

## City of San Leandro

Civic Center, 835 E. 14th Street  
San Leandro, California 94577  
[www.sanleandro.org](http://www.sanleandro.org)



### **NOTICE OF PREPARATION FOR A DRAFT ENVIRONMENTAL IMPACT REPORT FOR PLN22-0039, A NEW WAREHOUSE PROJECT AT 880 DOOLITTLE DRIVE, SAN LEANDRO, CALIFORNIA 94577**

**Date:** November 22, 2023  
**To:** State Clearinghouse and Interested Parties and Organizations  
**Project Title:** 880 Doolittle Drive Industrial Project  
**Lead Agency:** City of San Leandro  
Community Development Department  
835 East 14<sup>th</sup> Street  
San Leandro, California 94577  
**Contact:** Cindy Lemaire, AICP, CNU-A, Senior Planner, Community Development Department

**Public Review Period:** November 22, 2023 through December 22, 2023, 2023 (30 days) in accordance with CEQA Guidelines Section 15082

#### **Purpose of the Notice**

The intent of this Notice of Preparation (NOP) is to inform agencies and interested parties that the City of San Leandro (City) is preparing a Draft Environmental Impact Report (EIR) for the proposed 880 Doolittle Drive Industrial Project in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15082. This NOP provides information about the project and its potential environmental effects and requests that comments be provided on the scope and content of the Draft EIR.

#### **Project Location**

The project site is located at 880 Doolittle Drive, which is on the east side of Doolittle Drive just east of adjacent properties with frontage on Doolittle Drive, approximately 0.2 mile north of its intersection with Davis Street, in San Leandro, California. The intersection of Davis Street and Doolittle Drive is the nearest roadway intersection to the project. The project site is approximately 14.14 acres and consists of two Assessor's parcels: APN 77A-0741-004-02 and 77A-0741-005-00. Existing access to the project site is from a driveway on Doolittle Drive (State Route 61) and from a driveway at the southern terminus of Hester Street, north of the project site. The project site is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. Figure 1 shows the site location in a regional context. Figure 2 shows an aerial view of the location of the site relative to the surrounding area.

#### **Project Description**

The project involves the demolition of existing warehouse buildings on the site, which are currently vacant, and associated surface parking. Following demolition of existing structures and a lot merger, the proposed project would include construction of a new warehouse with supporting office space, site improvements, and landscaping. The proposed warehouse would be approximately 244,573 square feet, comprised of a 229,573 square-foot of warehouse and 15,000 square feet of associated office space. Approximately 10,000 square feet of office space would be provided on the ground floor alongside the warehouse use. The remaining 5,000 square feet of office space would be on a mezzanine level of the warehouse. The maximum building height as proposed is 50 feet with an interior clear height of 40 feet. The warehouse would be served by 64 dock-high loading doors and surface parking. Surface parking as proposed includes 116 standard parking stalls, 57 compact parking stalls, 3 accessible standard stalls, 3 accessible van stalls, 21 electric vehicle charging stations, and 4 clean air/vanpool stalls.

A Conditional Use Permit, Site Plan Review, Height Exception, Building Permit, Grading Permit, a Tree Removal Permit, and a lot merger would be required to implement the project. Figure 3 shows a project concept schematic of the proposed project.

### Potential Environmental Effects

An Initial Study will be prepared for the project. The City preliminarily anticipates that the project would have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated for all environmental issue areas evaluated under CEQA except for greenhouse gas emissions, hazards and hazardous materials, noise, and transportation, as well as mandatory findings of significance associated with these issue areas. The Draft EIR will further evaluate the potential project impacts related to these environmental issue areas.

The Draft EIR will describe the reasonably foreseeable and potentially significant adverse effects of the proposed project (both direct and indirect). The Draft EIR will also evaluate the cumulative impacts of the project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The Draft EIR will identify mitigation to avoid and/or reduce impacts deemed potentially significant, identify a reasonable range of alternatives, and compare the environmental impacts of the alternatives to the impacts of the proposed project. Comments provided in response to the NOP and the results of the ensuing analyses may identify additional environmental topics to be evaluated.

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

### Providing Comments

At this time, the City is soliciting comments on the scope of the Draft EIR, including potential environmental impacts of the project and alternatives to be considered. This information will be considered when preparing the Draft EIR's discussion of environmental impacts, mitigation measures, and alternatives. Because of time limits mandated by State law, comments must be received no later than **5:00 p.m. on December 22, 2023**, which ends the 30-day scoping period.

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

Mail comments to:

Cindy Lemaire  
Community Development Department  
City of San Leandro  
835 East 14th Street  
San Leandro, California 94577

Email comments to Cindy Lemaire at: [clemaire@sanleandro.org](mailto:clemaire@sanleandro.org)

For comments submitted via email, please include "NOP Comments: 880 Doolittle Drive Industrial Project" in the subject line and the name and physical address of the commenter in the body of the email.

