or dedicate parkland at five acres of parks per 1,000 population to offset the increase in park needs resulting from new residents to the greatest extent allowed by law.

- **Policy P5:** In-lieu park fees shall be maintained at levels that reflect true costs of land acquisition and park development costs.
- **Policy P6:** New parks dedicated through the development process shall be improved by the project sponsor and ownership shall be transferred to HARD.
- **Policy P7:** New parks and recreation facilities shall be designed to maximize usable open space, avoid conflicts with adjacent neighborhoods and provide direct pedestrian and bicycle access between homes and parks.
- **Policy P8:** To the extent feasible, new investments in parks should be focused on neighborhoods that are the least served in terms of park access and variety of recreational amenities.
- **Policy P9:** To the greatest extent feasible, new neighborhood and community parks should be located in predominantly residential areas.

Castro Valley General Plan

The Public Services and Utilities Element of the Castro Valley General Plan includes the following applicable goals and policies related to parks and recreational facilities.

Goal 8.2-1: Provide and maintain, in coordination with other public agencies, a system of local public park and recreation facilities offering a variety of active, passive, and cultural recreational opportunities that is adequate to meet the diverse recreational needs of community residents and visitors. Also consider the additional demands of those who work in the community but are not residents.

- **Policy 8.2-1:** Parkland Standards. Provide additional neighborhood park and recreation facilities in the Castro Valley planning area to increase and maintain a parkland standard of at least two (2) acres of neighborhood parkland and a total of at least five (5) acres of neighborhood and community park facilities for every 1,000 residents.
- **Policy 8.2-3:** Identification of Areas Underserved by Parkland. Use HARD standards to identify areas that are underserved and as a basis for planning and prioritizing community and neighborhood parks and facilities to serve Castro Valley's existing and projected population.
- **Policy 8.2-8:** Park Accessibility. Locate and plan park and recreation facilities to facilitate access by foot, bicycle, and public transit as well as private automobile
- **Policy 8.2-10:** Locate Neighborhood and Community Parks Near Residential Areas. Neighborhood and community parks and recreation facilities should, to the extent possible, be located in or immediately adjacent to predominantly residential areas and within a reasonable 10 to 15 minute walking distance of the population the park is intended to serve.

Goal 8.3-1: Provide a comprehensive system of hiking, equestrian and bicycle trails to connect major park and recreation areas within and adjacent to the Castro Valley Planning Area, to connect neighborhoods, and to provide an alternative means of access between neighborhoods and the downtown.

- **Policy 8.3-1:** Integration of Trails in New Development. Incorporate trails, greenways, and linear recreation facilities as integral components of new development.
- **Policy 8.3-2:** Enhancement of Public Awareness about Trails. Increase public awareness of trails and pathways.

Fairview Specific Plan

The Community Services and Infrastructure Element of the Fairview Specific Plan includes the following applicable goals and policies related to parks and recreational facilities.

Goal CS-1: Provide a full range of park and recreational facilities that benefit Fairview residents of all ages and abilities.

- **Policy CS-1.2:** Use a ratio of 5 acres of local and community parkland per 1,000 residents as the benchmark for long-range planning, including evaluations of park adequacy and requirements for park dedication or in lieu fees for new development. This ratio excludes regional parks and passive open space that is used purely for resource conservation.
- **Policy CS-1.3:** Work with the Hayward Area Recreation District (HARD) to identify appropriately located land to meet the park standards identified in HARD's Master Plan, including expansion sites for existing parks and new neighborhood-serving parks. To the extent feasible, investment in parks should be focused on neighborhoods that are currently the least served. Every Fairview resident should be able to walk or bicycle to a community, neighborhood, or regional park within a half-mile of their home.
- **Policy CS-1.4:** Provide a range of quality recreational programs that meet the needs of Fairview residents at the San Felipe Community Center, the Sulfur Creek Nature Center, and other parks located in and around Fairview.
- **Policy CS-1.5:** Ensure that the design of existing and planned parks accommodates the amenities needed and desired by the community, avoids conflicts with sensitive natural resources and adjacent land uses, and maximizes access for pedestrians and bicycles.

Alameda County Municipal Code

Chapter 12.20 of the ACMC lists park dedication requirements for future development facilitated under the proposed HEU. All developers of new residential development would be required to dedicate and/or improve land, pay fees in lieu of dedicating or improving land, or any combination of the two options, in order to improve parks and recreational facilities within Alameda County. The county may not require dedication of land for developments of less than 50 dwelling units; however, in such developments, land may be dedicated in total or partial fulfillment of the requirement upon mutual agreement of the planning director, the local park agency, and the developer. According to Section 12.20.120 of the ACMC, multi-family units would be required to dedicate 555 square feet of parkland per unit, or pay a total of $10,200 in-lieu fees.

Impact Analysis

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed HEU does not include the provision of new parks or the physical alteration of existing parks or recreation centers. As described in Section 14, *Population and Housing*, full buildout under the proposed HEU would increase the population in unincorporated Alameda County by 10,657 new residents, which would increase the demand and use of parks and recreational facilities. According to the Eden Area 2013 Community Profile, the Eden Area, Castro Valley, and Fairview had a total of 1661.28 acres of parkland, resulting in a parkland ratio of 12.63 acres per 1,000 residents (Urban Strategies Council 2013). With the proposed HEU, the ratio of parks to residents in the County

would decrease from 12.63 acres per 1,000 residents to 10.6 acres per 1,000 residents[14]. This would still be above the parkland ratio standard listed in Policy P4 of the Eden Area General Plan, Policy 8.2-1 of the Castro Valley General Plan, and Policy CS-1.2 of the Fairview Specific Plan of 5 acres per 1,000 residents. Additionally, the continued implementation of goals and policies in the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan listed under Regulatory Setting would allow parks and recreational facilities to adequately serve future development. The policies would ensure the adherence to a parkland ratio standard of at least 5 acres per 1,000 residents, and the continued investment in new parks and recreational facilities. Furthermore, future development would be required to comply with Chapter 12.20 of the ACMC, which would require all developers to dedicate and/or improve land, pay fees in lieu of dedicating or improving land, or any combination of the two options, in order to improve parks and recreational facilities within Alameda County. Therefore, adherence to goals and policies within the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan, as well as the ACMC, would ensure that substantial physical deterioration of the county's parks and recreational facilities would not occur or be accelerated. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As discussed under checklist question (a), goals, policies, and actions in the Alameda County Recreation Plan, Alameda County General Plan Environmental Justice Element, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan as well as Chapter 12.20 of the ACMC would ensure that the county provides and maintains developed parkland and open space to serve its residents and that development would occur in a manner that meets the county's parks and recreation goals. Should future park or recreational facilities be identified for construction, it is not known where such facilities would be located. No location has been identified for new facilities of the proposed HEU. Nonetheless, this document analyzes the impact associated with development on vacant and underutilized sites throughout the county. A potential future facility would likely be developed as infill development on one of the rezone sites. As infill development, it is not anticipated that the construction of facilities in would cause additional significant environmental impacts beyond those identified in this analysis. The environmental effects of constructing facilities would be consistent with the impacts determined in other sections of this document, which would be less than significant or less than significant with mitigation. When and if the county proposes new facilities and identifies an appropriate site and funding, the County will conduct a complete evaluation of the station's environmental impacts under CEQA. Adherence to the Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan, as well as the ACMC, would ensure that impacts from construction of new parks and enhancements to existing parks are reduced to the extent feasible. Impacts to parks and recreation would be less than significant.

LESS THAN SIGNIFICANT IMPACT

[14] 1661.28 total acres of parkland / 156,724 new residents x 1,000 = 10.6 acres of parkland per 1,000 residents.

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17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	■	☐
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	■	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	■	☐
d. Result in inadequate emergency access?	☐	☐	■	☐

Environmental Setting

Eden Area

The Eden Area is located at the confluence of three regional freeways: I-880, I-580, and I-238. I-880 passes through San Lorenzo and Hayward Acres in the Eden Area. There is a high volume of truck traffic on Interstate 880. I-580 travels through Ashland before turning east to Castro Valley, Livermore and the Central Valley. I-238 connects I-880 and I-580. Due to restrictions on truck travel on I-580 in Oakland, I-238 carries a relatively high proportion of truck traffic. East 14th Street/Mission Boulevard (SR 185) is one of the primary commercial corridors in the Eden Area that travels north and south through Ashland and Cherryland and operates as a parallel route to I-880. Hesperian Boulevard is another primary commercial corridor that runs north-south through San Lorenzo. Caltrans has designated Hesperian Boulevard as a reliever route to accommodate excess traffic when I-880 is extremely congested. AC Transit bus services are provided on both SR 185 and Hesperian Boulevard. There are also a network of collectors and local streets that provide circulation within and between neighborhoods and to individual properties (Alameda County Community Development Agency 2010).

Alameda-Contra Costa Transit District (AC Transit) and Bay Area Rapid Transit (BART) provide public transit in the Eden Area. AC Transit operates a network of bus lines that provide connections within the Eden Area, to and from BART stations, and to adjacent cities. Despite AC Transit's extensive transit network, the infrequency of service and the limited number of bus routes prevents the Eden Area from being well served by transit. Additionally, pedestrian conditions, such as narrow sidewalks and lack of transit shelters, street trees or buffers from adjacent automobile traffic, can inhibit transit access along existing streets. BART provides relatively frequent heavy-rail, rapid

transit service between East Bay cities, San Francisco, Millbrae and the San Francisco Airport. Intervals between trains are generally less than ten minutes on weekdays and 20 minutes during evening and weekend hours. Most of the Eden Area is located more than one-quarter mile from a BART station thus requiring most users to use another mode of travel to reach the nearest BART station. There are two BART stations bordering the Eden Area: Bay Fair BART Station, partially located in Ashland, and the Hayward BART Station, located 0.6 miles southeast of Cherryland.

The Eden Area allows bicycles on all roads. However, designated bikeway facilities are limited to a few key streets in the Eden Area: Class I bicycle path running north from the western terminus Grant Avenue; Class II bicycle lanes on Grant Avenue and West 'A' Street; Class III bicycle route on Washington Avenue and on Hesperian Boulevard that connects with Class II bicycle lanes on the portion of Hesperian Boulevard in San Leandro (Alameda County Community Development Agency 2010).

Castro Valley Area

I-580 traverses through Castro Valley and veers north towards Oakland. I-238 continues west towards I-880, which runs north-south from San Jose to Oakland. Castro Valley Boulevard is the primary east-west arterial, while Lake Chabot Road, Redwood Road, and Crow Canyon Road are the major north-south arterials. The Metropolitan Transportation Commission (MTC) has also designated several roadways within Castro Valley as part of the Metropolitan Transportation System (MTS). MTS routes are those considered essential to regional mobility. The MTS designated roadways in the Castro Valley Area General Plan include Castro Valley Boulevard, Center Street, Grove Way, Crow Canyon Road, and Redwood Road. Collectors that carry trips from local streets to the arterials include Center Street, Norbridge Avenue, Miramar-Stanton Avenue, and 167th-Somerset Avenue (Alameda County Community Development Agency 2012).

Transit service in the Castro Valley area is provided by BART and AC Transit. The Castro Valley BART station of the Dublin-Pleasanton line is located in the downtown area north of I-580 near the Redwood Road intersection. This line provides direct service to Oakland, San Francisco and the San Francisco International Airport. Two other stations, Bay Fair and Hayward, also serve the area. The Bay Fair station is a transfer point for the Dublin-Pleasanton and Fremont-Richmond lines. The Hayward station is on both the Fremont-Richmond lines and Fremont-Daly City. Eight AC Transit bus routes (NX 4, M, 50, 80, 84, 87, 91 and 93) travel through Castro Valley, and four additional routes serve the surrounding area. AC Transit buses serve the Castro Valley BART station and Downtown as well as medical facilities and recreation activities at Don Castro Park (AC Transit route 80), and the Cull Canyon bike & hike trails (AC Transit route 87) (Alameda County Community Development Agency 2012).

The Castro Valley area is also served by bicycle trails and on-street bicycle lanes. Castro Valley currently has about eight miles of Class II bikeways along portions of Redwood Road (1.6 miles), Foothill Boulevard (1.3 miles), Grove Way (1.0 mile), Norbridge Avenue (0.5 miles), East Castro Valley Boulevard (1.3 miles), Five Canyons Road/Parkway (1.3 miles), Crow Canyon Road (0.5 miles), and Cull Canyon Road (0.5 miles) (Alameda County Community Development Agency 2012).

Fairview Area

Fairview's street network includes collector streets that link the community to the regional arterial and freeway system and local streets that provide access to individual neighborhoods. D Street, Fairview Avenue, Kelly Street, East Avenue, Second Street, and Windfeldt Road are the primary collector streets of Fairview's circulation system (Alameda County Board of Supervisors 2021).

AC Transit operates two bus lines that are partially in Fairview. Line 95 provides access to Hayward BART via D Street, Maud Avenue, and Kelly Street. Line 94 also provides BART access, but runs along East Avenue and Second Street. Just beyond Fairview's boundary, Line 32 runs along Center and B Streets, while Line 60 runs along Second Street and Campus Drive (Alameda County Board of Supervisors 2021).

Most Fairview collector streets were not designed with bicycles in mind. Although traffic volumes are low, vehicle speeds are often high and road curves and topography can make cycling difficult for casual riders. There is a Class II bike lane on westbound D Street extending from the Hayward city limits to the entrance to San Felipe Park. East of the park, there are sharrows on D Street in both directions. Bike sharrows have also been placed on Fairview Avenue. There are also bike route signs on Kelly Street and Maud Avenue, but bikes share the road with motor vehicles (Alameda County Board of Supervisors 2021).

Regulatory Setting

State Senate Bill 743

SB 743 was signed into law by Governor Brown in 2013 and tasked the State Office of Planning and Research (OPR) with establishing new criteria for determining the significance of transportation impacts under CEQA. SB 743 requires the new criteria to "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." It also states that alternative measures of transportation impacts may include "vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated."

On September 27, 2013, California Governor Jerry Brown signed SB 743 into law and started a process that changes transportation impact analysis as part of CEQA compliance. SB 743 requires the Governor's OPR to identify new metrics for identifying and mitigating transportation impacts within CEQA. In January 2018, OPR transmitted its proposed *CEQA Guidelines* implementing SB 743 to the California Natural Resources Agency for adoption, and in January 2019 the Natural Resources Agency finalized updates to the *CEQA Guidelines*, which incorporated SB 743 modifications, and are now in effect. SB 743 changed the way that public agencies evaluate the transportation impacts of projects under CEQA, recognizing that roadway congestion, while an inconvenience to drivers, is not itself an environmental impact (Public Resource Code Section 21099 (b)(2)). In addition to new exemptions for projects consistent with specific plans, the *CEQA Guidelines* replaced congestion-based metrics, such as auto delay and level of service (LOS), with VMT as the basis for determining significant impacts, unless the Guidelines provide specific exceptions.

Impact Analysis

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

The Castro Valley General Plan, Eden Area General Plan, and Fairview Specific Plan Circulation Elements address circulation improvements needed to provide adequate capacity for future land uses. The Circulation Elements use LOS as their performance criteria while analyzing the unincorporated County's roadway system. However, as described in Regulatory Setting, to implement SB 743, the *CEQA Guidelines* have been updated to change the criteria for determining what constitutes a significant traffic related environmental impact to rely upon quantification of VMT instead of LOS. Nonetheless, the project would be consistent with the Circulation Elements

since it would place housing near transit, services, and jobs. The proposed project involves rezoning the Castro Valley and Bay Fair BART station parking lots to accommodate housing, which would reduce the usage of single-occupancy vehicles and encourage walking, bicycling, and using alternative modes of transportation.

Bicycling would be encouraged through the County's Bicycle and Pedestrian Master Plan which aims to improve bicycling conditions, increase bicycling rates, and promote pedestrian safety and access to create more walkable communities. Future residents would be able to benefit from goals, policies, and improvements associated with the Bicycle and Pedestrian Master Plan which would reduce VMT and reliance on single-occupancy vehicles (Alameda County Public Works Agency 2019).

