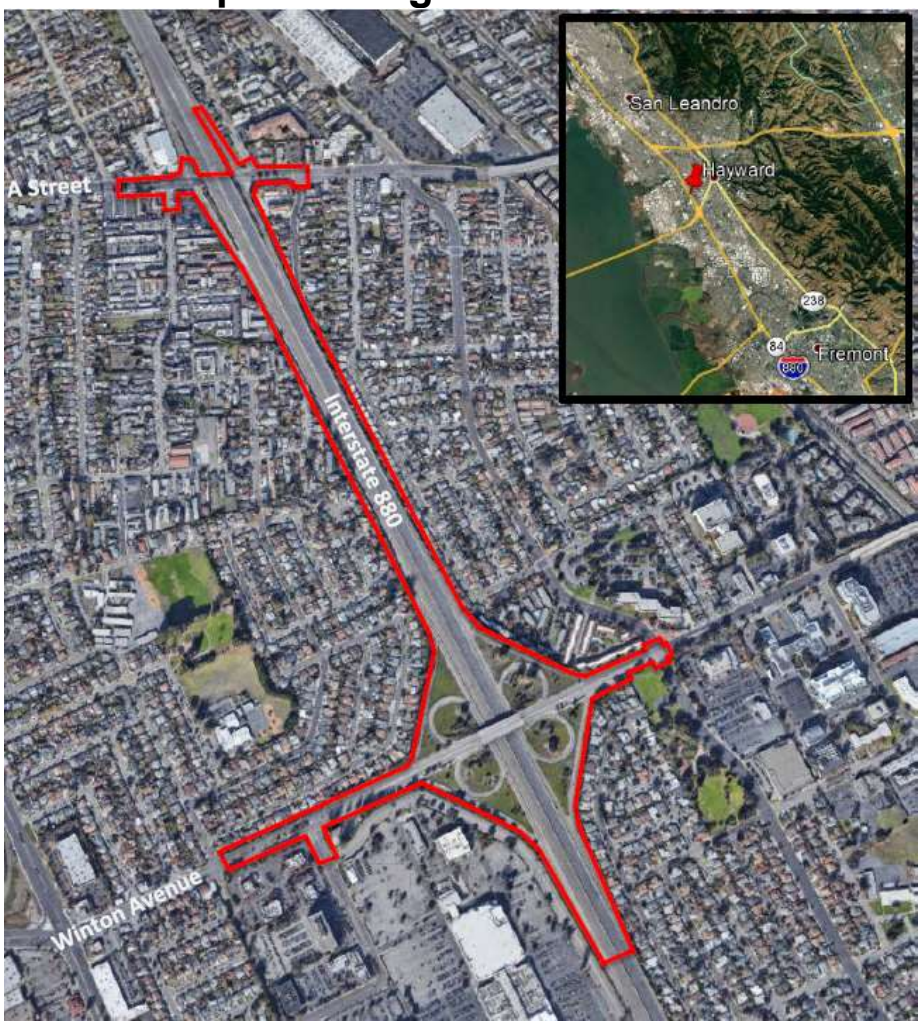
Interstate 880
Interchange Improvements Project
(Winton Avenue and A Street)

ALAMEDA COUNTY, CALIFORNIA
DISTRICT 4-ALA-80 (PM 17.2/18.6)
EA 04-0Q290/ Project ID 0418000068

Initial Study with
Proposed Negative Declaration



Prepared by the State of California Department of Transportation

May 2022

Caltrans

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GENERAL INFORMATION ABOUT THIS DOCUMENT

WHAT'S IN THIS DOCUMENT:

The California Department of Transportation (Caltrans) District 4, in cooperation with the Alameda County Transportation Commission (Alameda CTC) and the City of Hayward (City), has prepared this Initial Study with Proposed Negative Declaration (IS/ND). This IS/ND examines the potential environmental impacts of alternatives being considered for the Project, which is located in the City of Hayward, Alameda County. Caltrans is the lead agency for preparing the environmental document in compliance with the California Environmental Quality Act (CEQA). This document tells you why the project is being proposed, the alternatives considered, how the existing environment could be affected, the potential impacts of each of the alternatives, and the proposed avoidance and minimization measures.

WHAT YOU SHOULD DO:

Please read this document.