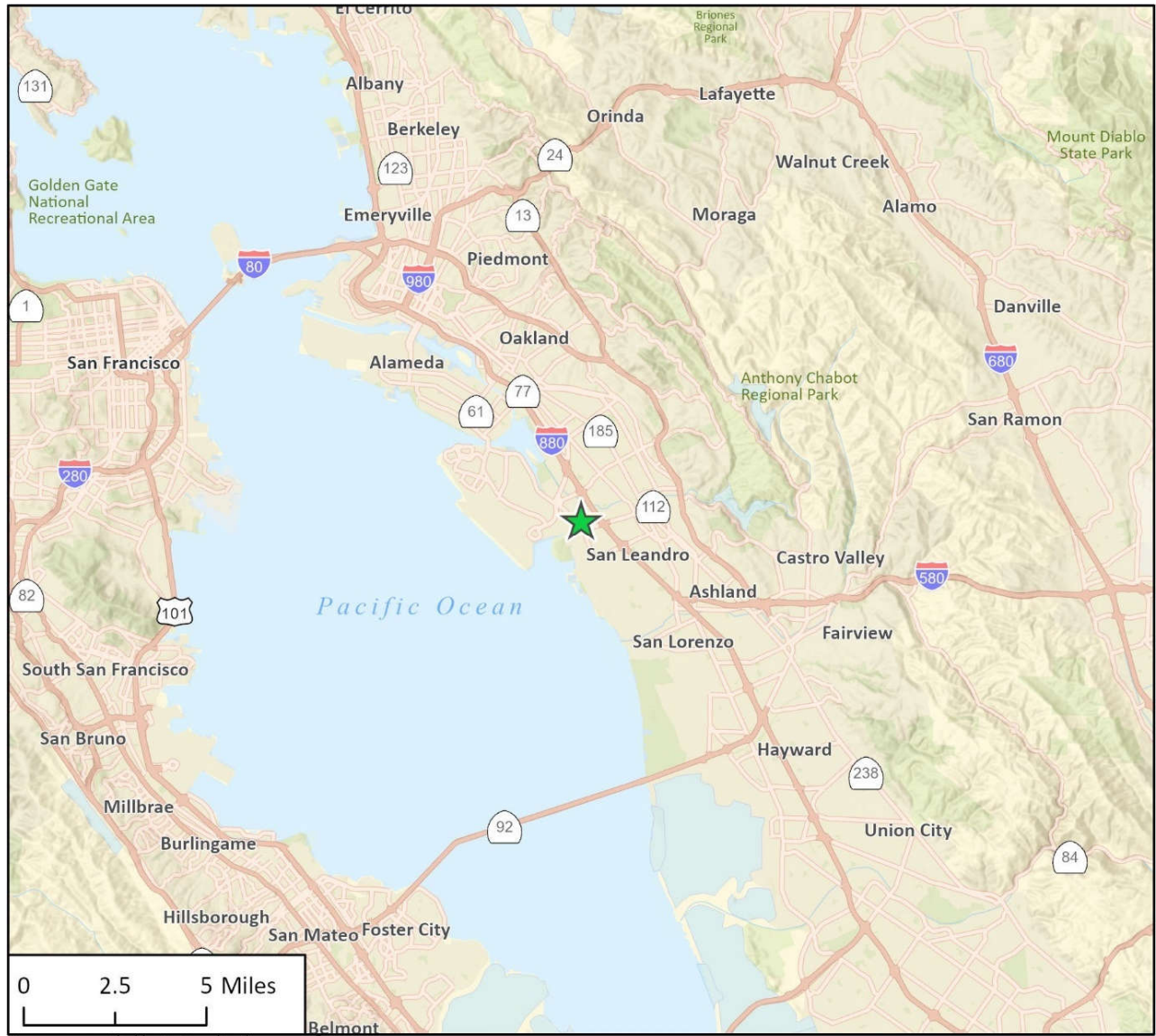
All comments on environmental issues received during the public scoping period will be considered and addressed in the Draft EIR. This NOP, the Initial Study, and other public review documents for this project will be available for viewing online. These documents will also be available for review at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

For questions regarding this notice, please contact Cindy Lemaire at [clemaire@sanleandro.org](mailto:clemaire@sanleandro.org).