Future multi-family development facilitated under the project would be subject to the County's Site Development Review process pursuant to ACMC Section 17.54.210 and would be assessed for potential project impacts to traffic circulation. Development proposals for individual projects would be subject to adopted development guidelines, including standards that govern VMT, transportation, GHG, and associated issues. Impacts identified for development facilitated by the proposed project would be addressed through the project approval process, including design review specific to potential impacts of that project. Because the proposed HEU does not include modifications to the existing transportation network and individual future developments would be designed consistent with applicable bicycle and pedestrian facility requirements, the proposed HEU would not conflict with the County's existing circulation, bicycle, or pedestrian plans. Impacts to transit, roadway, bicycle, and pedestrian facilities would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

CEQA Guidelines Section 15064.3(b) require specific considerations of a plan or project's transportation impacts based on vehicle miles traveled (VMT). This implements SB 743, which eliminates LOS as a basis for determining significant transportation impacts under CEQA and requires a different performance metric: VMT. With this change, the State shifted the focus from measuring a plan or project's impact upon drivers (LOS) to measuring the impact of driving (VMT) on achieving its goals of reducing GHG emissions, encouraging infill development, and improving public health through active transportation.

TJKM Transportation Consultants prepared a VMT Technical Memorandum (Appendix A) for the proposed project to conduct a VMT analysis consistent with *CEQA Guidelines* to determine whether the proposed HEU project would generate a VMT impact. Given that Alameda County has not formally adopted a local VMT policy, the HEU was analyzed according to the Office of Planning and Research (OPR) guidelines. Guidelines from the OPR Technical Advisory (December 2018) sets a threshold of significance for residential VMT per capita at 15 percent below baseline. Therefore, the proposed HEU would have a less than significant impact on VMT if the VMT per capita is 85 percent or greater below the baseline value. Any project above the threshold would need to mitigate its impacts to less than significant.

To determine whether a project would result in CEQA transportation impacts related to VMT, the Alameda County Transportation Commission Travel Demand Model was used. As discussed in the VMT Technical Memorandum (Appendix A), at the base year of 2020, the VMT per capita for Alameda County was 19.38. According to OPR guidelines, the significance threshold for VMT per capita is 85 percent of the baseline condition, or 16.47 VMT per capita. The proposed HEU is

estimated to generate a VMT per capita of 17.64 at buildout, which is above the significance threshold of 16.47 VMT per capita. However, when accounting for features of the proposed project to increase residential density the VMT per capita decreases from 17.64 to 12.23. This is below the 16.47 VMT per capita threshold.[15] Therefore, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

In the absence of specific project applications to review, analyzing impacts based on project design features would be wholly speculative. CEQA does not require public agencies to speculate. Adoption of the proposed HEU analyzes the amount of new housing units the unincorporated County will accommodate during the 2023-2031 planning period and sets goals and policies for how this housing is implemented. It does not grant entitlements for any specific project or future development. Thus, the plan for new housing and the goals and policies needed to achieve that housing do not have a specific transportation safety impact or hazard. The proposed project would not include hazardous geometric design features or incompatible uses. Each housing application would be evaluated at the project specific level and undergo design review which would ensure design features would be in accordance with all applicable Alameda County standards to minimize design hazards. Furthermore, future projects facilitated would be infill projects or would include increasing density and height of existing sites, and therefore would not involve the creation of new roadways or intersections or incompatible uses within the unincorporated county. While new intersections of existing local streets with proposed new streets internal to these sites may be created if these sites would be developed, they would be subject to the project-level review processes described above to ensure hazards from design features or incompatible uses are not created. Therefore, impacts from hazardous design features or incompatible uses would be less than significant.

NO IMPACT

d. Would the project result in inadequate emergency access?

Adoption of the proposed HEU analyzes the amount of new housing units the unincorporated County will accommodate during the 2023-2031 planning period and sets goals and policies for how this housing is implemented. It does not grant entitlements for any specific project or future development. Thus, the plan for new housing and the goals and policies needed to achieve that housing do not have a specific emergency access impact. At the project specific level, future development would be required to comply with basic building designs and standards for residential buildings as mandated by the Alameda County Fire Code, under ACMC Chapter 6.04. Future projects would be required to incorporate all applicable design and safety requirements as set forth in the most current adopted building codes and fire and life safety standards. Compliance with these

[15] At the time that TJKM Transportation Consultants prepared the VMT Technical Memorandum in July 2024 (Appendix A), the rezone program assumed rezoning 133 sites for a yield of an estimated 3,917 units. However, since the time of drafting of the Memorandum, due to wildfire and earthquake risk the County removed rezone 15 rezone sites in the hills north of Castro Valley and in Cherryland and reduced projected unit counts at the Sheriff's site in Castro Valley. Overall, the rezone site buildout includes 138 fewer housing units than was assumed in TJKM's memorandum. However, since the sites that were removed were located in generally high residential VMT areas, removing them would slightly improve the VMT per capita statistics compared to what is provided in their memorandum. In addition, 138 units is less than 3 percent of the total assumed buildout, so their removal would not pose a significant impact on the final VMT per capita numbers analyzed. Overall, the VMT memorandum presents a conservative estimate of VMT impacts.

standards is ensured through County review and building plan check process. Additionally, as discussed under Section 9, *Hazards and Hazardous Materials*, the proposed HEU would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts related to emergency access would be less than significant.

LESS THAN SIGNIFICANT IMPACT

18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	■	☐	☐
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.	☐	■	☐	☐

Regulatory Setting

Assembly Bill 52 of 2014

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

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

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

California Senate Bill 18 of 2004

California Government Code Section 65352.3 (adopted pursuant to the requirements of SB 18) requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government's jurisdiction, and are identified, upon request, by the Native American Heritage Commission (NAHC). As noted in the California Office of Planning and Research's Tribal Consultation Guidelines (2005); "The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places." SB 18 refers to PRC Section 5097.9 and 5097.995 to define cultural places as:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9)
- Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to Section 5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (PRC Section 5097.995).

Consultation Results

As part of its tribal cultural resources consultation process under AB 52 and SB 18, Alameda County sent letters via certified mail on June 23, 2023, to the following 12 Native American tribes that that were identified by the NAHC as being traditionally and culturally affiliated with the geographic area:

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Costanoan Rumsen Carmel Tribe
- Guidiville Indian Rancheria
- Indian Canyon Mutsun Band of Costanoan
- Muwekma Ohlone Indian Tribe of the SF Bay Area
- North Valley Yokuts Tribe
- The Ohlone Indian Tribe
- Tule River Indian Tribe
- Wilton Rancheria
- Wuksache Indian Tribe/Eshom Valley Band

- The Confederated Villages of Lisjan
- Tamien Nation

Under AB 52 and SB 18, Native American tribes typically have 30 days and 90 days, respectively, to respond and request further project information and formal consultation. To date, Alameda County has not received any responses requesting consultation under AB 52 or SB 18 from the Tribes. Correspondence is included in Appendix D.

Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

No specific tribal cultural resources were identified in Alameda County as a result of consultation with the Tribes. Further, the proposed HEU does not involve physical development. Nonetheless, ground-disturbing activities associated with individual development projects during the planning period of the HEU could expose previously unidentified subsurface archaeological resources that may qualify as tribal cultural resources and could be adversely affected by construction.

Adherence to the requirements of AB 52 would require Tribal consultation with local California Native American Tribes prior to implementation of project activities subject to CEQA. AB 168 would require Tribal consultation with local California Native American Tribes prior to implementation of project activities subject to SB 35. In compliance with AB 52, a determination of whether project-specific substantial adverse effects on tribal cultural resources would occur along with identification of appropriate project-specific avoidance, minimization, or mitigation measures would be required. Due to the programmatic nature of the proposed HEU it is not possible to fully determine impacts of specific projects on specific sites; however, no tribal cultural resources were identified during consultation. Future projects subject to CEQA and SB 35 would require project-specific tribal cultural resource identification and consultation, and the appropriate avoidance, minimization, or mitigation would be incorporated. Project-specific tribal cultural resource consultation will occur when specific projects are implemented, and consultation conducted pursuant to the requirements of AB 52.

Nonetheless, tribal cultural resources are common throughout the San Francisco Bay Area, and their locations often are unknown or confidential. Projects associated with the proposed HEU therefore have the potential to significantly impact tribal cultural resources through ground disturbance. Implementation of Mitigation Measure TCR-1 would ensure that any unanticipated discoveries of tribal cultural resources are avoided or, where avoidance is infeasible, mitigated to a less than significant level.

Mitigation Measure

The following mitigation measure is required. Other mitigation may also be required for future projects as determined through the tribal consultation process.

TCR-1 Suspension of Work Around Potential Tribal Cultural Resources

The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:

In the event that archaeological resources of Native American origin are identified during implementation of the proposed project, all earth-disturbing work within 50 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If Alameda County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s). The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery. The Alameda County Community Development Director or designee shall review and approve the plan prior to implementation.

Significance After Mitigation

Implementation of Mitigation Measure TCR-1 would protect tribal cultural resources in the event of their discovery during implementation of the proposed project, reducing the potential impact on such resources to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

As described under checklist question (a), no specific tribal cultural resources were identified in Alameda County as a result of consultation with the Tribes. Further, no tribal cultural resources have been identified by the lead agency. Nonetheless, tribal cultural resources are common throughout the San Francisco Bay Area, and their locations often are unknown or confidential. Projects associated with the proposed HEU therefore have the potential to significantly impact tribal cultural resources through ground disturbance. Implementation of Mitigation Measure TCR-1 would ensure that any unanticipated discoveries of tribal cultural resources are avoided or, where avoidance is infeasible, mitigated to a less than significant level. This impact would be less than significant with mitigation.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	■	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	■	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	■	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

Environmental Setting

Water

Water supply to Alameda County is provided by EBMUD. Approximately 90 percent of the water used by EBMUD comes from the Mokelumne River watershed, and EBMUD transports it through pipe aqueducts to temporary storage reservoirs in the East Bay hills. EBMUD has water rights that allow for delivery of up to a maximum of 325 million MGD from this source, subject to the availability of runoff and to the senior water rights of other users, downstream fishery flow requirements, and other Mokelumne River water uses. EBMUD is obligated to meet multiple operating objectives, including providing municipal water supply benefits, stream flow regulation,

fishery/public trust interests, flood control, temperature management and obligations to downstream diverters. Among these factors, EBMUD's Mokelumne River flow commitments are generally tied to the variability in the Mokelumne River watershed rainfall and runoff patterns which govern the release requirements for the year (EBMUD 2020a).

Northern California's water resources, including EBMUD's supplies, have been stressed by periodic drought cycles. Historical multi-year droughts have significantly diminished the supplies of water available to EBMUD's customers. During the early stages of a drought and throughout a drought period, EBMUD imposes drought management programs to reduce customer demands, thereby saving water for the following year in case drought conditions continue. EBMUD has established a goal of reducing water use by 20 percent from baseline levels by 2020 district-wide. Executive Order B-37-16, Making Water Conservation a California Way of Life, requires continued conservation beyond 2020.

Water supply to Alameda County is provided by the East Bay Municipal Utility District (EBMUD). EBMUD's 2020 Urban Water Management Plan (UWMP) projected that the utility district would be able to meet current and future water needs during normal years, single dry, and second dry years through 2050 but would experience supply shortfalls in third dry years under base conditions starting in 2040. In high demand scenarios, EBMUD would experience supply shortfalls in third dry years as early as 2030, and in extreme drought scenarios as early as 2035. These shortfalls would remain even with mandatory 15 percent rationing (EBMUD 2020b). As indicated by the EBMUD's Water Supply Management Program, supplemental supply will also be needed to reduce the degree of rationing and to meet the need for water in drought years. EBMUD also released a Water Shortage Contingency Plan in 2020 which outlines actions to reduce water demand and mitigate water supply shortage (EBMUD 2020a).

EDEN AREA

The majority of the Eden Area is located in the southern portion of EBMUD's Central Pressure Zone (PZ), which serves the East Bay Plain. Rising up to 100 feet above sea level, the Central PZ runs from Richmond in the north to San Lorenzo in the south. At higher elevations, the Eden Area is served by four additional PZs: Aqueduct, Bayview, Almond, and Proctor. The Central PZ receives treated water from both the Orinda Water Treatment Plant (WTP) and the Upper San Leandro WTP. Water at these facilities is stored in the Central Reservoir and the Dunsmuir Reservoir. From there, it flows via gravity throughout the EBMUD water transmission system. Additional facilities include EBMUD's transmission mains and right-of-way easements throughout the Eden Area. These facilities are critical to the operation of EBMUD's water supply and distribution system (Alameda County Community Development Agency 2010).

CASTRO VALLEY AREA

Castro Valley is served by the Upper San Leandro and Orinda WTP. As part of EBMUD's ongoing efforts to improve its water system, EBMUD had previously built an 11-mile long emergency transmission pipeline between Castro Valley and the San Ramon Valley, called the Southern Loop, to provide an alternate water supply route after a major earthquake. In 2020, EBMUD replaced the South Reservoir, located at the north end of Gail Drive near Grove Way in Castro Valley, with a 9-million gallon water storage tank within the footprint of the existing reservoir basin. The reservoir replacement project would improve water quality and increase reliability in the distribution system, and was designed to meet current seismic design standards (EBMUD 2023). EBMUD has determined that it has sufficient system capacity to serve growth anticipated in the Castro Valley area through

2030 based on projections in the Alameda County 2000 General Plan (Alameda County Community Development Agency 2012).

FAIRVIEW

Most Fairview residents receive their water from EBMUD. A number of EBMUD water storage tanks are located in Fairview. The Castle Homes area in southeast Fairview receives water from the City of Hayward. Hayward receives its water from the San Francisco Public Utilities Commission, with water transported from the Sierra Nevada by the Hetch Hetchy Aqueduct (Alameda County Board of Supervisors 2021).

Wastewater

EDEN AREA

Wastewater treatment service in most of the Eden Area is provided by the Oro Loma Sanitary District (OLSD), which serves Ashland, Cherryland, San Lorenzo, and Hayward Acres. The OLSD collects wastewater flows from an approximately 12.8 square mile service area that includes the Eden Area. The OLSD treats flows collected from its service area, as well as from the CVSD service area at the Castro Valley/Oro Lomo Wastewater Treatment Plant (WTP) which has a permitted capacity of 20 MGD. The WTP is jointly owned by OLSD (75 percent) and Castro Valley Sanitary District (CVSan) (25 percent). An average daily flow of 11.1 MGD of sewage is treated each day. The treated effluent is disposed of through a discharge pipe into the San Francisco Bay (OLSD 2017). According to the Public Facilities Element of the Eden Area General Plan, the capacities of the sewer facilities are considered adequate. OLSD also has a maintenance and capital improvement plan that provides for the continuing rehabilitation and replacement of sewer pipelines and other facilities. The plan identifies a comprehensive, multi-million dollar set of improvements including manhole sealing, manhole raising to grade, private property repair, sewer grouting, sewer lining, sewer replacement and lower lateral replacement (Alameda County Community Development Agency 2010).

CASTRO VALLEY AREA

CVSan provides and maintains the sewage collection system that serves most of Castro Valley. Wastewater produced within CVSan's boundaries are collected and conveyed to the Castro Valley/Oro Loma WTP in San Lorenzo. CVSan transports, treats, and disposes of more than 3.5 million gallons of wastewater to the San Francisco Bay every day (CVSan 2023). OLSD provides the sewage collection system for the Hillcrest Knolls and El Portal Ridge neighborhoods. The only developed areas that continue to rely exclusively on private septic systems are off Crow Canyon Road beyond Cold Water Drive, off Cull Canyon Road, and in Palomares Canyon (Alameda County Community Development Agency 2012).

FAIRVIEW

The OLSD provides wastewater collection and treatment services to over 90 percent of Fairview households. The remaining 10 percent are in the Castle Homes area of southeast Fairview and are served by private septic systems. Most of the sewer lines in Fairview are six-inch vitrified clay pipes. The pipes are being systematically replaced and upgraded to reduce infiltration and outflow of wastewater during heavy rains. Wastewater from Fairview is transported to the Oro Loma Wastewater Treatment Plant in San Lorenzo (Alameda County Board of Supervisors 2021).

Stormwater

EDEN AREA

The Alameda County Flood Control and Water Conservation District (ACFCWCD) governed by the Alameda County Board of Supervisors owns and manages most storm drains in the Eden Area and ensures that they are designed and constructed to meet existing and projected needs for the area to avoid flooding. In the Eden Area, stormwater runoff that does not infiltrate into the subsurface is directed into a constructed stormwater drainage system consisting of crowned streets, curbside gutters, drainage inlets, subsurface pipes, and engineered canals and creeks. Surface water runoff drains to Estudillo Canal (located in San Leandro), San Lorenzo Creek, or Bockman Canal, and eventually to the San Francisco Bay (Alameda County Community Development Agency 2010).

