HELIX Environmental Planning

Union City Raising Cane's Project

Public Review Draft
Initial Study/Mitigated Negative Declaration

September 2026 | 03103.00014.001

Prepared for:

City of Union City
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ACRONYMS AND ABBREVIATIONS

ABAG	Association of Bay Area Governments
ACFD	Alameda County Fire Department
ACWD	Alameda County Water District
ACM	Asbestos containing material
ADA	Americans with Disabilities Act
ADT	average daily trips
ASHRAE	American Society of Heating, Refrigeration, and Air Conditioning Engineers
AVC	Automatic Volume Control
bcf/year	billion cubic feet per year
BCMM	Basic Construction Mitigation Measures
BLM	Bureau of Land Management
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CadnaA	Computer Aided Noise Abatement
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards Code
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CATV	Community Antenna Television
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CH_4	Methane
City	City of Union City
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO_2	Carbon dioxide
CO_2e	Carbon dioxide equivalent
CRR	Regional Retail Commercial
CUL-CC	Union Landing Commercial District - Community Commercial
CUL-SRSC	Union Landing Commercial District - Subregional Specialty Commercial Development
CY	Cubic yard
dB	decibel
dBA	A-weighted decibel
DMA	Drainage Management Areas
DOC	California Department of Conservation

ACRONYMS AND ABBREVIATIONS (cont.)

EIR	Environmental Impact Report
EV	Electric vehicle
FAR	Floor area ratio
FEMA	Federal Emergency Management Agency
FICON	Federal Interagency Committee on Noise
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHG	Greenhouse gas
GPY	gallons per year
GWh	gigawatt hours
GWP	Global warming potential
HFC	Hydrofluorocarbons
HP	Horse Power
HVAC	Heating, Ventilation, and Air Conditioning
Hz	Hertz
IBC	International Building Code
IHOP	International House of Pancakes
In/sec	Inches per second
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
LBP	Lead-based paint
LCI	Land Use and Climate Innovation
L_{dn}	Day-night average sound level
LHMP	Local Hazard Mitigation Plan
MLD	Most Likely Descendent
MND	Mitigated Negative Declaration
MT	Metric tons
MTC	Metropolitan Transportation Commission
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_2	Nitrous dioxide
NO_x	Nitrous oxide
NOA	Naturally occurring asbestos
NRCS	National Resource of Conservation
NSLU	Noise-Sensitive Land Use

ACRONYMS AND ABBREVIATIONS (cont.)

OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OPR	Office of Planning and Research
PFC	perfluorocarbon
PM	particulate matter
PPV	peak particle velocity
Project	Raising Cane's Project
RCNM	Roadway Construction Noise Model
ROG	Reactive organic gases
RPM	Revolutions per Minute
sf	square-feet
SF_6	Sulfur hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SO_2	Sulfur dioxide
SPL	sound pressure level
SWL	sound power level
SWPPP	Stormwater Pollution Prevention Plan
TAC	Toxic air contaminant
TIA	Transportation Impact Assessment
TNM	Traffic Noise Model
UCPD	Union City Police Department
UCMC	Union City Municipal Code
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
VOC	Volatile organic compound
VMT	vehicle miles traveled

INTITIAL STUDY INFORMATION SHEET

1.	Project title:	Union City Raising Cane's Project
2.	Lead agency name and address:	City of Union City 34009 Alvarado-Niles Road, Union City, CA 94587
3.	Contact person and phone number:	Mayank Patel, Senior Planner City of Union City Economic and Community Development Department mayankp@unioncityca.gov (510) 675-5426
4.	Project location:	31900 Dyer Street, Union City, CA 94587
5.	Assessor's Parcel Number:	463-0060-037-00
6.	Existing General Plan Designation	Regional Retail Commercial (CRR)
7.	Existing Zoning:	Union Landing Commercial District – Sub-Regional Specialty Commercial Development (CUL-SRSC)

8. Description of project:

The Union City Raising Cane's Project (project) would include the demolition of an existing approximately 6,833-square-foot (sf) TGI Fridays restaurant and associated infrastructure and the construction of an approximately 3,018-sf Raising Cane's restaurant building. The project would also feature site improvements including the addition of two drive-through lanes, overhead canopies, an uncovered patio seating area, and a new waste enclosure. Utilities would be installed, as required, for connection to the proposed building, and the parking lot would be repaved and restriped to provide 45 parking spaces.

The proposed project would also require the following General Plan and Zoning text amendments:

- The existing General Plan land use designation of the project site is Regional Retail Commercial (CRR). The proposed project does not require a change in the General Plan land use designation; however, a minor conforming General Plan amendment is required to change the applicable commercial development type sub-area from Sub-Regional Specialty Commercial (CUL-SRSC) to Community Commercial (CUL-CC), as depicted in Figure SA-12.2 of the General Plan. A General Plan text amendment is also required to reduce the minimum floor area ratio (FAR) standard applicable to the CRR designation to accommodate the project's FAR. In addition, amendments to General Plan Policies SA-12.5 and SA-12.21 are required to allow exceptions to the CUL-CC sub-area boundary limitation and authorize additional drive-through establishments, respectively.

- The project site is within the Union Landing Commercial (CUL) District. A Zoning Map Amendment is not required; however, Zoning text amendments are proposed to be included

concurrently with the project entitlements to clarify and update the sub-area descriptions within UCMC Chapter 18.39 to ensure the zoning ordinance is consistent with the proposed General Plan Amendment and accurately reflects the updated sub-area descriptions.

9. Surrounding land uses and setting:

The project site is surrounded by an existing International House of Pancakes (IHOP) restaurant to the south, an Extended Stay America Hotel to the east, an Ocean Oyster Bar and Grill restaurant to the north, and Dyer Street to the west.

10. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City carried out tribal consultation for the proposed project pursuant to Assembly Bill (AB) 52 and Senate Bill 18 (SB 18). Formal invitations to consult under the California Environmental Quality Act (CEQA) were sent by the City to 25 representatives of the following 9 tribes on April 1, 2026.

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Confederated Villages of Lisjan Nation
- Costanoan Rumsen Carmel Tribe
- Indian Canyon Mutsun Band of Costanoan
- Muwekma Ohlone Tribe of the SF Bay Area
- Northern Valley Yokut/Ohlone Tribe
- Tamien Nation
- The Ohlone Indian Tribe
- Wuksachi Indian Tribe/Eshom Valley Band

Each tribe was provided with a brief description of the project and its location, the contact information for the City's authorized representative, and a notification that the tribe has 30 days to request consultation per AB 52 and 90 days per SB 18.

On April 7, 2026, the Confederated Villages of Lisjan Nation replied to the City electronically and requested Sacred Lands File search results, California Historical Resources Information System (CHRIS) records search request results, draft cultural resource reports, and any specific information about proposed ground disturbance for the proposed project. The City replied electronically on May 20, 2026, and sent the Cultural Records Search Memorandum prepared for the project. The Confederated Villages of Lisjan Nation replied electronically on May 29, 2026, and requested to consult on the proposed project. On June 5, 2026, the City electronically shared the summary report from the CHRIS records search center with the Lisjan Nation. A coordination call was held on June 17, 2026, where the Confederated Villages of Lisjan Nation asked if the City could share the CHRIS records search results for the proposed project and if any other tribes requested consultation. On June 18, 2026, the City emailed the Confederated Villages of Lisjan Nation to confirm that the City's environmental consultant, HELIX, would provide the requested report. Later that same day, HELIX's archaeologist electronically transmitted the report to the Confederated Villages of Lisjan Nation. The City followed up electronically on June 29, 2026, to ask if the Confederated Villages of Lisjan Nation had any feedback or comments following their review of the report, or if they consider the consultation process for the subject parcel to

be complete. The Confederated Villages of Lisjan Nation replied electronically on July 31, 2026, thanking the City for the report and sharing two mitigation measures for inadvertent discovery of tribal historic properties and inadvertent discovery of human remains. The Confederated Villages of Lisjan Nation requested that the City review and apply these measures accordingly. The City replied electronically on August 3, 2026, confirming receipt of the measures. Later that same day, the Confederated Villages of Lisjan Nation replied electronically requesting the City send them completed documentation including the mitigation measures for their records. No other replies were received and consultation has been concluded.

On April 8, 2026, the Tamien Nation replied electronically and declined consultation. No additional requests for consultation or other responses were received.

1.0 INTRODUCTION

The City of Union City (City), as Lead Agency, has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to provide the general public and interested public agencies with information about the potential environmental impacts of the proposed Union City Raising Cane's Project (proposed project). This IS/MND has been prepared in accordance with California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21000 et seq., and the CEQA Guidelines, California Code of Regulations Section 15000 et seq. Details about the proposed project are included in Chapter 3.0, *Project Description*, of this IS/MND.

CEQA requires that public agencies document and consider the potential environmental impacts of the agency's actions that meet CEQA's definition of a "project." Briefly summarized, a "project" is an action that has the potential to result in direct or indirect physical changes in the environment. A project includes the agency's direct activities as well as activities that involve public agency approvals or funding. Guidelines for an agency's implementation of CEQA are found in the CEQA Guidelines.

The proposed project is a "project" as defined by CEQA and is not exempt from CEQA. This IS/MND describes the proposed project and its environmental setting, discusses the potential environmental effects of the proposed project, and identifies feasible mitigation measures that would avoid or eliminate potentially significant environmental effects or reduce them to a level that would be less than significant, as necessary. The City will use this IS/MND to determine whether the proposed project has a significant effect on the environment. Per CEQA Guidelines Section 15064, the finding as to whether a project may have one or more significant impacts shall be based on substantial evidence in the record, and the existence of public controversy over the project's environmental effects alone, without substantial evidence of a significant impact, does not trigger the need for an Environmental Impact Report (EIR). Pursuant to CEQA, this IS/MND evaluates the potential environmental impacts that could result from the demolition of a permanently closed TGI Fridays and construction of a Raising Cane's drive-through restaurant in Union City. Because minor conforming amendments to the General Plan and Zoning text are proposed as well (as described above), this document also considers the potential impacts of these amendments. This document is divided into the following sections:

1.0 Introduction – This section provides an introduction and describes the purpose and organization of the document.

2.0 Project Location and Setting – This section describes the regional and local setting of the project site, including its geographic location, existing land uses, and surrounding development.

3.0 Project Description – This section discusses the proposed project demolition, construction, and operation in detail.

4.0 Environmental Factors Potentially Affected – This section identifies which environmental subject areas would be potentially affected by this project. Environmental subject areas with a check mark indicate that the proposed project would result in a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" for that environmental subject area.

5.0 Determination – This section provides a determination if the project will or will not have a significant impact on the environment. This section determines if the appropriate CEQA document is a negative declaration, MND, EIR, or nothing further is required as the environmental impacts of the

project were previously analyzed in a prior CEQA document, and potential significant impacts have been avoided or mitigated.

6.0 Environmental Initial Study Checklist – This section provides a description of the environmental setting and impact analysis for each of the environmental subject areas. Project impact analysis is provided in response to subject-specific questions for each environmental subject area, and an impact determination is made for each question. Impact determinations may be "no impact," "less than significant impact," "less than significant impact with mitigation incorporated," or "potentially significant impact" in response to the questions included in the environmental checklist for each environmental subject area.

7.0 References – This section identifies documents, websites, people, and other sources consulted during the preparation of this IS/MND.

8.0 Initial Study Preparers – This section identifies who worked on this IS/MND.

2.0 PROJECT LOCATION AND SETTING

The approximately 1.13-acre project site is located at 31900 Dyer Street, Union City, California. The project site is approximately 0.32 mile southwest of Interstate 880 (I-880) and is located on Assessor's Parcel Number (APN) 463-0060-037-00. Refer to Figure 1, Site and Vicinity Map, and Figure 2, Aerial Map, for the project's location in the region.

The project site is located within the broader Union Landing Shopping Center area, which was developed in the early 2000s. The site is bounded to the north by Ocean Oyster Bar and Grill; to the northeast by three big box retail stores, Smart and Final, Michaels, and Petco; to the east by an Extended Stay America hotel; to the south by two restaurants, IHOP and Chili's Bar and Grill; and to the west by Dyer Street. There are single-family homes that comprise a residential neighborhood to the west of the project site, outside of the Union Landing Shopping Center. The single-family homes closest to the project site are located on the west side of Dyer Street, approximately 150 feet from the project site's property line and at least 200 feet from the proposed restaurant building and drive-through lanes.

The project site slopes gently from north to south with elevations ranging from approximately 12 to 14 feet above mean sea level (amsl). The project site is designated Regional Retail Commercial (CRR) under the City's General Plan and is located within the Sub-Regional Specialty Commercial (SRSC) development type sub-area of the Union Landing Commercial District (CUL) zoning district. Currently, the project site features an approximately 6,833-square-foot (sf) TGI Fridays restaurant that has been closed and unused since October 2024 as well as its associated site improvements, including an existing asphalt parking lot, a waste enclosure, two approximately 150-gallon aboveground storage tanks, a grease interceptor, ventilation hoods, heating, ventilation, and air conditioning (HVAC) units, stormwater catch basins, interior floor drains, a pad-mounted transformer, and other miscellaneous site features, including landscaping and lighting fixtures.

3.0 PROJECT DESCRIPTION

Raising Cane's Restaurants, LLC (project applicant) is proposing to demolish an existing, vacant TGI Fridays restaurant building and construct a Raising Cane's restaurant and drive-through. The proposed

project requires a General Plan Amendment (GPA) to the City's 2040 General Plan to address the minimum required floor area ratio in the Regional Retail Commercial land-use designation, update figures to change the applicable commercial development type sub-area from Sub-Regional Specialty Commercial (CUL-SRSC) to Community Commercial (CUL-CC), and revise policies to allow for additional free-standing fast-food restaurant(s) within Union Landing. The proposed development is depicted in additional detail in Sheet C3 of Appendix A, Plan Set, to this IS/MND.

Restaurant Building

The proposed project would include construction of a single-story, approximately 3,018-sf Raising Cane's restaurant building with approximately 3,556 sf total building footprint, including an external corral and internal seating for up to 69 guests. The external corral would include umbrella seating for approximately 28 guests. The height of the proposed building would be 22 feet.

Access, Drive-Through, and Parking

Pedestrian Access

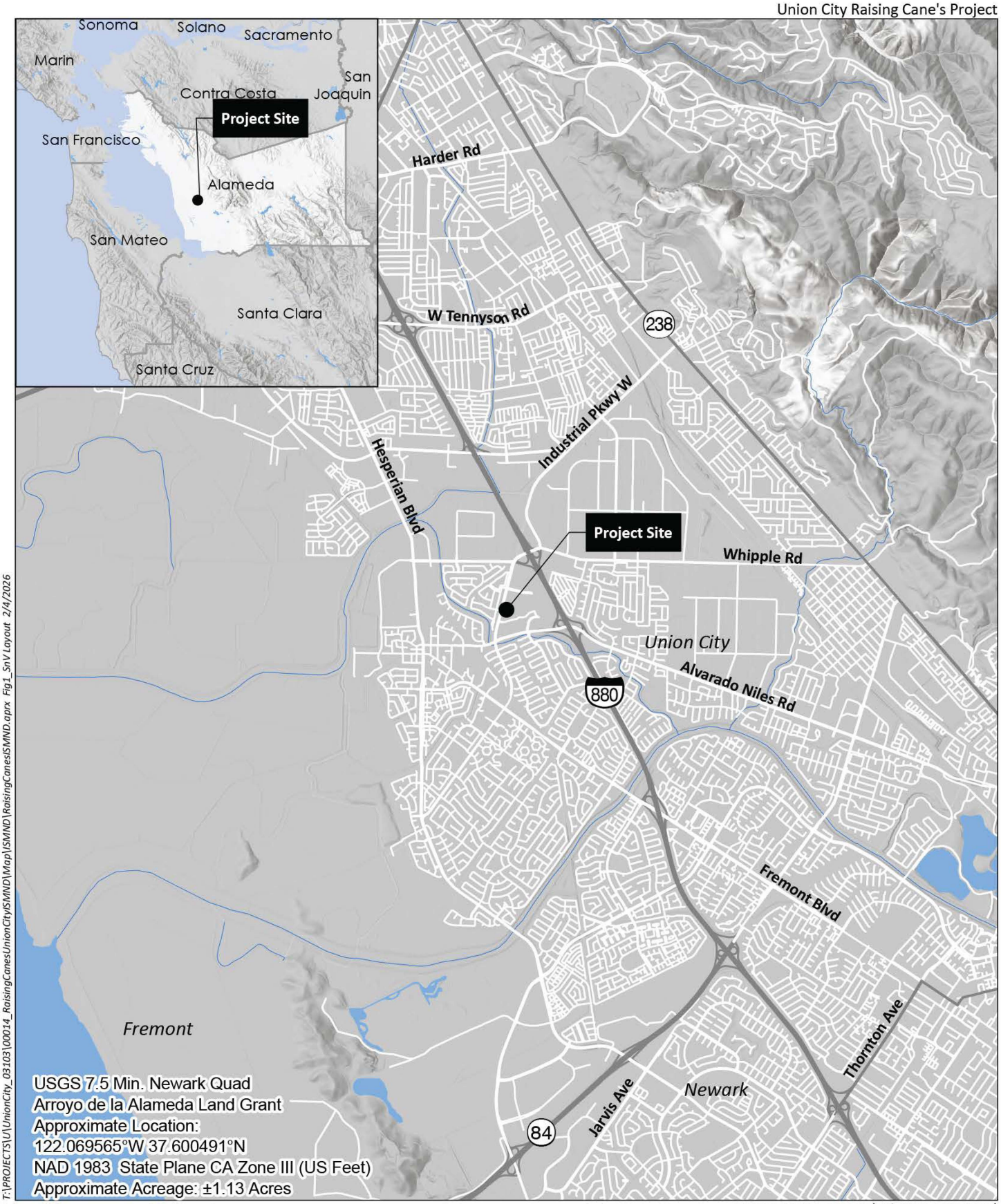
Pedestrian access to the project site would be provided from existing sidewalks along Dyer Street and from existing parking lots in the Union Landing Shopping Center area. The project would include a proposed five-foot-wide pedestrian walkway leading from Dyer Street to the proposed Raising Cane's building and a proposed five-foot-wide accessible walkway leading from the Extended Stay America hotel to the project site. These proposed five-foot-wide pedestrian walkways would continue throughout the project site to provide access to the Raising Cane's building.

Vehicle and Bicycle Access

Vehicular and bicycle access to the project site would be provided primarily from an existing driveway on Dyer Street, and would be limited to right-in/right-out only. The proposed project would widen this existing primary 30-foot-wide driveway on Dyer Street to a total width of 40 feet to allow for Raising Cane's delivery truck circulation and emergency vehicle access. Vehicles would also access the project site via a signalized driveway on Dyer Street about 200 feet to the north that would accommodate left-turns into and out of the project site. Additionally, one driveway on the north side of the project site and two driveways on the east side of the site connecting to the rest of the Union Landing Shopping Center provide vehicle access to the project site. As Dyer Street has been constructed to its ultimate buildout condition, no street improvements would be required for this development. Consistent with Union City Municipal Code (UCMC) Section 18.28.080(A), the proposed project would provide three short-term bicycle parking spaces.

Parking and Circulation

The proposed project would also include construction of a total of 45 on-site parking spaces, including two Americans with Disabilities Act (ADA) compliant spaces, and two spaces designated for mobile pickups. The proposed project would include 12 electric vehicle (EV) parking spaces with charging infrastructure, one electric van parking space with charging infrastructure, and four EV capable parking spaces in accordance with the most current California Green Building Standards Code (CALGreen) Non-Residential Voluntary Tier 2 requirements. A minimum of 26-foot-wide internal drive aisles would be constructed to provide circulation throughout the project site and accommodate delivery trucks and emergency vehicle access.



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Source: Base Map Layers (Esri, USGS, NGA, NASA)

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Site and Vicinity Map

Figure 1

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0 100 Feet

Source: Aerial (DigitalGlobe, 3/04/2025)

HELIX Environmental Planning

Aerial Map

Figure 2

Drive-Through

Two drive-through lanes would be constructed along the northern and eastern sides of the proposed building that would be capable of queuing up to 19 vehicles in total, assuming about 22 feet per vehicle, from the drive-through entry to the pick-up window. An additional 13 vehicles could be accommodated within the project parking lot before queues would spill onto Dyer Street. The proposed Raising Cane's restaurant would include the use of staff-operated manual order tablets during high-demand periods to facilitate order placement prior to vehicles reaching the menu board and primary ordering location. The menu boards and ordering equipment would be positioned on the eastern side of the proposed building to maximize separation from nearby residential uses on the western side of Dyer Street.

Lighting and Signage

Exterior lighting would include building- and pole-mounted fixtures designed to be shielded and downward-facing. Signage for the proposed project would include typical exterior signage on the restaurant building. The existing "Stay America" monument sign located in the northeastern portion of the project site would remain in place. The proposed project would include the installation of a new monument sign for the proposed project on the west side of the project site.

Landscaping and Bioretention Features

Landscaping would include frontage landscaping, perimeter buffers, and interior landscaped areas to enhance site aesthetics and provide visual screening. As seen in the landscaping plan included as Sheet L0.1 of Appendix A, Plan Set, approximately 10,140 sf, or 21 percent, of the approximately 49,223-sf total site area would be landscaped with drought tolerant plants. Subsurface drip and bubblers would be installed to provide water for landscaping.

The following drought-tolerant plants would be used for landscaping:

- Desert Willow (*Chilopsis linearis [Std.]*),
- Coast Live Oak (*Quercus agrifolia [Std.]*),
- Prostrate Woolly Grevillea (*Grevillea lanigera 'Coastal Gem'*),
- Little Olive (*Olea europaea 'Montra'*),
- Coffeeberry (*Rhamnus californica 'Eves Case'*),
- Dwarf Yedda Hawthorn (*Rhaphiolepis umbellata 'Minor'*),
- Yarrow (*Achillea 'Moonshine'*),
- Blue Flax Lily (*Dianella caerulea 'Cassa Blue'*),
- Little Rev Flax Lily (*Dianella revoluta 'Little Rev'*),
- Santa Ana Cardinal Alum Root (*Heuchera 'Santa Ana Cardinal'*),
- Blue Flame Agave (*Agave 'Blue Flame'*),
- Aloe 'Blue Elf' (*Aloe 'Blue Elf'*),
- Variegated Amole (*Beschorneria yuccoides 'Flamingo Glow'*), and
- Dwarf Mat Rush (*Lomandra longifolia 'Breeze'*)

The project would include the removal of 17 of the 20 existing on-site trees and would include the planting of approximately 12 new on-site trees, including seven desert willows and five coast live oak.

The proposed project would include construction of water quality treatment facilities consisting of bioretention features to comply with all applicable City stormwater regulations and otherwise comply

with applicable laws and regulations. Specifically, the project would include the installation of six bioretention areas to allow stormwater to infiltrate into depressed landscaped areas prior to discharge into the storm drainage system. The six bioretention systems would consist of bio-treatment soil mix placed over permeable rock and covered with mulch. An overflow riser with a grate would help direct stormwater runoff to a four-inch diameter underdrain for filtration and slow release. The bioretention areas would be planted with small cape rush (*Chondropetalum tectorum*), blue sedge (*Carex flacca*), and deer grass (*Muhlenbergia rigens*).

Utilities

The project would tie into existing on-site utility connections and would construct a new storm drain, grease interceptor, and sanitary sewer connection to serve the proposed project. Water for the project site is provided by Alameda County Water District (ACWD), sanitary and sewer services are provided by Union Sanitary District (USD), electricity is provided by Pacific Gas and Electric (PG&E), and telecommunications services are provided by AT&T and Comcast. An existing transformer and Community Antenna Television (CATV) pedestal are located in the southeast portion of the project site. An existing PG&E gas meter and service line are located in the northeast portion of the project site. The project would be all-electric and would not include any natural gas appliances or natural gas plumbing.

The existing transformer would be removed as part of demolition activities, with a new transformer proposed to be constructed in the southwest corner of the project site. The new transformer would be screened with vegetation and would connect to an existing electric primary box located along Dyer Street on the western edge of the project site. The existing CATV pedestal is proposed to be converted to a traffic rated structure, and existing service would remain in place to serve the proposed Raising Cane's restaurant as well as neighboring lots. The existing gas meter and service line along the northern frontage of the project site would be removed as part of demolition activities, and the gas service line along the western frontage of the project site would be protected in place.

Stormwater drainage improvements would include sloping gutters to on-site inlets throughout the parking lot, with stormwater directed away from the new building to the perimeter curb and gutter system and into the on-site storm drainage system, as well as construction of a new outfall structure. The six (6) bioretention features described above would be placed throughout the site and would allow for runoff to slowly release into the drainage system. These features are identified as drainage management areas (DMAs) and are shown in Sheet C14, Stormwater Quality Management Plan – DMA Exhibit of Appendix A, Plan Set. Additionally, an approximately 385-sf detached waste enclosure would be constructed just east of the Raising Cane's building.

Demolition and Construction

The proposed project would include demolition of the existing approximately 6,833-sf TGI Fridays restaurant building and removal of all associated infrastructure and foundations. Demolition activities would generate approximately 917 tons of debris. Site preparation would include clearing of approximately 500 cubic yards (CY) of vegetation and other material, and grading would include approximately 170 CY of cut and 460 CY of fill, with 100 CY of excavated soil to be removed from the site. Paving would require approximately 1,300 CY of asphalt and concrete to be imported on-site.

Project activities, including demolition, site preparation, grading/installation of underground utilities, building construction, grading, and architectural coating (i.e. painting), are currently anticipated to begin

in July 2027, with completion expected in March 2028, for an estimated nine (9) month construction period.

Operation

Once constructed, the proposed project would operate as a quick-service restaurant with drive-through service under the Raising Cane's brand. The restaurant is anticipated to operate seven days per week, with typical hours of operation between approximately 9:00 a.m. and 3:30 a.m. daily, consistent with other Raising Cane's locations. Operations would include both dine-in and take-out service, with customers ordering at a front counter within the building or via a dual-lane drive-through system. Staffing would occur across three shifts, with approximately 10 to 15 employees per shift.

Drive-through operations would represent a primary component of the project. During peak demand periods, employees may utilize handheld, staff-operated tablets to take orders from customers prior to reaching the menu board to improve throughput and reduce vehicle queue lengths. Vehicles would then proceed to a designated pick-up window where food and beverages are dispensed. Drive-through activities would include vehicle idling, incremental vehicle movement through the queue, and brief stops at ordering and pick-up locations. On-site operations would also include food preparation, customer service, and routine maintenance activities. Food preparation would occur entirely within the enclosed kitchen area and would involve typical commercial cooking equipment, including food fryers, grills, and refrigeration units. Deliveries would occur on-site every day between the hours of 5:00 a.m. and 10:00 a.m. via medium-sized trucks. Waste handling activities would include the collection and storage of refuse, organics, and recyclables within a designated waste enclosure, with regular pickup by a licensed waste hauler.

3.1 REQUIRED PERMITS AND APPROVALS

A listing and brief description of the approvals and/or regulatory permits required to implement the proposed project are provided below. This environmental document is intended to address the environmental impacts associated with the following discretionary actions and approvals. The Union City Planning Commission will review all entitlements and make a recommendation to the Union City Council to either approve or deny the proposed project.

City of Union City

- **General Plan Amendment:** The existing General Plan land use designation of the project site is Regional Retail Commercial (CRR). The proposed project does not require a change in the General Plan land use designation; however, a minor conforming General Plan amendment is required to change the applicable commercial development type sub-area from Sub-Regional Specialty Commercial (CUL-SRSC) to Community Commercial (CUL-CC), as depicted in Figure SA-12.2 of the General Plan. A General Plan text amendment is also required to reduce the minimum floor area ratio (FAR) standard applicable to the CRR designation to accommodate the project's FAR. In addition, amendments to General Plan Policies SA-12.5 and SA-12.21 are required to allow exceptions to the CUL-CC sub-area boundary limitation and authorize additional drive-through establishments, respectively.

- **Zoning Text Amendment:** The project site is within the Union Landing Commercial (CUL) District. A Zoning Map Amendment is not required; however, Zoning text amendments are

proposed to be included concurrently with the project entitlements to clarify and update the sub-area descriptions within UCMC Chapter 18.39 to ensure the zoning ordinance is consistent with the proposed General Plan Amendment and accurately reflects the updated sub-area descriptions.

- **Use Permit Approval:** Per Section 18.39.050(B) of the UCMC, a Use Permit is required for restaurants that include a drive-through food services component located in the CUL-CC zoning district that are subject to the provisions of the Drive-Through Restaurant Policy Statement from City Council Resolution 7265-89. The Use Permit will be reviewed by the City Council concurrently with the proposed General Plan amendment, Zoning text amendment, and Site Development Review pursuant to Section 18.56.070.C. The Planning Commission will review the Use Permit at a public hearing as required by Section 18.56.050 and make a recommendation of approval, conditional approval, or denial to the City Council.