Copies of this document are available online:

- Caltrans District 4 website at: https://dot.ca.gov/caltrans-near-me/district-4/d4-popular-links/d4-environmental-docs
- Alameda County Transportation project website at: https://www.alamedactc.org/programs-projects/

Hard copies of this document are also available for review weekdays during regular business hours at the City of Hayward City Hall (777 B Street, Hayward, CA 94541) and the Hayward Public Library (888 C Street, Hayward, CA 94541). To request a hard copy of this document via mail, contact Cody Ericksen at cody.ericksen@dot.ca.gov.

Send comments via postal mail to ATTN: Cody Ericksen, Office of Environmental Analysis, 111 Grand Avenue P.O Box 23660, MS-8B, Oakland, CA 94623-0660

Send comments via email to WintonAInterchange@dot.ca.gov or via phone by calling 510-225-4009

Send comments online using a digital comment form:

- English: https://forms.office.com/r/H0cFLjZrwZ
- Spanish: https://forms.office.com/r/x41WQ3RdA2

Be sure to send comments between June 1 to June 30, 2022. A virtual public meeting will be held on June 15, 2022 from 6:00 p.m. to 7:30 p.m. The virtual public meeting can be accessed via the following Zoom link: https://us06web.zoom.us/j/89682724763.

WHAT HAPPENS NEXT:

Per CEQA Section 15073, Caltrans will circulate the Initial Study with Proposed Negative Declaration for review for 30 days. During the 30-day public review period, the general public and responsible and trustee agencies can submit comments on this document to Caltrans. Caltrans will consider the comments and will respond to the comments after the 30-day public review period. After comments are received from the public and reviewing agencies, Caltrans, may: (1) give environmental approval to the proposed project, (2) do additional environmental studies, or (3) abandon the project. If the project is given environmental approval and funding is obtained, Caltrans could design and construct all or part of the project.

ALTERNATIVE FORMATS:

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Caltrans, Attn: Cody Ericksen, (510) 506-9678, or call the California Relay Service (800) 735-2929 (TTY), (800) 735-2922 (Voice), or 711.

An Americans with Disabilities Act (ADA)-compliant electronic copy of this document is available to download at the Caltrans environmental document website: (https://dot.ca.gov/caltrans-near-me/district-4/d4-popular-links/d4-environmental-docs).

Initial Study with Proposed Negative Declaration

04-ALA-880	17.2-18.6	04-0Q290
Dist. – Co. – Rte.	PM	EA

Project title:	Interstate 880 Interchange Improvements Project
Leady agency name and address:	California Department of Transportation 111 Grand Avenue, Oakland, CA 94612
Contact person and phone number:	Cody Ericksen, Associate Environmental Planner (510) 506-9678
Project location:	Hayward, California
General plan description:	Surrounding area: Single Family Residential, Medium Family Residential, High Density Residential, and Limited Access Commercial.
Zoning:	Highway
Other public agencies whose approval is required (e.g., permits, financial approval, or participation agreements)	▪ California Transportation Commission ▪ State Historic Preservation Officer (SHPO) Concurrence on Eligibility Determination ▪ Metropolitan Transportation Commission (MTC) Air Quality Conformity Task Force/Federal Highway Administration (FHWA) Regional Air Quality Conformity Permit ▪ City of Hayward Tree pruning and removal permit

The document, maps, project information, and supporting technical studies are available for review weekdays during regular business hours at the City of Hayward City Hall (777 B Street, Hayward, CA 94541) and the Hayward Public Library (888 C Street, Hayward, CA 94541). The document is available to download at the Caltrans environmental document website (https://dot.ca.gov/caltrans-near-me/district-4/d4-popular-links/d4-environmental-docs) or at the Alameda County Transportation Commission website (https://www.alamedactc.org/i-880-winton-a/).

Lindsay Vivian

Lindsay Vivian
Caltrans District 4, Office Chief
Office of Environmental Analysis

May 27, 2022
Date

Proposed Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans), in cooperation with the Alameda County Transportation Commission (Alameda CTC) and the City of Hayward (City), proposes to provide interchange and local road improvements along Interstate 880 (I-880) from 0.1 mile north of the I-880/A Street Interchange to 0.4 mile south of the I-880/Winton Avenue Interchange. The I-880 Interchange Improvements Project (Project) would include interchange on-and-off-ramp reconfigurations, modifications of bridge structures, local roadway realignments and restriping, and bicycle and pedestrian improvements in the City of Hayward, in Alameda County, California.

Determination

This proposed Negative Declaration (ND) is included to give notice to interested agencies and the public that it is Caltrans' intent to adopt an ND for this project. This does not mean that Caltrans' decision regarding the project is final. This ND is subject to change based on comments received by interested agencies and the public.