Storm drainage in the Eden Area flows into two channels: San Lorenzo Creek and Bockman Canal. San Lorenzo Creek begins at the top of the Dublin grade and runs from east to west through Castro Valley and the Eden Area. In general, the creeks throughout the San Lorenzo Creek Watershed are in a natural state. However, from Foothill Boulevard to the San Francisco Bay, San Lorenzo Creek exists primarily as a rectangular-concrete flood control channel. Bockman Canal is considered its own watershed which contains a series of storm drains and canals that drain western San Lorenzo. The canal itself runs east to west through San Lorenzo. Like the lower section of San Lorenzo Creek, Bockman Canal is concrete lined and tidal west of the westernmost Union Pacific railroad tracks (Alameda County Community Development Agency 2010).

CASTRO VALLEY AREA

Stormwater flows down from Castro Valley and the Hayward hills to storm drains, channels, and pipelines leading to San Lorenzo Creek and on to San Francisco Bay. Sulphur Creek and the Estudillo and Bockman Canals also flow to San Francisco Bay. The ACFCWCD owns and manages most storm drains in Castro Valley, located in Flood Control Zone 2. Within Zone 2 there are 81 miles of natural creek, five miles of earth channel, 12 miles of concrete channel, two miles of improved channel, 44 miles of underground pipe, and two pump stations. In addition, there are two reservoirs, Cull Canyon and Don Castro, which are maintained for flood control (Alameda County Community Development Agency 2012).

FAIRVIEW

The Alameda County Public Works Agency operates and maintains most of Fairview's storm drains. Catch basins and conduits are periodically cleaned, and crews inspect storm drain inlets to clear debris and minimize blockages. The Alameda County Public Works Agency also maintains standards for the design of stormwater drainage systems in new development, as well as Engineering Design Guidelines addressing drainage calculations, storm drain pipe locations and materials, slope and velocity, surface and gutter flow, storm drain structures, detention basin requirements, and similar attributes. Stormwater is conveyed to local drainageways and creeks, and ultimately to flood control channels and San Francisco Bay. The flood control channels are managed by the ACFCWCD. The flood control system includes levees, pump stations, erosion control devices, and culverts in the urbanized areas west of Fairview (Alameda County Board of Supervisors 2021).

Solid Waste

EDEN AREA

Solid waste and recycling collection service and programming in the Eden Area is overseen by the Alameda County Waste Management Authority (ACWMA), a countywide organization aimed to divert materials from the landfill into reuse, recycle and reduction programs. Most of Alameda County's unincorporated residents are within either the service area of OLSD or the CVSan. Solid waste disposal and recycling services in the Eden Area are mostly provided by the OLSD, which is a member agency of the ACWMA. The OLSD contracts with Waste Management of Alameda County for solid waste and recycling collection service (Alameda County Community Development Agency 2010). Most solid wastes are transferred to the Altamont Landfill which has a remaining capacity of 65,400,000 cubic yards (91,560,000 tons) and a maximum permitted capacity of 124,400,000 cubic yards (174,160,000 tons). The estimated cease operation date for the landfill is December 1, 2070 (CalRecycle 2023).

CASTRO VALLEY AREA

The CVSan and OLSD handle solid waste collection and disposal in the Castro Valley area, contracting with Waste management of Alameda County. CVSD and OLSD collect solid waste, and generally haul it to the Davis Street Transfer Station, and then to the Altamont Landfill (Alameda County Community Development Agency 2012).

FAIRVIEW

OLSD handles solid waste collection and disposal in the Fairview area, contracting with Waste Management of Alameda County. Solid waste from Fairview is disposed of at the Altamont Landfill (Alameda County Board of Supervisors 2021).

Electricity, Natural Gas, and Telecommunications

PG&E supplies electricity and natural gas to Eden Area, Castro Valley, and Fairview.

Telecommunications services in all three areas are provided by private companies, including AT&T and Xfinity.

Impact Analysis

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Water

Construction activities associated with development under the proposed HEU would require recycled water for dust suppression, concrete manufacturing, and such activities as washing wheels and equipment. Temporary construction recycled water would be trucked to active construction sites or produced from existing fire hydrants near the applicable site(s), with County approval. As such, construction water demands would not require new connections or conveyance facilities, as existing or mobile facilities would be used.

The proposed HEU would facilitate development of residential units within urban infill areas that are already developed or vacant and surrounded by development and therefore would be served by existing water infrastructure.

Therefore, the proposed project would not cause significant environmental effects associated with construction or relocation of new water infrastructure, the construction of which could cause significant environmental effects. Impacts would be less than significant.

The availability and reliability of water supply for the proposed project is addressed below, under checklist question (b). This impact would be less than significant.

Wastewater

As described in the Environmental Setting section above, OLSD provides wastewater services to the Eden area and most of Fairview with the exception of ten percent of households that are on private septic systems. Development under the proposed HEU would primarily be located on previously developed sites which are currently served by existing infrastructure such that substantial extension of service outside existing service areas would not be required. CVSan provides and maintains the sewage collection system that serves most of Castro Valley. As discussed below under Checklist Question (c), OLSD and CVSan would have sufficient wastewater treatment capacity to accommodate the anticipated residential development, and the proposed HEU would not result in the need to expand the capacity of the OLSD or CVSan facilities. Since development facilitated by the proposed HEU would be located in urbanized areas served by existing wastewater infrastructure, the project would not require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects. This impact would be less than significant.

Stormwater

The Eden Area, Castro Valley, and Fairview are currently developed and served by existing stormwater infrastructure. The proposed HEU would facilitate development of residential units within urban infill areas that are already developed or vacant and surrounded by development and therefore would be served by existing stormwater infrastructure. Future development would be required to comply with the California Construction General Permit which requires the development and implementation of a SWPPP, the NPDES MRP, the Alameda Countywide Clean Water Program (ACCWP), Chapter 15.36 and Chapter 13.08 of the ACMC which requires permanent stormwater pollution prevention measures to reduce stormwater pollution. Additionally, future development would be required to adhere to applicable policies within the Eden Area General Plan, Castro Valley General Plan, and the Fairview Specific Plan. The County would continue to routinely maintain and improve deficiencies in the stormwater system, and developers would be responsible for funding infrastructure improvements that are required to serve future projects and have not been previously identified as part of a capital improvement program covered by the development impact fees. Therefore, the project would not require construction or expansion of stormwater drainage facilities and infrastructure, the construction of which would cause significant environmental effects. Impacts would be less than significant.

Telecommunications

Project implementation would require connections to existing adjacent utility infrastructure to meet the needs of site residents and tenants. Based on the availability of existing telecommunications infrastructure, construction of new telephone and cable lines would not be required, and all sites

would be able to connect to existing infrastructure. Development facilitated by the project would be required to adhere to applicable laws and regulations related to the connection to existing telecommunication infrastructure. Therefore, there would be adequate telecommunications facilities to serve the development facilitated by the project. The proposed project would not result in the relocation or construction of new or expanded telecommunications facilities, the construction or relocation of which could cause significant environmental effects. This impact would be less than significant.

Electricity and Natural Gas

The project would require connections to existing electrical transmission and distribution systems to serve development facilitated by the project. This service would be provided in accordance with the rules and regulations of PG&E on file with and approved by CPUC. Based on the availability of existing electrical infrastructure, it is not anticipated that the construction of new electrical transmission and distribution lines would be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate electrical facilities to serve development facilitated by the project. The proposed project would not result in the relocation or construction of new or expanded electrical facilities, the construction or relocation of which could cause significant environmental effects. No impact would occur.

Development facilitated by the project would connect to existing natural gas infrastructure to meet the needs of site residents and tenants. Based on the availability of existing natural gas infrastructure, construction of new natural gas pipelines would not be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate natural gas facilities to serve the development facilitated by the project. The proposed project would not result in the relocation or construction of new or expanded natural gas facilities, the construction or relocation of which could cause significant environmental effects. This impact would be less than significant.

NO IMPACT

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Water supply to Alameda County is provided by the East Bay Municipal Utility District (EBMUD). EBMUD's 2020 Urban Water Management Plan (UWMP) projected that the utility district would be able to meet current and future water needs during normal years, single dry, and second dry years through 2050 but would experience supply shortfalls in third dry years under base conditions starting in 2040. In high demand scenarios, EBMUD would experience supply shortfalls in third dry years as early as 2030, and in extreme drought scenarios as early as 2035. These shortfalls would remain even with mandatory 15 percent rationing (EBMUD 2020a). As indicated by the EBMUD's Water Supply Management Program, supplemental supply will also be needed to reduce the degree of rationing and to meet the need for water in drought years. Based on a water use factor of 65 gallons per day per unit provided by EBMUD, the additional 3,779 units facilitated by the proposed HEU would increase water demand by approximately 245,635 gallons per day or 275 acre-feet per year (AFY) in 2031 assuming full buildout. According to the EBMUD UWMP, projected water demand in 2030 is 254 MGD. The demand associated with the proposed HEU represents less than one percent of the projected 2030 demand, which EBMUD will be able to meet in normal, single dry, and second dry years through 2050. Development associated with the proposed EU would be required to implement rationing and other programs included in EBMUD's water shortage

contingency plan in the event of a water shortage. Additionally, CCR Title 24, Part 11 (CALGreen) requires a 20 percent reduction in residential indoor water use that would lower potential water demand. New development would be subject to the CCR concerning water-efficient landscapes (Division 2, Title 23, CCR, Chapter 2.7, Sections 490 through 495). Implementation of the WELO would encourage water conservation for new development and in landscaped areas. The WELO, which reinforces landscape irrigation and water conservation best practices also would encourage the use of drought-tolerant landscaping and low-flow irrigation systems. Therefore, sufficient water supplies are available to serve reasonably foreseeable development under the proposed HEU such that potential impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

OLSD provides wastewater services to the Eden Area and most of Fairview with the exception of ten percent of households that are on private septic systems. CVSan provides and maintains the sewage collection system that serves most of Castro Valley. Wastewater from both the OLSD and CVSan service areas are treated at the Castro Valley/Oro Loma WTP which has a capacity of 20 MGD and treats an average dry weather flow of 11.8 MGD (OLSD 2023). Therefore, OLSD has a remaining daily capacity of 8.2 MGD. Assuming that wastewater generation is 80 percent of water use, or 52 gallons per day, the proposed HEU would increase wastewater generation by approximately 196,508 gallons per day (52 gallons per day x 3,779 units = 196,508 gallons per day), or 0.2 MGD. This would constitute 2 percent of the remaining capacity of the WTP. Therefore, the plant's existing wastewater treatment capacity would be sufficient to accommodate the anticipated residential development under the proposed HEU. Development facilitated by the proposed project would not result in the need to expand the capacity of OLSD or CVSan's facilities. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Projected buildout under the proposed HEU would be 3,779 additional residential units through 2031. CalRecycle estimates that multi-family residential uses generate an average of four pounds of solid waste per unit per day (CalRecycle 2022). As shown in Table 24, prior to implementation of State-mandated diversion requirements, development associated with the proposed HEU would generate an estimated 15,116 pounds per day of solid waste, which equates to 7.6 tons per day. In accordance with California's Integrated Waste Management Act of 1989 (AB 939), cities and counties are required to divert 50 percent of all solid wastes from landfills. The County of Alameda has set a goal to achieve a diversion rate of 75 percent, which substantially exceeds AB 939 State requirement. Assuming that the goal of 75 percent diversion is met in new development on the project sites, implementation of the project would generate approximately 1.9 tons per day of solid waste for disposal at landfills.

Table 24 Estimated Solid Waste Generation

Potential Buildout Development/ Land Use	Quantity	Units	Generation Rate[1]	Solid Waste (pounds per day)	Solid Waste (tons per day)
Residential	3,779	dwelling units	4 pounds/unit/day	15,116	7.6
Total Assuming 75% Diversion Rate				**3,779**	**1.9**

[1] Source: CalRecycle 2022

As discussed in the Solid Waste Setting, the Altamont Landfill in Alameda County is an active landfill that would accommodate solid waste associated with the proposed project. This landfill recently underwent expansion in 2019 and now can accept unlimited tonnage from Alameda and San Francisco Counties (Waste Management 2023). With development facilitated by the proposed HEU, it is estimated that the project sites would generate approximately 15,116 pounds of solid waste per day. The proposed HEU is located within Alameda County, and the Altamont Landfill has no limits on the amount of waste it can accept from Alameda County; therefore, the proposed HEU would not produce waste in excess of the capacity of Altamont Landfill.

Development facilitated by the project complies with federal, State, and local statutes and regulations related to solid waste and would lead to increased recycling and waste diversion. Local infrastructure would have the capacity to accommodate solid waste generated by the project. Development facilitated by the project would also be required to demonstrate compliance with all applicable regulations. Therefore, anticipated rates of solid waste disposal from the proposed HEU would have a less than significant impact related to solid waste disposal facilities.

LESS THAN SIGNIFICANT IMPACT

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

As discussed under checklist question (d) above, the project would be required to comply with federal, State, and local statutes and regulations related to solid waste and would lead to increased recycling and waste diversion. Development facilitated by the project would be required to comply with these policies, including paying a fair share for solid waste services and achieving the diversion rates required by AB 939. AB 939 requires the County to divert 50 percent of solid waste from landfills. Local infrastructure would have the capacity to accommodate solid waste generated by the project. Additionally, future development would be required to comply with SB 1838 which would require mandatory organic waste recycling. Therefore, the project would comply with federal, State, and local regulations related to solid wastes, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	■	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	■	☐
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	■	☐

Environmental Setting

Wildland Urban Interface (WUI)Classification

The Governor's Office of Planning and Research (OPR) has recognized that although high-density structure-to-structure loss can occur, structures in areas with low- to intermediate-density housing were most likely to burn, potentially due to intermingling with wildland vegetation or difficulty of firefighter access (OPR 2020). In general, increasing density decreases the risk of wildfire. The risk of loss of human life, property, natural resources, or economic assets from wildfire is highest at the Wildland Urban Interface (WUI), areas of urban development located adjacent to or even within wildland areas. Development that has spread into less densely populated, often hilly areas has increased the number of people living in heavily-vegetated areas that are prone to wildfire. Today approximately one-third of houses in California are within the WUI area (OPR 2020). It is important to note that there are varying definitions of what constitutes a WUI, and some local or regional agencies consider some areas to be WUI that are not defined as Wildland Interface or Intermix

zones under the Wildland-Urban Interface Building Standards in CCR Title 24, Part 2; these standards are discussed under *Regulatory Setting* below. A discussion of WUI zones in the Eden Area, Castro Valley, and Fairview are included below. Wildland Urban Interface is dense housing adjacent to vegetation that can burn in a wildfire; Wildland Urban Intermix is housing development interspersed in an area dominated by wildland vegetation subject to wildfire; Wildfire Influence Zone is wildfire susceptible vegetation up to 1.5 miles from Wildland Urban Interface or Wildland Urban Intermix (CAL FIRE 2019).

Very High Fire Hazard Severity Zone

In California, State and local agencies share responsibility for wildfire prevention and suppression and federal agencies take part as well. Federal agencies are responsible for federal lands in Federal Responsibility Areas (FRA). The State of California has determined that some non-federal lands in unincorporated areas with watershed value are of statewide interest and have classified those lands as State Responsibility Areas (SRA). The California Department of Forestry and Fire Protection (CAL FIRE) manages SRAs. All incorporated areas and unincorporated lands not in FRAs or SRAs are classified as Local Responsibility Areas (LRA).