- **Site Development Review:** The project would require Site Development Review approval by the City Council, pursuant to Section 18.56.070.C of the UCMC, as discussed above.

- **Consideration of the Environmental Document:** The City of Union City will act as the Lead Agency as defined by CEQA and will have authority to determine if the environmental document is adequate under CEQA and the State CEQA Guidelines.

- **Project Approval:** The City Council will consider approval of the project and the entitlements described above.

4.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" 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 and Soils	☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☒ Hydrology and Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities and Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

5.0 DETERMINATION

On the basis of 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 in 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 "potentially significant unless mitigated" impact on the environment, but at least one effect I) 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 potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name

For

6.0 ENVIRONMENTAL INITIAL STUDY CHECKLIST

The City of Union City, as lead agency, has elected to utilize the significance criteria in Appendix G of the CEQA Guidelines and has defined the column headings in the environmental checklist as follows:

A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

B. "Less Than Significant with Mitigation Incorporated" applies where the inclusion of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." All mitigation measures are described, including a brief explanation of how the measures reduce the effect to a less than significant level. Mitigation measures from earlier analyses may be cross-referenced.

C. "Less Than Significant Impact" applies where the project does not create an impact that exceeds a stated significance threshold.

D. "No Impact" applies where a project does not create an impact in that category. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

The explanation of each issue identifies the significance criteria or threshold used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significance. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [CEQA Guidelines Section 15063(c)(3)(D)]. Where appropriate, the discussion identifies the following:

a) Earlier Analyses Used. Identifies where earlier analyses are available for review.

b) Impacts Adequately Addressed. Identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Incorporated," describes the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

I. 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)	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 which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Environmental Setting

The project site is located in the western portion of the City. The topography of the project site is relatively flat with an elevation ranging from approximately 12 to 14 feet amsl. The project site is developed with a permanently closed TGI Fridays restaurant and associated infrastructure. I-880 is approximately 0.32-mile northeast of the project site, and Dyer Street borders the project site to the west. The project site is bounded to the north by Ocean Oyster Bar and Grill; to the northeast by three big box retail stores, Smart and Final, Michaels and Petco; to the east by an Extended Stay America hotel; and to the south by two restaurants, IHOP and Chili's Bar and Grill. Outside of the Union Landing Shopping Center area and to the west of the project site, on the west side of Dyer Street, over 100 single-family homes comprise a residential neighborhood.

State Route (SR) 84, also called Niles Canyon Road, between I-680 and SR 238 (Mission Boulevard) is a Caltrans-designated State scenic highway (Caltrans 2026). This segment of SR 84 is located approximately 5.6 miles southeast of the project site. Most of this route falls outside the City limits, but a section of the highway coincides with City's eastern boundary. Scenic vistas in the City include the rolling hills in the hillside area in the eastern portion of the City, marshlands in the Eden Landing Ecological Reserve, and other open space areas on the edges of the City (City 2019).

Evaluation of Environmental Impacts

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact.

Construction

The proposed project is located within the Union Landing Commercial District in a highly urbanized area

of the City. As noted above, scenic vistas in the City include the rolling hills in the hillside area in the eastern portion of the City, marshlands in the Eden Landing Ecological Reserve, and other open space areas on the edges of the City (City 2019). The proposed project would be located within the central portion of Union City, approximately 2.7 miles west of the hillside area in the eastern portion of the City and 1.3 miles east of the Eden Landing Ecological Preserve. As the project site is not located within or adjacent to any scenic resources and not highly visible from any of the scenic viewpoints due to the urbanized nature of its surroundings, construction of the proposed project would not have an adverse effect on a scenic vista.

Operation

The proposed project would be required to go through City's Site Plan Review process prior to operation. The City would evaluate the project's site design, building architecture, landscaping, lighting, parking layout, pedestrian and vehicle circulation, and other design features to determine consistency with applicable General Plan policies, zoning requirements, and development standards. The Site Plan Review process would also ensure that the restaurant with drive-through facilities is compatible with the existing commercial development within the Union Landing Shopping Center and the surrounding land uses. Additionally, as described above, the proposed project would not be located near any of the City's scenic vistas. Thus, operation of the proposed project would not have an 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?

No Impact. The proposed project is located within the Union Landing Commercial District in a highly urbanized area of the City. The nearest Caltrans-designated State scenic highway is SR 84, located approximately 4.5 miles northwest of the project site (Caltrans 2026). Due to the distance from the nearest State scenic highway and the intervening structures, the project would not damage scenic resources within a State scenic highway, and no impact would occur.

c) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. The proposed project is located in a highly urbanized area of the City. The existing General Plan land use designation of the project site is Regional Retail Commercial (CRR). As outlined in Section 3.1, *Required Permits and Approvals*, the proposed project does not require a change in the land use designation; however, a minor conforming General Plan amendment is required to change the applicable commercial development type sub-area from Sub-Regional Specialty Commercial (CUL-SRSC) to Community Commercial (CUL-CC), as depicted in Figure SA-12.2 of the General Plan. A General Plan text amendment is also required to reduce the minimum floor area ratio (FAR) standard applicable to the CRR designation to accommodate the project's FAR. In addition, amendments to General Plan Policies SA-12.5 and SA-12.21 are required to allow exceptions to the CUL-CC sub-area boundary limitation and authorize additional drive-through establishments, respectively. Zoning text amendments may be included concurrently with the project entitlements to clarify and update the sub-

area descriptions within UCMC Chapter 18.39 to ensure the zoning ordinance is consistent with the proposed General Plan Amendment and accurately reflects the updated sub-area descriptions.

UCMC Section 18.39.030 requires developments within Union Landing to incorporate substantial landscaping as part of a coordinated site design that integrates buildings, parking areas, circulation, pedestrian access, lighting, and signage with adjacent properties. Landscaping must also be used to soften the appearance of parking areas, enhance aesthetics, and improve pedestrian comfort. The proposed project would provide landscaping that would include frontage landscaping, perimeter buffers, and interior landscaped areas to enhance site aesthetics and provide visual screening. Approximately 10,140 square feet, or approximately 21 percent of the site area, would be landscaped with drought-tolerant trees, shrubs, and groundcovers, including coast live oak, desert willow, coffeeberry, flax lily, yarrow, and other plant species that would provide visual screening. Frontage landscaping, perimeter landscape buffers, and interior landscaped areas would improve the aesthetic character of the site and reduce the visual prominence of parking and paved areas, consistent with CUL district requirements for significant landscaping and enhanced site aesthetics. In addition, the project would incorporate six landscaped bioretention facilities that would provide stormwater treatment while also contributing to the site's visual character through the inclusion of native and ornamental vegetation. The proposed landscape plan would establish a cohesive and professionally designed landscape treatment consistent with City requirements and project design standards. The project would be consistent with the requirements of the CUL-CC zoning designation, which would apply to the project site upon City Council approval of the proposed General Plan amendment, as well as the applicable setback and height requirements for the CUL-CC sub-area. As the proposed project would be consistent with the CUL-CC zoning requirements, including performance criteria that address scenic quality, the impact would be less than significant.

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Exterior lighting for the proposed project would include building- and pole-mounted fixtures designed to be shielded and downward-facing, as seen in Sheet E1.01, Site Photometric Calculations Plan, of Appendix A, Plan Set. The poles would have a maximum height of 25 feet, consistent with other light poles in the Union Landing Shopping District. Any lighting associated with the project would be consistent with UCMC Section 18.30.070 which is intended to prevent light spillage and glare from signs. Additionally, the project site is located within the broader Union Landing Shopping Center area which includes existing commercial uses and lighting. UCMC Section 18.39.030 lists performance criteria for the CUL-CC sub-area which require adequately lit pedestrian and parking areas, buildings of high-quality architectural design that reflect Union City architectural themes, and site designs that incorporate significant landscaping and integrate circulation, access, lighting, signage, and parking with adjacent properties. The proposed project includes the installation of exterior lighting (e.g., building and pole-mounted fixtures) designed to be shielded and downward-facing. The existing "Stay America" monument sign located in the northeastern portion of the project site would remain in place, and a new monument sign would be installed for the proposed project on the west side of the project site.

Based on the urbanized setting and conformance with the design and performance criteria included in UCMC Sections 18.30.070 and 18.39.030, the proposed project would not create a new source of substantial light and glare that would adversely affect day or nighttime views in the area, and the impact would be less than significant.

II. 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 the 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

The California Department of Conservation (DOC), Division of Land Resource Protection, maintains the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the State's farmland to and from agricultural use. The program maintains an inventory of State agricultural land and updates its Important Farmland Series Maps every two years. According to the FMMP Important Farmland Finder, the project site is mapped as urban and built-up land (DOC 2026a). Urban and built-up land is defined by the California Department of Conservation as land occupied by structures or infrastructure with a building density of at least one unit to one and one-half acres, or approximately six structures to a 10-acre parcel.

Evaluation of Environmental Impacts

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

No Impact. According to the FMMP Important Farmland Finder, the project site is mapped as Urban and Built-Up Land (DOC 2026a). The project site is located within an urbanized area of the City and currently features an existing TGI Fridays restaurant that has been closed and unused since October 2024. The

project site is not currently used for agricultural purposes. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and no impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is currently zoned CUL-SRSC, which does not permit faming or agricultural uses, and is not under a Williamson Act contract. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and no impact would occur.

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))?

No Impact. As discussed under the response to question b) above, the project site is currently zoned CUL-SRSC. The project site is not zoned forest land, timber land, or timberland zoned Timberland Production. Therefore, the proposed project would not conflict with existing zoning, or causing rezoning of, forest land, timber land, or timberland zoned Timberland Production, and no impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The project site is located within an urbanized area of the City and currently features an existing TGI Fridays restaurant, which has been closed and unused since October 2024. The project site does not include forest land, as defined by Public Resources Code Section 12220(g). Therefore, the proposed project would not result in the loss or conversion of forest land to non-forest use, and no impact would occur.

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?

No Impact. The project site is located within an urbanized area of the City and currently features an existing TGI Fridays restaurant, which has been closed and unused since October 2024. The proposed project would include the demolition of the permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through. The project would not result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, no impact would occur.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. 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?	☐	☐	☒	☐

An Air Quality and Greenhouse Gas Emissions Assessment was prepared by HELIX (HELIX 2026) and is included as Appendix B to this IS/MND.

Environmental Setting

The project site is located within the San Francisco Bay Area Air Basin (SFBAAB). Air quality in the SFBAAB is regulated by the U.S. Environmental Protection Agency (USEPA) at the federal level, by the California Air Resources Board (CARB) at the State level, and by the Bay Area Air District at the regional level.

The project site currently features an existing approximately 6,833 sf TGI Fridays restaurant that has been closed and unused since October 2024 as well as an existing asphalt parking lot, a waste enclosure, two approximately 150-gallon aboveground storage tanks, a grease interceptor, various site utilities, and other miscellaneous site features, including landscaping and lighting improvements.

Sensitive Receptors

CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution (sensitive receptors): adults over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005; OEHHA 2015). Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptor locations. Examples of these sensitive receptor locations are residences, schools, hospitals, and daycare centers.

The nearest sensitive receptor locations to the project site are single-family residential homes located approximately 150 feet from the project site's property line and at least 200 feet from the proposed restaurant building and drive-through lanes. The closest school to the project site is Alvarado Middle School, located approximately 0.43 mile southwest of the project site. The closest daycare centers to the project site are Grace Chinese Daycare, located approximately 0.25 mile northwest of the project site, and Care Bear Daycare, located approximately 0.44 mile southwest of the project site.

Regulatory Setting

Criteria Pollutants

Air quality at the regional level is defined by ambient air concentrations of specific pollutants, identified as criteria pollutants. Criteria pollutants are defined and regulated by State and federal law as a risk to the health and welfare of the public and are categorized into primary and secondary pollutants. Primary air pollutants are those that are emitted directly from sources, including carbon monoxide (CO); reactive organic gases (ROG), also known as volatile organic compounds (VOCs); [1] nitrogen oxides (NO_X); sulfur dioxide (SO_2); coarse particulate matter (PM_{10}); fine particulate matter ($PM_{2.5}$); and lead. Of these primary pollutants, CO, SO_2, PM_{10}, $PM_{2.5}$, and lead are criteria pollutants. ROGs and NO_X are criteria pollutant precursors and go on to form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. The principal secondary criteria pollutants are ozone and nitrogen dioxide (NO_2). In addition to being primary pollutants, PM_{10} and $PM_{2.5}$ can be secondary pollutants formed by chemical reactions in the atmosphere.

Ambient air quality is described in terms of compliance with State and national standards and the levels of air pollutant concentrations considered safe to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and people engaged in strenuous work or exercise. The USEPA has established national ambient air quality standards (NAAQS) for criteria pollutants. As permitted by the Clean Air Act (CAA), California has adopted the more stringent California ambient air quality standards (CAAQS) and expanded the number of regulated air pollutant constituents.

The USEPA and CARB are required to designate areas of the state as attainment, nonattainment, or unclassified for the NAAQS and CAAQS. Designations are based on air quality data collected at multiple urban and rural monitoring stations in an area. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "nonattainment" designation indicates that a pollutant concentration violated the standard. An "unclassifiable" or "unclassified" designation indicates that insufficient data was available to determine compliance with pollutant concentrations standards.

The project site is located within the City of Union City, which lies within the SFBAAB. The air quality attainment status of the SFBAAB, including the project site, is shown in Table 1, *San Francisco Bay Area Air Basin Attainment Status*. The SFBAAB is currently in nonattainment for 8-hour ozone and 24-hour $PM_{2.5}$ with respect to NAAQS. The SFBAAB is currently in nonattainment for 1-hour ozone, 8-hour ozone,

[1] CARB defines and uses the term ROGs while the USEPA defines and uses the term VOCs. The compounds included in the lists of ROGs and VOCs and the methods of calculation are slightly different. However, for the purposes of estimating criteria pollutant precursor emissions, the two terms are often used interchangeably.

PM_{10} and $PM_{2.5}$ with respect to CAAQS (Bay Area Air District 2025).

Table 1
SAN FRANCISCO BAY AREA AIR BASIN ATTAINMENT STATUS

Pollutant	State of California Attainment Status	Federal Attainment Status
Ozone (8-hour)	Nonattainment	Nonattainment (marginal)
Ozone (1-hour)	Nonattainment	No Federal Standard
Suspended Particulate Matter (PM_{10})	Nonattainment	Attainment/Unclassified
Fine Particulate Matter ($PM_{2.5}$)	Nonattainment	Nonattainment (moderate)
Carbon Monoxide (CO)	Attainment	Attainment/Unclassified
Nitrogen Dioxide ($N0_2$)	Attainment	Attainment/Unclassified
Lead	Attainment	Attainment/Unclassified
Sulfur Dioxide (SO_2)	Attainment	Attainment/Unclassified
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: Bay Area Air District 2025

Toxic Air Contaminants

Toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. TACs can cause long-term chronic health effects, such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye-watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. Health effects from TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic -health effects, there is no level of exposure to the TAC that is considered safe, and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic -health effects differ in that there is generally assumed to be a safe level of exposure to the TAC below which no negative noncarcinogenic health effect is expected to occur. These levels are determined on a pollutant-by-pollutant basis.

The Health and Safety Code (Section 39655[a]) defines TAC as "an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health." All substances that are listed as hazardous air pollutants pursuant to subsection (b) of Section 112 of the CAA (42 United States Code Sec. 7412[b]) are designated as TACs. Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or that may pose a present or potential hazard to human health.

Diesel Particulate Matter

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid materials. The solid material in diesel exhaust is referred to as diesel particulate matter (DPM). Almost all DPM is 10 microns or less in diameter, and 90 percent of DPM is 2.5 microns or less in diameter (CARB 2026a). Because of their extremely small size, these particles can be inhaled and eventually trapped in the

bronchial and alveolar regions of the lung. In 1998, CARB identified DPM as a TAC based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. DPM has a notable effect on California's population—it is estimated that about 70 percent of the total known cancer risk related to air toxics in California is attributable to DPM (CARB 2026a).

Asbestos

Asbestos is a mineral fiber that naturally occurs in some rock and soil. Long-term exposure to airborne asbestos fibers has been linked to major health effects including lung cancer; mesothelioma, a rare form of cancer that is found in the thin lining of the lung, chest and the abdomen and heart; and asbestosis, a serious progressive, long-term, non-cancer disease of the lungs (USEPA 2026a). Naturally occurring asbestos (NOA) most commonly occurs in ultramafic rock (i.e., igneous and metamorphic rock with low silica content) that has undergone partial or complete alteration to serpentine rock (or serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, is associated with ultramafic rock, particularly near geological faults. The project site is not located in or near an area determined to be likely to contain NOA (California Department of Conservation 2011). Because of its fiber strength and heat resistance, asbestos has been used in a variety of building construction materials for insulation and as a fire retardant, primarily in buildings constructed before 1979. Asbestos fibers may be released into the air by the disturbance of asbestos containing material (ACM) during demolition activities. ACMs may be present in building materials such as walls, ceilings, insulation, or fireproofing in older (pre-1979) buildings.

Lead Based Paint

Lead is a naturally occurring metallic element that is found in small amounts in the Earth's crust. In addition to its status as a criteria pollutant, lead is listed as a TAC because, depending on the level and duration of exposure, lead can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and the cardiovascular system. There is also a probable link between lead exposure and kidney cancer, brain cancer (gliomas), and lung cancer (USEPA 2026b). Lead particulate matter can be emitted during demolition and renovation activities that disturb material that contains lead-based paint (LBP), most typically found in structures built before 1978.

Bay Area Air District

CEQA Air Quality Guidelines

The Bay Area Air District CEQA Air Quality Guidelines provides technical guidance for evaluating air quality impacts for projects and plans in the SFBAAB. The guidelines include recommended thresholds of significance; methods of analyzing impacts; best practices for consideration of environmental Justice, health, and equity; guidance for project-level and plan-level impact analysis; and recommended mitigation measures (Bay Area Air District 2023).

Air Quality Plans

The Bay Area Air District is responsible for preparing plans to attain ambient air quality standards in the SFAAB. The Bay Area Air District prepares ozone attainment plans for the national ozone standard and clean air plans for the California standard, both in coordination with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG).

The Bay Area Air District adopted the 2017 Clean Air Plan in April 2017. The 2017 Clean Air Plan addresses nonattainment of the federal 8-hour ozone standard and State 1-hour and 8-hour ozone standards in the SFBAAB, as well as nonattainment of federal and State PM standards. The 2017 Clean Air Plan establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving attainment of the CAAQS and NAAQS. The 2017 Clean Air Plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, updated emission inventory methodologies for various source categories, and the latest population growth projections and vehicle miles traveled (VMT) projections for the region. The 2017 Clean Air Plan defines a control strategy that the Bay Area Air District and its partners will implement to (1) reduce emissions and decrease ambient concentrations of harmful pollutants; (2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily impacted by air pollution; and (3) reduce greenhouse gas (GHG) emissions to protect the climate. It is important to note that in addition to updating the previously prepared ozone plan, the 2017 Clean Air Plan also serves as a multipollutant plan to protect public health and the climate. In its dual role as an update to the State ozone plan and a multipollutant plan, the 2017 Clean Air Plan addresses four categories of pollutants (Bay Area Air District 2017):

- Ground-level ozone and its key precursors, ROG, and NO_X
- Particulate matter: primary $PM_{2.5}$, as well as precursors to secondary $PM_{2.5}$
- Air toxics
- GHGs

The 2017 Clean Air Plan includes local guidance for the State Implementation Plan, which includes the framework for air quality basins to achieve attainment of the State and federal ambient air quality standards.

Regulations and Rules

The following Bay Area Air District regulations and rules would be applicable to the project:

Regulation 2, Rule 1, Permits: This rule specifies the requirements for authorities to construct and permit a project.

Regulation 6, Rule 1, General Requirements: limits the quantity of particulate matter in the atmosphere through the establishment of limitations on emission rates, emission concentrations, visible emissions and opacity.

Regulation 6, Rule 6, Prohibition of Trackout: limits the quantity of fugitive dust in the atmosphere through control of trackout of solid materials onto paved public roads outside the boundaries of large construction sites (more than one acre).

Regulation 8, Rule 1, General Provisions: This rule limits the emission of organic compounds into the atmosphere.

Regulation 8, Rule 3, Architectural Coatings: limits the VOC content of architectural coatings (e.g., paint) manufactured, sold, supplied, or applied in the SFBAAB.

Regulation 8, Rule 15, Emulsified and Liquid Asphalts: This rule limits the emissions of VOCs caused by the use of emulsified and liquid asphalt in paving materials and paving and maintenance operations.

Regulation 11, Rule 2, Asbestos Demolition, Renovation, and Manufacturing: controls emissions of asbestos to the atmosphere during demolition and renovation and establishes appropriate waste disposal procedures. Prior to the commencement of any demolition, a survey is required to determine if ACM is present. The Bay Area Air District must be notified prior to commencement of all demolition projects, regardless of whether asbestos is present.

Methodology and Assumptions

Criteria pollutant and precursor emissions, and GHG emissions for the project construction and operational activities were calculated using the California Emissions Estimator Model (CalEEMod), version 2022.1. CalEEMod is a Statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California air districts. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The model calculates emissions of criteria pollutants, ozone precursors, and GHGs. The calculation methodology and input data used in CalEEMod can be found in the CalEEMod User's Guide Appendices A, C, and D (CAPCOA 2026). The input data and subsequent construction emission estimates for the proposed project are discussed below.

Construction Assumptions

Construction of the proposed project is anticipated to begin in July 2027 and be completed by March 2028. The construction activity schedule was estimated using data provided by the project engineer. The anticipated project construction schedule is shown in Table 2, *Project Construction Schedule*.

Table 2
PROJECT CONSTRUCTION SCHEDULE

Construction Activity	Start Date	End Date	Workdays
Site Preparation	7/1/2027	7/31/2027	22
Demolition	8/1/2027	8/13/2027	10
Grading and Underground Utilities Installation	8/14/2027	10/13/2027	43
Building Construction	10/14/2027	2/13/2028	87
Paving	2/14/2028	3/13/2028	21
Architectural Coating (i.e. painting)	3/14/2028	3/20/2028	5

Source: CalEEMod (See Attachment B in Appendix B)

Construction Off-Road Equipment

Construction is assumed to occur five days per week with equipment operating up to eight hours per day. Construction equipment for each construction activity was provided by the project engineer. Table 3, *Project Construction Equipment*, shows the assumed equipment that would be involved in each activity of construction. Off-highway trucks included in the modeling would be water trucks.

Table 3
PROJECT CONSTRUCTION EQUIPMENT

Construction Activity	Equipment	Number
Site Preparation	Rubber Tired Dozer	1
	Excavator	1
	Skid Steer Loader	1
	Roller	1
	Off Highway Truck	1
Demolition	Rubber Tired Dozer	1
	Excavator	1
	Skid Steer Loader	1
	Off Highway Truck	1
Grading/Underground Utilities Installation	Grader	1
	Rubber Tired Dozer	1
	Skid Steer Loader	2
	Roller	1
	Excavator	1
	Off Highway Truck	1
Building Construction	Skid Steer Loader	1
	Off Highway Truck	1
Paving	Roller	1
	Skid Steer Loader	1
	Pavers	1
	Paving Equipment	1
Architectural Coating (i.e. painting)	Air Compressors	1

Source: CalEEMod (See Attachment B in Appendix B)

Construction On-Road Trips

Worker commuter trips and vendor delivery trips were modeled based on information provided by the project engineer and on modeling defaults. Worker trips are anticipated to vary up to 18 one-way trips per day, depending on the construction activity. Per the project engineer, approximately 500 cubic yards (CY) of vegetation and cleared material (3 one-way daily hauling trips) would be exported off-site during site preparation, and 100 CY of soil (less than 1 one-way daily hauling trips) would be exported off-site during grading. Per the project engineer, approximately 917 tons of debris, including building material, pavement, asphalt, and concrete (23 one-way daily hauling trips) would be exported off-site during demolition. CalEEMod default assumptions for building construction worker and vendor trips were unrealistically low. Therefore, to provide a conservative analysis, 18 one-way daily worker trips (matching the peak daily worker trips for other activities) and 2 one-way daily vendor trips were assumed in the model, resulting in emission estimates that are likely higher than those expected under actual project conditions. Paving haul trips were added for the import of approximately 1,300 CY of asphalt and concrete, assuming 16 CY per truckload. As the project site is in an urban area, it is anticipated that all project trips would be on paved roads. CalEEMod default trips distances were used.

Construction Architectural Coatings

Architectural coatings applied during construction were assumed to be interior and exterior building coatings and pavement marking. Per modeling defaults and Bay Area Air District Regulation 8, Rule 3, building interior and exterior paint would have a maximum VOC content of 50 grams per liter (g/L).

Operational Assumptions

Operational impacts were estimated using CalEEMod. Operational sources of emissions include mobile (transportation), area, energy, water/wastewater, waste, and refrigerants. Operational emissions are calculated for the earliest anticipated full year of operation – 2029.

Mobile

Operational emissions from mobile source emissions are associated with project-related vehicle trip generation and trip length. Based on the trip generation rate from the Transportation Impact Analysis (TIA), the project would generate 887 average daily trips (ADT), which includes a 1,084 daily pass-by trip[2] reduction (Fehr & Peers 2026). As the trip generation rate from the Transportation Impact Analysis already included a pass-by trip reduction, all trips in CalEEMod were assumed to be primary trips.

Area

Area sources include emissions from landscaping equipment, the use of consumer products, the reapplication of architectural coatings for maintenance, and hearths. Emissions associated with area sources were estimated using the CalEEMod default values for a fast-food restaurant with a drive-through.

Energy

Electricity generation typically entails the combustion of fossil fuels, including natural gas and coal, which is then transmitted to end users. A building's electricity use is thus associated with the off-site or indirect emission of GHGs at the source of electricity generation. The project would use electricity for lighting, heating, cooling, and appliances. Electricity generation was based on CalEEMod defaults. CalEEMod/CAPCOA Measure E-15, *Require All-Electric Development*, was applied as the project would be required to be all electric.

Water

Water-related GHG emissions are from the conveyance and treatment of water and wastewater. Per the project engineer, the project would use approximately 18,000 gallons of water per day for indoor use and 230 gallons of water per day for outdoor use.

Waste

The disposal of solid waste produces GHG emissions from anaerobic decomposition in landfills, incineration, and transportation of waste. CalEEMod determines the GHG emissions associated with disposal of solid waste into landfills. Portions of these emissions are biogenic. CalEEMod methods for quantifying GHG emissions from solid waste are based on the IPCC method using the degradable organic content of waste. Per the project engineer, the project would generate 9,000 pounds of solid waste (i.e. trash) per week.

[2] Pass-by trips are trips already on the adjacent roadway network that stop at the site as an interim stop to their final destination.

Refrigerants

CalEEMod calculates GHG emissions associated with refrigerants (typically HFCs or blends of gases containing HFCs) which are emitted through leakage or maintenance from project refrigeration systems, freezers, and air conditioning systems. Refrigerant emissions were calculated using CalEEMod defaults.

Standards of Significance

According to Appendix G of the State CEQA Guidelines, a project would have a significant air quality environmental impact if it would:

1. Conflict with or obstruct implementation of the applicable air quality plan; or

2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard; or

3. Expose sensitive receptors to substantial pollutant concentrations; or

4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Appendix G of the State CEQA Guidelines states that the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. The Bay Area Air District has adopted thresholds which lead agencies can use to determine the significance of a development project's short-term construction and long-term operational pollutant emissions. The Bay Area Air District's 2022 thresholds of significance for criteria pollutants and precursors are shown in Table 4, *Bay Area Air District Significance Thresholds* (Bay Area Air District 2023).

Table 4
BAY AREA AIR DISTRICT SIGNIFICANCE THRESHOLDS

Pollutant	Construction	Operation	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Maximum Annual Emissions (tons/year)
Reactive Organic Gases (ROG)	54	54	10
Nitrogen Oxides (NO_X)	54	54	10
Particulate Matter Exhaust (PM_{10})	82	82	15
Fine Particulate Matter Exhaust ($PM_{2.5}$)	54	54	10
PM_{10} and $PM_{2.5}$ Fugitive Dust	BMPs[1]	none	none
Local Carbon Monoxide (CO)	none	9.0 ppm (8-hour average), 20.0 ppm (1-hour average)	
Sulfur Oxides (SO_X)	none	none	none

Source: Bay Area Air District 2023
ppm = part per million; BMP = Best Management Practices
[1] Rather than a numeric threshold for construction fugitive dust, Bay Area Air District recommends that lead agencies consider projects which implement the Basic Construction Best Management Practices to have a less than significant impact related to fugitive dust.