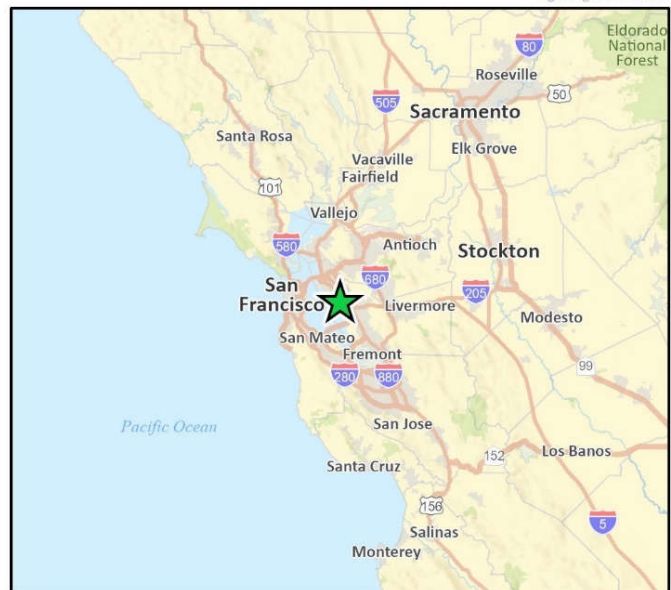
### Attachments

- |          |                           |
|----------|---------------------------|
| Figure 1 | Project Location          |
| Figure 2 | Project Site              |
| Figure 3 | Project Concept Schematic |

**Figure 1 Regional Location**



★ Project Location





**Figure 2**      **Project Site**

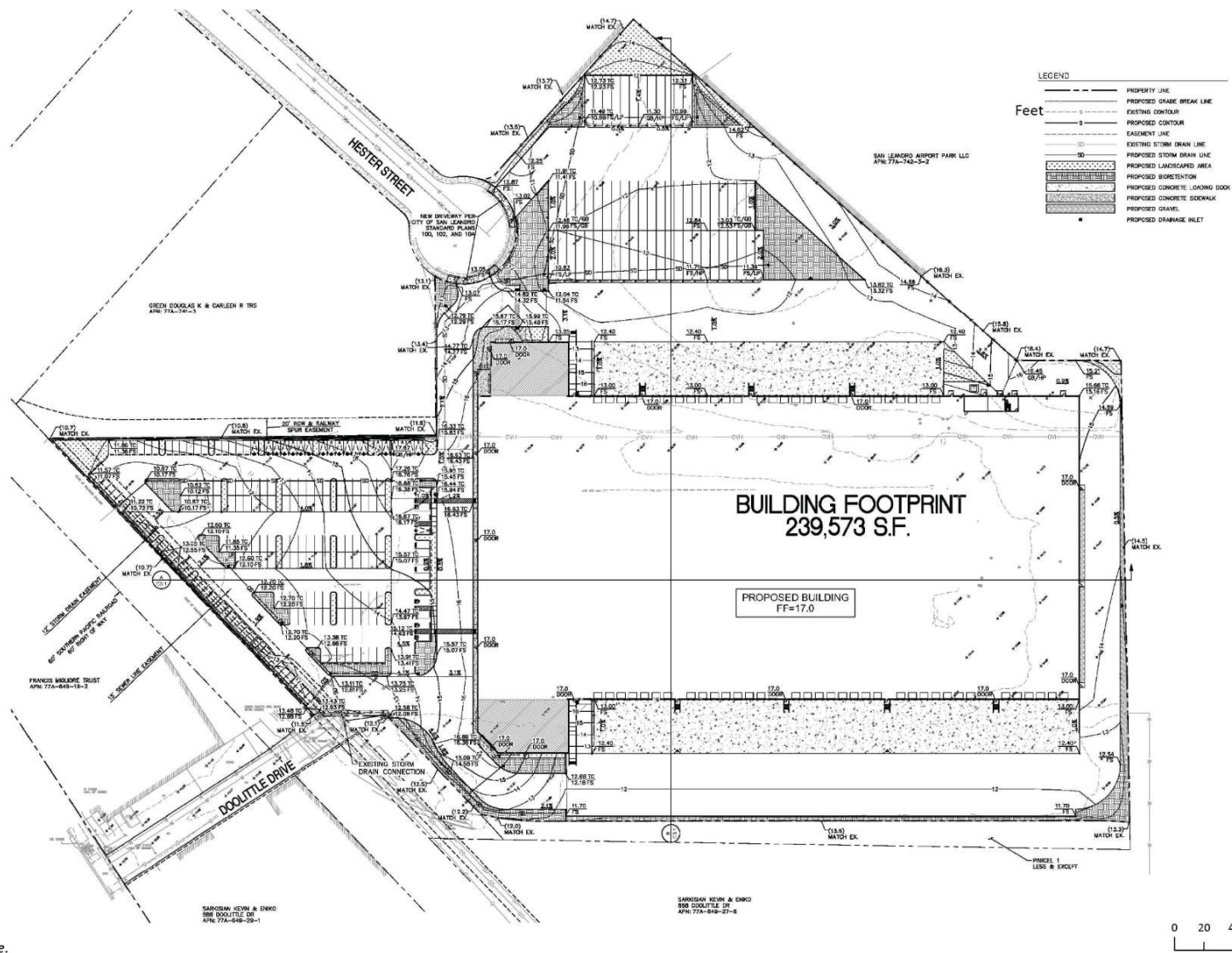


Imagery provided by Microsoft Bing and its licensors © 2023.