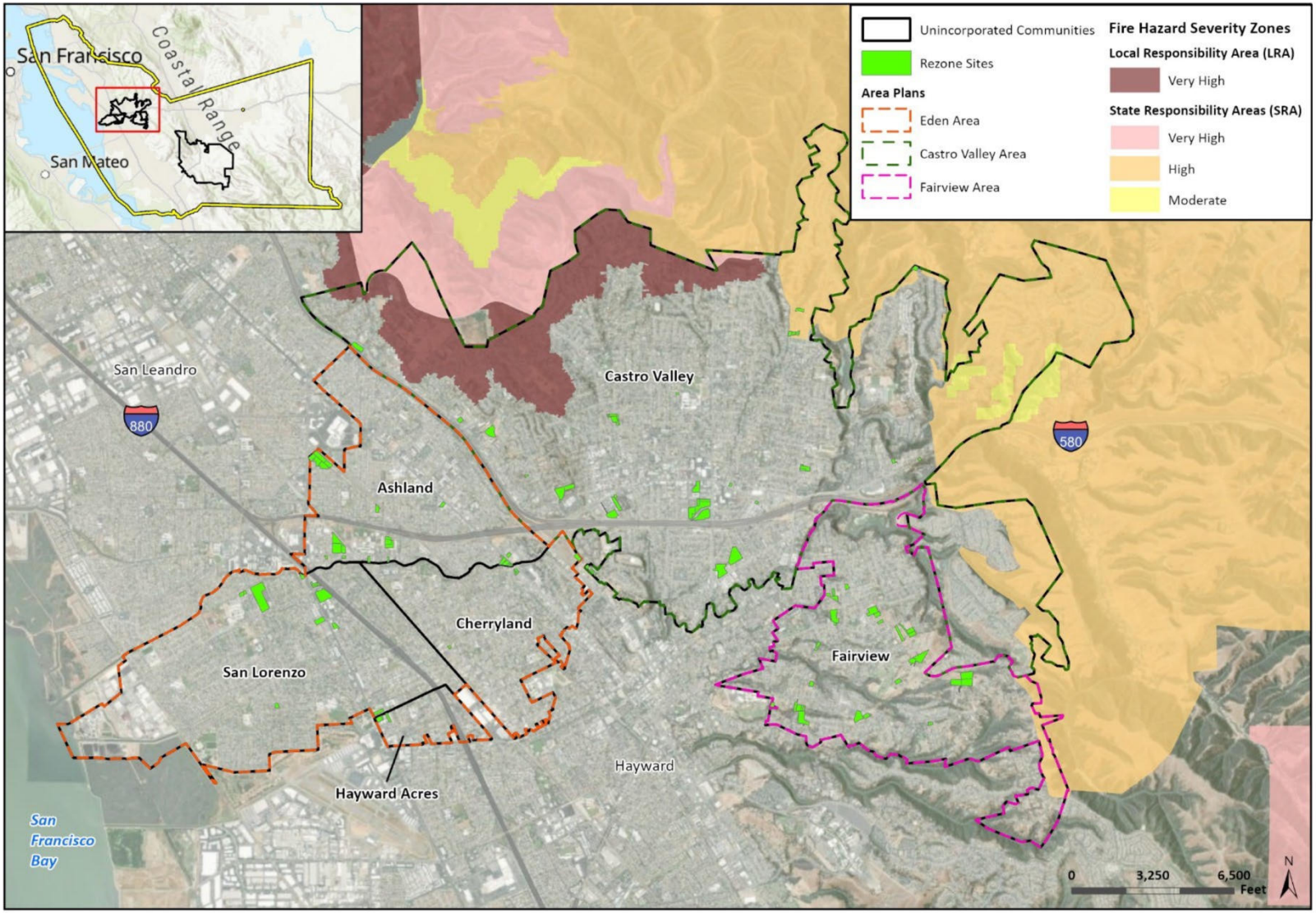
While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors (Public Resources Code 4201-4204, California Government Code 51175-89). The primary factors that increase an area's susceptibility to fire hazards include slope, vegetation type and condition, and atmospheric conditions. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones (FHSZ). There are three levels of severity: 1) moderate FHSZs; 2) high FHSZs; and 3) Very High Fire Hazard Severity Zones (VHFHSZ). Only the VHFHSZs are mapped for LRAs. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. However, none of the fire zones specifically prohibit development or construction. To reduce fire risk under State regulations, development within VHFHSZs must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life in those areas.

CAL FIRE develops initial boundaries for VHFHSZs throughout California, but the final boundaries of a VHFHSZ are adopted by each jurisdiction.

Eden Area

According to the Eden Area General Plan, the Eden Area does not fall within any VHFHSZ, although the hillside area to the northeast of Ashland is within a VHFHSZ. Therefore, wildland fires are not a concern in the Eden Area. As shown in Figure 15, the Eden Area is not within or near a VHFHSZ. However, according to CAL FIRE, there are some areas in the eastern portion of the Eden Area that are within the WUI Interface and Influence zones (CAL FIRE 2019).

Figure 15 Alameda County Fire Hazard Severity Zones



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Castro Valley

The Castro Valley General Plan indicates that there are areas at risk of wildfire in Castro Valley. As indicated in the Castro Valley General Plan, wildfire risk is reduced in areas where development meets more stringent design requirements. Fire risk is also reduced in areas with public streets, which are typically better maintained and where parking restrictions are enforced. As shown in Figure 15, there are portions of northwestern Castro Valley that are within an SRA VHFHSZ and an LRA VHFHSZ and portions of northeastern and eastern Castro Valley that are in an SRA HFHSZ. Castro Valley includes areas within the WUI Intermix and Influence Zones (CAL FIRE 2019).

Fairview Area

As shown in Figure 15, CAL FIRE does not currently consider most of Fairview to be a high hazard area. According to the Alameda County Local Hazard Mitigation Plan, nearly 80 percent of Fairview residents live in a "High Fire Hazard" risk area. In addition, maps prepared by ABAG indicate that almost all of Fairview has been designated an Urban-Wildland interface fire threat area (Fairview Specific Plan 2021) and according to maps prepared by CAL FIRE the area is considered to be Wildland Urban Interface (WUI) Intermix or Interface zones according to CAL FIRE (CAL FIRE 2019).

Regulatory Setting

California Fire Code

The State of California provided a minimum standard for building design through the 2022 CBC, which is located in Part 2 of Title 24 of the California Code of Regulations. The 2022 CBC is based on the 2021 International Building Code, but has been modified for California conditions. It is generally adopted on a jurisdiction by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local City and County building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all new high-rise buildings and residential buildings; the establishment of fire resistance standards for fire doors, building material; and particular types of construction.

The following includes applicable wildfire goals and policies from the Alameda County Safety Element, Eden Area General Plan, Castro Valley General Plan, and Fairview Specific Plan.

Alameda County Emergency Operations Plan

The Alameda County EOP establishes policies and procedures to guide Alameda County's preparation for, response to, and recovery from natural or human-caused disasters. The EOP prioritizes saving lives, protecting health and safety, protecting property, and preserving the environment. The EOP includes the roles and responsibilities for local agencies in the event of a disaster to effectively coordinate a county-wide response (Alameda County 2012a).

Alameda County Safety Element

The following are the applicable goal and policies related to wildfire in the Alameda County Safety Element.

Goal 2: To reduce the risk of urban and wildland fire hazards.

- **Policy P1:** Urban and rural development and intensive recreational facilities should be discouraged in hill open space areas lacking an adequate water supply or nearby available fire protection facilities.
- **Policy P2:** Hill area development, and particularly that adjoining heavily vegetated open space area, should incorporate careful site design, use of fire retardant building materials and landscaping, development and maintenance of fuel breaks and vegetation management programs, and provisions to limit public access to open space areas in order to minimize wildland fire hazards.
- **Policy P3:** Development should generally be discouraged in areas of high wildland fire hazard where vegetation management programs, including the creation and maintenance of fuel breaks to separate urban uses would result in unacceptable impacts on open space, scenic and ecological conditions.
- **Policy P4:** All urban and rural development, existing and proposed, should be provided with adequate water supply and fire protection facilities and services. Facilities serving hill area development should be adequate to provide both structural and wildland fire protection. The primary responsibility falls upon the owner and the developer.
- **Policy P6:** Plan new public and private buildings to minimize the risk of fires and identify measures to reduce fire hazards to persons and property in all existing development.
- **Policy P8:** The County shall limit residential development to very low densities in high fire hazard zones.
- **Policy P10:** The County shall require the design of adequate infrastructure if a new development is located in a state responsibility area (SRA) or in a very high fire hazard severity zone, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.
- **Policy P11:** The County shall require the use of fire resistant building materials, fire resistant landscaping and, and adequate clearance around structures in “high” and “very high” fire hazard areas.

Eden Area Plan

The following goal and policy are included in the Public Facilities Element of the Eden Area General Plan.

Goal PF-4: Promote coordination between land use planning and fire protection.

- **Policy P1:** Fire hazards shall be identified and mitigated during the project review and approval process for new development.

Castro Valley Plan

The Castro Valley General Plan includes the following actions related to wildfire:

- **Action 10.1-4: Interdepartmental Review Process**. Establish an interdepartmental review process for proposed projects where Fire, Public Works, Planning, and other County Departments consult and establish reasonable and consistent requirements for streets, driveways, and emergency access prior to zoning approval.

- **Action 10.1-13 Emergency Access Requirements for Hillside Areas.** In hillside areas where street widths are substantially below the minimum 20-foot width standard required for emergency access, such as Upper Madison Avenue/ Common Road and Hillcrest Knolls, one or more of the following requirements should be imposed to ensure adequate emergency access:
  - Sprinklers;
  - Turnouts along the paved roadway;
  - Additional on-site parking;
  - Increased roadway width along the front of the property; or
  - Parking Restrictions

Fairview Specific Plan

The following goal and policies are included in the Fairview Specific Plan to reduce wildfire risk in the area.

- **Policy T-3.4**: Require review and approval of any traffic calming or road modification proposals by the Alameda County Sherriff's Office and the Fairview Fire Protection District to ensure that adequate emergency vehicle access is provided.

Goal EH-1: Minimize risks to life, property, and the environment from natural hazards, including earthquakes, landslides, wildfires, and floods.

- **Policy EH-1.1**: All State and County Building Code, Fire Code, and Subdivision Code requirements related to seismic hazards, landslides, flooding, erosion, wildfire, and weed abatement shall be enforced.

Alameda County Local Hazard Mitigation Plan

Alameda County adopted the 2021 Local Hazard Mitigation Plan (LHMP) in March 2022 (Alameda County 2022b). This plan identifies the County's vulnerability to various hazards including wildfire and includes recommended mitigation measures to reduce the risk of these hazards. The plan includes mitigation measures such as implementation of a red flag warning system, implementation of the Defensible Space Fuel Reduction Program, fireproof costing of critical assets, implementation of a structure ignition zone assessment for homeowners, and hazardous fuel reduction.

Alameda County Community Wildfire Preparedness Plan

The Alameda County Community Wildfire Preparedness Plan was adopted in 2015 and contains an analysis of wildfire and wildfire risk in the wildland-urban interface areas of Alameda County. The plan contains recommendations including the following to support new development and construction:

- Integrate fire safety into local policies.
- WUI building standard (State Chapter 7A or more stringent) – roofs, gutters, windows, siding, vents, decks, Other. Educational materials to designers, builders, plan checkers and code officials to address inside the home, external shell, ember hardening and non-ignition zone. Use variety of outreach tools including DVD, website, flyers and presentations.
- Local building requirements for fire sprinklers.

- Review of infrastructure design – roads (access for evacuation and emergency equipment), bridges, water, underground utilities, fire stations. This is especially important where infill development occurs on previously un-buildable lots where existing infrastructure may not be adequate for protection of new development.
- Mechanisms for fuel reduction in community open space (privately or jointly owned).
- Provide education and tools to planning commissions to allow them to be more selective in their approval of appropriate new construction in very high fire hazard zones.

Impact Analysis

a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

As shown on Figure 15, there are portions of northwestern Castro Valley within a SRA VHFHSZ and a LRA VHFHSZ and portions of northeastern and eastern Castro Valley within a SRA HFHSZ. There are no rezone sites within a VHFHSZ in either an SRA or LRA but there are six sites within a SRA HFHSZ (APN 84C-895-40, 84C-885-31-3, 84C-885-32-2, 84C-885-33-4, 84C-885-34-2, and 85-1613-1)-. Further, there are numerous sites near (within approximately 1 mile) a VHFHSZ and SRA. Therefore, the project would facilitate development of rezone sites that are not within, but are near, a VHFHSZ and development of rezone sites within a SRA HFHSZ.

Development facilitated by the proposed HEU would accommodate future population growth within the county. The County would review and approve projects countywide, specifically development on the rezone sites to ensure that emergency access meets county standards and development is consistent with the Alameda County Emergency Operations Plan (EOP). Development facilitated by the project would also comply with road standards and would be reviewed by the County to ensure development would not interfere with evacuation routes and would not impede the effectiveness of evacuation plans. Development of six parcels within an SRA HFHSZ would not substantially impair emergency response or evacuation.

Further, future development facilitated under the proposed HEU would be required to be constructed in accordance with the County's Fire Code and the CBC in accordance with Chapter 6.04 and Chapter 15.08 of the ACMC which includes safety measures to minimize the threat of fire, such as noncombustible or ignition-resistant building materials for exterior from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves, and vents to prevent intrusion by flame or embers. Construction would also be required to meet CBC requirements, including CCR Title 24, Part 2, which includes specific requirements related to exterior wildfire exposure. In addition, the Board of Forestry, via CCR Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply; this help prevent loss of structures or life by reducing access limitations for purposes of accessing and suppressing wildfire locations. Furthermore, the Board of Forestry, via CCR Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures or life by reducing wildfire hazards.

The County's LHMP and Emergency Preparedness Plan would also prepare future residents for emergencies and reduce impacts related to wildfire. Development would also be required to comply with policies included in the Alameda County Safety Element which requires new construction to be planned and designed to minimize fire risk. Additionally, the proposed HEU would facilitate residential development primarily on infill sites, and would not require the construction of

additional roads, power lines, or other utilities that would exacerbate existing fire risk. Housing sites that require utility connections would likely install underground connections, and development within underground utility districts would be required to install new utility connections underground. Development facilitated by the proposed project would be served by existing roadways and infrastructure that have adequate ingress/egress to allow for emergency response vehicles to access the development. Therefore, the proposed HEU would not substantially impair an adopted emergency response plan or emergency evacuation plan and the impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

As discussed above, there are no rezone sites within an SRA or LRA VHFHSZ but there are sites near an LRA VHFHSZ and six rezone sites within an SRA HFHSZ. As discussed in the setting section above, the Castro valley General Plan identifies infill development as being at a lower risk of wildfire due to the presence of streets and other development nearby. Development facilitated by the proposed HEU would be primarily infill development which would be required to be constructed in accordance with the CBC and Alameda County Fire Code. Additionally, the actions included in the Castro Valley General Plan would be applicable to ensure that there is adequate emergency access and reduce wildfire risk for development located on hillsides. While development facilitated by the project could be prone to and exacerbate wildfires, including impacts resulting from downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, compliance with the CBC, CMC, and Alameda County Safety Element policies outlined above would reduce impacts. These policies would make structures more fire resistant and less vulnerable to loss in the event of a wildfire as well as reduce the potential for construction to inadvertently ignite a wildfire. Therefore, the impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

As discussed above, there are no rezone sites within an SRA or LRA VHFHSZ but there are sites near an LRA VHFHSZ and six rezone sites within an SRA HFHSZ. Development that could be facilitated by the proposed HEU would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. For the same reasons outlined above under checklist question (a), with compliance with existing regulations, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

As discussed above, there are no rezone sites within an SRA or LRA VHFHSZ but there are sites near an LRA VHFHSZ and six rezone sites within an SRA HFHSZ. As described in Section 7, *Geology and Soils* there are areas of moderate and high landslide risk within the Eden Area, Castro Valley, and Fairview. Development facilitated by the proposed project would be required to adhere to CBC requirements for both seismic and wildfire safety. With compliance with existing regulations, the project would not increase the risk of flooding or landslides, as site topography and designated flood zones would not be modified substantially from existing conditions. Therefore, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	■	☐	☐
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	■	☐	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	■	☐	☐

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Construction activities associated with development facilitated by the proposed HEU could potentially degrade the quality of the environment, eliminate or threaten wildlife habitats, or eliminate important examples of the major periods of California history or prehistory. However, compliance with federal, State, and local regulatory requirements; General Plan policies; and ACMC requirements would reduce impacts to status species, cultural resources, and tribal cultural resources. Additionally, as discussed in Sections 4, *Biological Resources*, 5, *Cultural Resources*, 7, *Geology and Soils*, and 18, *Tribal Cultural Resources,* implementation of mitigation measures BIO-1 though BIO-3, CUL-1 through CUL-4, GEO-1, and TCR-1 would ensure protection of special-status

species and nesting birds as well as historical, paleontological, and tribal resources, and would reduce impacts to a less than significant level.