Evaluation of Environmental Impacts

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. Conflicts with an air quality plan are determined by whether the project would hinder implementation of control measures identified in the air quality plan or would result in growth of population or employment that is not accounted for in local and regional planning. The 2017 Clean Air Plan is the applicable air quality plan for the SFBAAB and Union City. The Bay Area Air District provides the following criteria for determining if a project would conflict with an air quality plan (Bay Area Air District 2023):

- Does the project support the primary goals of the air quality plan?
- Does the project include all applicable control measures from the air quality plan?
- Would the project disrupt or hinder implementation of any control measure from the air quality plan?

The primary goals of the 2017 Clean Air Plan are to protect public health by meeting air quality standards and to reduce GHG emissions to meet long-term State targets. The General Plan land use designation of the project site is CRR. The proposed project does not require a change in the land use designation; however, a General Plan amendment is required to change the applicable commercial development type sub-area from CUL-SRSC to CUL-CC, as depicted in Figure SA-12.2 of the General Plan. In addition, amendments to General Plan Policies SA-12.5 and SA-12.21 are required to allow exceptions to the CUL-CC sub-area boundary limitation and authorize additional drive-through establishments, respectively.

A General Plan amendment is also required to reduce the minimum FAR standard applicable to the CRR designation to accommodate the project's FAR. The required minimum FAR range for new commercial developments under the General Plan is 0.25. The proposed project would have a FAR of 0.07 and is therefore seeking an amendment to reduce the minimum required FAR under the General Plan. As the FAR would decrease upon City Council approval of the General Plan Amendment, any employment growth in the City as a result of the project (which can be approved only after City Council approval of the proposed General Plan Amendment) would be less than the growth assumptions of the City's General Plan. Additionally, as discussed in the response to question b), below, project construction and operational emissions of criteria pollutants and precursors would be minimal and would not exceed the Bay Area Air District thresholds.

Most control measures in the 2017 Air Quality Plan are implemented at the programmatic level. The only air quality control measure applicable to the project in the 2017 Clean Air Plan would be Stationary Source Measure SS33, Commercial Cooking Equipment, which applies to char broilers. The project would not use char broilers or any other open-flame cooking method. Therefore, the project would not conflict with or obstruct implementation of the 2017 Clean Air Plan, and the impact would be less than significant.

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?

Less Than Significant with Mitigation Incorporated. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in the nonattainment of ambient air quality standards. Instead, the potential for a project's individual emissions to contribute to existing cumulatively significant adverse air quality impacts is evaluated below.

Construction Emissions

CalEEMod was used to quantify project construction emissions, as discussed in *Methodology and Assumptions*. The model output report is included in Attachment B to Appendix B. Construction of the proposed project is anticipated to begin in July 2027 and be completed in March 2028. The quantity, duration, and intensity of construction activity influence the amount of construction emissions and related pollutant concentrations that occur at any one time. As such, the emission forecasts provided reflect a specific set of conservative assumptions based on the expected construction scenario of a relatively large amount of construction activity is occurring in a relatively intensive manner (i.e. over a fairly short amount of time). Because of these conservative assumptions, actual emissions from construction of the project could be less than those forecasted. If construction is delayed or occurs over a longer time period, emissions could be reduced because of: (1) a more modern and cleaner-burning construction equipment fleet mix than assumed in CalEEMod; and/or (2) a less intensive buildout schedule (i.e., fewer daily emissions occurring over a longer time interval).

The project's average daily construction period emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$ are compared to the Bay Area Air District's construction thresholds in Table 5, *Average Daily Construction Emissions*. The Bay Area Air District does not have a recommended threshold for construction-generated CO and SO_X.

Table 5
AVERAGE DAILY CONSTRUCTION EMISSIONS

Year	Pollutant Emissions (pounds per day)							
	ROG	**NO_X**	**CO**	**SO_X**	**Fugitive PM_{10}**	**Exhaust PM_{10}**	**Fugitive $PM_{2.5}$**	**Exhaust $PM_{2.5}$**
2027	0.7	5.7	6.7	<0.1	1.1	0.2	0.5	0.7
2028	0.7	1.8	3.0	<0.1	0.1	<0.1	<0.1	<0.1
Maximum Average Daily Emissions	**0.7**	**5.7**	**6.7**	**<0.1**	**1.1**	**0.2**	**0.5**	**0.7**
Average Daily Thresholds	*54*	*54*	*none*	*none*	*BMPs*	*84*	*BMPs*	*54*
Exceed Threshold?	***No***	***No***	***No***	***No***	***No***	***No***	***No***	***No***

Source: CalEEMod (output data is provided in Attachment B to Appendix B); Thresholds – Bay Area Air District 2023
ROG = reactive organic gas; NO_X = nitrogen oxides; CO = carbon monoxide; SO_X = sulfur oxides;
PM_{10} = particulate matter 10 microns or less in diameter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

As shown above, the project's daily construction emissions would not exceed the Bay Area Air District's daily significance thresholds for ROG, NOx, exhaust PM10, and exhaust PM2.5. However, the Bay Area Air District considers projects that do not implement their Basic Construction Mitigation Measures (BCCMs) to have potentially significant fugitive PM_{10} and $PM_{2.5}$ emissions. Thus, the project would be subject to Mitigation Measure AQ-1, which would require implementation of the Bay Area Air District's BCMMs. The emissions estimated above in Table 5 assume the implementation of the Bay Area Air District recommended BCMMs for fugitive PM_{10} and $PM_{2.5}$, as required under Mitigation Measure AQ-1,

below. Mitigation Measure AQ-1 requires fugitive control measures, including, but not limited to, watering exposed surfaces a minimum of twice per day.

Operational Emissions

CalEEMod was used to quantify project operational emissions, as discussed in *Methodology and Assumptions*. Long-term operation of the project would result in emissions of criteria pollutants and precursors from mobile sources related to the use of vehicles for worker commute trips, customer trips and vendor trips; and area sources such as the use of landscape maintenance equipment, cleaning products, and the re-application of architectural coatings for maintenance (e.g., painting). The project's average daily and maximum annual operational emissions of ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$ are compared to the Bay Area Air District's construction thresholds in Table 6, *Operational Emissions*. The Bay Area Air District does not have a recommended threshold for operational-generated CO, SO_X, and fugitive PM_{10} and $PM_{2.5}$.

Table 6
OPERATIONAL EMISSIONS

Source	Pollutant Emissions							
	ROG	**NO_X**	**CO**	**SO_X**	**Fugitive PM_{10}**	**Exhaust PM_{10}**	**Fugitive $PM_{2.5}$**	**Exhaust $PM_{2.5}$**
Average Daily Emissions (pounds per day)								
Mobile	2.6	2.0	21.2	0.1	5.6	<0.1	1.4	<0.1
Area	0.1	<0.1	0.1	<0.1	-	<0.1	-	<0.1
Energy	0.0	0.0	0.0	0.0	-	0.0	-	0.0
Total Average Daily Emissions	**2.6**	**2.0**	**21.2**	**0.1**	**5.6**	**<0.1**	**1.4**	**<0.1**
Average Daily Threshold	*54*	*54*	*none*	*none*	*none*	*84*	*none*	*54*
Exceed Daily Threshold?	***No***	***No***	***No***	***No***	***No***	***No***	***No***	***No***
Maximum Annual Emissions (tons per year)	0.5	0.4	3.6	<0.1	1.0	<0.1	0.3	<0.1
Maximum Annual Threshold	*10*	10	*none*	*none*	*none*	15	*none*	10
Exceed Annual Threshold?	***No***	***No***	***No***	***No***	***No***	***No***	***No***	***No***

Source: CalEEMod (output data is provided in Attachment B in Appendix B); Thresholds – Bay Area Air District 2023
ROG = reactive organic gas; NO_X = nitrogen oxides; CO = carbon monoxide; SO_X = sulfur oxides; PM_{10} = particulate matter 10 microns or less in diameter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter.

As shown above, the proposed project's daily and annual operational emissions would not exceed the Bay Area Air District's daily thresholds.

Impact Conclusion

As shown above, the project's daily construction or operational emissions would not exceed the Bay Area Air District's daily significance thresholds for ROG, Nox, exhaust PM_{10}, and exhaust $PM_{2.5}$. However, the Bay Area Air District considers projects that do not implement their BCMMs to have potentially significant fugitive PM_{10} and $PM_{2.5}$ emissions during construction. Mitigation Measure AQ-1 would require implementation of the Bay Area Air District's BCMMs. Therefore, with implementation of Mitigation Measure AQ-1, the project would not result in a cumulatively considerable net increase of

any criteria pollutant for which the project region is nonattainment, and the impact wouldess than significant.

Mitigation Measure AQ-1: Basic Construction Mitigation Measures

All project construction activities shall implement the Bay Area Air District's Basic Construction Mitigation Measures (BCMMs). Prior to issuing construction permits, the City shall require on all demolition, grading, building, and other construction permits for the project, implementation of the following BCMMs:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. As discussed in *Sensitive Receptors*, above, the nearest sensitive receptor location to the project site is single-family residential homes located approximately 150 feet from the project site's property line and at least 200 feet from the proposed restaurant building and drive-through lanes. The potential for the proposed project to expose sensitive receptors to substantial pollutant concentrations is evaluated below.

Demolition Emissions

Toxic Air Contaminants – Asbestos and Lead Based Paint

The existing TGI Fridays building, to be demolished as part of the project, was built in 1999. The building was built in an era when asbestos and LBP were not typically used in construction materials, and project demolition activities are not anticipated to have the potential to disturb friable ACM and LBP. However, as discussed in *Regulator Setting*, above, per the Bay Area Air District Regulation 11, Rule 2—prior to commencement of any demolition, regardless of the age of the structure, a survey is required to determine if ACM is present and the Bay Area Air District must be notified. In addition, the California Health and Safety Code Section 19827.5, *Asbestos Notification Requirement for Demolition Permits*, prohibits the issuance of a demolition permit unless the applicant provides copies of all required asbestos notifications submitted to the USEPA or designated State agencies under 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants [NESHAP]). Compliance with Bay Area Air District regulations, California Health and Safety Codes, and NESHAP requirements, would ensure that sensitive receptors are not exposed to substantial concentrations of airborne asbestos and LBP.

Construction Emissions

Toxic Air Contaminants – DPM

Implementation of the project would result in the use of heavy-duty construction equipment, haul trucks, and construction worker vehicles. These vehicles and equipment could generate the TAC, DPM. Generation of DPM from construction projects typically occurs in a localized area (e.g., at the project site) for a short period of time. Because construction activities and subsequent emissions vary depending on the phase of construction (e.g., grading, building construction), the construction-related emissions to which nearby receptors are exposed would also vary throughout the construction period. During some equipment-intensive phases, such as grading, construction-related emissions would be higher than other less equipment-intensive phases, such as building construction. The most intensive use of heavy diesel-powered off-road equipment during project construction would occur during demolition, site preparation and grading, which are anticipated to last a combined total of approximately 3.5 months. In addition, DPM disperses rapidly with distance: concentrations of mobile-source DPM emissions are typically reduced by 70 percent at approximately 500 feet (CARB 2005). In addition, the closest sensitive receptor locations are west of the project site and the predominant wind in the area is from the west to northwest (as measured at the Hayward Executive Airport; Iowa Environmental Mesonet 2026), which would push project construction emissions to the east, away from sensitive receptor locations.

Considering the short duration of intensive construction activity, the highly dispersive nature of DPM, the small size of the project disturbed area (which limits the size and number of off-road equipment used), the predominant wind direction away from sensitive receptor locations, and the fact that construction activities would occur at various locations throughout the project site and would not be concentrated near sensitive receptor locations, construction of the project would not expose off-site sensitive receptors to substantial DPM concentrations.

Operational Emissions

Carbon Monoxide Hotspots

Vehicle exhaust is the primary source of CO. In an urban setting, the highest CO concentrations are generally found in close proximity to congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as distance from the emissions source (i.e., congested intersection) increases. Project-generated traffic has the potential of contributing to localized "hot spots" of CO off-site. Because CO is a byproduct of incomplete combustion, exhaust emissions are worse when fossil-fueled vehicles are operated inefficiently, such as in stop-and-go traffic or through heavily congested intersections. Because CO disperses rapidly, hotpots are most likely to occur in areas with limited vertical mixing such as tunnels, long underpasses, or below-grade roadways.

The Bay Area Air District provides screening criteria to determine if a proposed development project would result in a less than significant impact on localized CO concentrations:

- 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.

- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.

- The 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.

The applicable congestion management program is the Alameda County Congestion Management Program administered by the Alameda County Transportation Commission (Alameda CTC). Per the TIA, operation of the project would not substantially affect traffic operations at the study intersections. The signalized Dyer Street/Shopping Center Driveway intersection would operate at level of service (LOS) B under both Existing and Existing Plus Project conditions, while the Dyer Street/project Driveway intersection would operate at LOS A during the peak morning hour and LOS B during the peak afternoon hour under both conditions. The maximum increase in average vehicle delay attributable to the project would be approximately 3.3 seconds (Fehr & Peers 2026). Because the project would not cause a degradation of level of service, create deficient intersection operating conditions, or result in a substantial increase in intersection delay, it would not adversely affect the operation of the local circulation system or conflict with implementation of the Alameda County Congestion Management Program.

Per the TIA, the highest volume project-affected intersection would be the intersection of Dyer Street and the Union Landing Shopping Center driveway which would carry 2,063 vehicles during the peak hour under existing plus project conditions (Fehr & Peers 2026). Therefore, all project-affected intersections would have peak-hour traffic volumes below the Bay Area Air District screening criteria of 44,000 vehicles per hour, or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited. Therefore, the project would not cause or contribute to a CO hotspot.

Impact Conclusion

Neither construction nor operation of the project would expose sensitive receptors to substantial pollutant concentrations, including concentrations of fugitive dust containing asbestos or LBP, DPM, or CO. The impact would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact.

The project would include the demolition of an existing TGI Fridays restaurant and associated infrastructure, and the construction of a Raising Cane's restaurant.

Construction

Emissions from construction equipment, such as diesel exhaust, may generate odors; however, these odors would be temporary, intermittent, and not expected to affect a substantial number of people. Additionally, noxious odors would be confined to the immediate vicinity of construction equipment and would cease when the approximately nine (9) month construction schedule ends.

Operation

The Bay Area Air District CEQA Air Quality Guidelines provide Odor Screening Distances for odor-generating facilities, which include wastewater treatment plants, wastewater pumping facilities, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing, fiberglass manufacturing, painting/coating operations, rendering plants, coffee roasters, food processing facilities, confined animal facilities/feed lots/dairy, green waste and recycling operations, and metal smelting plants. The proposed project's restaurant is not considered an odor-generating facility, (Bay Area Air District 2023). The project would generate cooking-related odors during operation. However, such odors are common and characteristic of commercial restaurant uses, emissions from cooking would be vented above the roof level facilitating rapid dispersion, and project cooking emissions would not affect a substantial number of people. Therefore, neither construction nor operation of the project would result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and the impact would be less than significant.

IV. 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, regulations, or by the California Department of Fish and Wildlife or US 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

The project site is located within the broader Union Landing Shopping Center area which was developed in the early 2000s. The site currently features a 6,833-sf TGI Fridays restaurant that has been closed and unused since October 2024 as well as its associated site improvements, including an existing asphalt parking lot, a waste enclosure, two approximately 150-gallon aboveground storage tanks, a grease interceptor, ventilation hoods, heating, ventilation, and air conditioning (HVAC) units, stormwater catch basins, interior floor drains, a pad-mounted transformer, and other miscellaneous site features, including landscaping and lighting fixtures. The project site is bounded to the north by Ocean Oyster Bar and Grill; to the northeast by three big box retail stores, Smart and Final, Michaels, and Petco; to the east by an Extended Stay America hotel; and to the south by two restaurants, IHOP and Chili's Bar and Grill.

The project site slopes gently from north to south with elevations ranging from approximately 12 to 14 feet amsl.

Regulatory Setting

Federal Laws and Regulations

Federal Endangered Species Act

The United States Fish and Wildlife Service (USFWS) enforces the provisions stipulated in the Federal Endangered Species Act of 1973 (FESA, 16 USC Section 1531 et seq.). Species identified as threatened or endangered (50 CFR Section 17.11, and 17.12) are protected from take, which is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." The FESA prohibits "take" of a protected species unless the take is authorized under the FESA through a Section 10 permit granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions rendered to a federal lead agency via a Section 7 consultation. Pursuant to the requirements of the FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed species may be present on the project site and determine whether the proposed project will have a potentially significant impact on them. Under the FESA, habitat loss is considered to be a potential impact to a species. In addition, the USFWS is required to determine whether the project is likely to jeopardize the continued existence of any species that is proposed for listing under the FESA or to result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC 1536[a][3], [a][4]). Therefore, project related impacts to those species or their habitats would be considered significant and would require mitigation. Other federal agencies designate species of concern (species that have the potential to become listed), that are evaluated during environmental review although they are not otherwise protected under the FESA. Impacts to those species or their habitats would likewise be considered significant and would require mitigation.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states "unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill" a migratory bird. A migratory bird is any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle. Currently, there are 1,106 migratory birds protected nationwide by the MBTA, of which 58 are legal to hunt.

State Laws and Regulations

California Endangered Species Act

The California Endangered Species Act (CESA; California Fish and Game Code Section 2050 to 2089.25) is similar to the FESA. The California Fish and Game Commission is responsible for maintaining lists of threatened and endangered species under the CESA. CESA prohibits the take of listed and candidate (petitioned to be listed) species. "Take" under California law means to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch capture, or kill" (California Fish and Game Code Section 86). The

California Department of Fish and Wildlife (CDFW) can authorize take of a state-listed species under Section 2081 of the California Fish and Game Code if the take is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, funding is ensured to implement and monitor mitigation measures, and CDFW determines that issuance would not jeopardize the continued existence of the species. A CESA permit must be obtained if a project will result in the take of listed species, either during construction or over the life of the project. For species listed under both the FESA and the CESA requiring a Biological Opinion under Section 7 of the FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

California Code of Regulations and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 Section 670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW for inclusion on the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code.

Legal protection is also provided for wildlife species in California that are identified as "fully protected animals." These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fishes) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by these species. CDFW has informed non-federal agencies and private parties that they must avoid take of any fully protected species. However, Senate Bill 618 (2011) allows CDFW to issue permits authorizing the incidental take of fully protected species under the CESA, so long as any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

California Environmental Quality Act

Under CEQA (Public Resources Code Section 21000 et seq.), lead agencies analyze whether projects would have a substantial adverse effect on a candidate, sensitive, or special-status species (Public Resources Code Section 21001(c)). These "special-status" species generally include those listed under the FESA and the CESA, and species that are not currently protected by statute or regulation, but would be considered rare, threatened, or endangered under the criteria included in the State CEQA Guidelines Section 15380. Therefore, species that are considered rare are addressed regardless of whether they are afforded special protection through any other statute or regulation. CDFW, in consultation with the California Native Plant Society (CNPS), assigns a California Rare Plant Rank (CRPR) to native species according to rarity; plants with a CRPR of 1A, 1B, 2A, 2B, or 3 are generally considered special-status species under CEQA.

Although threatened and endangered species are protected by specific federal and state statutes, State CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare if it can be shown to meet certain specified criteria. Those criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. Section 15380(d) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (i.e., candidate species) would occur. Thus, CEQA provides an agency with the

ability to protect a species from the potential impacts of a project until the respective government agency has an opportunity to designate the species as protected, if warranted.

California Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code Section 1900-1913) empowers the Fish and Game Commission to list native plant species, subspecies, or varieties as endangered or rare following a public hearing. To the extent that the location of such plants is known, CDFW must notify property owners that a listed plant is known to occur on their property. Where a property owner has been so notified, the owner must notify CDFW at least 10 days in advance of any change in land use (other than changing from one agricultural use to another), in order that CDFW may salvage listed plants that would otherwise be destroyed. Currently, 64 taxa of native plants have been listed as rare under the act.

Nesting and Migratory Birds

California Fish and Game Code Subsections 3503 and 3800 prohibit the possession, take, or needless destruction of birds, their nests, and eggs, and the salvage of dead nongame birds. California Fish and Game Code Subsection 3503.5 protects all birds in the orders of Accipitriformes, Falconiformes, and Strigiformes (birds of prey). Fish and Game Code Subsection 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take.

Local Regulations and Policies

Union City 2040 General Plan

Goals

Goal RC-2: To protect, restore, and enhance important biological habits and their associated plan, wildlife, and fish species throughout Union City and to educate people to this need.

Policies

Chapter 8, Resource Conservation, of the Union City 2040 General Plan includes policies under Goal RC-2 requiring biological surveys, signage and fencing, and nesting bird protection. The City defines sensitive habitat areas as riparian woodland and scrub, freshwater marsh/wetland areas, and grassland areas.

Union City Municipal Code

Trees

Section 12.16.170, Tree Conservation, of the UCMC Chapter 12.16, Trees, Shrubs, and Plants, indicates that tree preservation is necessary for the health and welfare of the citizens of the city. Furthermore, trees preserve scenic beauty, prevent the erosion of topsoil, protect against flood hazards and landslides, counteract pollutants in the air, maintain the climatic balance, decrease wind velocities, and contribute greatly to the value of land in the city. Consistent with the purpose of the municipal code and

the reasonable economic enjoyment of private property, it is the intent of the City to limit the removal of significant trees within the city in order to retain as many trees as possible.

Trees that are protected by UCMC Section 12.16.170-B2 are as follows:

a. All trees that have a trunk circumference of 35 inches or more or, in the case of multi-trunk trees, a total trunk circumference of 70 inches or more where such trees are located on residential property;

b. All trees that have a trunk circumference of 12 inches or more when removal relates to any transaction for which zoning approval or subdivision approval is required;

c. Any tree that existed at the time of zoning approval or subdivision approval that was the specific subject of such approval or otherwise covered by paragraph (b) of this subdivision;

d. Any tree that was required to be planted by the terms of a zoning approval or subdivision approval;

e. All trees that have a trunk circumference of 12 inches or more and are located on a vacant lot or undeveloped property; and

f. All trees that have a trunk circumference of 12 inches or more and are located on developed commercial, office, or industrial property.

Tree circumference is measured three (3) feet above the ground (UCMC Section 12.16.170-B3). UCMC Section 12.16.170-C states that it is unlawful for any person to trim or remove a tree that is covered by the section without a tree removal permit, with exceptions related to orchard trees, trees that are hazardous or dangerous to life or property, or orders from the Director of Public Works. As a condition for granting a permit, the Director of Public Works may require an in-lieu fee if the required number of replacement trees cannot be accommodated onsite.

Methodology

A desktop review was conducted by HELIX biologist Bella Anderson on March 9, 2026, where biological resources were evaluated based on publicly available data. HELIX queried the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants for lists of special-status species recorded in the U.S. Geological Survey "Newark, CA" 7.5-minute quadrangle map and the eight surrounding quads. HELIX also queried the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consulting (IPaC) for species potentially affected by the project. Database queries resulted in a total of forty-six plants, six invertebrates, three fishes, five amphibians, four reptiles, twenty-two birds, and eight mammals known to occur in the region. The results of the queries are presented in Appendix C along with analysis of the potential for each species to occur in the project site based on the existing site conditions and species' geographic range and ecology.

Evaluation of Environmental Impacts

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?

Less Than Significant with Mitigation Incorporated.

Construction

Biological resources were evaluated based on the project site and analysis of publicly available data. None of the regionally occurring special-status species plants have the potential to occur in the project site due to a lack of suitable habitat. No listed invertebrates, fishes, amphibians, reptiles, or mammals have the potential to occur on the project site based on the species' geographic range and ecology and the developed nature of the project site.

A variety of migratory birds have the potential to nest in and adjacent to the project site, in trees, shrubs, and on the ground in vegetation. Migratory and non-game birds are protected during the nesting season by California Fish and Game Codes and the MBTA. Project activities during construction such as clearing and grubbing during the avian breeding season (February 1 – August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. Needless destruction of nests, eggs, and chicks would be a violation of Fish and Game Codes and a significant impact. Mitigation Measure BIO-1 would be implemented to avoid and minimize impacts to nesting birds and raptors by requiring a qualified biologist to conduct a pre-construction nesting and migratory bird survey no more than 14 days prior to initiation of project activities. With implementation of Mitigation Measure BIO-1, potential significant impacts to nesting and migratory birds would be reduced to less than significant.

Mitigation Measure BIO-1: Avoid Impacts to Nesting and Migratory Birds

If project (construction) ground-disturbing and grubbing activities commence during the avian breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting and migratory bird survey no more than 14 days prior to initiation of on-site project activities. The survey area shall include suitable nesting and migratory bird habitat within 500 feet of the project boundary (inaccessible areas outside of the project site can be surveyed from the site or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season shall be re-surveyed prior to resuming project activities. If no active nests are identified during a pre-construction survey, no further mitigation is required. If active nests are identified, the following measure is required:

- A suitable buffer depending on species (e.g., 300-500 feet for raptors, 50-100 feet for passerines) shall be established by a qualified biologist around active nests, and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.

Operation

Operation of the proposed project would not include any habitat modifications and would be consistent with other restaurant uses in the area. As mentioned above, none of the regionally occurring special-status species plants have the potential to occur in the project site due to a lack of suitable habitat. Additionally, no listed invertebrates, fishes, amphibians, reptiles, or mammals have the potential to occur on the project site based on the species' geographic range and ecology and the developed nature

of the project site. Thus, operation of the proposed project would not have a significant impact, either directly or through habitat modification, 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?

No Impact. No riparian habitats, sensitive natural communities, or other protected habitats are located on or adjacent to the project site based on a desktop review of aerial imagery, review of USFWS National Wetlands Inventory (USFWS 2026), and review of photographs of the project site taken by HELIX staff. Therefore, the project would not have any adverse effect on any riparian habitat or other sensitive natural community, and no impact would occur.

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?

No Impact. Based on a desktop review of aerial imagery, review of USFWS National Wetlands Inventory (USFWS 2026), and review of photographs of the project site taken by HELIX staff, the project site has been determined to be fully developed with no riparian habitat or wetlands occurring within or immediately adjacent to the project site. Therefore, the project would not have an adverse effect on federally or state protected wetlands as defined by Section 404 of the Clean Water Act, and no impact would occur.

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?

Less Than Significant with Mitigation Incorporated. The project site fully developed with an existing, permanently closed, TGI Friday's building and parking lot. The project site is not located within an established native resident or migratory wildlife corridor, nor does it contain a native wildlife nursery site. Potential nesting habitat is limited due to the urban nature of the project site; however, the proposed project includes removal of vegetation that provides potential nesting habitat for nesting and migratory birds. As outlined in the response to question a) above, project construction activities would potentially result in significant impacts to nesting and migratory birds if construction of the proposed project commences during the typical nesting period for migratory birds. Construction activities and construction-related disturbance (noise, vibration, and increased human activity) could adversely affect these species if they were to nest in or adjacent to the project area. Potential effects include physical destruction of nests by construction equipment and/or nest abandonment. As described under impact question a) above, needless destruction of nests, eggs, and chicks would be a violation of Fish and Game Codes and a significant impact. Mitigation Measure BIO-1 would be implemented to avoid and minimize these potential impacts to nesting birds. With implementation of Mitigation Measure BIO-1, the project would not interfere with the movement of any native resident or migratory fish or wildlife species, and the impact would be less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact. A total of 20 trees are present on the project site as shown on Sheet L0.1, Preliminary Plan, in Appendix A. Of the 20 trees identified on-site, the proposed project would remove 17 trees that range between 2.8 to 22 inches DBH. The remaining three trees are anticipated to be preserved on-site.

City Municipal Code Section 12.16.170 (Tree Conservation) regulates the removal of trees meeting certain criteria. Of the 17 trees to be removed, three trees (a Willow Oak and two California Fan Palms) meet the City Municipal Code Section 12.16.170 (Tree Conservation) criteria for protected trees because their trunks have a circumference greater than 12 inches, and they would be removed as part of a project.

The project would comply with the City's tree ordinance (City Municipal Code Section 12.16.170) and permit requirements, as applicable. Prior to removal of the three protected trees, the project applicant would apply for a tree removal permit from the City as required by the City Municipal Code Section 12.16.170. Minor indirect impacts to retained trees may occur as a result of proposed landscaping improvements within the dripline of the remaining trees, which could have a significant impact. However, such impacts are expected to be limited and would be minimized through compliance with the City's tree ordinance enforced as a Condition of Approval (COA). For any protected trees proposed for removal, the applicant shall submit a tree removal permit application to the City for review and approval. No protected trees shall be removed without written City approval and compliance with all conditions of approval, including replacement planting, in-lieu fees, or other compensatory measures as required. All protected trees designated for preservation shall be protected during construction through implementation of measures such as installation of protective fencing, establishment of tree protection zones, or adherence to arborist recommendations, and replacement trees shall be installed and maintained in accordance with City requirements, with any failures during the establishment period replaced, as verified by the City through permit review, inspections, and documentation.