22-13727 EPS  
Fig 2 Project Location



Figure 3 Project Concept Schematic



Source: HPA Architecture.

## George Dix

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**From:** Lemaire, Cindy <CLemaire@sanleandro.org>  
**Sent:** Tuesday, November 28, 2023 9:08 AM  
**To:** Ortiz, Olivia, CDA  
**Cc:** Adam Petersen; George Dix  
**Subject:** [EXT] RE: NOP Comments: 880 Doolittle Drive Industrial Project -- Alameda County ALUC

**CAUTION:** This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Good morning, Olivia,

Thank you very much for your comments, these will be helpful in preparing the environmental document and the conditions of approval.

Regards,

**Cindy Lemaire, AICP, CNU-A**  
Senior Planner  
(she/her/hers)  
510.577.3348

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**From:** Ortiz, Olivia, CDA <Olivia.Ortiz@acgov.org>  
**Sent:** Monday, November 27, 2023 3:05 PM  
**To:** Lemaire, Cindy <CLemaire@sanleandro.org>  
**Subject:** NOP Comments: 880 Doolittle Drive Industrial Project -- Alameda County ALUC

You don't often get email from [olivia.ortiz@acgov.org](mailto:olivia.ortiz@acgov.org). [Learn why this is important](#)

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Hi Cindy,

Thank you for sending us the Notice of Preparation for 880 Doolittle Drive. I don't believe the ALUC has anything to say regarding the scoping of the analysis, but I did want to share the following with regards to the Oakland Airport Land Use Compatibility Plan:

- The project site is located primarily in the Outer Approach Zone (Zone 4), where warehouses and distribution facilities are a compatible use. This assumes that there will be at most 100 employees per acre and that at least 20% of the parcel will be vacant land (this includes parking areas).
- Commercial and industrial uses are compatible with the 60 dB CNEL contour, in which 880 Doolittle is located
- With the stated height of 50 feet, the new warehouse should be under the Part 77 surface maximum for the area



- The site is located in the plan's avigation easement zone; a sample avigation easement is located [here](#)

Thank you,

**olivia ortiz (they/them)**



Planner 3, Policy Planning Team



Alameda County • Community Development Agency • Planning Department



224 W. Winton Avenue, Room 111, Hayward, CA 94544



510.670.6523 • [olivia.ortiz@acgov.org](mailto:olivia.ortiz@acgov.org) • <https://www.acgov.org/cda/planning/>

## George Dix

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**Subject:** San Leandro: PLN22-0039 NOP BAAQMD Comments for 880 Doolittle Drive Industrial Project Notice of Preparation (NOP)

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**From:** Mark Tang <[mtang@baaqmd.gov](mailto:mtang@baaqmd.gov)>

**Sent:** Thursday, December 21, 2023 11:42 AM

**To:** Lemaire, Cindy <[CLemaire@sanleandro.org](mailto:CLemaire@sanleandro.org)>

**Cc:** Wendy Goodfriend <[wgoodfriend@baaqmd.gov](mailto:wgoodfriend@baaqmd.gov)>; Alison Kirk <[AKirk@baaqmd.gov](mailto:AKirk@baaqmd.gov)>

**Subject:** BAAQMD Comments for 880 Doolittle Drive Industrial Project Notice of Preparation (NOP)

You don't often get email from [mtang@baaqmd.gov](mailto:mtang@baaqmd.gov). [Learn why this is important](#)

**ATTENTION:** This email is from an external source, outside of the City. While attachments and links are scanned by our Advanced Threat Protection service, we still recommend you use caution when opening or clicking them. Unless you recognize the sender and have an expectation that the content is safe, it is best to ignore this email and report it to the Helpdesk. Sincerely, Your IT Team

Dear Cindy Lemaire,

We received notice of the **880 Doolittle Drive Industrial Project (Project) Notice of Preparation (NOP)** and wanted to send you relevant recommendations and resources for the development of the Project. As a reminder, the Air District recently updated the California Environmental Quality Act (CEQA) Guidelines (2023), which provides updated screening methodologies, as well as updates to climate impact thresholds to address greenhouse gas (GHG) emissions. The updated Guidelines can be found here: <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>.

While the Project's impacts have yet to be evaluated, we wanted to provide you resources for reducing air pollutants and minimizing climate impacts, including the most up to date best practices for warehouse projects, especially for projects located in disadvantaged communities (as defined by SB 1000) and within Air District Overburdened Communities (as defined by Air District [Regulation 2, Rule 1: General Requirements, Section 2-1-243](#)).