Caltrans has prepared an Initial Study for this project, and pending public review, expects to determine from this study that the proposed project would not have a significant effect on the environment for the following reasons:

- The Project would have no impact on farmlands/timberlands, land use, tribal cultural resources, mineral resources, wildfire, population and housing, and recreation.
- The Project would have a less than significant impact on aesthetics, air quality, biological resources, cultural, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and floodplains, noise, public services, transportation, and utilities and system services.

_____ _____

Melanie Brent
Deputy District Director,
Environmental Planning and Engineering
Caltrans District 4

Date

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Appendix D Resources Evaluated Relative to the Requirements of Section 4(f): No Use Determination

Appendix E Air Quality Conformity Letter

LIST OF ACRONYMS

AB 32	Assembly Bill 32
ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
AM	morning hours
APE	area of potential effect
BAAQMD	Bay Area Air Quality Management District
BMPs	Best Management Practices
BSA	biological study area
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CH_4	methane
CIA	Community Impact Assessment
CRHR	California Registry of Historical Resources
CO	carbon monoxide
CO_2	carbon dioxide
dB	decibel
dBA	A-weighted decibel
EPA	Environmental Protection Agency
ESA	environmentally sensitive area
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
F.G.C.	California Fish and Game Code
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
FSTIP	Federal Statewide Transportation Improvement Program
FTA	Federal Transit Administration
GHGs	greenhouse gases
HRER	Historic Resources Evaluation Report
IS	Initial Study
Leq	The average A-weighted noise level during the measurement period
Lmax	The maximum A-weighted noise level during the measurement period

MBTA	Migratory Bird Treaty Act
MRZ	Mineral resource zone
MTC	Metropolitan Transportation Commission
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Historic Commission
NEPA	National Environmental Policy Act
NES	Natural Environment Study
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O_3	ozone
PDT	project development team
PG&E	Pacific Gas & Electric
PM	particulate matter
PPM	parts per million
POAQC	projects of air quality concern
PQS	Professionally Qualified Staff
PRC	Public Resources Code
ROG	reactive organic gases
ROW	right-of-way
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SF_6	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SPUI	Single Point Urban Interchange
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCE	temporary construction easement
TIP	Transportation Improvement Plan
TMP	Traffic Management Plan
U.S.	United States
USC	United States Code
U.S. EPA	United States Environmental Protection Agency
VMT	vehicle miles traveled