Goal RC-2 from the 2040 General Plan includes policies requiring biological site surveys conducted for sites that have the potential to contain critical or sensitive habitat or special status species or for sites within 100 feet of such areas. The project site, as described under a) above, does not contain critical or sensitive habitat or special status species nor is it within 100 feet of such areas. Policy RC-2.10 would also apply to the proposed project and requires project applicants to retain the services of a qualified biologist to conduct a pre-construction nesting bird survey during the nesting season prior to all new development that may remove any trees or vegetation that may provide suitable nesting habitat for migratory birds or other special-status bird species. With implementation of Mitigation Measure BIO-1, Avoid Impacts to Nesting and Migratory Birds, the proposed project would not conflict with local policies protecting biological resources. Thus, with implementation of Mitigation Measure BIO-1, the proposed project would not conflict with any local policies or ordinances protecting biological resources, and the impact would be less than significant.

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?

No Impact. There is no adopted Habitat Conservation Plan/Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applicable to the project site. Therefore, no impact would occur.

V. 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 dedicated cemeteries?	☐	☒	☐	☐

The discussion below is based on a Cultural Records Search Memorandum prepared by HELIX and included as Appendix D to this IS/MND.

Environmental Setting

Cultural Context

Union City has a number of historic structures and cultural resources that provide an important link in reconstructing the City's past. Agricultural settlements founded by John Horner and Henry Smith merged to become the town of Alvarado. Subsequent railroad movement into the area led to the development of the town of Decoto to the east. In 1959, these two towns were incorporated into Alameda County under one name: Union City (Johnson 2025).

When Alameda County was established in 1853, Alvarado became the first County seat, bringing people into the town. Due to this influx of early populace, a Historic Alvarado District, Old Alvarado, was established in 1989 to set apart concentrations of commercial and residential buildings constructed in the late 19th-century, focused on retention and preservation of historic buildings. The current project area does not lie within the boundaries of Old Alvarado – the project area lies approximately 0.45 mile northeast of the furthest east boundary of Old Alvarado (City of Union City 2019).

The City enforces its Landmark and Historic Preservation Ordinance, which provides guidance on designating and preserving historic resources. This guidance includes policies to preserve public landmarks, support the preservation and rehabilitation of historical resources, use appropriate standards to evaluate historical resources, and incorporate historical resources into the landmark and historic preservation overlay zone (City of Union City 2019).

Regulatory Setting

State Laws and Regulations

Health and Safety Code Section 7050.5 (Treatment of Human Remains)

Section 7050.5 of the Health and Safety Code sets forth provisions related to the treatment of human remains. As the code states, "every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor" except under circumstances as provided in Section 5097.99 of the Public Resource Code. State law also provides guidelines for the treatment of human remains found in locations other than a dedicated cemetery including responsibilities of the Coroner.

Public Resources Code Section 5097.98 (Discovery of Human Remains)

Section 5097.98 provides a protocol for steps to take in the event of an inadvertent discovery of human remains. It states that "whenever the commission receives notification of a discovery of Native American human remains from a County Coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify persons it believes to be most likely descended from the deceased Native American." It also sets forth provisions for descendants' preferences for treatment of the human remains and what must be done if the commission is unable to identify a descendant.

Methodology

CHRIS Records Search

On February 5, 2026, HELIX requested that staff at the California Historical Resources Information System (CHRIS) Northwest Information Center (NWIC), located in Sonoma State University, conduct a records search for the project area and a surrounding 0.25-mile radius. The records search included reviews of the relevant USGS topographic maps, archaeological and built-environment records, and data from previous studies. In addition, the State of California Historical Landmarks, and the California Points of Historical Interest were examined to ascertain the presence of designated, evaluated, and/or historic-era resources in the vicinity of the APE. HELIX staff also reviewed online historic aerials photographs and maps encompassing the project area to identify potential resources visible on the ground surface.

The NWIC records search identified one cultural resource study conducted within the project area: *Cultural Resources Evaluation for the Dyer Street, Triangle/Starr Center Mall Project, Union City, California*. The NWIC identified no previously recorded resources within the project area or the 0.25-mile radius. No prehistoric cultural resources were identified in the NWIC records search.

Native American Outreach

On February 19, 2026, HELIX requested that the Native American Heritage Commission (NAHC) conduct a search of their Sacred Lands File (SLF) for the presence of Native American sacred sites or human remains in the vicinity of the proposed project area. On February 26, 2026, HELIX received a response from the NAHC that indicated the SLF search returned positive results and recommended twenty-five (25) Native American tribal representatives who may also have knowledge of cultural resources in the project area as points of contact. The City conducted government-to-government outreach and

consultation under Assembly Bill (AB) 52 and Senate Bill (SB) 18 and sent 25 letters to the NAHC-recommended tribal representatives from nine tribes on April 1, 2026. For information about tribal consultation under CEQA pursuant to the requirements of AB 52 and SB 18, please see Section 6.XVIII, *Tribal Cultural Resources*.

Evaluation of Environmental Impacts

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?

Less Than Significant with Mitigation Incorporated. In accordance with CEQA Guidelines, HELIX has assessed the project area for the presence of cultural resources. Efforts associated with the memorandum included as Appendix D did not identify any historical or archaeological resources in the project area pursuant to Section 15064.5 of the CEQA Guidelines. In addition, the records search did not reveal any cultural resources that have been previously recorded as lying within 0.25-mile of the Area of Potential Effect (APE). The memorandum indicated that nine cultural resource reports have been conducted within a 0.25-mile radius of the project area, and that one of these investigations overlap with the currently proposed project area. However, no cultural resources were identified during the efforts associated with the overlapping report. A search of the SLF returned positive results for possible cultural resources in the APE, and the list of tribal contacts provided by the NAHC was provided to the City to conduct government-to-government outreach as part of the CEQA tribal consultation process. The historic-era maps and aerial photographs analysis did not reveal any historic-era structures or other historic resource within the APE.

Construction

Based on the results of the records search, literature review, and supporting analyses, the likelihood of encountering precontact or historic-era cultural resources during project implementation is considered low. The project site has been substantially altered since at least 2000 as a result of grading and construction associated with the development of the Union Landing Shopping Center, which has likely disturbed or displaced any previously existing cultural deposits, if any. While the likelihood of encountering historical or archaeological cultural resources is low, ground disturbance, including excavation associated with construction of the proposed project, could reveal cultural or historical resources, constituting a significant impact. In the unlikely event that archaeological cultural or historical resources are discovered during project construction, which would include excavation up to eight feet in depth, Mitigation Measure CUL-1 shall be implemented to avoid or substantially reduce the severity of effects on such finds to a less-than-significant level. The impact from project construction for questions a) and b) would be less than significant with mitigation incorporated.

Mitigation Measure CUL-1: Avoid Impacts to Previously Unknown Archaeological Resources

If cultural resources are exposed during ground-disturbing activities, construction activities shall be halted within 100 feet of the discovery, and project proponents should solicit the services of an archaeologist who meets the Secretary of the Interior's (SOI) Professional Qualifications Standards to assess the resource and provide appropriate management recommendations. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features (e.g., hearths, structural remains, or historic dumpsites). If the discovery is determined to be eligible for inclusion in

the National Register of Historic Places or California Register of Historic Resources, a Mitigation and Treatment Plan would be developed by the SOI-qualified archaeologist for the resource in coordination with the Lead Agency and consulting Native American tribes (if applicable).

Operation

Operation of the proposed restaurant with drive-through would not involve ground-disturbing activities that would alter, demolish, relocate, or otherwise physically damage a historical or architectural resource. Operational activities would have no impact for questions a) and b) above.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant with Mitigation Incorporated.

Construction

No human remains are known to exist in the immediate vicinity of the project site. However, there is a possibility that ground disturbing activities during construction may uncover previously unknown human remains, which if damaged or moved would constitute a significant impact. In the event of an accidental discovery or recognition of any human remains, the project would comply with all applicable provisions in Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.94[3] and Section 5097.98. Mitigation Measure CUL-2, which includes steps to be taken if accidental human remains are discovered, would be implemented to ensure compliance with the applicable provisions. With implementation of Mitigation Measure CUL-2, the impact from project construction for question c) would be less than significant.

Mitigation Measure CUL-2: Accidental Discovery of Human Remains

If human remains are encountered during construction and ground disturbing activities, all work within 100 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and any associated funerary objects. There shall be no pictures taken or testing done on the Native American human remains. All bone, until identified as not human, shall be treated as human remains and the appropriate protocols followed. The archaeologist shall record information, as appropriate and in accordance with the recommendations of the MLD and/or Tribal representative. Upon completion of the archaeologist's assessment, a report shall be prepared documenting methods and results, as well as recommendations regarding the treatment of the human remains and any associated archaeological materials. The report shall be submitted to the City of Union City, the NWIC, and the consulting Tribe. Tribal representatives will rebury the Native American human remains and associated funerary objects with the appropriate dignity either; in accordance with the recommendations of the MLD if available or in the project vicinity at a location agreed upon between the Tribe and the consultant, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further

[3] Sections 5097.94 provides the powers and duties of the Native American Heritage Commission.

disturbance. The discovery and reburial is to be kept confidential and secure to prevent any further disturbance.

Operation

Operation of the proposed restaurant with drive-through would not involve ground-disturbing activities that would disturb any human remains, including those interred outside of dedicated cemeteries. Operational activities would have no impact for question c) above.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in 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's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric service providers and community choice aggregators. In 2024, the California power mix totaled 278,338 gigawatt hours (GWh). In-State generation was 216,181 GWh in 2024 and accounted for approximately 78 percent of the State's power mix. The remaining electricity came from out-of-State imports (CEC 2026a). Table 7, *California Electricity Sources*, provides a summary of California's electricity sources as of 2024.

Table 7
CALIFORNIA ELECTRICITY SOURCES

Fuel Type	Percent of California Power
Coal	2.21
Large Hydro	11.06
Natural Gas	34.01
Nuclear	9.92
Oil	0.01
Other (Petroleum Coke/Waste Heat)	0.08
Renewables (Excluding Large Hydro and Nuclear)	41.25
Unspecified	1.46

Source: CEC 2026b.

Natural gas is the single fuel source that provides the largest portion of the total in-State capacity and electricity generation in California, with 34.01 percent of the natural gas burned in California used for electricity generation in a typical year. Much of the remainder is consumed in the residential, industrial, and commercial sectors for uses such as cooking, space heating, and as an alternative transportation fuel. In 2012, total natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet per year (bcf/year), up from 2,196 bcf/year in 2010 (CEC 2026c).

Transportation accounts for a major portion of California's energy budget. Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles. In 2024, 13.4 billion gallons of gasoline were sold in California (CEC 2026d). Diesel fuel is the second most consumed fuel in California, used by heavy-duty trucks, delivery vehicles, buses, trains, ships, boats, and farm and construction equipment. In 2024, 3.5 billion gallons of diesel were sold in California (CEC 2026e).

Evaluation of Environmental Impacts

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact.

Construction

The project would be required to comply with all applicable City and State green building measures during construction, including the State Building Energy Efficiency Standards – Title 24, Part 6, and Part 11 (CEC 2025). Unnecessary consumption of energy resources during construction would be avoided through the restriction of vehicle idling times and proper maintenance of construction equipment.

Operation

As mentioned above, the project would be required to comply with the State Building Energy Efficiency Standards – Title 24, Part 6, as well as applicable CALGreen requirements. Compliance with these requirements would result in minimal energy demand for the project during operational activities through implementation of energy-efficient building design and lighting. No natural gas would be used during operation of the proposed project. Fuel consumption associated with customer use of the drive-through lanes would be typical of similar restaurant uses and would not be considered wasteful, inefficient, or unnecessary consumption of energy resources.

Therefore, with compliance with all applicable City and State green building measures, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy sources during project construction or operation, and the impact would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. As discussed under the response to question a) above, the proposed project would be required to comply with all applicable City and State green building measures, including the State Building Energy Efficiency Standards – Title 24, Part 6, and Part 11 during construction and operation. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and the impact would be less than significant.

VII. 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:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
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 waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

A Geotechnical Engineering Report was prepared by Terracon for the proposed project and is included as Appendix E to this IS/MND.

Environmental Setting

The project site is located within the broader Union Landing Shopping Center area which was developed in the early 2000s. The site currently features a 6,833-sf TGI Fridays restaurant, that has been closed and unused since October 2024, and its associated site improvements. The project site slopes gently from north to south with elevations ranging from approximately 12 to 14 feet amsl.

Soils

According to the National Resource of Conservation (NRCS) Soil Survey Map, the entire 1.13-acre parcel is made up of well drained Sycamore silt loam, 0 to 2 percent slopes (NRCS 2026).

Seismic Activity

The project site is located in the San Francisco Bay Area, and this region is known to be one of the most seismically active places in the United States. The following three major active faults are located in the greater San Francisco Bay Area: the Hayward Fault, the San Andreas Fault, and the Calaveras Fault. The project site is not located within an Alquist-Priolo Earthquake Fault Zone (i.e., active faults), and the nearest active earthquake fault is the Hayward Fault, located approximately 2.5 miles northeast of the project site (DOC 2026b).

Evaluation of Environmental Impacts

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

    i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

Less Than Significant Impact. The nearest active earthquake fault from the project site is the Hayward Fault, located approximately 2.5 miles northeast of the project site (DOC 2026b; Terracon 2025). The project site is not within the Alquist-Priolo Earthquake Fault Zone (DOC 2026b). As there are no active earthquake faults that transect the project site, there is low risk of ground rupture on the project site from known earthquake faults. However, the San Francisco Bay Area is one of the most seismically active places in the United States, and the project site would likely be subject to at least one moderate to severe seismic event during the life of the project, as well as periodic lower-intensity earthquakes. As a result, strong ground shaking could occur during project operations.

The proposed project would be required to comply with all applicable California Building Code (CBC) seismic design standards. The CBC seismic design standards are intended to ensure that structures are designed to resist anticipated seismic forces and minimize the potential for collapse or substantial structural failure during earthquake events. Additionally, in accordance with UCMC Section 15.85.100 and General Plan Policy S-3.1, a project-specific Geotechnical Engineering Report has been prepared to identify recommended measures to minimize risks associated with geologic and soil hazards. In addition to CBC standards, the project would be required to comply with site-specific recommendations contained in the Geotechnical Engineering Report, which would be assured via the imposition of a standard condition of project approval, which include soil stabilization methods and foundation design recommendations. With implementation of these recommendations as a condition of project approval and compliance with CBC requirements, the project would not directly or indirectly cause potential adverse effects from rupture of a known fault, and the impact would be less than significant.

ii. Strong seismic ground shaking?

Less Than Significant Impact. As outlined in the response to question a.i) above, the nearest active earthquake fault to the project site is the Hayward Fault, located approximately 2.5 miles northeast of the project site (DOC 2026b; Terracon 2025). The site is not within an Alquist-Priolo Earthquake Fault Zone (DOC 2026b). The Geotechnical Engineering Report indicated that the project site may be subject to strong seismic shaking during a major regional seismic event (Terracon 2025).

The proposed project would be required to comply with all applicable provisions of the CBC, including seismic design requirements, and implement site-specific recommendations contained in the Geotechnical Engineering Report such as site preparation, grading, and foundation design measures. With compliance with these CBC design standards and implementation of the recommendations included in the Geotechnical Engineering Report, which would be assured via imposition of a standard condition of project approval, the project would not directly or indirectly cause potential adverse effects from strong seismic ground shaking, and the impact would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. The project site is in an area mapped as a Liquefaction Zone; therefore, a site-specific liquefaction evaluation was prepared for the proposed project as part of the Geotechnical Engineering Report (DOC 2026b; Terracon 2025). The results of the liquefaction evaluation indicated that the cohesive soils encountered on-site generally classify as clay-like and non-liquefiable (Terracon 2025). However, cohesionless soils were present on the project site that do have the potential for liquefaction, therefore, an additional liquefaction analysis was conducted. The results of the additional liquefaction evaluation indicated that due to the surficial soils across the site that consist of lean clay, the probability of liquefaction effects manifesting at the ground surface is low.

The proposed project would comply with the recommendations contained in the Geotechnical Engineering Report, including site preparation, grading, and foundation design measures intended to address potential liquefaction-related settlement. The project would also be required to comply with CBC geotechnical design standards. In compliance with these CBC design standards, together with implementation of recommendations included in the Geotechnical Engineering Reporting as a condition of project approval, the project would not directly or indirectly cause potential adverse effects from seismic-related ground failure including liquefaction, and the impact would be less than significant.

iv. Landslides?

Less Than Significant Impact. As outlined in the response to question a.ii) above, the nearest active earthquake fault is the Hayward Fault, located approximately 2.5 miles northeast of the project site (DOC 2026b; Terracon 2025). The project site slopes gently from north to south with elevations ranging from approximately 12 to 14 feet amsl. Additionally, the project site is not located in an area mapped as a Landslide Zone (DOC 2026b). As the proposed project site is relatively flat and is not located within an area mapped as Landslide Zone, the project would not directly or indirectly cause potential adverse effects from landslides, and the impact would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities.

Construction of the proposed project would require demolition of the existing improvements, site preparation, grading, and construction of the proposed restaurant and drive-through improvements. Construction activities that require more than one (1) acre of ground disturbance are regulated by the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) and are subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) during construction. The SWPPP must include details of how the sediment and erosion control best management practices (BMPs) would be implemented.

As the proposed project site is 1.13 acres and would disturb greater than one (1) acre, the proposed project would be subject to NPDES requirements and would be required to prepare and implement a SWPPP including BMPs to reduce soil erosion during construction activities. Therefore, with preparation of a SWPPP, including implementation of BMPs, construction of the proposed project would not result in substantial soil erosion or the loss of topsoil, and the impact would be less than significant.

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?

Less Than Significant Impact. According to the NRCS Soil Survey Map, the entire 1.13-acre project site is made up of well drained Sycamore silt loam, 0 to 2 percent slopes (NRCS 2026). As outlined in the response to question a.iv) above, the project site is relatively flat and is not located in an area mapped as a Landslide Zone; therefore, impacts related to landslides would be less than significant. As outlined in the response to questions a.i), a.ii), and a.iii) above, the proposed project would be required to comply with applicable provisions of the CBC, including seismic design requirements, as well as site-specific recommendations contained in the Geotechnical Engineering Report including site preparation, grading, and foundation design measures. In compliance with these CBC design standards, together with implementation of the recommendations included in the Geotechnical Engineering Report as a condition of project approval, the project would not expose people or structures to substantial adverse effects associated with unstable soils or geologic units, and the impact would be less than significant.

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?

Less Than Significant Impact. Expansive soils shrink and swell in response to changes in moisture levels. The changes in soil volumes can result in damage to structures including building foundations, and infrastructure, if the project design does not appropriately accommodate the changing soil conditions.

As outlined in the Geotechnical Engineering Report, expansive soils are present at the project site, including near-surface medium stiff, medium plasticity lean clay and other plastic fine-grained soils that exhibit shrink-swell potential with changes in moisture content. These soils have the potential to expand when wet and contract when dried, which could result in ground movement, slab cracking, differential settlement, or uneven floor surfaces if not properly addressed.

The proposed project would be required to comply with applicable provisions of the CBC, including seismic design requirements, as well as with site-specific recommendations contained in the Geotechnical Engineering Report including options such as complete replacement of expansive soils, use of a structural slab, and foundation improvements. With implementation of these recommendations as a condition of project approval and compliance with applicable CBC requirements, the project would not

create substantial direct or indirect risks to life and property, and the impact would be less than significant.

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?

No Impact. The project site is served by the Union Sanitary District. The proposed project would connect to the Union Sanitary District's existing wastewater infrastructure. Thus, the proposed project would not require the construction or use of a septic tank or alternative wastewater disposal system. Therefore, no impact would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant with Mitigation Incorporated.

Construction

Much of the City, including the project area, is underlain by Quaternary nonmarine terrace deposits, which date approximately to the late-Pleistocene. Based on the *Potential Fossil Yield Classification System* by the Bureau of Land Management (BLM 2016), this geological unit has a moderate potential for yielding fossils. Therefore, while the project site is developed and has experienced substantial disturbance, there is a possibility that fossils may be encountered during ground-disturbing activities in previously undisturbed areas, which could be a potentially significant impact. Mitigation Measure GEO-1, which includes steps in the event that paleontological or other geologically sensitive resources are identified during construction, would be implemented. With implementation of Mitigation Measure GEO-1, the project would not directly or indirectly destroy a paleontological resource, and the impact would be less than significant.

Mitigation Measure GEO-1: Avoid and Minimize Impacts to Paleontological Resources

In the event that paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during project construction, all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Union City and assess the significance of the resource. If the resource is determined to be significant, the paleontologist shall prepare recommendations for treatment, which may include avoidance, preservation in place, data recovery, monitoring, excavation, curation, or other appropriate measures. The City shall review and approve the recommended treatment measures, and the project applicant shall implement the required measures before construction activities resume in the vicinity of the discovery.

Operation

Project operations would not involve any ground-disturbing activities. Therefore, operation of the project would result in no impacts to paleontological resources.

VIII. 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?	☐	☐	☒	☐

An Air Quality and Greenhouse Gas Emissions Assessment was prepared by HELIX (HELIX 2026) and is included as Appendix B to this IS/MND.

Environmental Setting

Global climate change refers to changes in average climatic conditions on Earth, including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by atmospheric gases. These gases are commonly referred to as GHGs because they function like a greenhouse by letting sunlight in but preventing heat from escaping, thus warming the Earth's atmosphere.

GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with (1) the burning of fossil fuels during motorized transport, electricity generation, natural gas consumption, industrial activity, manufacturing, and other activities; (2) deforestation; (3) agricultural activity; and (4) solid waste decomposition.

The GHGs defined under California's Assembly Bill (AB) 32 include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), HFCs, perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Estimates of GHG emissions are commonly presented in carbon dioxide equivalents (CO_2e), which weigh each gas by its global warming potential (GWP). Expressing GHG emissions in CO_2e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted. GHG emissions quantities in this analysis are presented in metric tons (MT) of CO_2e. For consistency with United Nations Standards, modeling, and reporting of GHGs in California and the U.S. use the GWPs defined in the Intergovernmental Panel on Climate Change's (IPCC) Fourth Assessment Report (IPCC 2007): CO_2 – 1; CH_4 – 25; N_2O – 298.

Regulatory Setting

GHG Reduction Regulations and Plans

The primary GHG reduction regulatory legislation and plans (applicable to the project) at the State, regional, and local levels are described below. Implementation of California's GHG reduction mandates

are primarily under the authority of CARB at the State level, Bay Area Air District and Association of Bay Area Governments and Metropolitan Transportation Commission at the regional level, and City of Union City at the local level.

Executive Order S-3-05: On June 1, 2005, Executive Order (EO) S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05 calls for a reduction in GHG emissions to the year 2000 level by 2010, to the year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Executive Orders are not laws and can only direct State agencies to act or take specific actions within their authority to administer existing laws.

Assembly Bill 32 – Global Warming Solution Act of 2006: The California Global Warming Solutions Act of 2006, widely known as AB 32, requires that CARB develop and enforce regulations for the reporting and verification of Statewide GHG emissions. CARB is directed by AB 32 to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

Executive Order B-30-15: On April 29, 2015, EO B-30-15 established a California GHG emission reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG emission reduction targets with those of leading international governments, including the 28-nation European Union. California successfully met the target of reducing GHG emissions to 1990 levels by 2020, as established in AB 32, achieving this goal four years early in 2016. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the goal established by EO S-3-05 of reducing emissions to 80 percent under 1990 levels by 2050.

Senate Bill 32: Signed into law by Governor Brown on September 8, 2016, Senate Bill (SB) 32 (Amendments to the California Global Warming Solutions Action of 2006) extends California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a Statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EO B-30-15 of 80 percent below 1990 emissions levels by 2050.

Assembly Bill 1279: Approved by Governor Newsom on September 16, 2022, AB 1279, the California Climate Crisis Act, declares the policy of the State to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter, and ensure that by 2045, Statewide anthropogenic GHG emissions are reduced to at least 85 percent below the 1990 levels. AB 1279 anticipates achieving these policies through direct GHG emissions reductions, removal of CO_2 from the atmosphere (carbon capture), and an almost complete transition away from fossil fuels.

California Air Resources Board Scoping Plan: The Scoping Plan is a strategy CARB develops and updates at least once every five years, as required by AB 32. It lays out the transformations needed across our society and economy to reduce emissions and reach our climate targets. The current 2022 Scoping Plan is the third update to the original plan that was adopted in 2008. The initial 2008 Scoping Plan laid out a path to achieve the AB 32 mandate of returning to 1990 levels of GHG emissions by 2020, a reduction of

approximately 15 percent below business as usual. The 2008 Scoping Plan included a mix of incentives, regulations, and carbon pricing, laying out the portfolio approach to addressing climate change and clearly making the case for using multiple tools to meet California's GHG targets. The 2013 Scoping Plan assessed progress toward achieving the 2020 mandate and made the case for addressing short-lived climate pollutants (SLCPs). The 2017 Scoping Plan also assessed progress toward achieving the 2020 limit and provided a technologically feasible and cost-effective path to achieving the SB 32 mandate of reducing GHGs by at least 40 percent below 1990 levels by 2030.

On December 15, 2022, CARB approved the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by AB 1279. The actions and outcomes in the plan will achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels; further reductions in SLCPs; support for sustainable development; increased action on natural and working lands to reduce emissions and sequester carbon; and the capture and storage of carbon (CARB 2022a).

Bay Area Air District: The Bay Area Air District CEQA Air Quality Guidelines provides technical guidance for climate impacts from GHG emissions for projects in the SFBAAB. The guidelines include recommended thresholds of significance; methods of analyzing impacts; and best management practices for construction-related GHG emissions (Bay Area Air District 2023). In addition, the 2017 Clean Air Plan includes control measures to reduce GHG emissions in the SFBAAB (Bay Area Air District 2017).

Association of Bay Area Governments and Metropolitan Transportation Commission: As required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375), ABAG and MTC have developed a Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) as a component of Plan Bay Area 2050 (ABAG and MTC 2021). This plan seeks to reduce GHG and other mobile source emissions through coordinated transportation and land use planning to reduce VMT.

City of Union City: The City adopted a Climate Action Plan (CAP) in November 2010. The CAP presents a summary of actions the City has already taken towards the reduction of GHG emissions; summarizes the 2005 emissions inventory; presents actions the City, residents and businesses can take to further reduce emissions; and sets reduction goals (City 2010).

Methodology and Assumptions

See Section 6.III, *Air Quality*, for a discussion on methodology and assumptions.

Standards of Significance

Given the relatively small levels of emissions generated by a project in relationship to the total amount of GHG emissions generated on a national or global basis, individual projects are not expected to result in significant, direct impacts with respect to climate change. However, given the magnitude of the impact of GHG emissions on the global climate, GHG emissions from new development could result in significant, cumulative impacts with respect to climate change. Thus, the potential for a project's GHG impact is generally evaluated within the context of cumulative impacts. According to Appendix G of the State CEQA Guidelines, the following criteria may be considered in establishing the significance of GHG emissions:

Would the project:

1. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

On April 20, 2022, the Bay Area Air District's Board of Directors adopted revised CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans, described fully in an associated justification report. Rather than quantitative thresholds for emissions of GHG, the Bay Area Air District has adopted thresholds based on performance standards. Land use development projects must include either Threshold A or Threshold B (Bay Area Air District 2023):

A. Projects must include, at a minimum, the following project design elements:

    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 Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

    2. Transportation

        a. Achieve a reduction in project-generated 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, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on 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. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of California Green (CALGreen) Tier 2.

B. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

The City's 2010 CAP is not a qualified GHG emissions reduction strategy for streamlining GHG emission impact analysis pursuant to CEQA Guidelines Section 15183.5. Therefore, the significance of project GHG emissions is determined using the Bay Area Air District's performance standard-based Threshold A, described above.

Evaluation of Environmental Impacts

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact.

The City CAP, adopted in 2010, does not address the State's post-2020 GHG reduction mandates. Therefore, the significance of the project's GHG emissions is determined using the Bay Area Air District performance standard-based Threshold A described above:

A.1.a. No Natural Gas – The project would not include natural gas appliances or natural gas plumbing.

As discussed in Chapter 3.0, *Project Description*, the project would be all-electric and would not include natural gas appliances or natural gas plumbing. Therefore, the project would meet the requirement of Bay Area Air District performance standard-based Threshold A.1.a.

A.1.b. Wasteful Energy Usage – The project would not result in any wasteful, inefficient, or unnecessary energy usage.

The project would be required to comply with all applicable City and State green building measures, including the 2025 California Energy Code - Title 24, Part 6 and 2025 CALGreen Building Standards Code, Title 24, Part 11. Additionally, unnecessary consumption of energy resources during construction would be avoided through restriction of vehicle idling times and proper maintenance of construction equipment, as detailed in Mitigation Measure AQ-1, and pursuant to applicable laws and regulations. Therefore, the project would not result in any wasteful, inefficient, or unnecessary energy usage, and Bay Area Air District performance standard-based Threshold A.1.b would be met.

A.2.a. Vehicle Miles Traveled – The project would meet a locally adopted Senate Bill 743 VMT target.