LESS THAN SIGNIFICANT IMPACT

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

CEQA defines "cumulative impacts" as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, noise impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. Cumulative impact analysis provides a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

This analysis is cumulative in nature in that it analyzes future development under the proposed HEU throughout unincorporated Alameda County and takes into consideration the effects associated with development of multiple projects in the housing element cycle through 2031. For analyses that may have more localized or neighborhood implications (aesthetics, agriculture, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, public services, recreation, utilities, tribal cultural resources, wildfire), the geographic scope for cumulative impacts includes the Eden Area, Castro Valley, and Fairview. For these issue areas, generally, impacts are site specific and would not result in overall cumulative impacts. Future development projects would be reviewed by the County pursuant to CEQA to identify potential impacts to on a project-by-project basis. While there is the potential for significant cumulative impacts, it is anticipated that potential impacts associated with individual development projects would be addressed on a case-by-case basis and would be subject to the mitigation measures outlined in this IS-MND, County policies, and local and State regulations regarding the protection of such resources. With compliance with the existing policies and regulations, and mitigation measures, future development would be required to avoid or mitigate impacts. Therefore, the proposed project's incremental contribution to cumulative impacts associated with aesthetics, agriculture, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, public services, recreation, utilities, tribal cultural resources, wildfire would not be cumulatively considerable, and cumulative impacts would be less than significant.

Some analyses including air quality, energy, greenhouse gas emissions, transportation, and population and housing, rely on much larger geographic areas such as the Bay Area region. For issues that may have regional cumulative implications, the cumulative impact analysis for this EIR is based on Plan Bay Area 2050, the Bay Area's most recent Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

As discussed in sections 3, *Air Quality,* the project would be consistent with the 2017 Clean Air Plan control measures as development facilitated by the project would comply with the latest Title 24 regulations and would increase density in urban areas in proximity to transit, allowing for greater use of alternative modes of transportation. Additionally, the increase in VMT would not exceed the projected population increase per the BAAQMD *CEQA Air Quality Guidelines* for operational emissions from plans. Discussion of these impacts considers the cumulative nature of criteria

pollutants in the region. Therefore, the project would not result in a cumulatively considerable contribution to an air quality impact.

As discussed in Section 6, *Energy,* development facilitated by the project would not result in a wasteful, inefficient, or unnecessary consumption of energy, and operation of the new residential structures would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. Development facilitated by the project would be consistent with the energy-related goals, policies, and actions of the Statewide plans and applicable general and specific plans; therefore, the project would not make a cumulatively considerable contribution to a significant cumulative impact with respect to consistency with renewable energy and energy efficiency plans. Projects throughout the Bay Area are required to adhere to applicable renewable energy and energy efficiency laws, programs, and policies such as California's RPS, AB 2076, and Title 24 standards to avoid the wasteful, inefficient, or unnecessary consumption of energy.

As discussed in Section 8, *Greenhouse Gas Emissions,* the impact of GHG emissions generated by development facilitated by the proposed HEU is inherently cumulative. GHG emissions from one project cannot, on their own, result in changes in climatic conditions; therefore, the emissions from any project must be considered in the context of their contribution to cumulative global emissions, which is the basis for determining a significant cumulative impact. This is determined through the project's consistency with applicable GHG emission thresholds and applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs. GHG emissions from development facilitated by the project would not exceed the BAAQMD interpolated 2031 plan-level threshold. In addition, development facilitated by the project would be consistent with the 2017 Scoping Plan, Plan Bay Area 2050, applicable general and specific plans, and the CAP. Therefore, the project would not result in a significant cumulative impact related to GHG emissions.

As discussed in Section 14, *Population and Housing,* the proposed HEU would result in a housing increase in unincorporated Alameda County. The proposed project would be consistent with State requirements for the RHNA and would be within the growth forecasts for in Plan Bay Area 2050. Therefore, the project would not result in a cumulatively considerable contribution to a GHG impact.

As discussed in Section 17, *Transportation,* the proposed HEU would not result in a significant cumulative VMT impact. Therefore, the project would not result in a cumulatively considerable contribution to a transportation impact.

Therefore, with implementation of mitigation measures included in this IS-MND, impacts of the proposed HEU would not be cumulatively considerable.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

In general, impacts to human beings are associated with air quality, geologic hazards, GHGs, hazards and hazardous materials, noise, and traffic safety impacts. As discussed in this IS-MND, impacts related to the above-mentioned areas would all be less than significant or less than significant with incorporation of mitigation measures AQ-1, AQ-2, NOI-1, and NOI-2. Therefore, the proposed project would not directly or indirectly cause substantial adverse effects on human beings, and impacts would be less than significant with mitigation.

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Appendix A

Vehicle Miles Traveled Analysis Technical Memorandum

TECHNICAL MEMORANDUM

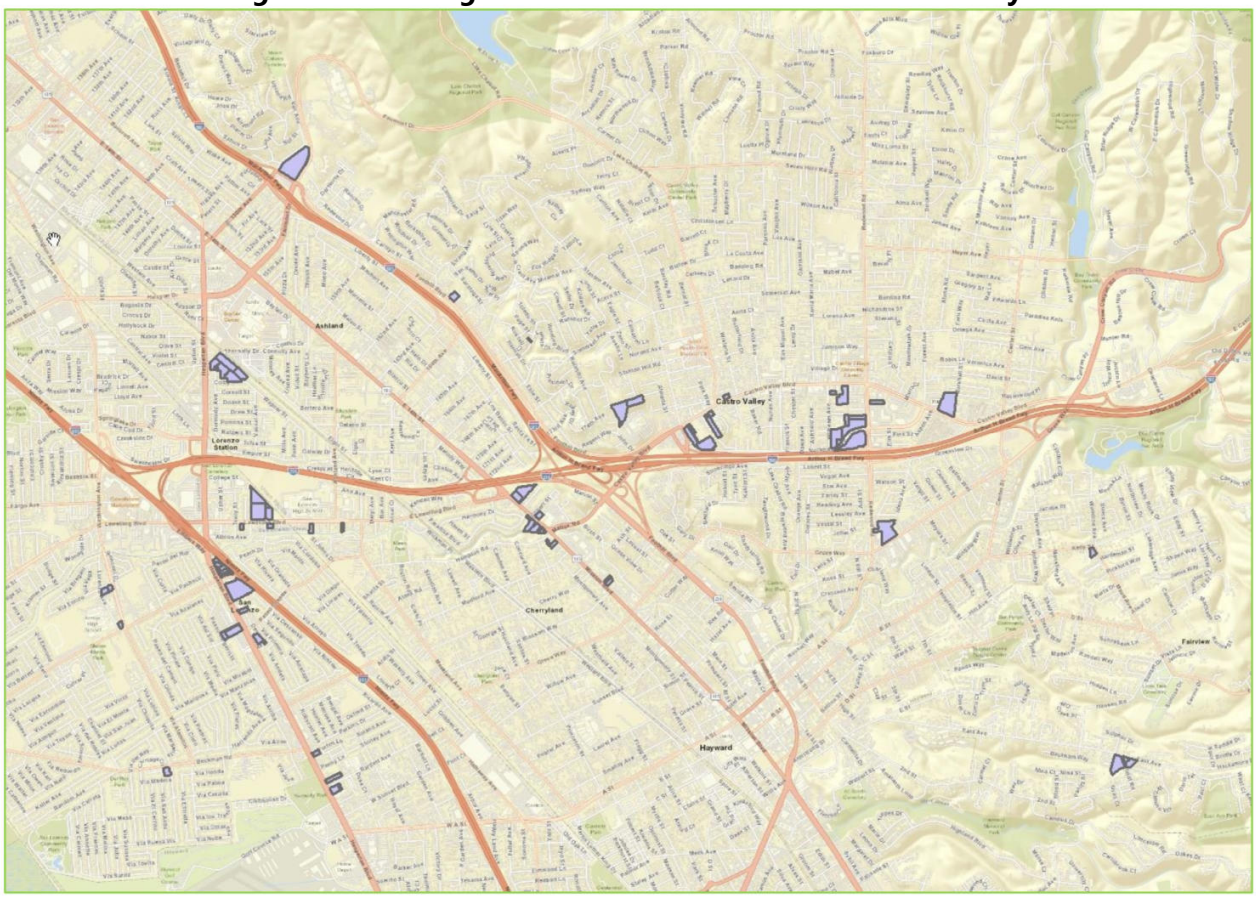
Date:	June 15, 2023
To:	County of Alameda
From:	Arthur Chen, TJKM
Subject:	**Alameda County Housing Element Vehicle Miles Traveled (VMT) Analysis**

Project Summary

TJKM conducted a vehicle miles traveled (VMT) analysis for the Alameda County 2023-2031 Housing Element Update Project. The County of Alameda (County) is currently in the process of updating its housing element to comply with the Regional Housing Needs Allocation (RHNA) assigned to the County. The Housing Element Update includes a rezone program and the County has selected various Rezone Sites within the unincorporated areas to accommodate additional housing in order to meet the RHNA. Potential rezone of vacant and nonvacant parcels to allow higher residential densities would accommodate 3,134 units.
For the purposes of this VMT analysis, only the additional 3,134 housing units are considered, since they are net new units that have the potential to be developed in the county.

Figure 1 is a map for Alameda County illustrating the locations of the Rezone Sites in the Housing Element update.

Figure 1 – Housing Element Rezone Sites in Alameda County



Vehicle Miles Traveled (VMT) Thresholds

TJKM evaluated project-related VMT for the Alameda County Housing Element update using methodology outlined in the Governor's Office of Planning and Research (OPR) guidelines regarding SB 743. As of June 2023, Alameda County has not adopted VMT procedures standards, so the OPR guidelines and standards were used.

The OPR Technical Advisory (December 2018) provides guidance to analysts and local jurisdictions for implementing VMT as a metric for determining the transportation impact for land use projects. The OPR guidelines state that for analysis purposes, "VMT" refers to automobile VMT, specifically passenger vehicles and light trucks. Heavy truck traffic is typically excluded.

For land use projects, including the Housing Element Update, agencies should analyze VMT outcomes of land use plans across the full area over which the plan may substantively affect travel patterns. A general plan, area plan, or community plan may have a significant impact on transportation if proposed new residential, office, or retail land uses would in aggregate exceed significance thresholds. The OPR

recommend threshold for residential projects (VMT per capita) are a 15% reduction from the baseline value. Likewise, for commercial projects (VMT per job) a 15% reduction or greater from the baseline value would be considered insignificant.

In summary, the Alameda County Housing Element Update would have an insignificant impact on VMT if its VMT per capita and VMT per job numbers are 85% or greater below the baseline value. Since the housing element covers residential uses, only the VMT per capita standards apply.

Vehicle Miles Traveled Analysis

TJKM obtained the latest version of the Alameda County Transportation Commission travel demand model, also known as ACTC TDM. The base year of the model is 2020, and the forecast year is 2040. The Housing Element Update rezone sites are located in 25 travel analysis zones (TAZs) scattered around the county. The land use input file was updated with the housing element additional rezone housing units. **Table 3** shows the land use update numbers for the Alameda County Housing Element.

Table 3: Land Use Update to ACTC Model for Housing Element

TAZ	Population	SF DU	MF DU	Households
25 TAZs	+9,156	+749	+2,385	+3,134

The updated land use in the housing element was inserted into the ACTC model and a model run was conducted to extract VMT metrics. In addition, the Base Year ACTC model and the Forecast No Project (no housing element added) models were run and VMT metrics extracted. **Table 4** shows the VMT metrics from the ACTC model for the base year, forecast no project, and forecast Housing Element buildout scenarios.

Table 4: VMT Statistics from the ACTC Model for Housing Element

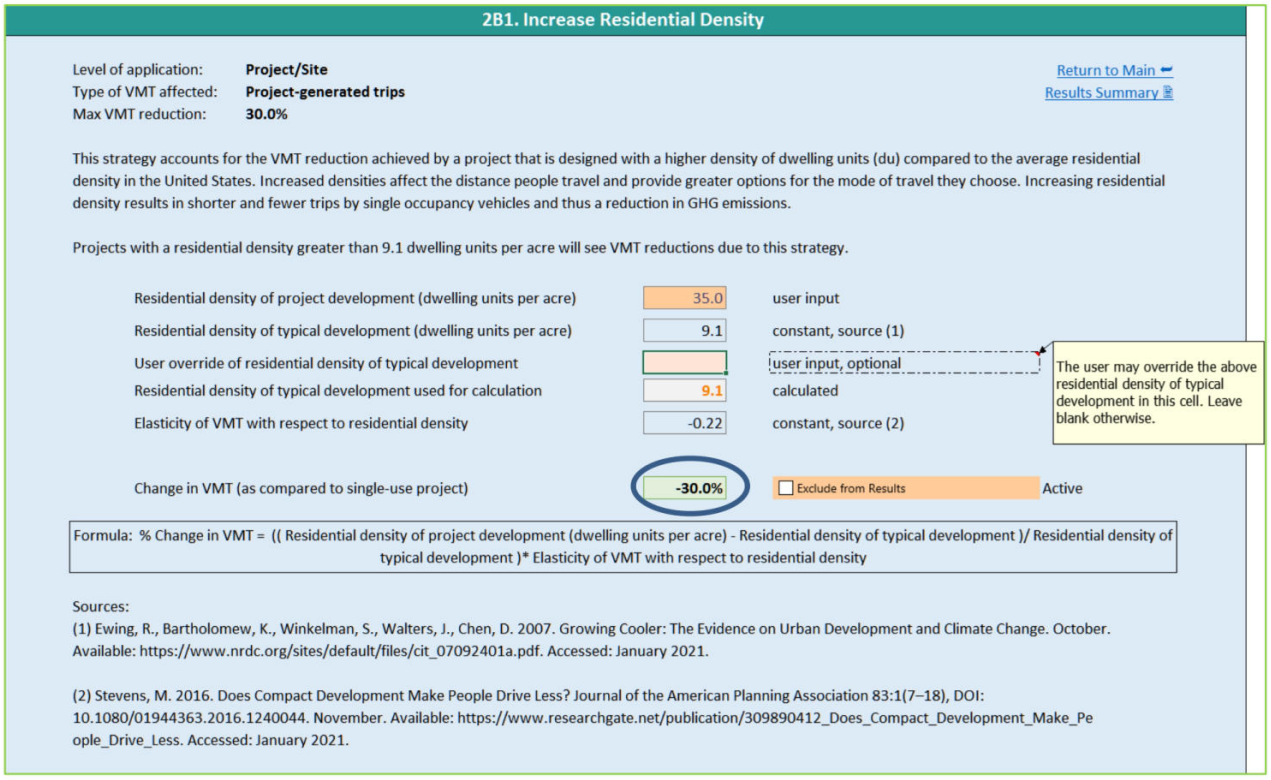
TAZ	Population	RES VMT	VMT/Capita
Base Year	1,719,968	33,332,131	19.38
Forecast No Project	2,082,882	36,752,038	17.64
Forecast HE Buildout	2,092,038	36,574,222	17.48

The base year statistics for Alameda County is **19.38** for VMT/Capita in the base year. According to OPR guidelines, the significance threshold for VMT/Capita is 85% of the baseline condition, or **16.47.** For the forecast no housing element scenario, the VMT/Capita value is **17.64**. Adding in the Housing Element reduces the total residential VMT, and the VMT/Capita value becomes **17.48**. While there is a reduction in the VMT/Capita value for the Housing Element, the resultant value is still slightly higher than the significance threshold, and thus mitigation will be needed. To lower the VMT values down to an insignificant level, a **5.6%** reduction in VMT is needed.

ACTC provides a VMT mitigation toolbox to calculate project benefits and reduce VMT values to an insignificant level. One of the mitigation measures in the toolbox is "increasing residential density". The Housing Element's average residential density of 35 units per acre is much higher than the average

residential density of 9.1 units per acre in the United States, so some VMT reduction can be achieved using this mitigation measure.

TJKM inputted 35 units per acre in the ACTC VMT tool box and the results are shown in **Table 5**.



2B1. Increase Residential Density

Level of application: **Project/Site**
Type of VMT affected: **Project-generated trips**
Max VMT reduction: **30.0%**

Return to Main
Results Summary

This strategy accounts for the VMT reduction achieved by a project that is designed with a higher density of dwelling units (du) compared to the average residential density in the United States. Increased densities affect the distance people travel and provide greater options for the mode of travel they choose. Increasing residential density results in shorter and fewer trips by single occupancy vehicles and thus a reduction in GHG emissions.