1.0 Proposed Project

1.1 INTRODUCTION

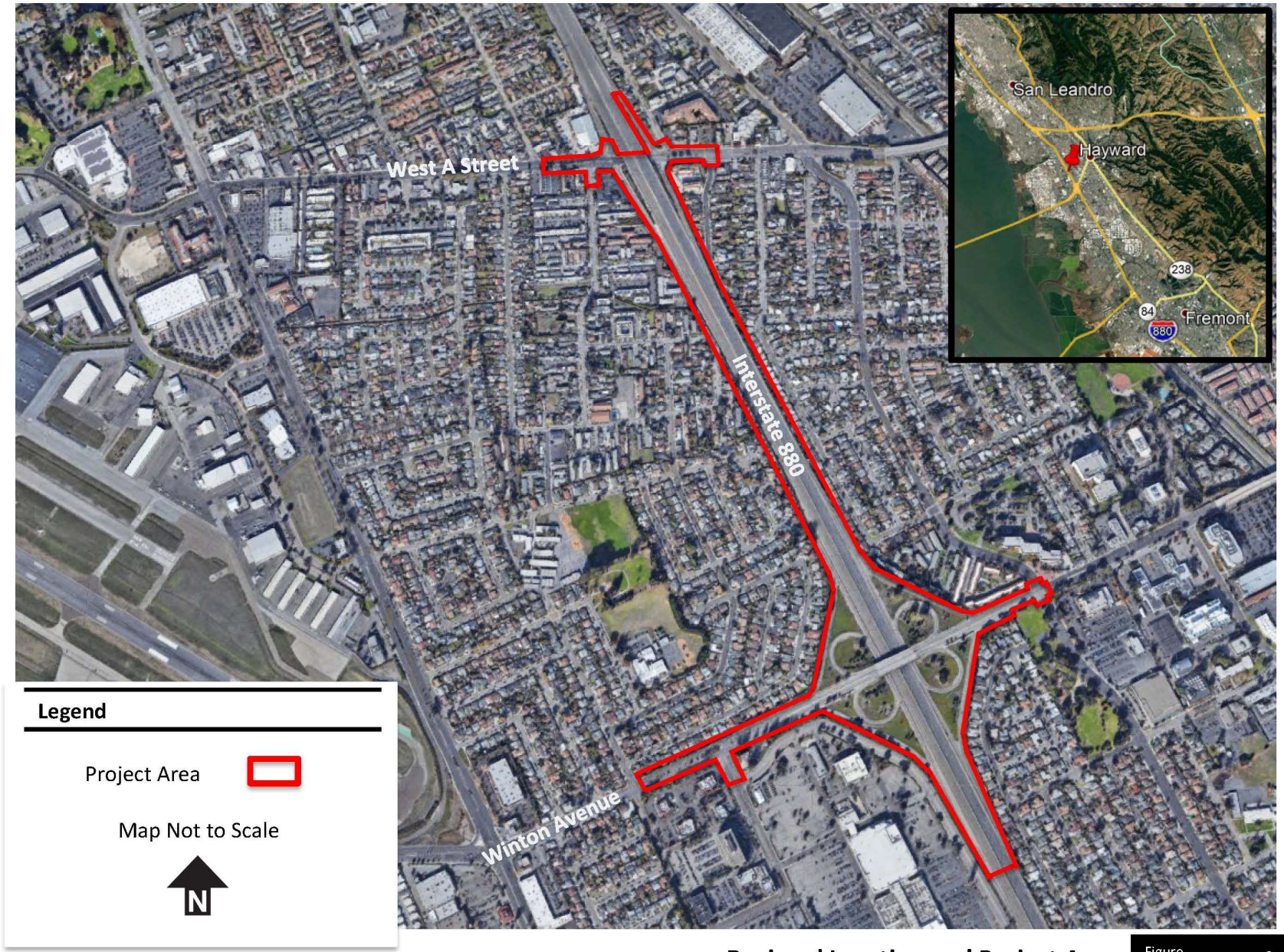
The California Department of Transportation (Caltrans), in partnership with the Alameda County Transportation Commission (Alameda CTC) and the City of Hayward (City), proposes to provide interchange and local road improvements along Interstate 880 (I-880) from 0.1 mile north of the I-880/A Street Interchange to 0.4 mile south of the I-880/Winton Avenue Interchange. The I-880 Interchange Improvements Project (Project) would include interchange on- and off-ramp reconfigurations, local roadway restriping, and bicycle and pedestrian improvements in the City in Alameda County. The Project would also include mainline improvements along the existing I-880 corridor. The regional location and Project area are depicted in Figure 1.1-1, and the Project components are described in detail in Section 1.3 Project Description.

Caltrans is the lead agency under the California Environmental Quality Act (CEQA).

1.1.1 STATE/REGIONAL/LOCAL PLANNING

The Metropolitan Transportation Commission (MTC) is the regional transportation planning agency in the San Francisco Bay Area that includes the Project area. MTC is responsible for updating the Regional Transportation Plan (RTP), which is a comprehensive blueprint for the development of mass transit, highway, freight, bicycle, and pedestrian facilities. MTC and the Association of Bay Area Governments Executive Board adopted the RTP *Plan Bay Area 2050* and its associated Implementation Plan on October 21, 2021.

Both the I-880/A Street and I-880/Winton Avenue interchanges are included in Plan Bay Area 2050 under RTP ID 21-T06-024 and the previous Plan Bay Area 2040 under RTP ID's 17-01-0024 and 17-01-0041. The Federal Highway Administration (FHWA) and Federal Transportation Administration (FTA) agreed upon the conformity determination for the Plan Bay Area 2050 on October 21, 2021. The project is included in the 2021 Transportation Improvement Plan (TIP) under reference ID's ALA170046 (I-880/A Street Interchange Reconstruction) and ALA170004 (I-880/West Winton Avenue Interchange). Both the I-880/A Street and I-880/Winton Avenue interchanges are currently named projects included in the *2014 Alameda CTC Measure BB Transportation Expenditure Plan* and the City of Hayward's Regional Transportation Projects list. The Project has been programmed for improvements using local, state, and federal funds.