As described in Section 6.XVII, Transportation, project VMT impacts were analyzed in the TIA. The VMT impact analysis was conducted in accordance with State and City methodology meeting SB 743 requirements, and the TIA concluded that the project's VMT impact would be less than significant (Fehr & Peers 2026). Therefore, the project would meet a locally adopted Senate Bill 743 VMT target and the project would meet the requirements of the Bay Area Air District performance standard-based Threshold A.2.a.

A.2.b. Electric Vehicle Parking – The project would comply with off-street electric vehicle (EV) requirements in the most recently adopted version of CALGreen Tier 2 standards.

The project would include 12 EV parking spaces with charging infrastructure, one electric van parking space with charging infrastructure, and four EV capable parking spaces in accordance with the most current CALGreen Non-Residential Voluntary Tier 2 requirements. Therefore, the project would meet the requirements of Bay Area Air District performance standard-based Threshold A.2.b.

Construction Emissions –Informational Purposes Only

CalEEMod was used to quantify project construction emissions, as discussed in *Methodology and Assumptions*. The model output report is included in Attachment B to Appendix B. Construction of the

proposed project is anticipated to begin in July 2027 and be completed in March 2028. Construction GHG emission sources include construction equipment exhaust, on-road hauling trucks exhaust, vendor vehicle exhaust, and worker commuting vehicle exhaust. The Bay Area Air District has not adopted thresholds of significance for construction-period GHG emissions. Therefore, the project's estimated total construction-related GHG emissions are shown in Table 8, *Construction GHG Emissions* for informational purposes only.

Table 8
CONSTRUCTION GHG EMISSIONS

Year	Emissions (MT CO_2e)
2027	123.8
2028	26.6
Total Project Emissions	**150.4**

Source: CalEEMod (output data is provided in Attachment B in Appendix B)

Operational Emissions – Informational Purposes Only

CalEEMod was used to quantify project operational emissions, as discussed in *Methodology and Assumptions*. Long term operation of the proposed project would result in emissions of GHGs from: area sources such as the use of landscape maintenance equipment; energy sources from the use of electricity; mobile sources related to the use of vehicles for customer trips, worker commute trips, and vendor trips; solid waste sources related to the disposal and decomposition of waste generated by the project; water sources related to indoor and outdoor water use; and refrigerant sources related to air conditioning and refrigeration equipment.

The estimated unmitigated operational GHG emissions for the project are shown in Table 9, *Unmitigated Operational GHG Emissions* for informational purposes only. Per the Transportation Impact Analysis, since the project would be local-serving, located in a highly developed area, and would primarily capture pass-by trips, the project would result in minimal new VMT (Fehr & Peers 2026).). Therefore, mobile source emissions (approximately 950 MT CO_2e per year) would not be new to the region and are not included in the project's GHG emissions inventory. Without considering the mobile emissions, the projects estimated total emissions would be 102 MT CO_2e per year.

Table 9
OPERATIONAL GHG EMISSIONS

Source	Emissions (MT CO_2e per year)
Area	<0.1
Energy	15.7
Water	13.0
Waste	73.1
Refrigerant	0.8
Total Project Emissions[1]	**102.7**

Source: CalEEMod (output data is provided in Attachment B in Appendix B)
[1]Totals may not sum due to rounding.
MT = metric tons; CO_2e = carbon dioxide equivalent

Impact Conclusion

The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and the impact would be less than significant.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. As discussed in the response to question a), above, the project would comply with all of Bay Area Air Districts' performance standard GHG emissions Threshold A.

There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. SB 32 requires achievement of Statewide GHG emissions of 40 percent below 1990 levels by 2030. AB 1279 sets a goal to achieve net zero Statewide GHG as soon as possible, but no later than 2045. Statewide plans and regulations such as GHG emissions standards for vehicles, the Low Carbon Fuel Standard, and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the Statewide level; as such, compliance at the project level is not addressed. Impacts are evaluated based on whether the project would conflict with the CARB's 2022 Scoping Plan at the State level, the ABAG and MTC's Plan Bay Area 2050 and CARB's 2017 Clean Air Plan at the regional level, and the City's CAP at the local level.

As discussed in Section 6.II, impact question a), any population and employment growth in the City as a result of the project (which can be approved only after City Council approval of the proposed General Plan Amendment) would be less than the growth assumptions of the City's 2023-2031 Housing and Safety Element, which provides GHG forecasting in regional plans such as the 2017 Clean Air Plan, Plan Bay Area 2050, and 2022 CARB Scoping Plan.

Transportation sources account for the largest portion of the State's GHG emissions inventory—38 percent in 2020 (CARB 2026b). Regional metropolitan SCS plans such as Plan Bay Area 2050 aim to reduce GHG emissions in the transportations sector. A key to accomplishing this is to reduce the VMT for cars and light trucks. As part of the 2019 update to the CEQA Statutes and Guidelines that became effective on January 1, 2019, the guidelines for assessing transportation impacts were revised to reflect SB 743, which mandates a change in transportation impact analysis from a consideration of the project's traffic congestion impacts to a consideration of a project's VMT impacts. In response to this anticipated change, the Office of Land Use and Innovation (LCI), formerly Office of Planning and Research (OPR), released the Technical Advisory on Evaluating Transportation Impacts in CEQA to assist CEQA practitioners with the implementation of SB 743. The technical advisory contains the following recommendations for the transportation analysis of retail development projects (OPR 2018):

Because new retail development typically redistributes shopping trips rather than creating new trips, estimating the total change in VMT (i.e., the difference in total VMT in the area affected with and without the project) is the best way to analyze a retail project's transportation impacts.

By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than-significant transportation impact. Regional-serving retail development, on the other hand, which can lead to substitution of longer trips for shorter ones, may tend to have a significant impact.

As outlined in the Transportation Impact Analysis, according to LCI guidance, retail uses less than 50,000 square feet can be considered local serving. Therefore, per LCI guidance the project would be considered local-serving retail which tends to shorten trips and reduce VMT and the project would not conflict with Plan Bay Area 2050.

The City's CAP contains 21 potential GHG reduction measures. Of the 21 reduction measures, three items are potentially applicable to the project (City 2010):

> Measure E-3.2 – Promote 'Cool Roofs' to mitigate the urban heat island effect and reduce air conditioning use: The project would comply with the 2025 California Energy Code - Title 24, Part 6, which contains requirements for thermal emittance and solar reflectance index for new commercial buildings in each of California's climate zones.
>
> Measure WR-1.2 – Strengthen Construction and Demolition Standards: The project would be required to comply with the City's Construction and Demolition and Debris Recycling Ordinance, which requires new construction projects to recycle or reuse 100 percent of all asphalt, concrete, uncontaminated soil, land-clearing debris, and plant debris; and requires recycling or reuse of 65 percent of all other construction debris generated by the project's construction activities.
>
> Measure WR-1.1 – Water Efficient Landscape Ordinance: The project would be required to comply with the City's Water Efficient Landscape Ordinance through plant selection and efficient irrigation systems.

The project would be required to comply with all applicable City and State green building measures, including the 2025 California Energy Code - Title 24, Part 6 and 2025 CALGreen Building Standards Code, Title 24, Part 11. As the minimum FAR would decrease upon City Council approval of the proposed General Plan Amendment, any population and employment growth in the City as a result of the project would be less than the growth assumptions of the City's 2023-2031 Housing and Safety Element. The project would also implement the three applicable GHG reduction measures identified above from the City's CAP. Therefore, the project would not conflict with the City's CAP.

Per Appendix D to CARB's 2022 Scoping Plan, GHG emissions efforts taken by local governments should focus on three strategy areas: transportation electrification; VMT reduction; and building decarbonization (CARB 2022b). GHG emissions control measures from the Bay Area Air District's 2017 Air Quality Plan applicable to the project focus on the same three strategy areas. As discussed in the response to question a), above, the project would be local serving, all-electric, and would install EV parking infrastructure per the most recently adopted version of CALGreen Tier 2 standards. Therefore, the project would not conflict with CARB's 2022 Scoping Plan.

The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, including Plan Bay Area 2050, the City's CAP, the Bay Area Air District's 2017 Air Quality Plan GHG reduction measures, or the CARB 2022 Scoping Plan, and, therefore, the impact would be less than significant.

IX. 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 one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

A Phase I Environmental Site Assessment was prepared by Terracon for the proposed project and is included as Appendix F to this IS/MND.

Environmental Setting

The project site currently features a 6,833-sf TGI Fridays restaurant, that has been closed and unused since October 2024, and its associated site improvements, including an existing asphalt parking lot, a waste enclosure, two approximately 150-gallon aboveground storage tanks, a grease interceptor, various site utilities, and other miscellaneous site features, including landscaping and lighting fixtures.

The nearest school to the project site is Alvarado Middle School, located approximately 0.43 mile southwest of the project site. Other schools in the vicinity include Alvarado Elementary School, located approximately 0.51 mile southwest of the project site.

The following databases were reviewed for the project site and surrounding area to identify potential hazardous contamination sites: the State Water Resources Control Board's GeoTracker tool (SWRCB 2026), California Department of Toxic Substance Control's EnviroStor online tool (DTSC 2026), and the USEPA's Superfund National Priorities List (USEPA 2026). Based on these databases, there are no hazardous waste sites or facilities identified within 1,000 feet of the project site (SWRCB 2026; DTSC 2026; USEPA 2026).

Evaluation of Environmental Impacts

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?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities.

Demolition

Prior to construction, the existing 6,833-sf TGI Fridays restaurant that was built in 1999 and associated infrastructure would be demolished. As outlined in the Phase I ESA, these existing site features do not represent a Recognized Environmental Concern to the site.

As discussed in Section 6.III, *Air Quality*, the building was built in an era when ACM and LBP were not typically used in construction materials, and project demolition activities are not anticipated to have the potential to disturb friable ACM and LBP. However, per the Bay Area Air District Regulation 11, Rule 2—prior to commencement of any demolition, a survey is required to determine if ACM is present and the Bay Area Air District must be notified. In addition, the California Health and Safety Code Section 19827.5, *Asbestos Notification Requirement for Demolition Permits*, prohibits the issuance of a demolition permit unless the applicant provides copies of all required asbestos notifications submitted to the USEPA or designated State agencies under 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants [NESHAP]). Compliance with Bay Area Air District regulations, California Health and Safety Codes, and NESHAP requirements would ensure that all potentially hazardous building materials and debris be removed and disposed of in accordance with applicable federal, State, and local regulations.

Construction

While construction activities associated with the proposed project could include the transport and use of hazardous materials for equipment operation and maintenance, such as motor oil, transmission fluid, or solvents, such use would not be in quantities large enough to pose an environmental hazard, nor would it constitute routine, ongoing use. Such use is typical of most construction projects and would not represent a significant hazard to the public or the environment.

Operation

Once construction is complete and the proposed Raising Cane's restaurant with drive-through facilities is operational, the project would involve the routine use, storage, and disposal of commercially available

hazardous materials typical of restaurant operations, including cleaning agents, sanitizers, degreasers, pest control products, small quantities of maintenance supplies, and automotive fluids associated with drive-through and site maintenance activities. In addition, the restaurant would generate used cooking oil and grease, which would be collected through a recycling program in accordance with the project applicant's Waste Diversion Plan, included as Appendix G to this IS/MND. These common restaurant materials would be used in limited quantities and would not create a substantial hazard to the public or the environment. In addition, the use of potentially hazardous materials during operation would be conducted in accordance with manufacturers' labels and applicable local, State, and federal regulations.

Impact Summary

Demolition, construction, and operation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The impact would be less than significant for questions a) and b).

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The project site is not within one-quarter mile of an existing or proposed school. The nearest school is Alvarado Middle School, located approximately 0.43 mile southwest of the project site. Therefore, because the project site would not emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school, no impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The project site is not listed on the SWRCB's GeoTracker database, the DTSC's EnviroStor database, nor the USEPA's Superfund National Priorities List, and there were no hazardous waste sites or facilities identified within 1,000 feet of the project site (SWRCB 2026; DTSC 2026; USEPA 2026). As the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, no impact would occur.

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?

No Impact. The nearest airport is Hayward Executive Airport, approximately 4.35 miles northwest of the project site. The project site is not within the airport's influence area boundary (ESA Airports 2012). Additionally, according to noise exposure maps for the Oakland International Airport, the project site is not within the 65 dBA CNEL contour for the Oakland International Airport (Port of Oakland 2006). Therefore, the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area, and no impact would occur.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. At the regional level, the City partnered with the cities of Fremont and

Newark, the Alameda County Water District, and the Union Sanitary District to develop the Tri-City Multi-jurisdictional Local Hazard Mitigation Plan (LHMP). The LHMP requires participating agencies, such as Union City, to assess local hazard risks pertaining to natural hazards such as earthquakes, flooding, and wildfire, as well as implement mitigation strategies to reduce long-term exposure to natural hazards. The proposed project would be required to comply with all applicable California Building Code (CBC) seismic design standards. The CBC seismic design standards are intended to ensure that structures are designed to resist anticipated seismic forces and minimize the potential for collapse or substantial structural failure during earthquake events. The project site is located outside the one percent annual chance (100-year) flood zone and is mapped within FEMA Flood Zone X, an area of minimal flood hazard (FEMA 2026). Additionally, the project site is located outside of any identified tsunami inundation area and is not located near any lake, reservoir, or an enclosed water body (DOC 2026c). As discussed further below under question g), the project site is not located on or near a Very High Fire Hazard Severity Zone. Therefore, neither construction nor operation of the proposed project would physically interfere with or impair the implementation of the LHMP.

Additionally, the San Francisco Bay Area's *Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan* (Cal OES 2011) identifies priority transportation routes, including I-880 and its connections to I-580, I-680, and SR 84, which are intended to facilitate regional evacuation and emergency response following a catastrophic earthquake. The closest priority transportation route to the proposed project is I-880, located approximately 0.32 mile northwest of the proposed project. Throughout construction and operation of the proposed project, access to and from the project site would continue to be provided from Dyer Street, which serves the existing developed commercial area and provides connectivity to I-880. Neither construction nor operation of the proposed project would result in closures of Dyer Street and would not physically interfere with or impair the implementation of the *Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan*. Therefore, the project would not interfere with an adopted emergency response or evacuation plan, and the impact would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The proposed project is located within the Union Landing Commercial District in a highly urbanized area of the City. As outlined in Section 6.XX, *Wildfire*, the project site is located within a Local Responsibility Area (LRA) and is not located on or near a Very High Fire Hazard Severity Zone (VHFHSZ; CAL FIRE 2026). Due to the urban nature of the project site, the project would not expose people or structures to significant risk of loss, injury, or death involving wildland fires. Therefore, no impact would occur.

X. 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 resources of polluted runoff?	☐	☐	☒	☐
	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?	☐	☐	☒	☐

A Drainage and Stormwater Quality Management Plan was prepared by Yamabe and Horn Engineering, Inc. in February 2026 and is included as Appendix H to this IS/MND.

Environmental Setting

The project site is located in the western portion of the City. The project site is currently developed with a permanently closed TGI Fridays restaurant. The project site includes an existing storm drainage system. The topography of the project site is relatively flat with an elevation ranging from approximately 12 to 14 feet amsl.

Federal Emergency Management Agency (FEMA) flood insurance rate maps were reviewed for the project's proximity to a 100-year floodplain. The proposed project is on FEMA panel 06001C0427G,

effective August 2, 2009 (FEMA 2026). The project site is located outside the one (1) percent annual chance (100-year) flood zone and is mapped within FEMA Flood Zone X, an area of minimal flood hazard (FEMA 2026).

Evaluation of Environmental Impacts

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant with Mitigation Incorporated.

Construction

The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through. Construction of the proposed project would require demolition of the existing improvements, site preparation, grading, and construction of the proposed restaurant and drive-through improvements. As the proposed project site is 1.13 acres and would disturb greater than one acre, the proposed project would be subject to NPDES General Construction Permit requirements and would be required to prepare and implement a SWPPP including erosion and sediment control BMPs to prevent discharge of pollutants during construction. The Construction General Permit requires control of non-stormwater discharges as well as stormwater discharges. Measures to control non-stormwater discharges such as spills, leakage, and dumping must be addressed through structural as well as non-structural BMPs.

The geotechnical investigation conducted by Terracon, included as Appendix E to this IS/MND, measured groundwater at depths ranging from six to seven feet below ground surface during subsurface exploration activities. Since construction of the proposed project could include excavation up to eight feet in depth, the Geotechnical Engineering Report recommends that dewatering should be considered and planned for in proposed excavations if the excavations would extend within two feet of anticipated groundwater levels, with the depth of dewatering to be determined by the project contractor. Construction for the proposed project would include excavation up to eight feet in depth, potentially substantially degrading surface water or groundwater quality. This would be considered a significant impact. Mitigation Measure HYD-1 would require dewatering when excavations extend within two feet of anticipated groundwater levels. Implementation of Mitigation Measure HYD-1, the SWPPP, required BMPs, and compliance with applicable NPDES recommendations would prevent substantial degradation of surface water or groundwater quality and ensure that the proposed project would not violate applicable water quality standards or waste discharge requirements during temporary construction activities. Project construction would have a less than significant impact on surface or groundwater quality with mitigation incorporated.

Operation

The total impervious surface area at full buildout of the proposed project would be slightly smaller compared to existing conditions, from approximately 39,460 sf to 38,860 sf. The project would replace approximately 34,940 sf of impervious surface and would create 3,920 sf of new impervious surface. As the project would create/modify greater than 5,000 sf of impervious surface, the project would be subject to the NPDES Municipal Regional Stormwater Permit No. CAS612008, which requires any private or public development project that would create or modify 5,000 sf or more of impervious surfaces to take measures to improve water quality of stormwater discharges from the project site (i.e., stormwater

runoff), including providing treatment of stormwater from the site.

Additionally, the proposed project would generally follow the existing drainage patterns, with stormwater flowing away from the proposed Raising Cane's restaurant building to a perimeter curb and gutter system. The gutters would be directed to on-site inlets throughout the parking lot to direct runoff into the private onsite storm drainage system (Yamabe and Horn Engineering, Inc. 2026). The proposed project would also include construction of water quality treatment facilities consisting of bioretention features to comply with City stormwater regulations. Specifically, the project would construct six (6) bioretention areas, each designed to collect runoff from different areas of the property. As stormwater flows into these areas, pollutants would be filtered out as the water passes through cobble and mixed bioretention soil. From there, the treated water would either be collected by perforated pipes at the bottom of the system or overflow into designated inlets within each bioretention area to allow stormwater to infiltrate into depressed landscaped areas prior to discharge into the storm drainage system. As described in the Drainage and Stormwater Quality Management Plan, each bioretention system must meet specific sizing requirements, including having an infiltration rate of 5 inches per hour and a biofiltration area that is at least four percent of the effective service area it serves. As seen in Sheet C14, Stormwater Quality Management Plan – DMA Exhibit, of Appendix A, Plan Set, each bioretention area exceeds the required area square footage.

The Drainage and Stormwater Quality Management Plan also includes a discussion of source control measures which would be used on-site as described in the Alameda County Clean Water Program (ACCWP) Guidelines. These measures include landscaping 20 percent of the project site with drought-resistant plants that would allow for natural infiltration into the site's soil, marking on-site storm drains to deter unnatural dumping, cleaning of food processing equipment and grease waste, grease interceptors attached to the site's sewer system, roofing sloped away from onsite waste enclosures, and drain inlets connected to grease interceptors located in the waste enclosures. With the implementation of the source control measures, site design measures, and treatments measures described above and in the Drainage and Stormwater Management Plan, the proposed project would have a similar runoff and improved water quality compared to the existing site. Project operation would have a less than significant impact on surface or groundwater quality with mitigation incorporated.

Impact Summary

With the implementation of Mitigation Measure HYD-1, the source control measures, site design measures, treatments measures described above and in the Drainage and Stormwater Management Plan, as well as adherence to existing NPDES requirements, construction and operation of the proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality, and the impact would be less than significant with mitigation incorporated.

Mitigation Measure HYD-1: Preparation and Implementation of a Dewatering Plan

Prior to the start of construction activities, the project applicant and/or construction contractor shall prepare a project-specific Dewatering Plan for review and approval by the City Engineer. The plan shall address the potential for groundwater to be encountered during excavation activities anticipated to extend to a maximum depth of approximately eight feet. The plan shall describe methods for controlling and managing groundwater intrusion, such as the use of temporary pumps, sumps, or well points, to maintain stable and dry excavation conditions while avoiding adverse effects on adjacent properties,

utilities, and infrastructure. The plan shall also identify best management practices to prevent the discharge of sediment, pollutants, or contaminated groundwater to the storm drain system, including appropriate treatment, filtration, and disposal methods in compliance with applicable permits and water quality regulations. Procedures for monitoring, handling, and responding to the potential discovery of contaminated groundwater shall also be included. The project applicant shall implement all elements of the approved Dewatering Plan throughout construction.

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

Less Than Significant Impact. The project site is located within the Santa Clara Valley – Niles Cone groundwater sustainability basin, which is subject to the Sustainable Groundwater Management Act (SGMA). The basin has a SGMA priority designation of Medium and is not identified by the California Department of Water Resources as a critically over drafted basin (SGMA 2026).

Construction

As described in the response to question a) above, since construction of the proposed project could include excavation up to eight feet in depth, the Geotechnical Engineering Report recommends that dewatering should be considered and planned for in proposed excavations if the excavations would extend within two feet of anticipated groundwater levels, with the depth of dewatering to be determined by the project contractor. Construction for the proposed project would include excavation up to eight feet in depth, and Mitigation Measure HYD-1 would require dewatering when excavations extend within two feet of anticipated groundwater levels. As described in Mitigation Measure HYD-1, if dewatering is required it would be temporary and limited to the construction period and would not consist of long-term groundwater extraction or conflict with implementation of the SGMA.

Operation

The proposed project would not require groundwater extraction during project operation and would tie into existing City water infrastructure. Additionally, once the proposed project is constructed, the square footage of impervious area on the project site would slightly decrease from 39,460 sf to 38,860 sf, representing a net reduction in impervious surface. The proposed project would also construct six bioretention facilities to facilitate on-site infiltration and groundwater recharge. Therefore, the proposed project would not substantially decrease groundwater supplies or interfere with sustainable groundwater management during construction or operation. Impacts would be less than significant.

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?

Less Than Significant Impact.

Demolition and Construction

The proposed project would include the demolition of a permanently closed TGI Fridays and the

construction of a Raising Cane's restaurant and drive-through facilities. As discussed in the response to questions a) and b) above, construction activities that require more than one acre of ground disturbance are regulated by the SFBRWQCB and are subject to the requirements of the NPDES General Construction Permit, including preparation and implementation of a SWPPP during construction. As the proposed project site is 1.13 acres and would disturb an area greater than one acre, the proposed project would be subject to NPDES requirements and would be required to prepare and implement a SWPPP including BMPs to reduce soil erosion during construction activities. Project construction would have a less than significant impact on erosion or siltation.

Operation

Once the proposed project is constructed, the square footage of impervious area on the project site would slightly decrease from 39,460 sf to 38,860 sf, representing a net reduction in impervious surface. Additionally, since the project site is mostly flat with an elevation of 12 to 14 feet, erosion and siltation on- or off-site is not expected. Therefore, since the proposed project would reduce the amount of impervious area present on the site and would comply with the requirements of the NPDES General Construction Permit, it would not result in substantial erosion or siltation and would have a less than significant impact on erosion or siltation.

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 resources of polluted runoff?

iv. Impede or redirect flood flows?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities. The total impervious surface area at full buildout of the proposed project would be slightly smaller compared to existing conditions, from approximately 39,460 sf to 38,860 sf. The proposed project would generally follow the existing drainage patterns, with stormwater flowing away from the proposed Raising Cane's restaurant building to a perimeter curb and gutter system. The gutters would be directed to on-site inlets throughout the parking lot to direct runoff into the private onsite storm drainage system (Yamabe and Horn Engineering, Inc. 2026). Additionally, the proposed project would include construction of water quality treatment facilities consisting of bioretention features to comply with City stormwater regulations. Specifically, the project would construct six bioretention areas to allow stormwater to infiltrate into depressed landscaped areas prior to discharge into the storm drainage system. The Drainage and Stormwater Quality Management Plan includes a discussion of source control measures, site design measures, and treatments measures that would be implemented as part of the proposed project to ensure the proposed project would have a similar runoff and improved water quality than the existing site.

Therefore, with implementation of the measures included in the Drainage and Stormwater Plan and described in the response to question a) above, the project would not substantially increase runoff in a manner that would result in flooding, would not create or contribute runoff water which would exceed the capacity of existing or planned drainage systems or provide substantial additional sources of polluted runoff, and would not impede or redirect flood flows. Therefore, the impact would be less than significant.

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

Less Than Significant Impact. The project site is located outside the one percent annual chance (100-year) flood zone and is mapped within FEMA Flood Zone X, an area of minimal flood hazard (FEMA 2026). Additionally, the project site is located outside of any identified tsunami inundation area and is not located near any lake, reservoir, or an enclosed water body (DOC 2026c). As the project site is not located within a 100-year flood zone, nor is the site at risk of tsunami or seiche, the risk of project inundation would be unlikely. Therefore, the proposed project would not risk release of pollutants due to project inundation, and the impact would be less than significant.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The project site is in Hydrologic Unit Code 18050004 within the South Bay Hydrologic Planning Area of the San Francisco Bay Region (USGS 2026). The applicable water quality control plan is the *San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan;* RWQCB 2017*)*. The project site is also located within the Santa Clara Valley – Niles Cone groundwater sustainability basin, which is subject to the Sustainable Groundwater Management Act (SGMA). Possible dewatering during construction as a result of Mitigation Measure HYD-1 would be temporary and would not result in long-term groundwater extraction. The drainage design would comply with all City and State requirements, including the Municipal Regional Stormwater Permit and post-construction stormwater runoff requirements, to ensure that the proposed project complies with all applicable water quality standards and discharge requirements and water quality is protected. Additionally, the proposed project would not require groundwater extraction and would include six bioretention areas to facilitate on-site filtration and groundwater recharge. Thus, the proposed project is not anticipated to conflict with the water quality control plan or groundwater management plan, and the impact would be less than significant.

XI. 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 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?	☐	☐	☒	☐

Environmental Setting

The Union City 2040 General Plan guides current and future growth in the City. The Land Use Element lists land use designations for properties in the City and outlines goals and policies concerning development and use of that land. In accordance with the 2040 General Plan, UCMC Title 18 Zoning establishes zoning districts in the City and specifies allowable uses and development standards for each district. Under State law, each jurisdiction's zoning ordinance must be consistent with its General Plan (City 2019).

The project site is currently designated Regional Retail Commercial (CRR) under the City General Plan and is located within the Sub-Regional Specialty Commercial (SRSC) development type sub-area of the Union Landing Commercial District (CUL) zoning district.

Evaluation of Environmental Impacts

a) Physically divide an established community?

No Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities on an existing 1.13-acre parcel. The proposed project would not divide an established community, and therefore, no impact would occur.

b) Cause 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?

Less Than Significant Impact. The project site is currently designated Regional Retail Commercial (CRR) under the City General Plan and is located within the Sub-Regional Specialty Commercial (SRSC) development type sub-area of the Union Landing Commercial District (CUL) zoning district.

As outlined in Section 3.1, *Required Permits and Approvals*, a General Plan Amendment is required to change the applicable commercial development type sub-area from Sub-Regional Specialty Commercial (CUL-SRSC) to Community Commercial (CUL-CC) on Figure SA-12.2 of the General Plan. The CC sub-area is intended to stabilize, promote and improve the characteristics of the commercial business environment by providing adequate locations for stores, services and offices which fulfill the needs of

the residents of the City as a whole. Permitted uses within the CC zoning district include a store, motel, office, bank, theaters, restaurant, health services, or similar use with minimum lot size being 5,000 sf in floor area. Zoning text amendments may be included concurrently with the project entitlements to clarify and update the sub-area descriptions within UCMC Chapter 18.39 to ensure the zoning ordinance is consistent with the proposed General Plan Amendment and accurately reflects the updated sub-area designations within the CUL District.

As described in Section 3.1, *Required Permits and Approvals*, the proposed project does not require a change in the CRR land use designation; however, a General Plan amendment is required to change the applicable commercial development type sub-area from CUL-SRSC to CUL-CC, as depicted in Figure SA-12.2 of the General Plan. A General Plan amendment is also required to reduce the minimum FAR standard applicable to the CRR designation to accommodate the project's FAR. In addition, amendments to General Plan Policies SA-12.5 and SA-12.21 are required to allow exceptions to the CUL-CC sub-area boundary limitation and authorize additional drive-through establishments, respectively.

As also outlined in Section 3.1, *Required Permits and Approvals*, per Section 18.39.050(B) of the UCMC, a Use Permit would be required as the proposed Raising Cane's building includes a drive-through food services component that is subject to the provisions of the Drive-Through Restaurant Policy Statement certified in City Council Resolution 7265-89. Additionally, the proposed project also requires Site Development Review per UCMC Chapter 18.76.