The Air District recommends the Project incorporate all feasible measures to reduce impacts, including the installation of on-site solar arrays, procurement of 100% renewable energy, electrification of all operations to the extent feasible including 'make-ready' electrification infrastructure, and consideration of truck route management to reduce community impacts. Additionally, the Project should incorporate construction mitigation measures, especially for demolition and site preparation that may elevate fugitive dust. More information and examples are available under the 'Resources' section of this email, as well as the Air District's CEQA Guidelines (2023).

Certain aspects of the Project may require a permit from the Air District (for example, backup diesel generators and asbestos demolition). Please ensure the Air District is adequately recognized as a permitting agency in future environmental documents. Permit requirements may be discussed with Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or [byoung@baaqmd.gov](mailto:byoung@baaqmd.gov).



**Resources:**

The first two documents are similar logistics center/warehouse comment letters that describe Air District recommendations. We are also including additional resource links from other agencies and the Attorney General's office that could be useful in the development of this Project.

- [BAAQMD CEQA Comment Letter: CenterPoint North Richmond Warehouse Project EIR](#)
- [BAAQMD CEQA Comment Letter: Scannell Properties, LLC North Richmond Warehouse Project NOP](#)
- [CARB's Concept Paper for the Freight Handbook](#): Provides practices to minimize community health impacts from warehouses and freight facilities.
- [CA Attorney General's Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act](#): References good neighbor policies, best practices for community engagement, and other requirements such as fully analyzing impacts from truck trips.

Air District staff are available to assist or respond to any queries associated with this Project, and look forward to reviewing the environmental report. Thank you for your time.

Best,

**Mark Tang**

ACTING ASSISTANT MANAGER

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

p: 415-749-4778

e: [mtang@baaqmd.gov](mailto:mtang@baaqmd.gov)

w: [www.baaqmd.gov](http://www.baaqmd.gov)



December 7, 2023

Cindy Lemaire, Senior Planner  
City of San Leandro  
835 East 14th Street  
San Leandro, CA 94577

RE: 880 Doolittle Drive Industrial Project, SCH #2023110597

Dear Ms. Lemaire:

Thank you for the opportunity to provide comments on the Notice of Preparation for the 880 Doolittle Drive Industrial project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO<sub>x</sub>)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.<sup>1</sup> Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.<sup>2</sup> The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a

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<sup>1</sup> California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO<sub>x</sub>); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (DPM).

<sup>2</sup> Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).



copy of this document to this letter, and it is also available online.<sup>3</sup> We encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at [ej@doj.ca.gov](mailto:ej@doj.ca.gov) if you have any questions.

Sincerely,



CHRISTIE VOSBURG  
Supervising Deputy Attorney General

For ROB BONTA  
Attorney General

---

<sup>3</sup> <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>.



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

E-Mail: EJ@doj.ca.gov

February 23, 2023

[Name], [Title]  
[Agency Name]  
[Address]  
[City], CA [Zip]

RE: [Project Name], SCH #[State Clearinghouse Number]

Dear [Mr./Ms.] [Last Name]:

Thank you for the opportunity to provide comments on the Notice of Preparation for the [Project Name]. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO<sub>x</sub>)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.<sup>1</sup> Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.<sup>2</sup> The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a copy of this document to this letter, and it is also available online.<sup>3</sup> We encourage you to

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<sup>1</sup> California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO<sub>x</sub>); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel14-02.pdf> (DPM).

<sup>2</sup> Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

<sup>3</sup> <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>.



February 23, 2023

Page 2

consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at [ej@doj.ca.gov](mailto:ej@doj.ca.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'CV' or similar initials, written in a cursive style.

CHRISTIE VOSBURG

Supervising Deputy Attorney General

For     ROB BONTA  
Attorney General



**Yana Garcia**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Meredith Williams, Ph.D., Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



**Gavin Newsom**  
Governor

### SENT VIA ELECTRONIC MAIL

December 20, 2023

Cindy Lemaire  
Senior Planner  
City of San Leandro  
835 East 14<sup>th</sup> Street  
San Leandro, CA 94577  
[clemaire@sanleandro.org](mailto:clemaire@sanleandro.org)

RE: NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT  
REPORT (DEIR) FOR THE 880 DOOLITTLE DRIVE INDUSTRIAL PROJECT  
DATED NOVEMBER 22, 2023 STATE CLEARINGHOUSE # [2023110597](#)