Projects with a residential density greater than 9.1 dwelling units per acre will see VMT reductions due to this strategy.

Residential density of project development (dwelling units per acre)	35.0	user input
Residential density of typical development (dwelling units per acre)	9.1	constant, source (1)
User override of residential density of typical development		user input, optional
Residential density of typical development used for calculation	9.1	calculated
Elasticity of VMT with respect to residential density	-0.22	constant, source (2)
Change in VMT (as compared to single-use project)	-30.0%	Exclude from Results — Active

The user may override the above residential density of typical development in this cell. Leave blank otherwise.

Formula: % Change in VMT = ((Residential density of project development (dwelling units per acre) - Residential density of typical development)/ Residential density of typical development)* Elasticity of VMT with respect to residential density

Sources:
(1) Ewing, R., Bartholomew, K., Winkelman, S., Walters, J., Chen, D. 2007. Growing Cooler: The Evidence on Urban Development and Climate Change. October. Available: https://www.nrdc.org/sites/default/files/cit_07092401a.pdf. Accessed: January 2021.

(2) Stevens, M. 2016. Does Compact Development Make People Drive Less? Journal of the American Planning Association 83:1(7–18), DOI: 10.1080/01944363.2016.1240044. November. Available: https://www.researchgate.net/publication/309890412_Does_Compact_Development_Make_People_Drive_Less. Accessed: January 2021.

A project characteristic of the Alameda County Housing Element is its increased residential density, so a VMT credit/mitigation of **30%** can be applied to the project's VMT/Capita value using the ACTC VMT tool. The Alameda County Housing Element's VMT/Capita drops from 17.48 to **12.24**. Using the tool to account for increased residential density that would occur from the Housing Element, the Alameda County Housing Element's VMT impacts are deemed to be **insignificant**. **Table 5** shows VMT statistics post-mitigation for the Alameda County Housing Element.

Table 5: VMT Statistics from the ACTC Model for Housing Element (Post-mitigation)

TAZ	Population	RES VMT	VMT/Capita
Base Year	1,719,968	33,332,131	19.38
Forecast No Project	2,082,882	36,752,038	17.64
Forecast HE Buildout w Mitigation/Credit	2,092,038	25,601,955	12.24

Appendix A contains a list of the 25 TAZs in the ACTC model with housing units added.

Appendix A – ACTC Model Housing Element Land Use

TAZ	TOTHH	HHPOP	TOTPOP	EMPRES	SFHH	MFHH
560	301	814	816	424	0	301
604	11	31	35	16	11	0
605	39	113	113	63	39	0
611	142	344	344	167	142	0
613	28	68	68	33	0	28
614	533	1,296	1,296	631	13	520
626	227	780	784	355	154	73
627	93	320	321	145	0	93
631	34	109	109	51	5	29
632	10	33	33	15	10	0
635	27	85	85	36	14	13
636	18	56	59	31	13	5
637	194	622	637	240	163	31
638	147	471	483	182	0	147
639	414	1,326	1,359	512	143	271
640	23	74	75	28	0	23
642	301	937	944	415	0	301
651	20	55	55	24	0	20
652	30	97	102	40	0	30
703	36	95	96	51	36	0
704	11	30	30	18	6	5
1378	43	117	126	59	0	43
1478	6	16	16	8	0	6
1480	186	493	497	244	0	186
1482	260	662	672	366	0	260
Total	3,134	9,040	9,157	4,155	749	2,385

Appendix B

Greenhouse Gas Emissions Modeling Results

Alameda County HEU Detailed Report

Table of Contents

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Alameda County HEU
Operational Year	2031
Lead Agency	—
Land Use Scale	Plan/community
Analysis Level for Defaults	County
Windspeed (m/s)	3.30
Precipitation (days)	15.6
Location	Castro Valley, CA, USA
County	Alameda
City	Unincorporated
Air District	Bay Area AQMD
Air Basin	San Francisco Bay Area
TAZ	1414
EDFZ	1
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.26

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Apartments Mid Rise	3,779	Dwelling Unit	99.4	3,627,840	0.00	0.00	10,657	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	119	113	58.9	377	0.79	4.02	49.6	53.6	4.03	12.6	16.6	1,744	115,941	117,685	155	2.42	130	122,422
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	98.9	94.9	58.7	135	0.75	3.95	49.6	53.5	3.93	12.6	16.5	1,744	112,459	114,203	155	2.54	28.7	118,872
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	104	102	22.6	227	0.53	1.04	49.1	50.1	1.04	12.4	13.5	1,744	66,827	68,571	155	2.41	70.8	73,223
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	19.0	18.6	4.13	41.5	0.10	0.19	8.95	9.14	0.19	2.27	2.46	289	11,064	11,353	25.6	0.40	11.7	12,123

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	5.67	4.30	11.2	143	0.49	0.25	49.6	49.8	0.24	12.6	12.8	—	49,753	49,753	0.98	1.64	104	50,371

Area	112	109	39.3	231	0.25	3.09	—	3.09	3.11	—	3.11	0.00	47,917	47,917	0.92	0.09	—	47,968
Energy	0.98	0.49	8.40	3.57	0.05	0.68	—	0.68	0.68	—	0.68	—	17,867	17,867	2.11	0.16	—	17,968
Water	—	—	—	—	—	—	—	—	—	—	—	238	403	641	0.88	0.53	—	820
Waste	—	—	—	—	—	—	—	—	—	—	—	1,506	0.00	1,506	151	0.00	—	5,269
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26.0	26.0
Total	119	113	58.9	377	0.79	4.02	49.6	53.6	4.03	12.6	16.6	1,744	115,941	117,685	155	2.42	130	122,422
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	5.59	4.27	13.0	116	0.46	0.25	49.6	49.8	0.24	12.6	12.8	—	46,844	46,844	0.95	1.76	2.69	47,395
Area	92.3	90.1	37.3	15.9	0.24	3.02	—	3.02	3.02	—	3.02	0.00	47,344	47,344	0.89	0.09	—	47,393
Energy	0.98	0.49	8.40	3.57	0.05	0.68	—	0.68	0.68	—	0.68	—	17,867	17,867	2.11	0.16	—	17,968
Water	—	—	—	—	—	—	—	—	—	—	—	238	403	641	0.88	0.53	—	820
Waste	—	—	—	—	—	—	—	—	—	—	—	1,506	0.00	1,506	151	0.00	—	5,269
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26.0	26.0
Total	98.9	94.9	58.7	135	0.75	3.95	49.6	53.5	3.93	12.6	16.5	1,744	112,459	114,203	155	2.54	28.7	118,872
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	5.60	4.26	12.3	117	0.46	0.25	49.1	49.3	0.24	12.4	12.7	—	47,107	47,107	0.96	1.72	44.9	47,687
Area	97.7	97.1	1.90	107	0.01	0.11	—	0.11	0.12	—	0.12	0.00	1,450	1,450	0.03	< 0.005	—	1,452
Energy	0.98	0.49	8.40	3.57	0.05	0.68	—	0.68	0.68	—	0.68	—	17,867	17,867	2.11	0.16	—	17,968
Water	—	—	—	—	—	—	—	—	—	—	—	238	403	641	0.88	0.53	—	820
Waste	—	—	—	—	—	—	—	—	—	—	—	1,506	0.00	1,506	151	0.00	—	5,269
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26.0	26.0
Total	104	102	22.6	227	0.53	1.04	49.1	50.1	1.04	12.4	13.5	1,744	66,827	68,571	155	2.41	70.8	73,223
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.02	0.78	2.25	21.4	0.08	0.05	8.95	9.00	0.04	2.27	2.31	—	7,799	7,799	0.16	0.28	7.43	7,895
Area	17.8	17.7	0.35	19.4	< 0.005	0.02	—	0.02	0.02	—	0.02	0.00	240	240	0.01	< 0.005	—	240
Energy	0.18	0.09	1.53	0.65	0.01	0.12	—	0.12	0.12	—	0.12	—	2,958	2,958	0.35	0.03	—	2,975

Water	—	—	—	—	—	—	—	—	—	—	—	39.4	66.7	106	0.15	0.09	—	136
Waste	—	—	—	—	—	—	—	—	—	—	—	249	0.00	249	24.9	0.00	—	872
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.30	4.30
Total	19.0	18.6	4.13	41.5	0.10	0.19	8.95	9.14	0.19	2.27	2.46	289	11,064	11,353	25.6	0.40	11.7	12,123

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Mobile source emissions results are presented in Sections 2.6. No further detailed breakdown of emissions is available.

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	7,205	7,205	1.17	0.14	—	7,276
Total	—	—	—	—	—	—	—	—	—	—	—	—	7,205	7,205	1.17	0.14	—	7,276
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	7,205	7,205	1.17	0.14	—	7,276
Total	—	—	—	—	—	—	—	—	—	—	—	—	7,205	7,205	1.17	0.14	—	7,276
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Apartme Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	1,193	1,193	0.19	0.02	—	1,205
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,193	1,193	0.19	0.02	—	1,205

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	0.98	0.49	8.40	3.57	0.05	0.68	—	0.68	0.68	—	0.68	—	10,663	10,663	0.94	0.02	—	10,692
Total	0.98	0.49	8.40	3.57	0.05	0.68	—	0.68	0.68	—	0.68	—	10,663	10,663	0.94	0.02	—	10,692
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	0.98	0.49	8.40	3.57	0.05	0.68	—	0.68	0.68	—	0.68	—	10,663	10,663	0.94	0.02	—	10,692
Total	0.98	0.49	8.40	3.57	0.05	0.68	—	0.68	0.68	—	0.68	—	10,663	10,663	0.94	0.02	—	10,692
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	0.18	0.09	1.53	0.65	0.01	0.12	—	0.12	0.12	—	0.12	—	1,765	1,765	0.16	< 0.005	—	1,770
Total	0.18	0.09	1.53	0.65	0.01	0.12	—	0.12	0.12	—	0.12	—	1,765	1,765	0.16	< 0.005	—	1,770

4.3. Area Emissions by Source

4.3.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	4.36	2.18	37.3	15.9	0.24	3.02	—	3.02	3.02	—	3.02	0.00	47,344	47,344	0.89	0.09	—	47,393
Consumer Products	77.6	77.6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	10.3	10.3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	19.6	18.5	1.99	215	0.01	0.07	—	0.07	0.10	—	0.10	—	573	573	0.02	< 0.005	—	575
Total	112	109	39.3	231	0.25	3.09	—	3.09	3.11	—	3.11	0.00	47,917	47,917	0.92	0.09	—	47,968
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	4.36	2.18	37.3	15.9	0.24	3.02	—	3.02	3.02	—	3.02	0.00	47,344	47,344	0.89	0.09	—	47,393
Consumer Products	77.6	77.6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	10.3	10.3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	92.3	90.1	37.3	15.9	0.24	3.02	—	3.02	3.02	—	3.02	0.00	47,344	47,344	0.89	0.09	—	47,393
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	0.02	0.01	0.17	0.07	< 0.005	0.01	—	0.01	0.01	—	0.01	0.00	193	193	< 0.005	< 0.005	—	193
Consumer Products	14.2	14.2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	1.88	1.88	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	1.76	1.67	0.18	19.4	< 0.005	0.01	—	0.01	0.01	—	0.01	—	46.8	46.8	< 0.005	< 0.005	—	47.0
Total	17.8	17.7	0.35	19.4	< 0.005	0.02	—	0.02	0.02	—	0.02	0.00	240	240	0.01	< 0.005	—	240

4.4. Water Emissions by Land Use

4.4.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	238	403	641	0.88	0.53	—	820
Total	—	—	—	—	—	—	—	—	—	—	—	238	403	641	0.88	0.53	—	820
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	238	403	641	0.88	0.53	—	820
Total	—	—	—	—	—	—	—	—	—	—	—	238	403	641	0.88	0.53	—	820
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	39.4	66.7	106	0.15	0.09	—	136
Total	—	—	—	—	—	—	—	—	—	—	—	39.4	66.7	106	0.15	0.09	—	136

4.5. Waste Emissions by Land Use

4.5.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	1,506	0.00	1,506	151	0.00	—	5,269
Total	—	—	—	—	—	—	—	—	—	—	—	1,506	0.00	1,506	151	0.00	—	5,269
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	1,506	0.00	1,506	151	0.00	—	5,269
Total	—	—	—	—	—	—	—	—	—	—	—	1,506	0.00	1,506	151	0.00	—	5,269
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	249	0.00	249	24.9	0.00	—	872
Total	—	—	—	—	—	—	—	—	—	—	—	249	0.00	249	24.9	0.00	—	872

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26.0	26.0
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26.0	26.0
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26.0	26.0
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26.0	26.0
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.30	4.30
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.30	4.30

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Remove	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Total all Land Uses	0.00	0.00	0.00	0.00	70,151	70,151	70,151	25,604,947

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

Hearth Type	Unmitigated (number)
Apartments Mid Rise	—

Wood Fireplaces	0
Gas Fireplaces	1927
Propane Fireplaces	0
Electric Fireplaces	0
No Fireplaces	1852
Conventional Wood Stoves	0
Catalytic Wood Stoves	0
Non-Catalytic Wood Stoves	0
Pellet Wood Stoves	0

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
6092496	2,030,832	0.00	0.00	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	180

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Apartments Mid Rise	12,891,873	204	0.0330	0.0040	33,270,585

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Apartments Mid Rise	111,291,004	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Apartments Mid Rise	2,794	—

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Apartments Mid Rise	Average room A/C & Other residential A/C and heat pumps	R-410A	2,088	< 0.005	2.50	2.50	10.0
Apartments Mid Rise	Household refrigerators and/or freezers	R-134a	1,430	0.12	0.60	0.00	1.00

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	13.9	annual days of extreme heat
Extreme Precipitation	7.05	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	23.7	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (Radke et al., 2017, CEC-500-2017-008), and consider inundation location and depth for the San Francisco Bay, the Sacramento-San Joaquin River Delta and California coast resulting different increments of sea level rise coupled with extreme storm events. Users may select from four scenarios to view the range in potential inundation depth for the grid cell. The four scenarios are: No rise, 0.5 meter, 1.0 meter, 1.41 meters
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	2	0	0	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	2	1	1	3
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	11.6

AQ-PM	31.2
AQ-DPM	90.5
Drinking Water	4.21
Lead Risk Housing	86.5
Pesticides	0.00
Toxic Releases	46.9
Traffic	93.9
Effect Indicators	—
CleanUp Sites	70.2
Groundwater	82.7
Haz Waste Facilities/Generators	72.0
Impaired Water Bodies	12.5
Solid Waste	0.00
Sensitive Population	—
Asthma	70.6
Cardio-vascular	58.2
Low Birth Weights	88.5
Socioeconomic Factor Indicators	—
Education	33.5
Housing	72.2
Linguistic	68.7
Poverty	31.5
Unemployment	17.1

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—

Above Poverty	51.49493135
Employed	44.42448351
Median HI	51.68741178
Education	—
Bachelor's or higher	34.03054023
High school enrollment	100
Preschool enrollment	14.26921596
Transportation	—
Auto Access	26.42114718
Active commuting	88.46400616
Social	—
2-parent households	10.66341589
Voting	49.71127935
Neighborhood	—
Alcohol availability	13.33247786
Park access	4.581034262
Retail density	79.99486719
Supermarket access	71.15359938
Tree canopy	30.30925189
Housing	—
Homeownership	21.14718337
Housing habitability	56.3839343
Low-inc homeowner severe housing cost burden	92.95521622
Low-inc renter severe housing cost burden	42.61516746
Uncrowded housing	50.16040036
Health Outcomes	—
Insured adults	71.51289619
Arthritis	0.0

Asthma ER Admissions	22.2
High Blood Pressure	0.0
Cancer (excluding skin)	0.0
Asthma	0.0
Coronary Heart Disease	0.0
Chronic Obstructive Pulmonary Disease	0.0
Diagnosed Diabetes	0.0
Life Expectancy at Birth	60.1
Cognitively Disabled	52.2
Physically Disabled	26.6
Heart Attack ER Admissions	29.4
Mental Health Not Good	0.0
Chronic Kidney Disease	0.0
Obesity	0.0
Pedestrian Injuries	69.7
Physical Health Not Good	0.0
Stroke	0.0
Health Risk Behaviors	—
Binge Drinking	0.0
Current Smoker	0.0
No Leisure Time for Physical Activity	0.0
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	27.6
Elderly	54.5
English Speaking	37.4
Foreign-born	64.6

Outdoor Workers	45.7
Climate Change Adaptive Capacity	—
Impervious Surface Cover	10.2
Traffic Density	90.0
Traffic Access	67.2
Other Indices	—
Hardship	49.1
Other Decision Support	—
2016 Voting	41.9

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	66.0
Healthy Places Index Score for Project Location (b)	47.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

7.6. Health & Equity Custom Measures

No Health & Equity Custom Measures created.