Regional Location and Project Area Figure **1.1-1**

Source: Google Earth, 2021

1.2 PURPOSE AND NEED

1.2.1 PURPOSE

The purpose of the Project is to:

- Improve merge-weave operations along I-880 between the I-880/A Street and I-880/Winton Avenue interchanges
- Improve traffic operations at the I-880/A Street interchange
- Prioritize multimodal transportation infrastructure at the I-880/A Street and I-880/Winton Avenue interchanges, including Complete Streets features such as bike lanes and pedestrian-friendly designs to enhance mobility and safety
- Improve traffic operations and accessibility to retail and other uses at the I-880/Winton Avenue interchange

1.2.2 NEED

Due to the proximity between the I-880/A Street and I-880/Winton Avenue interchanges, merge-weave issues between the interchanges occur in both northbound and southbound directions.

The following are several key existing issues identified at the I-880/A Street interchange:

- Congestion during peak periods affects both directions of travel on I-880
- Long vehicle queues in left-turn lanes along A Street between the ramp intersections cause operational issues
- The existing undercrossing has a sidewalk and no shoulders, resulting in inadequate access for bicyclists and pedestrians. This inadequate access causes conflicts between vehicles, bicyclists, and pedestrians, further deteriorating the efficiency of the interchange

Similarly, the I-880/Winton Avenue interchange currently operates at or over capacity. There are several key existing issues identified at the I-880/Winton Avenue interchange as described below:

- Traffic runs freely from the I-880 ramps onto Winton Avenue without intersection controls such as a traffic signal or a roundabout, creating weaving conflicts and congestion at the interchange
- The current interchange poses a risk to bicyclists and pedestrians due to the presence of multiple conflict points with free-running ramps at uncontrolled intersections and a lack of dedicated bicycle facilities
- The queue of vehicles on westbound Winton Avenue at the Southland Drive left-turn lane creates congestion and queues along Winton Avenue, and the I-880/Winton Avenue southbound off-ramp

INTERCHANGE DEFICIENCIES

Both the I-880/A Street and I-880/Winton Avenue interchanges experience severe congestion and lack multimodal facilities. The two interchanges are closely spaced at approximately 4,000 feet apart. Closely spaced interchanges can create merge weave issues on the mainline where demand exceed capacity.

ACCESSIBILITY TO LOCAL DESTINATIONS

The I-880/A Street and I-880/Winton Avenue interchanges provide access to important regional destinations adjacent to I-880 in the City, such as the Southland Mall and the Hayward Executive Airport. Additionally, both interchanges lack multimodal connectivity that would enhance bicycle and pedestrian access.

MODAL INTERRELATIONSHIPS AND SYSTEM LINKAGES

There are currently no bike lanes along A Street or Winton Avenue where the roadways cross I-880. The I-880/Winton Avenue interchange includes high-speed free-flowing ramps (no stop sign or traffic signals) that makes it difficult for pedestrians and bicyclists to cross at these ramps. Bicyclists wishing to cross I-880 must share the road with vehicles often traveling at significantly higher speeds. Between the ramp terminals, the sidewalks lining Winton Avenue are 7 feet wide and those lining A Street are 5 feet wide, with both streets having no shoulder.

Therefore, existing facilities do not provide much separation between pedestrians and vehicles traveling along these roads. There is a need for Complete Streets features such as bicycle lanes and pedestrian-friendly paths to enhance mobility and safety and reduce conflicts between traffic, bicyclists, and pedestrians. A complete street is a

transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. Deputy Directive 64-R2 directs Caltrans to implement complete streets.

1.3 PROJECT DESCRIPTION

Implementation of the Project would provide interchange and mainline improvements along I-880 from 0.1 mile north of the I-880/A Street Interchange to 0.1 mile south of the I 880/Winton Avenue interchange. The Project would include interchange on- and off-ramp reconfigurations, modifications of bridge structures, mainline improvements (auxiliary lanes between the I-880/A Street and I-880/Winton Avenue interchanges), and bicycle and pedestrian improvements in the City.

Regional growth and local development have resulted in significant traffic increases on I-880 and the local streets serving both interchanges. The current interchange configurations create long traffic queues of vehicles waiting to enter or exit the freeway. Congestion and delays in the study area also adversely affect goods movement to and from the City's Industrial Technology and Innovation (ITI) Corridor. The purpose of the Project is to improve traffic operations at the I-880/A Street and I-880/Winton Avenue interchanges and provide safe bicycle and pedestrian connections across the I-880 corridor.