Dear Cindy Lemaire,

The Department of Toxic Substances Control (DTSC) received a NOP of a DEIR for the 880 Doolittle Drive Industrial Project. The Project involves the demolition of existing warehouse buildings on the site, which are currently vacant, and associated surface parking. Following demolition of existing structures and a lot merger, the proposed Project would include construction of a new warehouse with supporting office space, site improvements, and landscaping. The proposed warehouse would be approximately 244,573 square feet, comprised of 229,573 square-feet of warehouse and 15,000 square feet of associated office space. Approximately 10,000 square feet of office space would be provided on the ground floor alongside the warehouse use. The remaining 5,000 square feet of office space would be on the mezzanine level of the warehouse. The warehouse would be served by 64 dock-high loading doors and

surface parking. Surface parking as proposed includes 116 standard parking stalls, 57 compact parking stalls, 3 accessible standard stalls, 3 accessible van stalls, 21 electric vehicle charging stations, and 4 clean air/vanpool stalls.

Following our review of the Project, DTSC recommends consideration of the following comments:

1. If buildings or other structures are to be demolished on any project sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#).
2. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within approved screening levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use.
3. Prior to any new buildings being constructed on site, a Remedial Action Plan (RAP) amendment will be required to evaluate the soil vapor impacts and vapor intrusion risk. While a vapor mitigation system has been discussed for the site, the system cannot be installed before the completion of the RAP amendment.

DTSC believes the City of San Leandro must address these comments to determine if

any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA.

DTSC appreciates the opportunity to comment on the 880 Doolittle Drive Industrial Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

A handwritten signature in black ink that reads "Dave Kereazis". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Dave Kereazis  
Associate Environmental Planner  
HWMP - Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)



cc: (via email)

Governor's Office of Planning and  
Research State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Tamara Purvis  
Associate Environmental Planner  
HWMP – Permitting Division - CEQA Unit  
Department of Toxic Substances Control  
[Tamara.Purvis@dtsc.ca.gov](mailto:Tamara.Purvis@dtsc.ca.gov)

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Marikka Hughes, PG  
Branch Chief, Berkeley  
SMRP – Cleanup Program  
Department of Toxic Substances Control  
[Marikka.Hughes@dtsc.ca.gov](mailto:Marikka.Hughes@dtsc.ca.gov)

## California Department of Transportation

AERONAUTICS PROGRAM  
DIVISION OF TRANSPORTATION PLANNING  
P.O. BOX 942873, MS-40 | SACRAMENTO, CA 94273-0001  
(916) 654-4959  
[www.dot.ca.gov](http://www.dot.ca.gov)



December 22<sup>nd</sup>, 2023

Cindy Lemaire  
Senior Planner  
City of San Leandro  
835 East 14<sup>th</sup> Street  
San Leandro, CA 94577

Electronically Sent <clemaire@sanleandro.org>

### Re: SCH #2023110597 - 880 Doolittle Drive Industrial Project

Dear Ms. Lemaire:

The California Department of Transportation, Aeronautics Program has reviewed the Notice of Preparation of a Draft EIR for the project 880 Doolittle Drive Industrial Project. One of the goals of the California Department of Transportation (Caltrans), Aeronautics Program, is to assist cities, counties, and Airport Land Use Commissions or their equivalent (ALUC), to understand and comply with the State Aeronautics Act pursuant to the California Public Utilities Code (PUC), Section 21001 et seq. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Aeronautics Program in the review of the Notice of Preparation.

The proposed Project site is primarily in Safety Zone 4 (Outer Approach/Departure Zone), with a portion in Zone 6 (Traffic Pattern Zone) of the Oakland International Airport and therefore must adhere to the safety criteria and restrictions defined in the Airport Land Use Compatibility Plan (ALUCP) formed by the ALUC pursuant to the PUC, Section 21674. Warehouse and office space square footage per person should be further reviewed to adhere to consistency with the ALUCP and Table 3-2 of the ALUCP. Section 3.3.2.7. should also be reviewed to ensure compatibility with development criteria.

In addition, as the project site is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, compatibility restrictions should be reviewed per the ALUCPs Table 3-2 and Section 3.3.2.8(e).

The proposed project may also be subject to 14 CFR Part 77 Conical Surface standards and CNEL Contours noise compatibility in applicable areas.

Caltrans advises the City of San Leandro to submit its plans to the ALUC to determine if the plans or projects are consistent or not with the ALUCP according to the State

Ms. Lemaire, Senior Planner  
December 22<sup>nd</sup>, 2023  
Page 2

Aeronautics Act's statutory procedure. An ALUCP is crucial in minimizing noise nuisance and safety hazards around airports while promoting the orderly development of airports, as declared by the California Legislature. A responsibility of the ALUC is to assess potential risk to aircraft and persons in airspace and people occupying areas within the vicinity of the airport.