8. User Changes to Default Data

Screen	Justification
Land Use	Based on DOF 2.84 pph
Operations: Architectural Coatings	BAAQMD Regulation 8 Rule 3, nonflat coating
Operations: Water and Waste Water	WTP 100% aerobic

Appendix C

Noise Modeling Results

Roadway Construction Noise Model (RCNM),Version 1.1

Report date 6/7/2023
Case Descr Alameda County HE

			---- Receptor #1 ----
	Baselines (dBA)		
Descriptior Land Use	Daytime	Evening	Night
50 Feet fro Residential	65	60	55

			Equipment			
			Spec	Actual	Receptor	Estimated
	Impact		Lmax	Lmax	Distance	Shielding
Description	Device	Usage(%)	(dBA)	(dBA)	(feet)	(dBA)
Excavator	No	40		80.7	50	0
Dozer	No	40		81.7	50	0
Jackhammer	Yes	20		88.9	50	0

			Results											
	Calculated (dBA)		Noise Limits (dBA)						Noise Limit Exceedance (dBA)					
			Day		Evening		Night		Day		Evening		Night	
Equipment	*Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Excavator	80.7	76.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dozer	81.7	77.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Jackhammer	88.9	81.9	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	88.9	84.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

*Calculated Lmax is the Loudest value.

Roadway Construction Noise Model (RCNM),Version 1.1

Report date 6/7/2023
Case Descr Alameda County HE with Pile Driver

			---- Receptor #1 ----
	Baselines (dBA)		
Descriptior Land Use	Daytime	Evening	Night
50 Feet fro Residential	65	60	55

			Equipment			
			Spec	Actual	Receptor	Estimated
	Impact		Lmax	Lmax	Distance	Shielding
Description	Device	Usage(%)	(dBA)	(dBA)	(feet)	(dBA)
Excavator	No	40		80.7	50	0
Dozer	No	40		81.7	50	0
Jackhammer	Yes	20		88.9	50	0
Impact Pile Driver	Yes	20		101.3	50	0

			Results											
	Calculated (dBA)		Noise Limits (dBA)						Noise Limit Exceedance (dBA)					
			Day		Evening		Night		Day		Evening		Night	
Equipment	*Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Excavator	80.7	76.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dozer	81.7	77.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Jackhammer	88.9	81.9	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Impact Pile Driver	101.3	94.3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	101.3	94.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

*Calculated Lmax is the Loudest value.

Appendix D

Assembly Bill 52 Correspondence

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

224 West Winton Ave
Room 111

Hayward, California
94544-1215

phone
510.670.5400
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510.785-8793

www.acgov.org/cda

June 22, 2023

Amah Mutsun Tribal Band of
Mission San Juan Bautista
Irene Zweirlein, Chairperson
3030 Soda Bay Road
Lakeport, CA 95453
amahmutsuntribal@gmail.com

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Irene Zweirlein:

Alameda County has initiated amendments to the Housing Element of the County's General Plan for the unincorporated area of the County which includes the communities of Ashland, Cherryland, Castro Valley, San Lorenzo, Hayward Acres, and Fairview; as well as the rural areas surrounding the Cities of Dublin, Pleasanton, and Livermore. State law requires each local jurisdiction to revise its Housing Element every eight years. The Housing Element must include the following components:

- Evaluation of the implementation of programs in the previous Housing Element
- Assessment of housing need, including existing and projected demand and populations with special needs (defined as the elderly, people with disabilities, large families, farmworkers, families with female heads of households, and families and people in need of emergency shelter)
- Sites inventory and analysis to demonstrate adequate capacity to accommodate the Regional Housing Needs Allocation (RHNA) assigned to the County
- Governmental and non-governmental constraints that impede the development of housing
- Affirmatively Furthering Fair Housing (AFFH) Assessment
- Programs required to implement stated policies and achieve stated goals and objectives
- Community Engagement

The project is subject to the California Environmental Quality Act (CEQA) and will be studied to determine its potential environmental effects. No environmental documents have been issued for this project.

PROJECT DESCRIPTION:

Program Review

The Program Review is a brief analysis of the previous Housing Element's policies and programs. State HCD requires jurisdictions to report on implementation and continued efficacy of programs and policies; whether it will be continued into the next Housing Element. Planning staff is conferring with staff from multiple county departments to complete the review.

Housing Needs Assessment

The Housing Needs Assessment will examine demographic, employment, and housing trends and conditions that affect the housing needs of the unincorporated communities. The needs analysis is based on census data, augmented with feedback gathered through community engagement.

Regional Housing Needs Allocation (RHNA) and Sites Inventory

The RHNA is based on estimates produced by the State Department of Finance (DOF) of the level of residential construction necessary to accommodate projected population growth during the planning period and to make up for current deficiencies in housing supply for existing residents. DOF determines the housing need for each region in the state and the Council of Governments for each region allocates a share of the regional housing need to each city and county in the region. The Association of Bay Area Governments (ABAG) is responsible for determining the RHNA for each local jurisdiction in the San Francisco Bay Area. As a result of recent state legislation, the new RHNA process placed greater emphasis on social equity and the existing shortage of housing units available.

For Unincorporated Alameda County, the final RHNA is a total of 4,711 new housing units, 2.66 times higher than the RHNA of 1,769 units for the previous 2015-2022 Housing Element cycle. The County's RHNA by income category is described in the table below.

Unincorporated Alameda County RHNA

Cycle	*Very Low Income (<50% of Area Median Income)*	*Low Income (50-80% of Area Median Income)*	*Moderate Income (80-120% of Area Median Income)*	*Above Moderate Income (>120% of Area Median Income)*	*Total*
2015-2023	430 units	227 units	295 units	817 units	1,769 units
2023-2031	**1,251 units**	**721 units**	**763 units**	**1,976 units**	**4,711 units**
% Increase	191%	218%	159%	142%	166%

The inventory of sites available for residential development must provide an estimate of the number of housing units that could be constructed on each parcel, based on the zoning, general plan designation, and physical conditions on the site; to demonstrate that there is adequate capacity to accommodate the Regional Housing Needs Allocation (RHNA) assigned to the County.

Constraints

The constraints section will analyze and recommend solutions to existing and future governmental and nongovernmental barriers to housing development.

Affirmatively Furthering Fair Housing (AFFH)

The AFFH Assessment is a new requirement for this housing element cycle, put in place by AB 686 (2018) which requires each local jurisdiction to demonstrate that it is "affirmatively furthering fair housing." Jurisdictions need to show compliance with the statute by:

- analyzing existing fair housing and segregation issues,
- identifying fair housing goals,
- developing strategies to implement these goals, and

- ensuring sites in the inventory are identified in such a way that promotes AFFH

AFFH must be considered in virtually every chapter of the element in addition to having its own chapter, the Fair Housing Assessment. The assessment will include a narrative of fair housing history as well as a quantitative analysis of race, income, housing, and other data at both the local and regional levels.

Programs

Programs in the revised Housing Element will address housing need and constraints to the development of housing found in the analysis included in the other chapters.

Community Engagement

Community engagement is an integral part of the Housing Element. To ensure easy communication, a Housing Element email address was set up for the public, housingelement@acgov.org.
Planning staff is also maintaining a webpage on the department site, located here: https://www.acgov.org/cda/planning/housing-element/housing-element.htm. A link is available on the website to sign up for email notices for future meetings and a survey has been posted to provide everyone the opportunity to provide input.

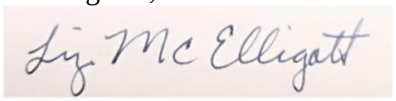
PURPOSE OF NOTICE:

The County will undertake consultation with California Native American tribes concerning this Project, in fulfillment of the requirements of AB 52 and SB 18 as implemented in the California Government Code and Public Resources Code. Pursuant to State law under Senate Bill 18 (Public Resources Code Section 65352.3 - 665352.4), please respond in writing within 90 calendar days of receipt of this notice if you wish to request consultation regarding possible significant effects that the proposed project may have on tribal cultural resources (TCRs). The consultation may include discussion concerning the type of environmental review necessary, the identification, presence, and significance of TCRs, the significance of the project's impacts on TCRs, and, as warranted, mitigation measures and alternatives.

Please send your written request for consultation regarding this project to Liz McElligott, Alameda County Planning Department, 224 West Winton Avenue, Room 111, Hayward, CA 94544, or Elizabeth.mcelligott@acgov.org. In your written response, please indicate a lead contact person.

Additionally, if you have any information regarding TCRs within the project area or if you have questions regarding this notice, please feel free to contact Liz McElligott at (510) 670-6120 or Elizabeth.mcelligott@acgov.org. If you do respond within 90 days indicating that you wish to engage in consultation, but you do not identify a lead contact person, or you designate multiple people, the Planning Department will defer to the individual listed on the contact list maintained by the Native American Heritage Commission.

Best regards,



Liz McElligott
Assistant Deputy Director

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
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224 West Winton Ave
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June 22, 2023

Costanoan Rumsen Carmel Tribe
Tony Cerda, Chairman
244 East 1st Street
Pomona, CA 91766
rumsen@aol.com

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Tony Cerda:

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- analyzing existing fair housing and segregation issues,
- identifying fair housing goals,
- developing strategies to implement these goals, and
- ensuring sites in the inventory are identified in such a way that promotes AFFH

AFFH must be considered in virtually every chapter of the element in addition to having its own chapter, the Fair Housing Assessment. The assessment will include a narrative of fair housing history as well as a quantitative analysis of race, income, housing, and other data at both the local and regional levels.

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Community Engagement

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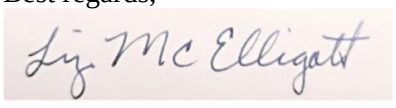
PURPOSE OF NOTICE:

The County will undertake consultation with California Native American tribes concerning this Project, in fulfillment of the requirements of AB 52 and SB 18 as implemented in the California Government Code and Public Resources Code. Pursuant to State law under Senate Bill 18 (Public Resources Code Section 65352.3 - 665352.4), please respond in writing within 90 calendar days of receipt of this notice if you wish to request consultation regarding possible significant effects that the proposed project may have on tribal cultural resources (TCRs). The consultation may include discussion concerning the type of environmental review necessary, the identification, presence, and significance of TCRs, the significance of the project's impacts on TCRs, and, as warranted, mitigation measures and alternatives.

Please send your written request for consultation regarding this project to Liz McElligott, Alameda County Planning Department, 224 West Winton Avenue, Room 111, Hayward, CA 94544, or Elizabeth.mcelligott@acgov.org. In your written response, please indicate a lead contact person.

Additionally, if you have any information regarding TCRs within the project area or if you have questions regarding this notice, please feel free to contact Liz McElligott at (510) 670-6120 or Elizabeth.mcelligott@acgov.org. If you do respond within 90 days indicating that you wish to engage in consultation, but you do not identify a lead contact person, or you designate multiple people, the Planning Department will defer to the individual listed on the contact list maintained by the Native American Heritage Commission.

Best regards,



Liz McElligott
Assistant Deputy Director

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

224 West Winton Ave
Room 111

Hayward, California
94544-1215

phone
510.670.5400
fax
510.785-8793

www.acgov.org/cda

June 22, 2023

Guidiville Indian Rancheria
Donald Duncan, Chairperson
P.O. Box 339
Talmage, CA 95481
admin@guidiville.net

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Donald Duncan:

Alameda County has initiated amendments to the Housing Element of the County's General Plan for the unincorporated area of the County which includes the communities of Ashland, Cherryland, Castro Valley, San Lorenzo, Hayward Acres, and Fairview; as well as the rural areas surrounding the Cities of Dublin, Pleasanton, and Livermore. State law requires each local jurisdiction to revise its Housing Element every eight years. The Housing Element must include the following components:

- Evaluation of the implementation of programs in the previous Housing Element
- Assessment of housing need, including existing and projected demand and populations with special needs (defined as the elderly, people with disabilities, large families, farmworkers, families with female heads of households, and families and people in need of emergency shelter)
- Sites inventory and analysis to demonstrate adequate capacity to accommodate the Regional Housing Needs Allocation (RHNA) assigned to the County
- Governmental and non-governmental constraints that impede the development of housing
- Affirmatively Furthering Fair Housing (AFFH) Assessment
- Programs required to implement stated policies and achieve stated goals and objectives
- Community Engagement

The project is subject to the California Environmental Quality Act (CEQA) and will be studied to determine its potential environmental effects. No environmental documents have been issued for this project.

PROJECT DESCRIPTION:

Program Review

The Program Review is a brief analysis of the previous Housing Element's policies and programs. State HCD requires jurisdictions to report on implementation and continued efficacy of programs and policies; whether it will be continued into the next Housing Element. Planning staff is conferring with staff from multiple county departments to complete the review.

Housing Needs Assessment

The Housing Needs Assessment will examine demographic, employment, and housing trends and conditions that affect the housing needs of the unincorporated communities. The needs analysis is based on census data, augmented with feedback gathered through community engagement.

Regional Housing Needs Allocation (RHNA) and Sites Inventory

The RHNA is based on estimates produced by the State Department of Finance (DOF) of the level of residential construction necessary to accommodate projected population growth during the planning period and to make up for current deficiencies in housing supply for existing residents. DOF determines the housing need for each region in the state and the Council of Governments for each region allocates a share of the regional housing need to each city and county in the region. The Association of Bay Area Governments (ABAG) is responsible for determining the RHNA for each local jurisdiction in the San Francisco Bay Area. As a result of recent state legislation, the new RHNA process placed greater emphasis on social equity and the existing shortage of housing units available.

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% Increase	191%	218%	159%	142%	166%

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Constraints

The constraints section will analyze and recommend solutions to existing and future governmental and nongovernmental barriers to housing development.

Affirmatively Furthering Fair Housing (AFFH)

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- analyzing existing fair housing and segregation issues,
- identifying fair housing goals,
- developing strategies to implement these goals, and

- ensuring sites in the inventory are identified in such a way that promotes AFFH

AFFH must be considered in virtually every chapter of the element in addition to having its own chapter, the Fair Housing Assessment. The assessment will include a narrative of fair housing history as well as a quantitative analysis of race, income, housing, and other data at both the local and regional levels.