Table 10
CONSISTENY STANDARDS

Item/Standards	Currently Required/Permitted	Existing	Proposed
General Plan Land Use Designation	Regional Retail Commercial (CRR)	Regional Retail Commercial (CRR)	Regional Retail Commercial (CRR)
Zoning	Union Landing Commercial District – Sub -Regional Specialty Commercial (CUL-SRSC)	CUL-SRSC	Community Commercial (CUL-CC)[1]
Minimum Lot Size (sf)	5,000	+/- 49,000	+/- 49,000
Required Maximum Lot Coverage (%)	None	N/A	N/A
Floor Area Ratio (FAR)	None	0.14	0.07[1]
Gross Floor Area: Building/Tenant Space (sf)	N/A	6,833	+/-3,018
Maximum Building Height (ft)	100	30	22
Number of Stories	N/A	1	1
Number of Buildings On-Site	N/A	1	1
Minimum Front-Yard Setback (ft)	25	110	78
Minimum Rear-Yard Setback (ft)	1 ft/3 ft over 12 ft building height	32	10

Item/Standards	Currently Required/Permitted	Existing	Proposed
Interior Lot: Minimum Left-Side Yard Setback (ft)	1 ft/3 ft over 12 ft building height	90	46
Interior Lot: Minimum Right-Side Yard Setback (ft)	1 ft/3 ft over 12 ft building height	46	72
Landscaping (sf)	9,800	+/-9,540	+/-10,140
Landscape (Minimum % of Lot Area)	20	19	21
Water-Conserving Plants (%)	75	N/A	75
Parking Spaces: Total	4 (AB 2097[2])	78	45
Parking Spaces: Accessible	2	4	2
Parking Spaces: Electric Vehicle	13 electric vehicle charging stations and four capable stalls	None	13 electric vehicle charging stations and four capable stalls
Minimum Drive Aisle Width (ft)	26	26	26
Minimum Short-Term Bicycle Parking	3	0	3
Impervious Surface Area (sf)	N/A	+/-39,460	+/-38,860
Impervious Surface (%)	N/A	81	79
Public Art	Per UCMC Chapter 12.40	N/A	To be determined

[1] General Plan Amendment required

[2] AB 2097 prohibits local jurisdictions from enforcing minimum parking requirements on residential, commercial, and mixed-use developments located within 0.5-mile of a major transit stop.

Based on the analysis summarized above and pending approval of the General Plan Amendment, Zoning Text Amendment (if applicable), Use Permit, and Site Development Review, the proposed project would not conflict with the General Plan, zoning regulations, CAP, or any other local plans or policies adopted for the purposes of avoiding or mitigating an environmental effect. Therefore, the impact would be less than significant.

XII. 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?	☐	☐	☐	☒

Environmental Setting

There are no active mines on the proposed project site or in the immediate vicinity (DOC 2026d). The nearest active mine is the Sheridan Quarry (Mine ID: 91-01-0016), which is located outside of the City limits.

Evaluation of Environmental Impacts

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?

No Impact. The project site is in an area classified as Mineral Resource Zone – 1 (MRZ-1), where MRZ-1 is defined as "areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence" (DOC 1996). Therefore, as the project site is classified as MRZ-1, the proposed project would not result in the loss of availability of a known mineral resource, and no impact would occur.

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?

No Impact. The nearest mineral resource area within City limits is located east of Mission Boulevard near Appian Way, approximately 3.88 miles to the east of the project site (City 2015). No known mineral resources are located on the project site. Additionally, the nearest active mine is the Sheridan Quarry (Mine ID: 91-01-0016), which is located outside of the City limits. Therefore, the proposed project would not result in the loss of availability of a locally important mineral resource area, and no impact would occur.

XIII. 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?	☐	☐	☒	☐

The following is based on a Noise Assessment prepared by HELIX and included as Appendix I to this IS/MND.

Noise Metrics

Noise is measured in terms of sound pressure level (SPL), defined as the pressure deviation from the ambient atmospheric pressure caused by a sound wave and measured at a receiver location. SPL is dependent on the environment and the distance between the sound source and the receiver. Comparison of noise sources and noise from equipment is often expressed as sound power level (SWL), defined as the total acoustic energy emitted by a sound source per unit of time. SWL is independent of the environment or distance between a sound source and a receiver. SPL and SWL values presented herein are expressed in terms of decibels (dB), with A weighting (dBA) to approximate the hearing sensitivity of humans. Time averaged noise levels of one hour are expressed by the symbol "L_{EQ}" unless a different time period is specified, maximum noise levels are expressed by the symbol "L_{MAX}", and "L_{50}" is the sound level that is exceeded for 50 percent of the measurement period. Some of the data also may be presented as octave-band-filtered and/or A-octave band-filtered data, which are a series of sound spectra centered on each stated frequency, with half of the bandwidth above and half of the bandwidth below, the stated frequency. These data are typically used for machinery noise analysis and barrier-effectiveness calculations. The Community Noise Equivalent Level (CNEL) is a 24-hour average, where noise levels during the evening hours of 7:00 p.m. to 10:00 p.m. have an added 5 dBA weighting, and sound levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. have an added 10 dBA weighting. This is similar to the Day Night sound level (L_{DN}), which is a 24-hour average with an added 10 dBA weighting on the same nighttime hours but no added weighting on the evening hours.

Because decibels are logarithmic units, SPL cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words,

when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an S_{PL} of 70 dBA when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustic laboratory, the trained, healthy human ear is able to discern 1 dBA changes in sound levels, when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000 Hertz [Hz]–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

Vibration Metrics

Groundborne vibration consists of rapidly fluctuating motions or waves transmitted through the ground with an average motion of zero. Sources of groundborne vibrations include natural phenomena and anthropogenic causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Peak particle velocity (PPV) is commonly used to quantify vibration amplitude. The PPV, with units of inches per second (in/sec), is defined as the maximum instantaneous positive or negative peak of the vibration wave.

Environmental Setting

Existing Noise Environment

Noise sources in the project vicinity include traffic noise from City streets and from I-880, approximately 1,650 feet (0.3 mile) northeast of the project site, noise from parking lots, and building mechanical systems, such as heating ventilation, and air conditioning (HVAC) systems.

Noise-Sensitive Land Uses

Noise-sensitive land uses (NSLUs) are land uses that may be subject to stress and/or interference from excessive noise. The City 2040 General Plan Safety Chapter, Policy S-8.1 defines NSLUs as including: single- and multi-family residential; group homes; hospitals and other medical facilities; schools and other learning institutions; and libraries (City 2019). The closest existing NSLUs to the project site are single-family residential properties approximately 150 feet west of the project site, across Dyer Street.

Regulatory Setting

City of Union City General Plan

The Safety Element of the City's General Plan includes goals and policies to minimize excessive noise and vibration. The following goals and policies would apply to the proposed project (City 2019):

Goal S-8: To protect public health and welfare by minimizing excessive noise and vibration.

Policy S-8.2: Noise Standards Applied to New Development. The City shall review new development to determine whether noise levels on site are consistent with the noise exposure standards in Table S-8.1. Development in areas with "conditionally acceptable" or "normally unacceptable" noise exposure levels may be permitted at the discretion of the City Council. A detailed noise analysis and implementation of appropriate measures shall be required for all developments that have noise exposure levels greater than "normally acceptable."

For commercial development, Table S-8.1 of the General Plan Safety Chapter lists normally acceptable noise levels as 70 CNEL or L_{DN} or less.

Policy S-8.6: Encourage Non-Structural Methods to Mitigate Noise Impacts. The City shall encourage the use of site design, setbacks, earth berms, and other non-structural methods to reduce and mitigate the effects of traffic noise, rail noise, and other sources. Building placement should also be used to mitigate noise impacts on outdoor areas. In general, the use of sound walls is discouraged unless no other alternative exists.

Policy S-8.7: Reduce Impacts from New Noise Generating Uses. The city may require operational limitations and implementation of noise buffering measures for new uses with the potential to generate significant noise (including, but not limited to, industrial uses, auditoriums, concert halls, amphitheaters, sports arenas, outdoor spectator sports fields, and outdoor spectator sports) near existing noise sensitive land uses as identified in Policy S-8.1. A noise impact analysis may be required to evaluate potential noise impacts and identify appropriate buffering measures.

Policy S-8.8: Limit Construction Hours. To minimize the potential noise impacts of construction activities on surrounding land uses, the City shall limit construction activities between the hours of 8:00 a.m. and 8:00 p.m. on Monday through Friday, 9:00 a.m. and 8:00 p.m. on Saturdays, and 10:00 a.m. and 6:00 p.m. on Sundays and holidays. The City Manager may make specific exceptions to the construction hours when utility work in the streets would have a severely negative impact on traffic flow and public safety.

Policy S-8.9: Construction Noise Control Measures. The City shall include the following noise control measures as standard conditions of approval for projects involving construction:

1. Properly muffle and maintain all construction equipment powered by internal combustion engines.

2. Prohibit unnecessary idling of combustion engines.

3. Locate all stationary noise-generating construction equipment such as air compressors as far as practical from existing nearby residences and other noise-sensitive land uses. Such equipment shall also be acoustically shielded.

4. Select quiet construction equipment, particularly air compressors, whenever possible. Fit motorized equipment with proper mufflers in good working order.

5. Residences adjacent to project sites shall be notified in advance in writing of the proposed construction schedule before construction activities commence. The construction schedule shall comply with Policy S-8.8.

6. 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 (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator shall be posted at the construction site.

Policy S-8.10: Construction Vibration Control Measures. The City shall include the following measures as standard conditions of approval for applicable projects involving construction to minimize exposure to construction vibration:

1. Avoid the use of vibratory rollers (i.e., compactors) within 50 feet of buildings that are susceptible to damage from vibration.

2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration identifies as sensitive to daytime vibration (FTA 2006).

3. Notify neighbors of scheduled construction activities that would generate vibration.

City of Union City Municipal Code

The City Municipal Code Chapter 9.40, Community Noise, contains the following sections which would be applicable to the project:

Article IV. Prohibited Acts

9.40.040. Noise disturbance prohibited. No person shall produce, suffer or allow to be produced by any machine, animal or device, or any combination of same, any noise disturbance.

9.40.042. Commercial and industrial property noise limits. No person shall produce, suffer or allow to be produced by any machine or device, or any combination of same, on commercial or industrial property, a noise level more than twelve dBA above the local ambient at any point outside of the property line.

Article V. Special Provisions

9.40.050. Daytime exceptions. Any noise source which does not produce a noise level exceeding seventy dBA at a distance of twenty-five feet from the noise source under its most noisy condition of use shall be exempt from the provisions of Article 4 between the hours of eight a.m. and eight p.m. daily except Sundays and holidays, when the exemption herein shall apply between ten a.m. and six p.m.

9.40.053. Construction. Notwithstanding any other provision of this chapter, between the hours of eight a.m. and eight p.m. daily except Saturday, when the exemption herein shall apply between nine a.m. and eight p.m. and Sundays and holidays, when the exemption herein shall apply between ten a.m. and six p.m., construction, alteration, or repair activities which are authorized by valid City permit shall be allowed if they meet at least one of the following noise limitations:

A. No individual piece of equipment shall produce a noise level exceeding eighty-three dBA at a distance of twenty-five feet. If the device is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close to twenty-five feet from the equipment as possible.

B. The noise level at any point outside the property plane of the project shall not exceed eighty-six dBA.

City of Union City Drive-Through Restaurant Policy Statement[4]

The City adopted the Drive-Through Restaurant Policy Statement (Policy Statement) in 1989. The Policy Statement includes the following noise standard (City 1989):

2. Noise

A. Drive-through speakers shall not be audible from adjacent residentially used, zoned, or General Planned properties.

B. Use of sound attenuation walls shall be encouraged.

Methodology and Assumptions

Noise Modeling Software

Project construction noise was analyzed using the U.S. Department of Transportation (USDOT) Roadway Construction Noise Model Version 1.1 (RCNM; USDOT 2008), which utilizes estimates of sound levels from standard construction equipment. The RCNM output report is included as Attachment 3 to this memorandum.

Modeling of the exterior noise environment for on-site noise sources for this memorandum was accomplished using Computer Aided Noise Abatement (CadnaA) version 2025. CadnaA is a model-based computer program developed by DataKustik for predicting noise impacts in a wide variety of conditions. CadnaA assists in the calculation, presentation, assessment, and mitigation of noise exposure. It allows for the input of project-related information, such as noise source data, barriers, structures, and topography to create a detailed model, and uses the most up-to-date calculation standards to predict outdoor noise levels. The project's contribution to off-site traffic noise on area streets was calculated using USDOT Traffic Noise Model (TNM) version 2.5 (USDOT 2004), as implemented within CadnaA. The noise models used in this analysis were developed from the site plan provided by the project design team. Input variables included building mechanical equipment reference noise levels, road alignment, projected traffic volumes, estimated truck composition percentages, and vehicle speeds. Printouts of the CadnaA model input and output tables are included as Attachment 4 to this memorandum.

Peak-hour traffic volumes were estimated based on the assumption that approximately 10 percent of the average daily traffic would occur during a peak hour. The one-hour L_{EQ} noise level is calculated utilizing peak-hour traffic. Peak hour L_{EQ} can be converted to CNEL using the following equation, where $L_{EQ}(h)pk$ is the peak hour L_{EQ}, P is the peak hour volume percentage of the ADT, d and e are

[4] Available at: https://www.unioncityca.gov/DocumentCenter/View/2747/Policy-Statement---Fast-Food-Drive-Through?bidId=

divisions of the daytime fraction of ADT to account for daytime and evening hours, and *N* is the nighttime fraction of ADT:

$$CNEL = L_{EQ}(h)pk + 10log10\ 4.17/P + 10log10(d + 4.77e + 10N)$$

When peak-hour traffic volumes are near 10 percent of ADT, the last two terms of the equation are negligible, and the model-calculated one-hour L_{EQ} noise output is approximately equal to the CNEL (Caltrans 2013).

Construction

Construction of the project would result in noise from construction equipment used on the project site. The loudest construction noise source is anticipated to be the use of heavy equipment during site preparation and grading. Construction equipment noise was evaluated using the RCNM and methodology from the FTA's *Transit Noise and Vibration Impact Assessment Manual*, Option A for a quantitative construction noise assessment. Using this method, equipment is assumed to operate at the center or centerline of the project site, and the two noisiest pieces of construction equipment are assumed to operate concurrently in close proximity to each other (FTA 2018). Based on estimates from the project design team, the loudest two pieces of construction equipment used on the project site concurrently would be a dozer and a grader, used during grading. Table 11, *Anticipated Noisiest Construction Equipment*, presents a summary of the loudest heavy equipment anticipated to be used for grading, the typical operating time percentage, and the average noise level at 50 feet reported by the RCNM.

Table 11
ANTICIPATED NOISIEST CONSTRUCTION EQUIPMENT

Construction Equipment	Percent Operating Time	Noise Level at 50 feet (dBA L_{EQ}) from Construction Equipment
Site Preparation and Grading		
Dozer	40	81.7
Grader	40	85.0

Source: RCNM
dBA = A-weighted decibels; L_{EQ} = time averaged sound level.

Truck haul trips during project construction would result in increases in off-site traffic noise. Based on the project air quality analysis, peak daily truck haul trips would occur during demolition when up to 230 truckloads of debris would be exported from the project site, resulting in up to 23 one-way truck trips per workday (approximately 3 one-way truck trips per hour).

Operations

Anticipated project operational noise sources would include off-site vehicular traffic, drive-through vehicle queuing, drive-through order boards, HVAC systems, and commercial refrigeration condensers.

Vehicular Traffic

Per the project Transportation Impact Analysis (TIA), the project would generate 887 net new vehicle

daily trips (79 net new peak hour trips), accounting for a pass-by-trip reduction of 1,084 daily trips. All project trips were assumed to access the project site via the existing shopping center driveways along Dyer Street (Fehr & Peers 2026). Traffic noise was modeled assuming a typical mix of vehicles on urban streets: 96 percent cars and light trucks, 3 percent medium truck and buses, and 1 percent heavy trucks.

Drive-Through Queues

Noise from vehicles idling in the two project drive-through queues during the anticipated noisiest hour of the day, 5 p.m. to 6 p.m., were modeled in CadnaA conservatively assuming the maximum capacity of the project restaurant per the TIA drive-through queuing analysis--45 vehicles per hour per queue (90 total vehicles per hour; Fehr & Peers 2026). As discussed in the Project Description, above, the project is anticipated to operate from 9:00 a.m. to 3:30 a.m. Sunday through Saturday. Data for vehicles entering the project site at hours other than the peak afternoon hour were not available. Based on data for distribution of traffic on urban highways in California, the quietest hour for traffic noise is from 1:00 a.m. to 2:00 a.m. (Ogden International 1985; Wyle Laboratories 1973). Assuming the distribution of vehicles entering the project site is similar to California urban highway traffic distribution, approximately 0.8 percent of project daily traffic would enter the project site from 1:00 a.m. to 2:00 a.m., or 8 vehicles. Because the applicable City noise ordinance nighttime standard is based on maximum noise level over a six-minute period, nighttime drive-through queue noise modeling conservatively assumed all eight vehicles would arrive in the same six-minute period, equivalent to 80 vehicles per hour (even though the estimated number of vehicles entering the project site during the entire one-hour nighttime period is only eight vehicles). Vehicles idling and passing through the project drive-through queues were modeled as road sources in CadnaA with passenger cars traveling through the queue at an average speed of two miles per hour.

Drive-Through Order Boards

The project would use two HME brand drive-through order board speaker systems which use an Automatic Volume Control (AVC) feature. Based on an HME Engineering white paper, when operating and set at factory default levels, the speakers produce a maximum level of 74 dBA SPL at a distance of 4 feet and a height of 3 feet above the ground. The AVC system measures the ambient noise level in the drive-through queue and adjusts the speaker level down so that it is never more than 15 dBA above the ambient noise level, measured 4 feet from the speaker (HME 2020). Speakers were modeled in CadnaA as point sources and were assumed to operate for 30 seconds per vehicle in the queue.

Heating, Ventilation, and Air Conditioning

The Project would use commercial-sized HVAC units located on the rooftop of the building. The units would be located behind a parapet wall of equal or greater height to the HVAC unit, which would provide substantial noise attenuation. The exact HVAC models have not been determined as of this analysis. For the purposes of this analysis, Carrier 50PG 12-ton HVAC units, with a sound power level (S_{WL}) of 80.0 dBA, were used to model the noise impacts from the proposed Project's HVAC system (Carrier 2008). The manufacturer's noise data for the HVAC units is provided below in Table 12, *HVAC Condenser Noise Data.* Standard HVAC planning assumes approximately one ton of HVAC for every 350 SF of habitable space (American Society of Heating, Refrigeration, and Air Conditioning Engineers [ASHRAE] 2012). Based on the building sizes, one Carrier 50PG 12-ton unit (or similar system) would be required for the project restaurant building. Project HVAC systems were modeled in continuous operation during daytime and nighttime hours.

Table 12
COMMERCIAL HVAC CONDENSER NOISE DATA

Noise Levels in Decibels[1] (dB) Measured at Octave Frequencies								Overall Noise Level (dBA)[1]
63 Hz	125 Hz	250 Hz	500 Hz	1 KHz	2 KHz	4 KHz	8 KHz	
90.4	83.1	80.9	77.8	75.2	70.0	66.1	57.6	80.0

Source: Carrier 2008

[1] Sound Power Level (SWL)
HZ = Hertz; KHz = kilohertz

Commercial Refrigeration

Specific information about the restaurant's planned refrigeration condensers was not available at the time of the analysis. This analysis assumes the use of one Hussman Proto-Air 3280 units. The unit would use 0.5-horsepower (HP), 1150 revolutions per minute (RPM) motors and variable speed drives (fan speed controllers). The fan was assumed to operate at 1150 RPM for daytime operations and 850 RPM for nighttime operations. The modeled noise levels from the refrigeration unit fans are shown in Table 13, *Typical Refrigeration Condenser Unit Fan Noise*. This model of condenser has high and low speed fan settings, used depending on the outside air temperature and cooling load. To be conservative, the project refrigeration condenser fan was assumed to operate continuously during daytime and nighttime hours.

Table 13
TYPICAL REFRIGERATION CONDENSER UNIT FAN NOISE

Fan Type	63 Hz[1]	125 Hz[1]	250 Hz[1]	500 Hz[1]	1 KHz[1]	2 KHz[1]	4 KHz[1]	Overall Noise Level
Single Fan 1,150 RPM	90.6	93.6	89.6	86.6	84.6	79.6	75.6	89.3
Single Fan 850 RPM	80.6	83.6	79.6	76.6	74.6	69.6	65.5	79.3

Source: Hussman 2015

[1] Sound Power Levels (S_{WL}), dBA
Hz = Hertz; kHz = kilohertz RPM = revolutions per minute

Construction Noise: Per UCMC Section 9.40.053(B), project on-site construction noise would be significant if it would exceed 86 dBA at any point outside the property plane of the project site.

Daytime Operational Noise: Per UCMC Section 9.40.050, daytime (8:00 a.m. to 8:00 p.m.) project on-site generate operational noise would be significant if maximum noise levels generated by the project would exceed 70 dBA measured 25 feet from the noise source.

Nighttime Operational Noise: Per UCMC Section 9.40.042, project nighttime on-site generate operational noise would be significant if the average noise level measured over six-minutes would exceed the ambient noise level by 12 or more dBA.

Traffic Noise: The City has not adopted standards for permanent changes in ambient noise resulting from a project's contribution to traffic on area roads. Therefore, the standards of significance used in this analysis for operational noise are based on recommendations from the Federal Interagency Committee on Noise (FICON). These thresholds for acceptable increases in ambient noise levels are based on human reactions to aircraft noise but are equally applicable to human reactions to changes in urban ambient noise levels. Impacts would be significant if the project's contribution to existing ambient

noise levels, measured at ground level within an NSLU, would result in (FICON 1992):

- An increase of 5 dBA or more where the existing ambient noise level is less than 60 CNEL; or
- An increase of 3 dBA or more where the existing ambient noise level is between 60 and 65 CNEL; or
- An increase of 1.5 dBA or more where the existing ambient noise level is more than 65 CNEL.

Ground-Borne Vibration: The City has not adopted thresholds of significance for ground-borne vibration. Therefore, based on guidance from the FTA, ground-borne vibration would be potentially significant if the project would result in ground-borne vibration which exceeds architectural damage potential criteria of 0.2 inch per second PPV for non-engineered timber and masonry buildings with plaster (e.g., typical single-family residences) or 0.5 inch per second PPV for engineered reinforced-concrete, steel, or timber buildings (e.g., reinforced concrete commercial/retail buildings), for intermittent construction sources (such as impact pile drivers, vibratory pile drivers, and heavy construction equipment; FTA 2018).

Evaluation of Environmental Impacts

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?

Less Than Significant Impact.

Construction Equipment Noise

Noise impacts would be temporary and would cease completely at the completion of project construction. Construction of the project would require the use of heavy off-road equipment for site demolition, site preparation, grading/installation of underground utilities, construction of new buildings, and paving. The magnitude of the noise impact would depend on the type of construction activity, equipment, duration of each construction phase, distance between the noise source and receiver, and any intervening structures.

As discussed in Methodology and Assumptions, above, construction equipment noise was evaluated using methodology from the FTA's Transit Noise and Vibration Impact Assessment Manual, Option A for a quantitative construction noise assessment. Using this method, equipment is assumed to operate at the center of the project, and the two noisiest pieces of construction equipment are assumed to operate concurrently in close proximity to each other (FTA 2018 pp. 177-178). The two noisiest pieces of construction equipment that could be used concurrently would be a dozer and a grader used during grading.

The distance from the center of the project site to the closest project site property line is approximately 95 feet. Using the RCNM, the combined noise of a dozer and an excavator at 95 feet would be 77.1 dBA L_{EQ}. This noise level would not exceed the City's criteria of 86 dBA measured at the project property line per Municipal Code Section 9.40.053(B). In addition, City General Plan Policy S-8.8 limits construction activities between the hours of 8:00 a.m. and 8:00 p.m. on Monday through Friday, 9:00 a.m. and 8:00 p.m. on Saturdays, and 10:00 a.m. and 6:00 p.m. on Sundays and holidays. Therefore, project

construction equipment would not generate a substantial temporary increase in ambient noise levels in the vicinity.

Construction Truck Traffic Noise

As discussed in *Methodology and Assumptions*, above, peak project construction truck trips are anticipated to be 23 one-way truck trips per day, or approximately three trucks per hour for the import of aggregate and asphalt during paving. Modeling with TNM, as implemented in CadnaA, using traffic counts data from the TIA shows that an additional three heavy duty truck trips per hour to Dyer Steer would result in an increase in ambient traffic noise of less 0.1 dBA which would not be a discernable increase. Therefore, project construction truck traffic would not generate a substantial temporary increase in ambient noise levels.

Operational Off-Site Transportation Noise

The project would generate vehicular traffic along nearby roadways. Per the TIA, under exiting conditions, the p.m. peak hour traffic volumes for Dyer Street are: 1,810 vehicles north of the Union Landing Shopping Center; 1,878 vehicles from the Union Landing Shopping Center to the project driveway; and 1,869 vehicles south of the project driveway. Accounting for pass-by trip reduction, the project would add 79 net p.m. peak hour trips to Dyer Steet (Fehr & Peers 2026).

As described in *Methodology and Assumptions*, above, TNM, as implemented in CadnaA, was used to calculate the peak p.m. hour noise and the CNEL along project-affected roadways. The calculated change in traffic noise, measured at the closest NSLU to each road segment (single-family residences west of Dyer Street), is compared to the threshold in Table 14, *Off-Site Transportation Noise Levels.*

Table 14
OFF-SITE TRANSPORTATION NOISE LEVELS

Roadway Segment	Existing (CNEL)	Existing + Project (CNEL)	Project Effect (CNEL)	Threshold (CNEL)	*Exceed Threshold?*
Dyer Street					
North of Shopping Center Driveway	66.2	66.3	0.1	1.5	*No*
Shopping Center Driveway to Project	66.7	66.7	<0.1	1.5	*No*
South of Project	67.2	67.3	0.1	1.5	*No*

Source: CadnaA
CNEL = Community Noise Equivalent Level in A-weighted decibels (dBA)

As shown in Table 14, the maximum increase in transportation noise because of the project would be 0.1 dBA and would not exceed the 1.5 dBA threshold. The permanent increase in ambient noise resulting from the addition of project traffic to area roads would not be discernable.

Operational On-Site Noise

Project on-site operational noise sources would include off-site vehicular traffic, drive-through vehicle queuing, drive-through order boards, HVAC systems, and commercial refrigeration condensers, as described in the Methodology and Assumptions Section, above.

Per UCMC Section 9.40.050, daytime (8:00 a.m. to 8:00 p.m.) project on-site generate operational noise would be significant if maximum noise levels generated by the project would exceed 70 dBA measured

25 feet from the noise source. Based on the modeling results, the highest project noise levels would be from the drive-through queues and order board speaker. Receivers were placed at the highest noise level points 25 feet east, north, west, and south of the project drive-through queues. The maximum noise levels at 25 feet is compared to the City standard in Table 15, *Daytime Operational Noise*.

Table 15
DAYTIME OPERATIONAL NOISE

Receiver	Maximum Noise Level (dBA)	City Threshold (dBA)	*Exceed Threshold?*
25 Feet East of Drive-Through Queues	52.7	70	*No*
25 Feet North of Drive-Through Queues	52.7	70	*No*
25 Feet West of Drive-Through Queues	48.9	70	*No*
25 Feet South of Drive-Through Queues	50.7	70	*No*

Source: CadnaA; Threshold: City Noise Ordinance Section 9.40.050

As shown in Table 15, maximum project operational daytime noise would not exceed the City standard of 70 dBA measured at 25 feet from the noise source.

Per UCMC Section 9.40.042, project nighttime on-site generate operational noise would be significant if the average noise level measured over six-minutes would exceed the ambient noise level by 12 or more dBA. Receivers were placed at the highest noise level points along the east, north, west, and south project property line. Nighttime ambient noise was evaluated at the receiver locations assuming traffic noise would be at its lowest level between 1:00 a.m. and 2:00 a.m. when traffic volume is assumed to be 0.8 percent of average daily traffic. The change in noise level over ambient at the project property line is compared to the City standard in Table 16, *Nighttime Operational Noise*.

Table 16
NIGHTTIME OPERATIONAL NOISE

Receiver	Ambient Traffic Noise Level (dBA)	Noise Level with Project Sources (dBA)	Project Increment (dBA)	City Threshold (dBA)	*Exceed Threshold?*
East Property Line	47.6	50.4	2.8	12	*No*
North Property Line	50.4	51.5	1.1	12	*No*
West Property Line	58.8	58.8	<0.1	12	*No*
South Property Line	48.3	49.6	1.3	12	*No*

Source: CadnaA; Threshold: City Noise Ordinance Section 9.40.042

As shown in Table 16, the increase in nighttime ambient noise resulting from project operational on-site noise would not exceed the City standard of 12 dBA measured at the project property line.