If you have any questions or need additional information, please contact me at my email address: [tiffany.martinez@dot.ca.gov](mailto:tiffany.martinez@dot.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Tiffany Martinez". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Tiffany Martinez  
Transportation Planner, Aeronautics Program

c: State Clearinghouse

## California Department of Transportation

DDISTRICT 4  
OFFICE OF REGIONAL AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



December 20, 2023

SCH #: 2023110597  
GTS #: 04-ALA-2023-00777  
GTS ID: 31377  
Co/Rt/Pm: ALA/61/R15.2

Cindy Lemaire, Senior Planner  
City of San Leandro  
835 East 14th Street  
San Leandro, CA 94577

### **Re: 880 Doolittle Drive Industrial Project – Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR)**

Dear Cindy Lemaire:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the 880 Doolittle Drive Industrial Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system.

The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the November 2023 NOP.

#### **Project Understanding**

The proposed project is in the vicinity of State Route (SR)-61 and SR-112 in San Leandro. The project would demolish currently vacant warehouse buildings on the site and construct a new 229,573-square-foot warehouse with supporting office space, site improvements, and landscaping.

#### **Freight**

Please consider the following freight issues when drafting the DEIR: the number of parking spaces should be based on peak operating time of the activity generator; site entrance and exit points should accommodate the design of vehicle movements; the DEIR should identify pedestrian and bicycle conflict points to and from the proposed facility as well as bus stops that may conflict with truck parking zones; and the project



should consider the number of legal truck parking spots available in the area and the potential areas that may be utilized as unauthorized parking.

In addition, the City may consider implementing the following improvements to the project: providing peak operating time parking to ensure an adequate number of spaces; and implementing appropriate lighting at loading docks and parking spots to improve safety.

### **Construction-Related Impacts**

Potential impacts to the State Right-of-Way (ROW) from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)). Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

### **Lead Agency**

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

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Llisel Ayon, Associate Transportation Planner, via [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov). For future early coordination opportunities or project referrals, please contact [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Luo Yunsheng'.

YUNSHENG LUO  
Branch Chief, Local Development Review  
Office of Regional and Community Planning

c: State Clearinghouse

December 18, 2023

Cindy Lemaire, AICP, CNU-A, Senior Planner  
Community Development Department  
City of San Leandro  
835 East 14<sup>th</sup> Street  
San Leandro, CA 94577

Re: Notice of Preparation for a Draft Environmental Impact Report for the 880  
Doolittle Drive Industrial Project (PLN22-0039), San Leandro

Dear Ms. Lemaire:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the 880 Doolittle Drive Industrial Project located in the City of San Leandro (City). EBMUD has the following comments.

#### **WATER SERVICE**

EBMUD's Central Pressure Zone, with a service elevation range between 0 and 100 feet, will serve the proposed development. Individual units in a newly built multi-occupancy commercial/industrial premises shall be individually metered. A main extension, at the project sponsor's expense, may be required to serve the proposed development depending on water and private fire service metering locations and fire flow requirements set by the local fire agency. Please see the attached EBMUD documents for California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the project. Engineering and installation of water mains and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

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

project boundary and a legally sufficient, complete, and specific written remediation plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of contaminated soil and groundwater.

EBMUD will not design piping or services until soil and groundwater quality data and remediation plans have been received and reviewed and will not start underground work until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists, or the information supplied by the project sponsor is insufficient, EBMUD may require the project sponsor to perform sampling and analysis to characterize the soil and groundwater that may be encountered during excavation. Alternatively, EBMUD may perform such sampling and analysis at the project sponsor's expense. If evidence of contamination is discovered during EBMUD's work on the project site, work may be suspended until such contamination is adequately characterized and remediated to EBMUD's standards.

### **WATER CONSERVATION**

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

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

Sincerely,



David J. Rehnstrom  
Manager of Water Distribution Planning

DJR:EZ:kn  
wdpd23\_241 880 Doolittle Drive Industrial Project

Attachment    Applicant Pipeline Design Criteria



### **Applicant Pipeline Design Criteria**

EBMUD values applicant pipeline projects and is committed to providing a thorough and efficient design. To ensure an efficient design process and to avoid significant delays the design criteria below should be adhered to when submitting improvement plans.