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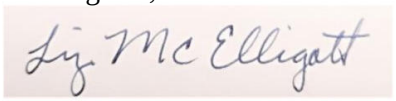

Liz McElligott
Assistant Deputy Director

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

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510.670.5400
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www.acgov.org/cda

June 22, 2023

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA 95024
ams@indiancanyons.org

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Ann Marie Sayers:

Alameda County has initiated amendments to the Housing Element of the County's General Plan for the unincorporated area of the County which includes the communities of Ashland, Cherryland, Castro Valley, San Lorenzo, Hayward Acres, and Fairview; as well as the rural areas surrounding the Cities of Dublin, Pleasanton, and Livermore. State law requires each local jurisdiction to revise its Housing Element every eight years. The Housing Element must include the following components:

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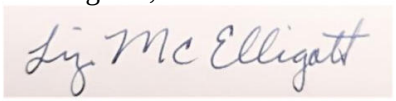

Liz McElligott
Assistant Deputy Director

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

224 West Winton Ave
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Hayward, California
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510.670.5400
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www.acgov.org/cda

June 22, 2023

Indian Canyon Mutsun Band of Costanoan
Kanyon Sayers-Roods, MLD Contact
1615 Pearson Court
San Jose, CA, 95122
kanyon@kanyonkonsulting.com

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Kanyon Sayers-Roods:

Alameda County has initiated amendments to the Housing Element of the County's General Plan for the unincorporated area of the County which includes the communities of Ashland, Cherryland, Castro Valley, San Lorenzo, Hayward Acres, and Fairview; as well as the rural areas surrounding the Cities of Dublin, Pleasanton, and Livermore. State law requires each local jurisdiction to revise its Housing Element every eight years. The Housing Element must include the following components:

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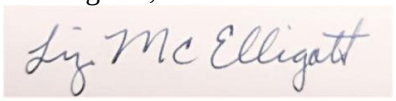

Liz McElligott
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PLANNING DEPARTMENT

Sandra Rivera
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Room 111

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www.acgov.org/cda

June 22, 2023

The Confederated Villages of Lisjan
Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, CA 94603
cvltribe@gmail.com

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Corrina Gould:

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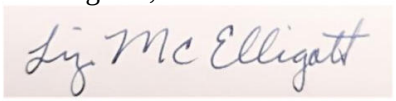

Liz McElligott
Assistant Deputy Director

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

224 West Winton Ave
Room 111

Hayward, California
94544-1215

phone
510.670.5400
fax
510.785-8793

www.acgov.org/cda

June 22, 2023

Muwekma Ohlone Indian Tribe
of the SF Bay Area
Monica Arellano, Vice Chairwoman
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
marellano@muwekma.org

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Monica Arellano:

Alameda County has initiated amendments to the Housing Element of the County's General Plan for the unincorporated area of the County which includes the communities of Ashland, Cherryland, Castro Valley, San Lorenzo, Hayward Acres, and Fairview; as well as the rural areas surrounding the Cities of Dublin, Pleasanton, and Livermore. State law requires each local jurisdiction to revise its Housing Element every eight years. The Housing Element must include the following components:

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- Governmental and non-governmental constraints that impede the development of housing
- Affirmatively Furthering Fair Housing (AFFH) Assessment
- Programs required to implement stated policies and achieve stated goals and objectives
- Community Engagement

The project is subject to the California Environmental Quality Act (CEQA) and will be studied to determine its potential environmental effects. No environmental documents have been issued for this project.

PROJECT DESCRIPTION:

Program Review

The Program Review is a brief analysis of the previous Housing Element's policies and programs. State HCD requires jurisdictions to report on implementation and continued efficacy of programs and policies; whether it will be continued into the next Housing Element. Planning staff is conferring with staff from multiple county departments to complete the review.

Housing Needs Assessment

The Housing Needs Assessment will examine demographic, employment, and housing trends and conditions that affect the housing needs of the unincorporated communities. The needs analysis is based on census data, augmented with feedback gathered through community engagement.

Regional Housing Needs Allocation (RHNA) and Sites Inventory

The RHNA is based on estimates produced by the State Department of Finance (DOF) of the level of residential construction necessary to accommodate projected population growth during the planning period and to make up for current deficiencies in housing supply for existing residents. DOF determines the housing need for each region in the state and the Council of Governments for each region allocates a share of the regional housing need to each city and county in the region. The Association of Bay Area Governments (ABAG) is responsible for determining the RHNA for each local jurisdiction in the San Francisco Bay Area. As a result of recent state legislation, the new RHNA process placed greater emphasis on social equity and the existing shortage of housing units available.

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Constraints

The constraints section will analyze and recommend solutions to existing and future governmental and nongovernmental barriers to housing development.

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- identifying fair housing goals,

- developing strategies to implement these goals, and
- ensuring sites in the inventory are identified in such a way that promotes AFFH

AFFH must be considered in virtually every chapter of the element in addition to having its own chapter, the Fair Housing Assessment. The assessment will include a narrative of fair housing history as well as a quantitative analysis of race, income, housing, and other data at both the local and regional levels.

Programs

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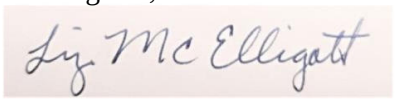

Liz McElligott
Assistant Deputy Director

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PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
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June 22, 2023

Muwekma Ohlone Indian Tribe
of the SF Bay Area
Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA 94546
cnijmeh@muwekma.org

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Charlene Nijmeh:

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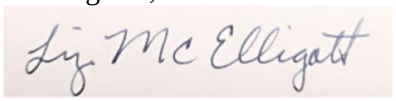

Liz McElligott
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PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

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Hayward, California
94544-1215

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510.670.5400
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510.785-8793

www.acgov.org/cda

June 22, 2023

The Ohlone Indian Tribe
Andrew A. Galvan
P.O. Box 3388
Fremont, CA 94539
chochenyo@aol.com

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Andrew A. Galvan:

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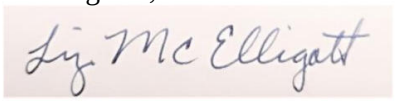

Liz McElligott
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ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

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510.670.5400
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www.acgov.org/cda

June 22, 2023

Tamien Nation
Quirina Luna Geary, Chairperson
P.O. Box 8053
San Jose, CA 95155
qgeary@tamien.org

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Quirina Luna Geary:

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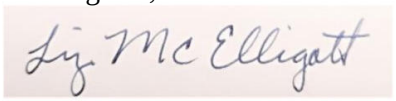

Liz McElligott
Assistant Deputy Director

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
Planning Director

224 West Winton Ave
Room 111

Hayward, California
94544-1215

phone
510.670.5400
fax
510.785-8793

www.acgov.org/cda

June 22, 2023

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville, CA 93258
neil.peyron@tulerivertribe-nsn.gov

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Neil Peyron:

Alameda County has initiated amendments to the Housing Element of the County's General Plan for the unincorporated area of the County which includes the communities of Ashland, Cherryland, Castro Valley, San Lorenzo, Hayward Acres, and Fairview; as well as the rural areas surrounding the Cities of Dublin, Pleasanton, and Livermore. State law requires each local jurisdiction to revise its Housing Element every eight years. The Housing Element must include the following components:

- Evaluation of the implementation of programs in the previous Housing Element
- Assessment of housing need, including existing and projected demand and populations with special needs (defined as the elderly, people with disabilities, large families, farmworkers, families with female heads of households, and families and people in need of emergency shelter)
- Sites inventory and analysis to demonstrate adequate capacity to accommodate the Regional Housing Needs Allocation (RHNA) assigned to the County
- Governmental and non-governmental constraints that impede the development of housing
- Affirmatively Furthering Fair Housing (AFFH) Assessment
- Programs required to implement stated policies and achieve stated goals and objectives
- Community Engagement

The project is subject to the California Environmental Quality Act (CEQA) and will be studied to determine its potential environmental effects. No environmental documents have been issued for this project.

PROJECT DESCRIPTION:

Program Review

The Program Review is a brief analysis of the previous Housing Element's policies and programs. State HCD requires jurisdictions to report on implementation and continued efficacy of programs and policies; whether it will be continued into the next Housing Element. Planning staff is conferring with staff from multiple county departments to complete the review.

Housing Needs Assessment

The Housing Needs Assessment will examine demographic, employment, and housing trends and conditions that affect the housing needs of the unincorporated communities. The needs analysis is based on census data, augmented with feedback gathered through community engagement.

Regional Housing Needs Allocation (RHNA) and Sites Inventory

The RHNA is based on estimates produced by the State Department of Finance (DOF) of the level of residential construction necessary to accommodate projected population growth during the planning period and to make up for current deficiencies in housing supply for existing residents. DOF determines the housing need for each region in the state and the Council of Governments for each region allocates a share of the regional housing need to each city and county in the region. The Association of Bay Area Governments (ABAG) is responsible for determining the RHNA for each local jurisdiction in the San Francisco Bay Area. As a result of recent state legislation, the new RHNA process placed greater emphasis on social equity and the existing shortage of housing units available.

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The constraints section will analyze and recommend solutions to existing and future governmental and nongovernmental barriers to housing development.

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- ensuring sites in the inventory are identified in such a way that promotes AFFH

AFFH must be considered in virtually every chapter of the element in addition to having its own chapter, the Fair Housing Assessment. The assessment will include a narrative of fair housing history as well as a quantitative analysis of race, income, housing, and other data at both the local and regional levels.

Programs

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Community Engagement

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PURPOSE OF NOTICE:

The County will undertake consultation with California Native American tribes concerning this Project, in fulfillment of the requirements of AB 52 and SB 18 as implemented in the California Government Code and Public Resources Code. Pursuant to State law under Senate Bill 18 (Public Resources Code Section 65352.3 - 665352.4), please respond in writing within 90 calendar days of receipt of this notice if you wish to request consultation regarding possible significant effects that the proposed project may have on tribal cultural resources (TCRs). The consultation may include discussion concerning the type of environmental review necessary, the identification, presence, and significance of TCRs, the significance of the project's impacts on TCRs, and, as warranted, mitigation measures and alternatives.

Please send your written request for consultation regarding this project to Liz McElligott, Alameda County Planning Department, 224 West Winton Avenue, Room 111, Hayward, CA 94544, or Elizabeth.mcelligott@acgov.org. In your written response, please indicate a lead contact person.

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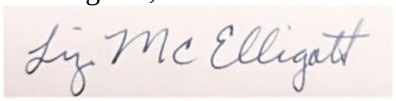

Liz McElligott
Assistant Deputy Director

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
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June 22, 2023

Wilton Rancheria
Jesus G. Tarango Jr., Chairperson
9728 Kent Street
Elk Grove, CA 95624
jtarango@wiltonrancheria-nsn.gov

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Jesus G. Tarango Jr.:

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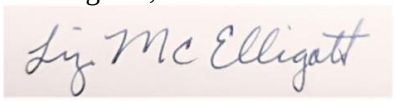

Liz McElligott
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PLANNING DEPARTMENT

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June 22, 2023

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Court
Salinas, CA 93906
kwood8934@aol.com

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Kenneth Woodrow:

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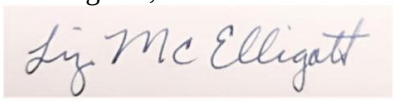

Liz McElligott
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ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Albert Lopez
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June 22, 2023

North Valley Yokuts Tribe
Timothy Perez
P.O. Box 717
Linden, CA, 95236
huskanam@gmail.com

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Timothy Perez:

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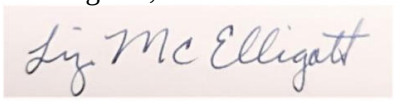

Liz McElligott
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ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

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June 22, 2023

North Valley Yokuts Tribe
Katherine Perez, Chairperson
P.O. Box 717
Linden, CA 95236
canutes@verizon.net

SUBJECT: Formal Notification of Tribal Consultation Opportunity Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, 6th Cycle Regional Housing Needs Assessment (RHNA) 2023-2031 Housing Element Update, County of Alameda

Dear Katherine Perez:

Alameda County has initiated amendments to the Housing Element of the County's General Plan for the unincorporated area of the County which includes the communities of Ashland, Cherryland, Castro Valley, San Lorenzo, Hayward Acres, and Fairview; as well as the rural areas surrounding the Cities of Dublin, Pleasanton, and Livermore. State law requires each local jurisdiction to revise its Housing Element every eight years. The Housing Element must include the following components:

- Evaluation of the implementation of programs in the previous Housing Element
- Assessment of housing need, including existing and projected demand and populations with special needs (defined as the elderly, people with disabilities, large families, farmworkers, families with female heads of households, and families and people in need of emergency shelter)
- Sites inventory and analysis to demonstrate adequate capacity to accommodate the Regional Housing Needs Allocation (RHNA) assigned to the County
- Governmental and non-governmental constraints that impede the development of housing
- Affirmatively Furthering Fair Housing (AFFH) Assessment
- Programs required to implement stated policies and achieve stated goals and objectives
- Community Engagement

The project is subject to the California Environmental Quality Act (CEQA) and will be studied to determine its potential environmental effects. No environmental documents have been issued for this project.

PROJECT DESCRIPTION:

Program Review

The Program Review is a brief analysis of the previous Housing Element's policies and programs. State HCD requires jurisdictions to report on implementation and continued efficacy of programs and policies; whether it will be continued into the next Housing Element. Planning staff is conferring with staff from multiple county departments to complete the review.

Housing Needs Assessment

The Housing Needs Assessment will examine demographic, employment, and housing trends and conditions that affect the housing needs of the unincorporated communities. The needs analysis is based on census data, augmented with feedback gathered through community engagement.

Regional Housing Needs Allocation (RHNA) and Sites Inventory

The RHNA is based on estimates produced by the State Department of Finance (DOF) of the level of residential construction necessary to accommodate projected population growth during the planning period and to make up for current deficiencies in housing supply for existing residents. DOF determines the housing need for each region in the state and the Council of Governments for each region allocates a share of the regional housing need to each city and county in the region. The Association of Bay Area Governments (ABAG) is responsible for determining the RHNA for each local jurisdiction in the San Francisco Bay Area. As a result of recent state legislation, the new RHNA process placed greater emphasis on social equity and the existing shortage of housing units available.

For Unincorporated Alameda County, the final RHNA is a total of 4,711 new housing units, 2.66 times higher than the RHNA of 1,769 units for the previous 2015-2022 Housing Element cycle. The County's RHNA by income category is described in the table below.

Unincorporated Alameda County RHNA

Cycle	*Very Low Income (<50% of Area Median Income)*	*Low Income (50-80% of Area Median Income)*	*Moderate Income (80-120% of Area Median Income)*	*Above Moderate Income (>120% of Area Median Income)*	*Total*
2015-2023	430 units	227 units	295 units	817 units	1,769 units
2023-2031	**1,251 units**	**721 units**	**763 units**	**1,976 units**	**4,711 units**
% Increase	191%	218%	159%	142%	166%

The inventory of sites available for residential development must provide an estimate of the number of housing units that could be constructed on each parcel, based on the zoning, general plan designation, and physical conditions on the site; to demonstrate that there is adequate capacity to accommodate the Regional Housing Needs Allocation (RHNA) assigned to the County.

Constraints

The constraints section will analyze and recommend solutions to existing and future governmental and nongovernmental barriers to housing development.

Affirmatively Furthering Fair Housing (AFFH)

The AFFH Assessment is a new requirement for this housing element cycle, put in place by AB 686 (2018) which requires each local jurisdiction to demonstrate that it is "affirmatively furthering fair housing." Jurisdictions need to show compliance with the statute by:

- analyzing existing fair housing and segregation issues,
- identifying fair housing goals,
- developing strategies to implement these goals, and

- ensuring sites in the inventory are identified in such a way that promotes AFFH

AFFH must be considered in virtually every chapter of the element in addition to having its own chapter, the Fair Housing Assessment. The assessment will include a narrative of fair housing history as well as a quantitative analysis of race, income, housing, and other data at both the local and regional levels.

Programs

Programs in the revised Housing Element will address housing need and constraints to the development of housing found in the analysis included in the other chapters.

Community Engagement

Community engagement is an integral part of the Housing Element. To ensure easy communication, a Housing Element email address was set up for the public, housingelement@acgov.org.
Planning staff is also maintaining a webpage on the department site, located here: https://www.acgov.org/cda/planning/housing-element/housing-element.htm. A link is available on the website to sign up for email notices for future meetings and a survey has been posted to provide everyone the opportunity to provide input.

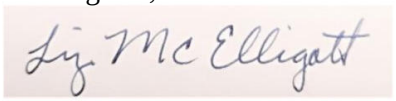
PURPOSE OF NOTICE:

The County will undertake consultation with California Native American tribes concerning this Project, in fulfillment of the requirements of AB 52 and SB 18 as implemented in the California Government Code and Public Resources Code. Pursuant to State law under Senate Bill 18 (Public Resources Code Section 65352.3 - 665352.4), please respond in writing within 90 calendar days of receipt of this notice if you wish to request consultation regarding possible significant effects that the proposed project may have on tribal cultural resources (TCRs). The consultation may include discussion concerning the type of environmental review necessary, the identification, presence, and significance of TCRs, the significance of the project's impacts on TCRs, and, as warranted, mitigation measures and alternatives.

Please send your written request for consultation regarding this project to Liz McElligott, Alameda County Planning Department, 224 West Winton Avenue, Room 111, Hayward, CA 94544, or Elizabeth.mcelligott@acgov.org. In your written response, please indicate a lead contact person.

Additionally, if you have any information regarding TCRs within the project area or if you have questions regarding this notice, please feel free to contact Liz McElligott at (510) 670-6120 or Elizabeth.mcelligott@acgov.org. If you do respond within 90 days indicating that you wish to engage in consultation, but you do not identify a lead contact person, or you designate multiple people, the Planning Department will defer to the individual listed on the contact list maintained by the Native American Heritage Commission.

Best regards,



Liz McElligott
Assistant Deputy Director