Impact Conclusion

The calculated project on-site construction equipment noise levels would not result in a temporary increase of ambient noise levels over existing levels exceeding City threshold. Project construction haul trips would not result in a perceptible increase in ambient traffic noise levels. The calculated project operational noise increases from on-site sources would not exceed the City daytime or nighttime standard. The addition of project traffic to area roads would not result in a perceptible increase in ambient traffic noise levels. Therefore, the project would not result in the generation of a substantial

temporary or permanent increase in ambient noise levels in the vicinity of the project exceeding standards established in the City General Plan or noise ordinance. The impact would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact.

Construction Vibration

Typical ground-borne vibration levels produced by common construction equipment at a distance of 25 feet from the construction equipment are shown in Table 17, *Construction Equipment Vibrations*.

Table 17
CONSTRUCTION EQUIPMENT VIBRATIONS

Equipment	PPV at 25 feet (inches per second)	PPV at 25 feet (VdB) from Construction Equipment
Pile Driver, Impact	0.644	104
Pile Drive, Vibratory	0.170	93
Large Vibratory Roller	0.210	94
Large Dozer	0.089	87
Loaded Truck, Off-Road	0.076	86
Jackhammer	0.035	79
Small Dozer	0.003	58

Source: FTA 2018

PPV = peak particle velocity

Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be conducted by the project. The piece of construction equipment with the highest typical vibration level that would be used during project construction activities would be a vibratory roller. A vibrator roller could be used within 55 feet of the closest off-site structure, a hotel east of the project building.

For assessing potential building damage, a vibratory roller would create approximately 0.210 inch per second PPV at a distance of 25 feet (FTA 2018). A 0.210 inch per second PPV vibration level would equal 0.064 inch per second PPV at a distance of 55 feet (at the closest hotel façade).[5] This level would be lower than the structural damage impact of 0.2 inches per second PPV for timber and masonry structures.

Operational Vibration

Land uses that may generate substantial operational vibration include heavy industrial or mining operations that would require the use of vibratory equipment. Operation of the proposed project would not include equipment that would generate substantial vibration.

[5] Equipment PPV = Reference PPV * $(25/D)^n$ (inches per second), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receiver in feet, and n = 1.5 (the value related to the attenuation rate through the ground assuming hard soil); formula from FTA 2018.

Impact Conclusion

Temporary vibrations from project construction would not exceed the FTA building damage criteria. Operation of the project would not be a source of substantial ground-borne vibrations. The project would not generate excessive ground-borne vibration or ground-borne noise levels and, therefore, the impact would be less than significant.

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?

Less Than Significant Impact. The closest airport or private airstrip to the project site is the Hayward Executive Airport, approximately 4.3 miles northwest of the project. The project site is not within the airport influence area, or the 65 dBA CNEL noise contour for Hayward Executive Airport (Alameda County 2012). Commercial aircraft overfly the project site while approaching or departing the Oakland International Airport, approximately 10 miles northwest. According to noise exposure maps for the Oakland International Airport, the project site is not within the 65 dBA CNEL contour for the Oakland International Airport (Port of Oakland 2006). Therefore, the project would not expose people residing or working in the project area to excessive noise levels from airports, and the impact would be less than significant.

Land Use Compatibility Noise Assessment

In accordance with the 2015 California Supreme Court decision in California Building Industry Association v Bay Area Air Quality Management District (BAAQMD)[6] (2015) 62 Cal.4th 369, an effect of the environment on a project is not generally a CEQA impact. Therefore, the effect of existing transportation noise on the project is not a CEQA consideration. It is, however, a consideration for the City in approval of the project.

Per the City General Plan Policy S-8.2, for commercial uses, the normally acceptable outdoor ambient noise level is 70 CNEL. Using existing conditions traffic counts from the TIA, the project traffic noise modeling shows that the entire project building and all project customer outdoor seating areas would be within the 65 to 70 CNEL traffic noise contours, and only the westernmost portion of the project parking lot (the parking spaces closest to Dyer Street) would be in an area exceeding 70 CNEL ambient traffic noise. Therefore, the project's proposed commercial/restaurant would be compatible with the ambient traffic noise levels on the project site.

[6] Now known as the Bay Area Air District.

XIV. 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 (for example, by proposing new homes and businesses) or indirectly (for example, 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

State Housing Element law (Government Code Section 65580 et seq.) mandates that local governments must adequately plan to meet the existing and projected housing needs of all economic segments of the community. The City's Housing Element is one of seven mandatory elements of the City's General Plan and sets forth the policies and programs to address the housing needs of all households in the City. The Housing Element's purpose is to ensure there are enough sites for safe, accessible, and diverse housing throughout the City. The sixth cycle Housing Element was adopted on May 23, 2023, for the 2023 to 2031 planning period (City 2023b).

According to the U.S. Census Bureau, the City's estimated population in 2024 was 66,196 (U.S. Census Bureau 2026).

Evaluation of Environmental Impacts

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

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities. Demolition and construction would provide short-term jobs; however, these jobs would be temporary in nature and would not induce substantial population growth.

The Raising Cane's restaurant and drive-through would operate from 9:00 a.m. to 3:30 a.m. Sunday to Saturday and would require three shifts of 10 to 15 employees each. It is expected that majority of employees would reside locally in the City or the surrounding areas. The proposed project would have a FAR of 0.07 and is therefore seeking an amendment to reduce the minimum required FAR under the General Plan. As the FAR would decrease upon City Council approval of the General Plan Amendment, any employment growth in the City as a result of the project (which can be approved only after City Council approval of the proposed General Plan Amendment) would be less than the growth assumptions of the City's 2023-2031 Housing and Safety Element, which provides growth assumptions for forecasting

in regional plans. Therefore, the proposed project would not directly or indirectly induce substantial population growth in the City, and the impact would be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities. Therefore, the proposed project would not result in the displacement of existing people or housing, nor would it necessitate the construction of replacement housing elsewhere. Therefore, no impact would occur.

XV. PUBLIC SERVICES

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

Environmental Setting

Fire Protection

Alameda County Fire Department (ACFD) provides fire protection and emergency medical services for the City. The closest fire station is Fire Station 32 located at 31600 Alvarado Boulevard, approximately 0.6 mile southwest of the project site.

Police Protection

The Union City Police Department (UCPD) provides police, law enforcement, animal control, and patrol services for the City. The closest police station is located at 34009 Alvarado-Niles Road, approximately 2.25 miles southeast of the project site.

Schools

The closest school is Alvarado Middle School, located approximately 0.43 mile southwest of the project site.

Parks

The closest park is Sugar Mill Park located approximately 560 feet southwest of the project site. Park facilities include a play structure, Flight 93 memorial, and signage.

Evaluation of Environmental Impacts

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

a) Fire protection?

Less Than Significant Impact. The project site is within the ACFD service area, with the nearest station, Fire Station 32, located at 31600 Alvarado Boulevard, Union City, approximately 0.6 mile to the southwest of the project site. The ACFD provides fire protection service and emergency medical response. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities within an urbanized area of the City. The potential for a minor increase in demand for fire protection services may occur during project construction due to increased potential for an accident; however, these minor public demands would not overburden the existing fire protection services within the project area. Additionally, as part of the project, existing fire hydrants on the project site would remain in place. Emergency vehicles would access the project site via the proposed 40-foot-wide driveway off Dyer Road. Although there is potential for accidents to occur during project operations, due to the small nature of the project, the incremental demand for fire protection services required during operation of the proposed project would not overburden existing fire protection services within the project area and would not require the provision of new or altered facilities. Therefore, the impact would be less than significant.

b) Police protection?

Less Than Significant Impact. Police protection services in Union City are provided by the UCPD, which operates out of a headquarters located at City Hall at 34009 Alvarado-Niles Road. The closest police station is located at 34009 Alvarado-Niles Road, approximately 2.25 miles southeast of the proposed project site. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities within an urbanized area of the City. The potential for a minor increase in demand for police protection services may occur during project construction due to increased potential for a crime; however, these minor public demands would not overburden the existing police protection services within the project area. Although there is potential for crime to occur during project operations, due to the small nature of the project, the incremental demand for police protection services required during operation of the proposed project would not overburden existing police protection services within the project area and would not require the provision of new or altered facilities. Therefore, the impact would be less than significant.

c) Schools?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities within an urbanized area of the City. As discussed in Section 6.XIV, *Population and Housing*, although the project would require 10 to 15 employees for each of the three shifts during the operating hours, it is expected that majority of employees would reside locally in the City or the surrounding areas. As the FAR would decrease upon City Council approval of the General Plan Amendment, any employment growth in the City as a result of the project (which can be approved only after City Council approval of

the proposed General Plan Amendment) would be less than the growth assumptions of the City's General Plan.

Therefore, the proposed project would not directly or indirectly induce substantial population growth in the City, and there would be no additional demand for school facilities. Therefore, the impact would be less than significant.

d) Parks?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities within an urbanized area of the City. As discussed in the response to question c) above and in Section 6.XIV, *Population and Housing*, the proposed project would not directly or indirectly induce substantial population growth in the City, and there would be no additional demand for parks. Therefore, the impact would be less than significant.

e) Other public facilities?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities within an urbanized area of the City. As discussed in the response to question c) above and in Section 6.XIV, *Population and Housing*, the proposed project would not directly or indirectly induce substantial population growth in the City, and there would be no additional demand for other public facilities. Therefore, the impact would be less than significant.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
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

The closest park is Sugar Mill Park, located approximately 560 feet southwest of the project site. Park facilities include a play structure, Flight 93 memorial, and signage.

Evaluation of Environmental Impacts

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The project site currently features a 6,833 sf TGI Fridays restaurant, that has been closed and unused since October 2024. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant with drive-through facilities. As discussed in Section 6.XIV, *Population and Housing*, although the project would require 10 to 15 employees for each of the three shifts during the operating hours, it is expected that majority of employees would reside locally in the City or the surrounding areas. As the FAR would decrease upon City Council approval of the General Plan Amendment, any employment growth in the City as a result of the project (which can be approved only after City Council approval of the proposed General Plan Amendment) would be less than the growth assumptions of the City's General Plan. Therefore, the proposed project would not directly or indirectly induce substantial population growth in the City. Therefore, the project would not increase the use of existing parks such that physical deterioration would occur or be accelerated, and the impact would be less than significant.

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?

No Impact. The proposed project does not include new recreational facilities and would not require the construction or expansion of existing recreational facilities. Therefore, no impact would occur.

XVII. 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)	Would the project 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 uses (e.g., farm equipment)?	☐	☐	☒	☐
d)	Result in inadequate emergency access?	☐	☐	☒	☐

A Transportation Impact Analysis (TIA) was prepared by Fehr & Peers in May 2026 and is included as Appendix J to this IS/MND.

Environmental Setting

Roadways

The major roadway in the immediate vicinity of the project site includes Dyer Street, a four-lane arterial with a Class II bicycle lane[7] and sidewalks. Primary vehicular access to the project site is provided via an existing 30-foot-wide concrete driveway leading to the project site from Dyer Street.

Transit

The project site is located within the Union Landing Shopping Center, approximately 0.4-mile walking distance from the Union Landing Transit Center, which is on the southeast corner of the center. The transit center has direct access to Alvarado-Niles Road, a major east-west arterial that connects to the Union City BART Station. The Union Landing Transit Center serves three AC Transit lines (85, 97, and 210) and seven Union City Transit routes (1, 3, 4, 5, 7, 8, and 9). The corridor adjacent to the project, Dyer Street, also has two bus stops serving AC Transit Lines 41 and 56, and Union City Transit Route 4, with the nearest northbound and southbound stops to the project site located within 830 feet to the south of the project site (Fehr & Peers 2026).

[7] California Streets and Highways Code Section 890.4 defines Class II bikeways as on-street bike lanes designated for bicycle travel by means of pavement striping, markings, and signage but not separated from motor vehicle traffic by a physical barrier.

Evaluation of Environmental Impacts

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact.

Roadways

Vehicular access to the project site would be provided primarily from a driveway on the west side of the project site on Dyer Street, that would be limited to right-in/right-out only. The proposed project would include widening this existing primary 30-foot-wide driveway on Dyer Street to a total width of 40 feet to allow for Raising Cane's delivery truck circulation and emergency access. Vehicles would also access the project site via a signalized driveway on Dyer Street about 200 feet to the north that would accommodate left-turns into and out of the project site. Additionally, one driveway on the north side of the project site, and two driveways on the east side of the site connecting to the rest of the Union Landing Shopping Center would provide vehicle access to the project site. As Dyer Street has been constructed to its ultimate buildout, no street improvements would be required for this development. Additionally, all drive aisles surrounding the project building have a minimum 26-foot width, which would accommodate delivery trucks and emergency vehicles.

The UCMC Section 18.36.150 requires restaurants to provide at least one parking space per 100 square feet of gross floor area or one space for every three seats, whichever is greater. However, the proposed project is exempt from the City's minimum parking requirements pursuant to AB 2097, which prohibits local jurisdictions from enforcing minimum parking requirements on residential, commercial, and mixed-use developments located within 0.5 mile of a major transit stop. The project is located within 0.4 mile of the Union Landing Transit Center, which is considered an existing major transit stop, as defined in Section 21155 of the Public Resources Code.

Although the proposed project would be exempt from the City's minimum parking requirements, the proposed project would include construction of a total of 45 on-site parking spaces, including two Americans with Disabilities Act (ADA) compliant spaces, and two spaces designated for mobile pickups. The project would include 12 EV parking spaces with charging infrastructure, one electric van parking space with charging infrastructure, and four EV capable parking spaces in accordance with the most current CALGreen Non-Residential Voluntary Tier 2 requirements.

Bicycle Facilities

The City's Bicycle and Pedestrian Master Plan identifies the existing Class II Bicycle Lane along Dyer Street as well as a planned Class I Shared-Use Bicycle path along the western side of the Union Landing Shopping Center (City 2021). The proposed project does not include any improvements to Dyer Street which would hinder use of the existing bicycle lane. Per UCMC Section 18.28.080, three short-term bicycle parking spaces would be provided. The bicycle parking area is in a 6 by 7.5-foot area between the proposed landscaping and outdoor patio furniture, as seen in Sheet G0.21, Short-term Bicycle Parking Exhibit of Appendix A, Plan Set. The designated bike parking area would meet the design criteria specified under the UCMC Section 18.28.08.

Pedestrian Facilities

Pedestrian access to the project site would continue to be provided from existing sidewalks along Dyer Street and from existing parking lots in the Union Landing Shopping Center area. The project would include a proposed five-foot-wide pedestrian walkway leading from Dyer Street to the proposed Raising Cane's building and a proposed five-foot-wide accessible walkway leading from the Extended Stay America hotel to the project site. Proposed five-foot-wide pedestrian walkways would also be located throughout the project site to provide access to the Raising Cane's building.

Building entrances are on the western and southern sides of the proposed Raising Cane's building. Pedestrians accessing the building from the north or the east would need to cross the drive-through queuing area. Pedestrian would likely cross at either the entrance or exit of the drive-through queuing area. Both locations provide adequate sight distance between vehicles and pedestrians.

Transit Facilities

The proposed project is located within the Union Landing Shopping Center, approximately 0.4-mile walking distance from the Union Landing Transit Center, which is on the southeast corner of the center. The transit center has direct access to Alvarado-Niles Road, a major east-west arterial that connects to the Union City BART Station. The Union Landing Transit Center serves three AC Transit lines (85, 97, and 210) and seven Union City Transit routes (1, 3, 4, 5, 7, 8, and 9). The corridor adjacent to the project, Dyer Street, also has two bus stops serving AC Transit Lines 41 and 56, and Union City Transit Route 4, with the nearest northbound and southbound stops to the project site located within 830 feet to the south of the project site.

Impact Summary

As no street improvements are anticipated on Dyer Street, the proposed project would not conflict with existing roadways or pedestrian, bicycle, and transit facilities along Dyer Street. The project would not conflict with any applicable plan, ordinance, or policy addressing the circulation system and the impact would be less than significant.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. SB 743, passed in 2013, required the Governor's Office of Land Use and Climate Innovation (LCI), to develop new CEQA Guidelines that address traffic metrics under CEQA. As stated in the legislation, "automobile delay, as described solely by Level of Service (LOS) or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the CEQA guidelines, if any." The Office of Administrative Law approved the updated CEQA Guidelines on December 28, 2018, and the changes are reflected in new CEQA Guidelines (Section 15064.3). CEQA Guidelines Section 15064.3 was added December 28, 2018, to address the determination of significance for transportation impacts. Pursuant to the current CEQA Guidelines, VMT replaced traffic congestion as the metric for determining transportation impacts. Section 15064.3(b)(1) states that land use projects "that decrease vehicle miles traveled (VMT) in the project area compared to existing conditions should be presumed to have a less than significant transportation impact."

According to the LCI guidance, screening criteria can be used to identify projects that can be expected to cause a less-than-significant impact without conducting a detailed analysis. Pursuant to the LCI

screening criteria, because new retail development typically redistributes shopping trips rather than creating new trips, estimating the total change in VMT (i.e., the difference in total VMT in the area affected with and without the project) is the best way to analyze a retail project's transportation impacts. By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than-significant transportation impact. Generally, retail development, including stores larger than 50,000 sf might be considered regional-serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT (LCI 2018).

As discussed in the TIA, the project would include the demolition of an existing 6,833-sf TGI Fridays restaurant and associated infrastructure and the construction of an approximately 3,018-sf Raising Cane's restaurant building. As the proposed building would be less than 50,000 sf, and since about 55 percent of the project trips are anticipated to be pass-by trips, which are trips already on the adjacent roadway network that stop at the site as an interim stop to their final destination, the project would be considered local-serving. Since the project would be local-serving, located in a highly developed area, and would primarily capture pass-by trips, the proposed project would result in minimal new VMT and is screened out of additional VMT analysis. Therefore, the impact would be less than significant.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities. Vehicular access to the project site would be provided primarily from a driveway on the west side of the parcel on Dyer Street that would be limited to right-in/right-out only. The proposed project would include widening this existing 30-foot-wide driveway on Dyer Street to a total width of 40 feet to allow for Raising Cane's delivery truck circulation and emergency access. Vehicles would also access the project site via a signalized driveway on Dyer Street about 200 feet to the north that would accommodate left-turns into and out of the project site. Additionally, one (1) driveway on the north side of the project site, and two (2) driveways on the east side of the site connecting to the rest of the Union Landing Shopping Center provide vehicle access to the project site. As Dyer Street has been constructed to its ultimate buildout, no street improvements would be required for this development. All drive aisles surrounding the project building have a minimum 26-foot width, which would accommodate delivery trucks and emergency vehicles.

The proposed Raising Cane's restaurant's two drive-through lanes would be constructed along the northern and eastern sides of the building and would be capable of queuing up to 19 vehicles in total, assuming about 22 feet per vehicle, from the drive-through entry to the pick-up window. Based on the application of the standard queuing equation, the 95th percentile peak hour queue under typical conditions is estimated to be nine vehicles, which would be accommodated within the provided queuing area without spilling over into the parking lot drive aisles. In the event of a queue spillover outside the drive-through lane, the parking lot drive aisles provide about 13 vehicles for further queuing before the queue spills back onto Dyer Street. Based on similar Raising Cane's locations in Southern California, the proposed project would accommodate the maximum drive-through queues observed at these other Raising Cane's locations (Fehr & Peers 2026) and would not cause vehicle queue spillover into the public right-of-way.

Therefore, the proposed project would not substantially increase hazards due to geometric design features or incompatible uses, and the impact would be less than significant.

d) Result in inadequate emergency access?

Less Than Significant Impact. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's restaurant and drive-through facilities.

Construction

Construction of the proposed project would be short-term and temporary and is not anticipated to require the closure of lanes on Dyer Street. Dyer Street and internal driveways within the Union Landing Shopping Center would continue to provide emergency access to and from the project site.

Operation

As part of the project, the existing 30-foot-wide driveway on Dyer Street would be widened to a total width of 40 feet to allow for Raising Cane's delivery trucks and emergency access. Additionally, all drive aisles surrounding the project building have a minimum 26-foot width, which would accommodate emergency vehicles. Therefore, the proposed project would not result in inadequate emergency access and the impact would be less than significant.

XVIII. TRIBAL 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 tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. 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	☐	☐	☐	☒
ii. 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.	☐	☒	☐	☐

Environmental Setting

Tribal cultural resources are defined in CEQA as a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, which may include nonunique archaeological resources previously subject to limited review under CEQA. AB 52 requires the lead agency (in this case, Union City) to begin consultation with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report if (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification and requests the consultation (Public Resources Code Section 21080.3.1[b]).

SB 18 consultation is required because the proposed project necessitates a General Plan Amendment (GPA) to the City's 2040 General Plan to address the minimum required floor area ratio in the Regional Retail Commercial land-use designation, update figures to change the applicable commercial development type sub-area from Sub-Regional Specialty Commercial (CUL-SRSC) to Community Commercial (CUL-CC), and revise policies to allow for additional free-standing fast-food restaurant(s)

within Union Landing. Pursuant to Government Code Section 65352.3(a)(2), tribes have 90 days from receipt of the letter to submit a written request for consultation, or to decline consultation in writing, regarding the proposed GPA associated with this project.

On April 1, 2026, the City sent letters as part of the formal consultation process via certified mail to the following 25 tribal representatives:

- Ed Ketchum, Chairman, Amah Mutsun Tribal Band;
- Irenne Zwierlein, Chairperson, Amah Mutsun Tribal Band of Mission San Juan Bautista;
- Christopher Zimmer, Senior Cultural Monitor & Consultant, Councilman, Amah Mutsun Tribal Band of Mission San Juan Bautista;
- Shelby Brown, Senior Cultural Monitor & Consultant, Councilwoman, Amah Mutsun Tribal Band of Mission San Juan Bautista;
- Michelle Zimmer, Senior Cultural Monitor and Consultant, Amah Mutsun Tribal Band of Mission San Juan Bautista;
- Gary Zimmer, Senior Cultural Monitor and Consultant, Amah Mutsun Tribal Band of Mission San Juan Bautista;
- Deja Gould, Language Program Manager, Confederated Villages of Lisjan Nation;
- Corrina Gould, Chairperson, Confederated Villages of Lisjan Nation;
- Cheyenne Gould, Tribal Cultural Resource Manager, Confederated Villages of Lisjan Nation;
- Carla Munoz, Tribal Council, Costanoan Rumsen Carmel Tribe;
- Henry Munoz, Cultural Resource Officer, Costanoan Rumsen Carmel Tribe;
- Samuel Rodriguez, Cultural Resource Officer, Costanoan Rumsen Carmel Tribe;
- Ann Marie Sayers, Retired Honorable Elder, Indian Canyon Mutsun Band of Costanoan;
- Kanyon Sayers-Roods, Tribal Chairwoman, Indian Canyon Mutsun Band of Costanoan;
- Bernadette Quiroz, MLD Tribal Rep., Muwekma Ohlone Tribe of the SF Bay Area;
- Charlene Nijmeh, Chairperson, Muwekma Ohlone Tribe of the SF Bay Area;
- Timothy Perez, Tribal Compliance Officer, Northern Valley Yokut/Ohlone Tribe;
- Katherine Perez, Chairperson, Northern Valley Yokut/Ohlone Tribe;
- Quirina Geary, Chairperson, Tamien Nation;
- Johnathan Wasaka Costillas, Tribal Historic Preservation Officer (THPO), Tamien Nation;
- Lillian Camarena, Secretary, Tamien Nation;
- Vincent Medina, President, The Ohlone Indian Tribe;
- Desiree Vigil, THPO, The Ohlone Indian Tribe;
- Andrew Galvan, President Emeritus, The Ohlone Indian Tribe; and
- Kenneth Woodrow, Chairperson, Wuksachi Indian Tribe/Eshom Valley Band.

Each tribe was provided with a brief description of the project and its location, the contact information for the City's authorized representative, and a notification that the tribe has 30 days to request consultation per AB 52 and 90 days per SB 18. On April 7, 2026, the Confederated Villages of Lisjan Nation replied electronically and requested Sacred Lands File search results, CHRIS records search request results, draft cultural resource reports, and any specific information about proposed ground disturbance for the proposed project. The City replied electronically on May 20, 2026 and sent the Cultural Records Search Memorandum prepared for this project by HELIX Environmental Planning Inc.

The Confederated Villages of Lisjan Nation replied electronically on May 29, 2026, and requested to consult on the proposed project. On June 5, 2026, the City electronically shared the summary report

from the CHRIS records search center with the Lisjan Nation. A coordination call was held on June 17, 2026, where the Confederated Villages of Lisjan Nation asked if the City could share the CHRIS records search results for the proposed project as well as if any other tribes requested consultation. On June 18, 2026, the City emailed the Confederated Villages of Lisjan Nation to confirm that the City's environmental consultant, HELIX, would provide the requested CHRIS records search results. Later that same day, HELIX's archaeologist electronically transmitted the records search results to the Confederated Villages of Lisjan Nation. The City followed up electronically on June 29, 2026, to ask if the Confederated Villages of Lisjan Nation had any feedback or comments following their review of the report, or if they consider the consultation process for the subject parcel to be complete. The Confederated Villages of Lisjan Nation replied electronically on July 31, 2026, thanking the City for the report and sharing two mitigation measures for inadvertent discovery of tribal historic properties and inadvertent discovery of human remains. The Confederated Villages of Lisjan Nation requested that the City review and apply these measures accordingly. The City replied electronically on August 3, 2026, confirming receipt of the measures. Later that same day, the Confederated Villages of Lisjan Nation replied electronically requesting the City send them completed documentation including the mitigation measures for their records. No other replies were received and consultation has been concluded.

On April 8, 2026, the Tamien Nation replied electronically and declined consultation. No additional requests for consultation or other responses were received.

Evaluation of Environmental Impacts

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

    i. 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 Impact. The project site is developed with a TGI Fridays restaurant building and associated infrastructure that was constructed in 1999. As part of the evaluation conducted in the Cultural Records Search Memorandum prepared by HELIX and included as Appendix D, HELIX staff reviewed relevant USGS topographic maps, archaeological and built-environment records, and data from previous studies. In addition, the state of California Historical Landmarks, and the California Points of Historical Interest were examined to ascertain the presence of designated, evaluated, and/or historic-era resources in the vicinity of the APE. HELIX staff also reviewed online historic aerials photographs and maps encompassing the project area to identify potential resources visible on the ground surface.

A review of historic-era maps and aerial photographs reveal that the APE and its surrounding vicinity were utilized for agricultural and commercial purposes since 1946. A cleared lot hosting two buildings, likely a residence associated with the surrounding fields, was present in the APE from 1946 until 2000, the year by which it appears to have been demolished to make way for the Union Landing Shopping Center. The agricultural fields that surrounded the APE since 1946 had been replaced by industrial/commercial development to the north by 1966, residential development to the west by 1987, and commercial development to the east and south by 2000. As noted above, the TGI Fridays is a chain restaurant building that was constructed in 1999, which is not considered a historic resource under CEQA due to its age, and the historic-era maps and aerial photographs analysis did not reveal any

historic-era structures within the APE that are 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). Therefore, no impact would occur.

ii. 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?

Less Than Significant Impact with Mitigation Incorporated. On April 1, 2026, the City sent letters as part of the formal consultation process via certified mail to 25 tribal representatives as noted in the Environmental Setting section above. On April 7, 2026, the Confederated Villages of Lisjan Nation replied electronically and requested Sacred Lands File search results, CHRIS records search request results, draft cultural resource reports, and any specific info about proposed ground disturbance for the proposed project. The City replied electronically on May 20, 2026, and sent the Cultural Records Search Memorandum prepared by HELIX. The Confederated Villages of Lisjan Nation replied electronically on May 29, 2026, and requested to consult on the proposed project. On June 5, 2026, the City electronically shared the summary report from the CHRIS records search center with the Confederated Villages of Lisjan Nation. A coordination call was held on June 17, 2026, where the Confederated Villages of Lisjan Nation asked if the City could share the CHRIS records search results for the proposed project as well as if any other tribes requested consultation. On June 18, 2026, the City emailed the Confederated Villages of Lisjan Nation to confirm that the City's environmental consultant, HELIX, would provide the requested CHRIS records search results. Later that same day, HELIX's archaeologist electronically transmitted the records search results to the Confederated Villages of Lisjan Nation. The City followed up electronically on June 29, 2026, to ask if the Confederated Villages of Lisjan Nation had any feedback or comments following their review of the report, or if they consider the consultation process for the subject parcel to be complete. The Confederated Villages of Lisjan Nation replied electronically on July 31, 2026, thanking the City for the report, stating that they have no concerns at the time, and sharing two mitigation measures for inadvertent discovery of tribal historic properties and inadvertent discovery of human remains. The Confederated Villages of Lisjan Nation requested that the City review and apply these measures accordingly. The City replied electronically on August 3, 2026, confirming receipt of the measures. Later that same day, the Confederated Villages of Lisjan Nation replied electronically requesting the City send them completed documentation including the mitigation measures for their records. No other replies were received and consultation has been concluded.