#### Design Criteria

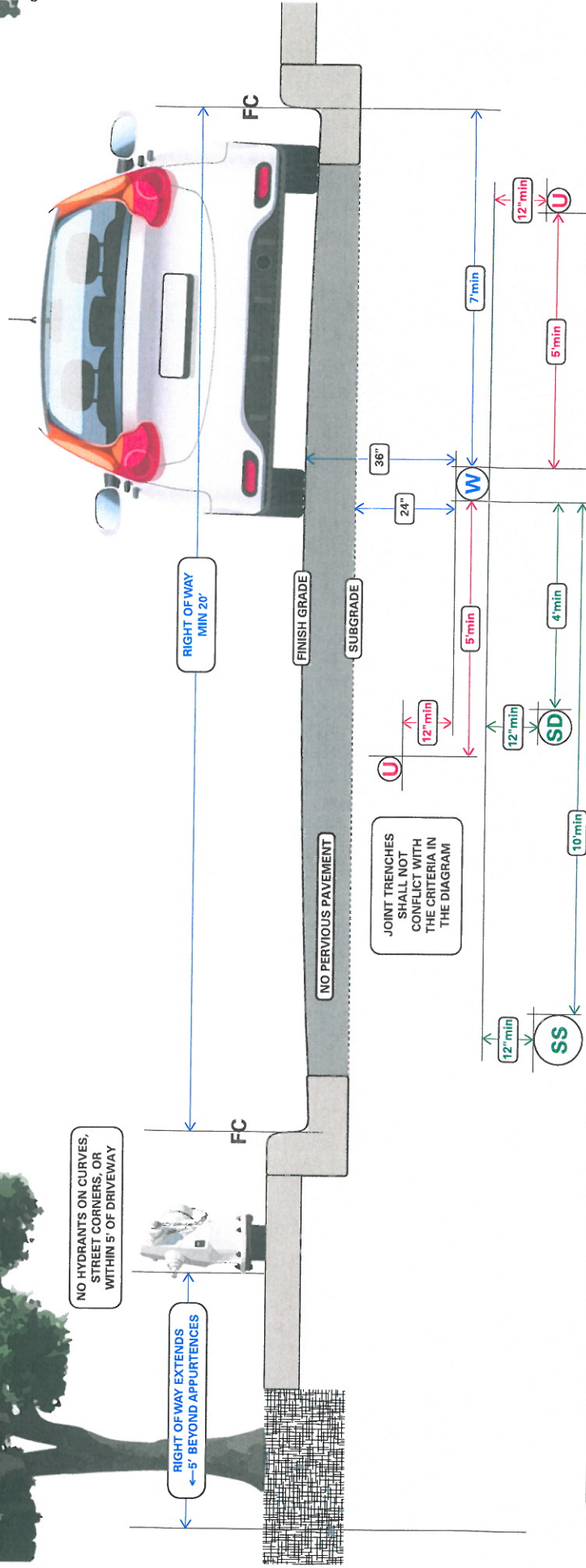
- Water mains shall be seven (7) feet from face of curb.
- Water mains shall maintain a minimum one (1) foot vertical and five (5) foot horizontal clearance from other utilities.
- Gas mains shall meet the one (1) foot vertical separation requirement by installing the gas main below the water main only.
- Water mains shall maintain a minimum ten (10) foot horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any sewer main. Title 22 CCR
- Water mains shall maintain a minimum four (4) feet horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any storm drain. Title 22 CCR
- Water mains shall have a 36-inch cover to final grade and 24-inch cover to pavement subgrade.
- Joint trenches that are in conflict with the criteria above may delay the project. Submit to EBMUD final joint trench plans (no intent plans) which include the size of the joint trench and the utilities located inside.
- Water mains shall not be installed under pervious pavement.
- Water mains installed under decorative pavement, pavers, or stamped concrete will require an additional paving agreement.
- Hydrants shall not be located on curved sections of street, street corners, or within five feet of a driveway.
- Right of ways for 6-inch and 8-inch water mains shall be a minimum of 20 feet wide and extend five (5) feet past the water main centerline.
- Right of ways for 12-inch to 24-inch water mains shall be a minimum of 20 feet wide and extend eight (8) feet past the water main centerline.

Please contact the New Business Office representative assigned to your project if there are any questions regarding the requirements listed above. Meeting this criteria will enable the most efficient design possible.





# APPLICANT PIPELINE DESIGN CRITERIA



**W = WATER**

24" cover to subgrade  
36" cover to final grade  
7' inset from face of curb

**U = UTILITY**

min 12" vertical clearance  
min 5' horizontal clearance

**SS = SANITARY SEWER**

min 12" below water  
min 10' horizontal clearance

**SD = STORM DRAIN**

min 12" below water  
min 4' horizontal clearance

**FC= FACE OF CURB**





## NATIVE AMERICAN HERITAGE COMMISSION

December 1, 2023

Cindy Lemaire  
City of San Leandro  
835 East 14<sup>th</sup> Street  
San Leandro, CA 94577

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[NAHC.ca.gov](http://NAHC.ca.gov)

**Re: 2023110597, 880 Doolittle Drive Industrial Project, Alameda County**

Dear Ms. Lemaire:

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

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

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

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

AB 52



AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).



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

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)



## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.



3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Cody.Campagne@nahc.ca.gov](mailto:Cody.Campagne@nahc.ca.gov).

Sincerely,

*Cody Campagne*

Cody Campagne  
Cultural Resources Analyst

cc: State Clearinghouse