On April 8, 2026, the Tamien Nation replied electronically and declined consultation. No other replies from the Confederated Villages of Lisjan Nation, the Tamien Nation, or another Tribe have been received to date, and no additional requests for consultation were received within the 90 days of the initiation of the consultation period.

The proposed project would demolish an existing, closed TGI Fridays and construct a Raising Cane's restaurant and drive-through facilities. No known tribal cultural resources are located on the project site. While it is unlikely that tribal cultural resources will be found during project demolition and construction as the land is already developed, ground-disturbing activities during construction could reveal cultural resources of Native American origin. Damage to these resources during project construction could result in a potentially significant impact. During consultation with the Confederated Villages of Lisjan Nation, the City was recommended two mitigation measures, as described above. The

first is addressed in this IS/MND under Mitigation Measure CUL-2, Accidental Discovery of Human Remains, and the second is included below as Mitigation Measure TCR-1, Inadvertent Discovery of Tribal Historic Properties. With implementation of these mitigation measures, potential impacts related to tribal cultural resources would be less than significant.

Mitigation Measure TCR-1: Inadvertent Discovery of Tribal Historic Properties

If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until a representative from the Confederated Villages of Lisjan Nation is consulted by the lead government agency. If the lead agency in consultation with the consulting Tribe(s), determines that the resource is a historic property and thus significant under the NHPA, the entity shall retain a Tribal monitor and, if applicable, a qualified archaeologist, at the applicant's expense, to prepare a mitigation plan, which shall be implemented in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for Tribal historic properties include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.

XIX. 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 for the project site is provided by ACWD, sanitary and sewer services is provided by USD, electricity is provided by PG&E, and telecommunications services are provided by AT&T and Comcast. The project would be all-electric and would not include natural gas appliances or natural gas plumbing.

Water

Water for the ACWD comes from three sources: local supplies, the State Water Project, and San Francisco's Regional Water System. Surface water is imported from the Sacramento-San Joaquin River Delta and/or Lake Del Valle via the South Bay Aqueduct. This water is purified at ACWD's surface water treatment plant and then delivered to customers (ACWD 2026).

Wastewater

The USD service area encompasses a total of 60.2 square miles in southern Alameda County: 9.9 square miles in Union City, 13.8 square miles in Newark, and 36.4 square miles in Fremont. USD serves a total population of over 347,000 residents. In 2018, USD had a total of 114,251 connections. Domestic/residential living units accounted for about 111,136, or about 97 percent, of the total number

of connections. The other USD connections were 1,768 commercial connections and 1,347 industrial connections (USD 2026). The USD service area is made up of three drainage basins: Irvington, Newark, and Alvarado. Each basin contains a separate pump station, and each pump station collects wastewater from within its particular basin. The Alvarado Basin covers all of Union City and a small portion of Fremont. The USD's Alvarado Treatment Plant is located in the Alvarado Basin within the City's Horner-Veasy area. The Alvarado Treatment Plant uses activated sludge as the biological liquid treatment process to meet the NPDES permit requirements for secondary treatment. Additional treatment processes include primary and secondary clarification, and chlorination. The capacity of the Alvarado Treatment Plant is 33 MGD (USD 2026). Solids handling at the Alvarado Treatment Plant include sludge thickening, digestion and dewatering. Dewatered sludge is transported by truck to approved agricultural fields in Sacramento, Solano, and Alameda Counties, where biosolids are applied to the surface and incorporated into the soil.

Stormwater

The City owns and maintains the public storm drain system, which includes all of the storm drains, pipes, catch basins, and manholes within the City rights-of-way (ROW). The outfalls, channels, creeks, and pump stations are owned and operated by Alameda County Flood Control and Water Conservation District. The Environmental Programs Division of the City implements the industrial and commercial facility inspection program. The City Public Works Department implements all other clean water program requirements. Additionally, the City reviews SWPPPs, conducts storm water event inspections of construction sites, and receives and investigates complaints about illicit discharges into the public storm drain system.

Solid Waste

Republic Services, a private company, is responsible for the collection of all municipal solid waste generated in the City. Republic Services collection vehicles deliver the material to the Fremont Recycling and Transfer Station in Fremont. The solid waste is then transferred onto larger trucks and transported to the Altamont Landfill and Resource Recovery Facility, located 48 miles east of Union City in Livermore. A disposal agreement with Waste Management, owner/operator of Altamont Landfill, ensures long-term disposal capacity at the landfill for Union City and neighboring jurisdictions.

According to the Solid Waste Facility Permit for Altamont Landfill, peak traffic volume for incoming waste materials shall not exceed 557 trips per day, and the peak tonnage of incoming waste shall not exceed 11,150 tons per day. The maximum permitted capacity of the landfill is 124.4 million cubic yards or 87.1 million tons per the Solid Waste Facility Permit. As of March 23, 2019, the site is able to accept unlimited tons for disposal from Alameda and San Francisco Counties and up to 25,000 tons annually of sludges, inert waste, and special waste from the other seven (7) Bay Area Counties. There are no specific tonnage or origin limits on non-disposal tonnage such as Alternative Daily Cover (ADC), reuse, recycle, or transfer materials (Waste Management Solutions 2026).

Evaluation of Environmental Impacts

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?

Less Than Significant Impact.

Water

The proposed project is located within the existing service area of the ACWD. Water for the project would be provided by ACWD through existing on-site water lines, as seen in Sheet C5 of Appendix A, Plan Set. The project would include a new water point of connection to the drive-through canopy and waste enclosure. The project would also connect to existing fire water lines and existing fire hydrants would remain in place. The *Alameda County Urban Water Management Plan 2020-2025* (ACWD 2021) identified water supply and demands to planning horizon year 2040, addressing normal, dry, and multiple dry year scenarios, and is projected to exceed supply for most years. The Alameda County Water District operates three treatment plants within its service area with an average daily production of 36.6 million gallons per day (ACWD 2021). The ACWD has sufficient capacity to serve the proposed project within its existing service area and previously served the TGI Fridays. Since the proposed project is a redevelopment of a similar use as a fast-food restaurant, there would be a negligible change in water demand at the project site, and no new or expanded water facilities would be required.

Wastewater

The project site is located within the existing service area of the Alvarado Treatment Plant operated by USD. The proposed project would construct new connections to tie into existing on-site sanitary sewer lines. The Alvarado Wastewater Treatment Plant has an existing treatment capacity of approximately 33 million gallons per day (USD 2026), with average daily flows below this capacity. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's drive-through and restaurant. The existing treatment plant has sufficient reserve capacity to serve the incremental increase in wastewater as a result of the project. The increase in wastewater treatment demand would be minor and not expected to result in an exceedance of wastewater treatment requirements.

Stormwater

The proposed project would generally follow the existing drainage patterns, with stormwater flowing away from the proposed Raising Cane's restaurant building to a perimeter curb and gutter system. The gutters would be directed to on-site inlets throughout the parking lot to direct runoff into the private on-site storm drainage system (Yamabe and Horn Engineering, Inc. 2026). The proposed project would also include construction of water quality treatment facilities consisting of bioretention features to comply with City stormwater regulations. Specifically, the project would construct six bioretention areas to allow stormwater to infiltrate into depressed landscaped areas prior to discharge into the storm drainage system. The Drainage and Stormwater Quality Management Plan includes a discussion of source control measures, site design measures, and treatments measures that would be implemented as part of the proposed project to ensure it would have a similar runoff and improved water quality than the existing site.

Electricity, Natural Gas, and Telecommunications

Electricity service would be provided by PG&E and telecommunications services would be provided by AT&T and Comcast. The project would be all-electric and would not include natural gas appliances or natural gas plumbing. The proposed project would include the removal of the existing transformer located in the southeast portion of the project site and the construction of a new transformer screened

by vegetation in the southwest portion of the project site (See Sheet DU-1, Conceptual Utility Exhibit, of Appendix A, Plan Set). The new transformer would tie into the existing electric primary box located along the western edge of the project site and would not require the construction of a new electric power facility.

The existing natural gas meter and service line along the northern frontage of the project site would be removed as part of demolition activities, and the gas service line along the western frontage of the project site would be protected in place. The project would be all-electric and would not include natural gas appliances or natural gas plumbing.

The existing CATV pedestal located in the southeast portion of the project site would be converted to a traffic rated structure and would maintain existing service to the surrounding neighborhood and to the Raising Cane's project site via a proposed AT&T Telco trench connecting to the existing Telco pull box located slightly northwest of the project site.

Impact Conclusion

The proposed project would require minor utility improvements and connections to serve the proposed development, including relocation of existing electrical, and telecommunications infrastructure and construction of new service connections for water, electrical power, and telecommunications utilities. In addition, the project would construct six bioretention areas to allow stormwater to infiltrate into depressed landscaped areas prior to discharge into the storm drainage system.

These utility improvements would occur within previously disturbed and developed areas of the project site and would connect to existing utility systems with available capacity. Existing CATV service to the project site would be maintained, and the proposed project would replace and/or realign existing utility connections to tie into the proposed restaurant building but would not require construction of new or expanded off-site water, wastewater treatment, stormwater drainage, electric power, or telecommunications facilities. Source control measures, site design measures, and treatments measures described in the Drainage and Stormwater Quality Management Plan would be implemented such that the proposed project would have a similar runoff and improved water quality than the existing site. Therefore, the impact would be less than significant.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. As described in the discussion of Water under the response to impact question a) above, the proposed project is located within the existing service area of the ACWD and would be a redevelopment of a similar use as a fast-food restaurant. Water for the project would be provided by ACWD through existing on-site water lines. The project would include a new water point of connection to the drive-through canopy and waste enclosure. The project would also connect to existing fire water lines and existing fire utilities and fire hydrants would remain in place. The *Alameda County Urban Water Management Plan 2020-2025* (ACWD 2021) identified water supply and demands to planning horizon year 2040, addressing normal, dry, and multiple dry year scenarios, and is projected to exceed supply for most years. The ACWD operates three treatment plants within its service area with an average daily production of 36.6 million gallons per day (ACWD 2021). Since the proposed project is a redevelopment of a similar use, the change in water demand at the project site would be negligible compared to previous operations. Additionally, the ACWD has sufficient capacity to serve the proposed

project within its existing service area. Therefore, sufficient water supplies would be available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years, and the impact would be less than significant.

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?

Less Than Significant Impact. As described in the discussion of Wastewater under the response to impact question a) above, the project site is located within the existing service area of the Alvarado Treatment Plant operated by USD. The proposed project would construct new connections to tie into existing on-site sanitary sewer lines. The Alvarado Wastewater Treatment Plant has an existing treatment capacity of approximately 33 million gallons per day (USD 2026), with average daily flows below this capacity. The proposed project would include the demolition of a permanently closed TGI Fridays and the construction of a Raising Cane's drive-through and restaurant. The Alvarado Treatment Plant has sufficient reserve capacity to serve the incremental increase in wastewater as a result of the project. The increase in wastewater treatment demand would be minor and not expected to result in an exceedance of wastewater treatment requirements. Therefore, as the Alvarado Treatment Plant has sufficient reserve capacity to serve the proposed project, the impact would be less than significant.

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?

Less than significant impact. The proposed project would generate solid waste during demolition, construction, and operational activities. A Waste Diversion Plan, included as Appendix G, was prepared which includes details on waste storage and disposal. Waste generated during demolition and construction activities would be short-term and temporary. Per the project engineer, approximately 500 CY of vegetation and cleared material would be exported off-site during site preparation, and 100 CY of soil would be exported off-site during grading. Additionally, approximately 917 tons of debris, including building material, pavement, asphalt, and concrete would be exported off-site during demolition, per the project engineer. Operational solid waste would consist of typical restaurant-related refuse, including food waste, recyclable materials, and packaging, and waste consistent with the surrounding commercial uses in the Union Landing district. Operational solid waste would be collected and disposed of through the City's waste collection system in accordance with the applicant's Waste Diversion Plan. Per the project engineer, operation of the project would generate 9,000 pounds of solid waste (i.e. trash) per week.

Republic Services, a private company, is responsible for the collection of all municipal solid waste generated in the City. Republic Services collection vehicles deliver the material to the Fremont Recycling and Transfer Station in Fremont. The solid waste is then transferred onto larger trucks and transported to the Altamont Landfill and Resource Recovery Facility. The Altamont Landfill site is able to accept unlimited tons for disposal from Alameda and San Francisco Counties and up to 25,000 tons annually of sludges, inert waste, and special waste from the other seven Bay Area Counties (Waste Management Solutions 2026). Therefore, as the Altamont Landfill and Resource Recovery Facility has adequate permitted capacity to accommodate the solid waste that would be generated by demolition, construction, and operation of the proposed project, the impact would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The proposed project would be required to comply with all applicable federal, State, and local statutes and regulations pertaining to solid waste management and reduction, including the City's Construction and Demolition Debris Recycling Ordinance, the UCMC, and State laws governing commercial recycling. A Waste Diversion Plan was prepared and included as Appendix G, which identified methods for debris separation, recycling, and disposal. Therefore, as the project would comply with federal, State, and local statutes and regulations pertaining to solid waste management and reduction, the impact would be less than significant.

XX. 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 downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Environmental Setting

Public Resource Code Section 4201-4204 directs the California Department of Forestry and Fire Protection (CAL FIRE) to map fire hazard within State Responsibility Areas (SRAs) based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified as a major cause of wildfire spread. These zones, referred to as Fire Hazard Severity Zones (FHSZ), classify a wildland zone as Moderate, High, or Very High fire hazard based on the average hazard across the area included in the zone. According to the CAL FIRE Fire Hazard Severity Zone Viewer Map, the project site is located within a Local Responsibility Area (LRA) and is not located on or near a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2026).

The ACFD, contracted by the City, provides fire protection and emergency medical services for the City. The closest fire station is Fire Station 32 located at 31600 Alvarado Boulevard, approximately 0.6 mile southwest of the project site.

Evaluation of Environmental Impacts

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. As described in Section 6.IX, *Hazards and Hazardous Materials*, at the regional level, the City partnered with the cities of Fremont and Newark, the Alameda County Water District, and the Union Sanitary District to develop the Tri-City Multi-jurisdictional Local Hazard Mitigation Plan (LHMP). The

LHMP requires participating agencies, such as Union City, to assess local hazard risks pertaining to natural hazards such as earthquakes, flooding, and wildfire, as well as implement mitigation strategies to reduce long-term exposure to natural hazards. The proposed project would not conflict with the goals or mitigation actions included in the LHMP and would continue to be served by the existing emergency response services. The proposed project would be required to comply with all applicable California Building Code (CBC) seismic design standards. The CBC seismic design standards are intended to ensure that structures are designed to resist anticipated seismic forces and minimize the potential for collapse or substantial structural failure during earthquake events. The project site is located outside the one percent annual chance (100-year) flood zone and is mapped within FEMA Flood Zone X, an area of minimal flood hazard (FEMA 2026). Additionally, the project site is located outside of any identified tsunami inundation area and is not located near any lake, reservoir, or an enclosed water body (DOC 2026c). As discussed further below under question g), the project site is not located on or near a Very High Fire Hazard Severity Zone. Therefore, neither construction nor operation of the proposed project would physically interfere with or impair the implementation of the LHMP.

Additionally, the San Francisco Bay Area's *Regional Catastrophic Earthquake Mass Transportation/ Evacuation Plan* (Cal OES 2011) identifies priority transportation routes, including I-880 and its connections to I-580, I-680, and SR 84, which are intended to facilitate regional evacuation and emergency response following a catastrophic earthquake. The closest priority transportation route to the proposed project is I-880, located approximately 0.32 mile northwest of the proposed project. Throughout construction and operation of the proposed project, access to and from the project site would continue to be provided from Dyer Street, which serves the existing developed commercial area and provides connectivity to I-880. Neither construction nor operation of the proposed project would result in closures of Dyer Street and would not physically interfere with or impair the implementation of the *Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan*. In addition, the project site is located within an LRA and is not located on or near a VHFHSZ, and therefore, no impact would occur.

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?

No Impact. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. The topography of the project site is relatively flat with an elevation ranging from approximately 12 to 14 feet amsl. The project site is also within the Union Landing Commercial District in a highly urbanized area of the City. Due to the urban nature of the project site, the project would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. In addition, the project site is located within an LRA and is not located on or near a VHFHSZ, and therefore, no impact would occur.

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?

No Impact. The project site is adequately served by existing infrastructure, including roads, water sources, power lines, and other utilities. Therefore, the proposed project would not require the

installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts on the environment. In addition, the project site is located within an LRA and is not located on or near a VHFHSZ, and therefore, no impact would occur.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. The project site is relatively flat and is not located in an area mapped as a Landslide Zone (DOC 2026b). Therefore, the project would not directly or indirectly cause potential adverse effects from landslides. Additionally, the project site is located outside the one (1) percent annual chance (100-year) flood zone and is mapped within FEMA Flood Zone X, an area of minimal flood hazard (FEMA 2026). Post-fire slope instability is not anticipated as the project site is relatively flat and within an urbanized area of the City. Additionally, the proposed project would include construction of water quality treatment facilities consisting of bioretention features to comply with City stormwater regulations. Specifically, the project would construct six bioretention areas to allow stormwater to infiltrate into depressed landscaped areas prior to discharge into the City's storm drainage system.

Therefore, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. In addition, the project site is located within an LRA and is not located on or near a VHFHSZ, and therefore, no impact would occur.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	☐	☒	☐	☐
c) Does the project 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?

Less Than Significant Impact with Mitigation Incorporated. Based on the preceding analyses contained in Section 6.III, *Air Quality*; 6.IV; *Biological Resources*; 6.V, *Cultural Resources*; 6.VII, *Geology and Soils*; 6.X, *Hydrology and Water Quality,* 6.XVIII, *Tribal Cultural Resources*, the proposed project would implement Mitigation Measures AQ-1, BIO-1, CUL-1, CUL-2, GEO-1, HYD-1, and TCR-1 to reduce the potential impacts to air quality, biological, cultural, paleontological, and hydrology and water quality to a less than significant level. Therefore, with implementation of these mitigation measures, the project would not 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. Therefore, the impact would be less than significant with mitigation incorporated.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when

viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?

Less Than Significant Impact with Mitigation Incorporated. As evaluated in Sections 6.I through 6.XX of this IS/MND, the proposed project would not result in substantial adverse effects with incorporation of Mitigation Measures AQ-1, BIO-1, CUL-1, CUL-2, GEO-1, HYD-1, and TCR-1. With implementation of these mitigation measures, the project would not result in cumulatively considerable impacts in combination with past, present, and probable future projects in the City. Therefore, the impact would be 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?

Less Than Significant with Mitigation Incorporated. As described in Sections 6.III, *Air Quality*; 6.VII, *Geology and Soils*; and 6.X, *Hydrology and Water Quality*, the proposed project would not result in substantial environmental effects with incorporation of Mitigation Measures AQ-1, GEO-1, and HYD-1. With implementation of these mitigation measures, the project would not result in substantial adverse effects on human beings, either directly or indirectly. Therefore, the impact would be less than significant with mitigation incorporated.

7.0 REFERENCES

Alameda County Water District. 2026. ACWD's Water Sources and Supplies. Accessed May 20, 2026 at https://www.acwd.org/100/ACWDs-Water-Sources-Supplies.

Association of Bay Area Governments (ABAG). 2011. Multi-Jurisdictional Local Hazard Mitigation Plan. Accessed April 8, 2026 at https://abag.ca.gov/our-work/resilience/planning/hazard-mitigation-adaptation-plans.

2021. ABAG and Metropolitan Transportation Commission (MTC). *Plan Bay Area 2050.* Accessed May 20, 2026 at https://planbayarea.org/finalplan2050.

Bay Area Air District. 2025. Air Quality Standards and Attainment Status. December 15. https://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status.

2023. Air Quality Guidelines. Revised April 20, 2023. Available at: https://www.baaqmd.gov/?sc_itemid=CDA5FAE5-BBDC-4337-A10C-5648BCD2D71F.

2017. Final 2017 Clean Air Plan. April 19. Available at: https://www.baaqmd.gov/en/plans-and-climate/air-quality-plans/current-plans.

CALGreen. 2026. 2025 California Green Building Standards Code, Title 24, Part 11. January 1. Available at: https://codes.iccsafe.org/content/CAGBC2025P1.

California Air Pollution Control Officers Association (CAPCOA). 2026. User's Guide for CalEEMod Version 2022.1. Available at: http://www.caleemod.com/.

California Air Resources Board (CARB). 2026a. Overview: Diesel Exhaust and Health. Accessed April 16. Available at: https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health.

2026b. Current California GHG Emission Inventory Data. Accessed May 7. Available at: https://ww2.arb.ca.gov/ghg-inventory-data.

2022a. 2022 Scoping Plan for Achieving Carbon Neutrality. December. Available at: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents.

2022b. 2022 Scoping Plan Appendix D, Local Actions. Available at: https://ww2.arb.ca.gov/sites/default/files/2022-05/2022-draft-sp-appendix-d-local-actions_0.pdf.

2005. Air Quality and Land Use Handbook: A Community Health Perspective. Accessed April 16. Available at: https://ww3.arb.ca.gov/ch/handbook.pdf.

California Department of Conservation (DOC). 2026a. Farmland Mapping and Monitoring Program. Important Farmland Finder Interactive Map. Accessed April 8, 2026 at https://maps.conservation.ca.gov/dlrp/ciff/.

2026b. California Earthquake Hazards Zone Application (EQ Zapp). Accessed March 19, 2026 at https://www.conservation.ca.gov/cgs/geohazards/eq-zapp.

2026c. California Tsunami Maps. Accessed March 19, 2026 at https://www.conservation.ca.gov/cgs/tsunami/maps/.

2026d. Division of Mine Reclamation Mines Online Viewer. Accessed February 18, 2026 at https://maps.conservation.ca.gov/mol/index.html.

2011. Map Sheet 59: Reported Historic Asbestos Mines, Historic Asbestos Prospects, and other Natural Occurrences of Asbestos in California. Available at: https://www.conservation.ca.gov/cgs/minerals/mineral-hazards/asbestos.

California Department of Forestry and Fire Protection (CAL FIRE). 2026. Fire Hazard Severity Zone Viewer. Accessed April 6, 2026 at https://experience.arcgis.com/experience/5065c998b4b0462f9ec3c6c226c610a9.

2025. Santa Clara Unit Fire Plan. Accessed April 29, 2026 at https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/2025-santa-clara-contra-costa-alameda-west-stanislaus-west-san-joaquin-unit-fire-plan.pdf?rev=95ebefab3aff4d25b1258ba3d6d0cf5d&hash=5D2AB006F7000BF976ED9E808BCA198B.

California Department of Toxic Substance Control (DTSC). 2026. EnviroStor. Accessed March 19, 2026 at https://www.envirostor.dtsc.ca.gov/public/.

California Department of Transportation (Caltrans). 2011. Statewide Scenic Highway Map. Accessed April 8, 2026 at https://experience.arcgis.com/experience/47e2009986264718a5a13a2c81382774.

California Energy Commission (CEC). 2026a. California Electrical Energy Generation. Accessed March 19, 2026 at https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-electrical-energy-generation.

2026b. 2024 Total System Electric Generation. Accessed June 26, 2026 at: https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2024-total-system-electric-generation.

2026c. Supply and Demand of Natural Gas in California. Accessed March 19, 2026 at https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california.

California Energy Commission (CEC) (cont.)
2026d. California Gasoline Data, Facts, and Statistics. Accessed March 19, 2026 at https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-gasoline-data-facts-and-statistics.

2026e. Diesel Fuel Data, Facts, and Statistics. Accessed March 19, 2026 at https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/diesel-fuel-data-facts-and-statistics.

2025. State Building Energy Efficiency Standards. Title 24. Accessed March 19, 2026 at https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards.

California Office of Emergency Services. San Francisco Bay Area's *Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan.* Accessed May 5, 2026 at https://bayareauasi-ca.gov/resources/regional-catastrophic-earthquake-mass-transportation-evacuation-plan.

City of Union City (City). 2019. 2040 General Plan. Accessed March 19, 2026 at https://www.unioncityca.gov/356/General-Plan.

2021. Bicycle and Pedestrian Master Plan. Accessed May 6, 2026 at https://www.unioncityca.gov/444/Bike-Pedestrian-Plan.

2023a. Zoning Map. Accessed April 6, 2026 at https://ca-unioncity.civicplus.com/DocumentCenter/View/149.

2023b. 2023-2031 Housing and Safety Element. Accessed May 5, 2026 at https://www.unioncityca.gov/604/Housing-and-Safety-Element-Update.

2024. Tri-City Local Hazard Mitigation Plan Update. Accessed April 30, 2026 at https://www.unioncityca.gov/800/Tri-City-LHMP#docaccess-2bd64710fa5a7336cc61dea89664db298e52cc28be1ee63a7f95a3bd2f5569f8.

2010. Union City Climate Action Plan. November. Accessed February 21, 2023. Available at: https://www.unioncity.org/DocumentCenter/View/708/Union-City-Climate-Action-Plan-PDF?bidId=.

ESA Airports. 2012. Hayward Executive Airport Land Use Compatibility Plan. Accessed May 7, 2026, at https://www.acgov.org/cda/planning/generalplans/documents/HWD_ALUCP_082012_FULL.pdf.

Federal Emergency Management Agency (FEMA). 2026. National Flood Hazard Layer Viewer. FIRM Panel 06001C0427G, effective August 2, 2009. Accessed March 19, 2026 at https://www.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd.

Fehr and Peers. 2026. Union City Raising Cane's Restaurant – Transportation Impact Analysis. Available as Appendix J.

HELIX Environmental Planning, Inc. (HELIX). 2026. Raising Cane's Project Air Quality and Greenhouse Gas Emissions Assessment. Included as Appendix B.

Intergovernmental Panel on Climate Change (IPCC). 2007. Climate Change 2007: The Physical Science Basis. Summary for Policymakers. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. February. Available at: https://www.ipcc.ch/report/ar4/wg1/.

Iowa Environmental Mesonet. 2026. Hayward Airport Windrose. Generated July 23, 2026. Available at: https://mesonet.agron.iastate.edu/sites/windrose.phtml?station=HWD&network=CA_ASOS.

National Resources Conservation Service (NRCS). 2026. Web Soil Survey. Accessed March 19, 2026 at https://websoilsurvey.nrcs.usda.gov/app/.

Office of Environmental Health Hazard Assessment (OEHHA). 2015. Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. Available at: https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.

Raising Cane's Restaurants, LLC. 2026. Waste Diversion Plan. Included as Appendix G.

San Francisco Bay Regional Water Quality Control Board (SFRWQCB). 2026. Water Quality Control Plan for the San Francisco Bay Basin. Accessed March 19, 2026 at https://www.waterboards.ca.gov/sanfranciscobay/basin_planning.html.

State Water Resources Control Board (SWRCB). 2026. GeoTracker. Accessed March 19, 2026 at https://geotracker.waterboards.ca.gov/.

Sustainable Groundwater Management Act (SGMA). 2026. Groundwater Exchange Page for the Santa Clara Valley – Niles Cone Basin. Accessed May 20, 2026 at: https://groundwaterexchange.org/basin/santa-clara-valley-niles-cone-2-009-01/.

Terracon. 2025. Raising Cane's C1346 Union City. Geotechnical Engineering Report. Available as Appendix E.

2024. Phase I Environmental Site Assessment. RC 1346 – Union City, CA. Available as Appendix F.

Union Sanitary District (USD). 2026. Alvarado Treatment Plant. Accessed April 6, 2026 at https://unionsanitary.ca.gov/about-us/alvarado-treatment-plant/.

2025. Sewer System Management Plan. Accessed April 30, 2026 at https://unionsanitary.ca.gov/about-us/about-us/mission-organization-facts-and-history/.

United States Environmental Protection Agency (USEPA). 2026. Superfund National Priorities List (NPL) Map. Accessed March 19, 2026 at https://experience.arcgis.com/experience/4822dbc3d1c04131a548d4404bb1496a.

Unites States Geological Survey (USGS). 2026. Watershed Boundary Dataset. Accessed March 19, 2026 at https://www.usgs.gov/faqs/how-can-i-find-huc-hydrologic-unit-code-stream-how-can-i-find-namelocation-stream-using-huc.

United States Fish and Wildlife Services (USFWS). 2026. Wetlands Mapper. Accessed August 28, 2026 at https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/.

Waste Management Solutions. 2026. Altamont Landfill and Resource Recovery. Accessed April 6, 2026 at https://www.wmsolutions.com/locations/details/id/195.

Yamabe and Horn Engineering, Inc. 2026. Drainage and Stormwater Quality Management Plan. Available as Appendix H.

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