1.3.1 PROJECT ALTERNATIVES

The alternatives being evaluated are "Build Alternative 1," "Build Alternative 2," and the "No-Build Alternative". Both Build Alternatives propose the same I-880/Winton Avenue interchange improvements, the I-880 auxiliary lanes between the I-880/A Street and I-880/Winton Avenue interchanges, and the improvements at the A Street undercrossing. These are described below in the "Improvements Common to Both Alternatives" discussion. The differences between the Build Alternatives are related to the proposed lane configuration of A Street. Build Alternative 1 would improve A Street underneath the I-880 bridge to accommodate six traffic lanes, while Build Alternative 2 would retain the existing five-lane configuration. The details of each Build Alternative are described further below under the headings "Build Alternative 1" and "Build Alternative 2."

The improvements to the I-880/A Street and I-880/Winton Avenue interchanges and the auxiliary lanes on I-880 are collectively considered the Build Alternatives for the Project.

1.3.2 IMPROVEMENTS COMMON TO BOTH BUILD ALTERNATIVES

I-880/WINTON AVENUE INTERCHANGE

Both Build Alternatives would convert the existing I-880/Winton Avenue interchange from a clover leaf to a partial clover leaf configuration, as depicted in Figure 1.1-2.

Improvements to the I-880/Winton Avenue interchange would include:

- Removal of the existing southbound loop off-ramp and northbound loop off-ramp to eastbound Winton Avenue, and the existing C-D road
- Widen southbound diagonal off-ramp to provide additional left turn storage and to provide a 2-lane off-ramp to accommodate added traffic being diverted from the removal of the southbound loop off-ramp
- Widen northbound diagonal off-ramp to provide a 2-lane off-ramp to accommodate added traffic being diverted from the removal of the northbound loop off-ramp.
- Widening of the southbound and northbound loop on-ramps to add a high occupancy vehicle bypass lane
- Widen northbound diagonal on-ramp to add high occupancy vehicle bypass lane
- Reconfiguration of ramp terminals and installation of new traffic signals
- Replacement of bridge barrier railings with concrete barrier and sidewalks
- Replacement of median and longitudinal expansion joint on bridge deck with a closure pour
- Construction of additional vehicle storage by lengthening the existing two left-turn lanes at Southland Drive in the westbound direction
- Construction of Americans with Disabilities Act (ADA) compliant sidewalks and Class IV bikeways in both directions of Winton Avenue between Southland Drive and Santa Clara Street

MAINLINE IMPROVEMENTS

Mainline improvements would include the reconstruction and restriping of the existing outside shoulder of I-880 along the mainline between the I-880/A Street and I-880/Winton Avenue interchanges to provide one auxiliary lane in each direction (Figure 1.1-3). The new auxiliary lanes would be approximately 1,500 feet long in each

direction, would not require right of way (ROW) acquisitions to construct, and do not extend beyond the two interchanges.

I-880/A STREET INTERCHANGE

Both Build Alternatives involve improvements to A Street, which are described below in Section 1.3.3, Construction – Build Alternatives. However, as the lane configurations for each Build Alternative may differ, the same improvements are proposed to accommodate the bicycle and pedestrian path as it approaches and proceeds under I-880. These improvements include:

- Removal of the existing sidewalk, which would allow for widening of A Street pavement between the existing columns
- Addition of two 12-foot-wide shared pedestrian and bicycle lanes (eastbound and westbound) (Figure 1.1-3) between the I-880 overpass abutment and support columns
- Addition of Class IV bikeway on A Street to the east and west of the I-880/A Street interchange within the Project limits
- Elimination of free-right turning movements at I-880 ramp intersections and removal of porkchop islands to improve pedestrian and bicycle crossings at I-880 ramp intersections
- Modification to the intersection of South Garden Avenue and A Street to an exclusive right turn in/right turn out intersection
- Improvements to the pedestrian crossing at the intersection of Happyland Avenue and A Street with the installation of a High Intensity Activated Crosswalk signal

1.3.3 BUILD ALTERNATIVE 1 – SIX-LANE CONFIGURATION

Build Alternative 1 includes the I-880/Winton Avenue interchange improvements, the I-880 auxiliary lanes, and the A Street improvements described above in Section 1.3.2, Improvements Common to Both Build Alternatives, and the I-880/A Street interchange six-lane configuration described below and shown in Figure 1.1-4:

- Provide dedicated left turn lanes on A Street in both eastbound and westbound directions, for left turn movements into I-880 ramps

- Extend left-turn pockets outside of the ramp intersections to allow for greater vehicle storage
- Six ten-foot-wide lanes at the A Street undercrossing, between the ramp intersections

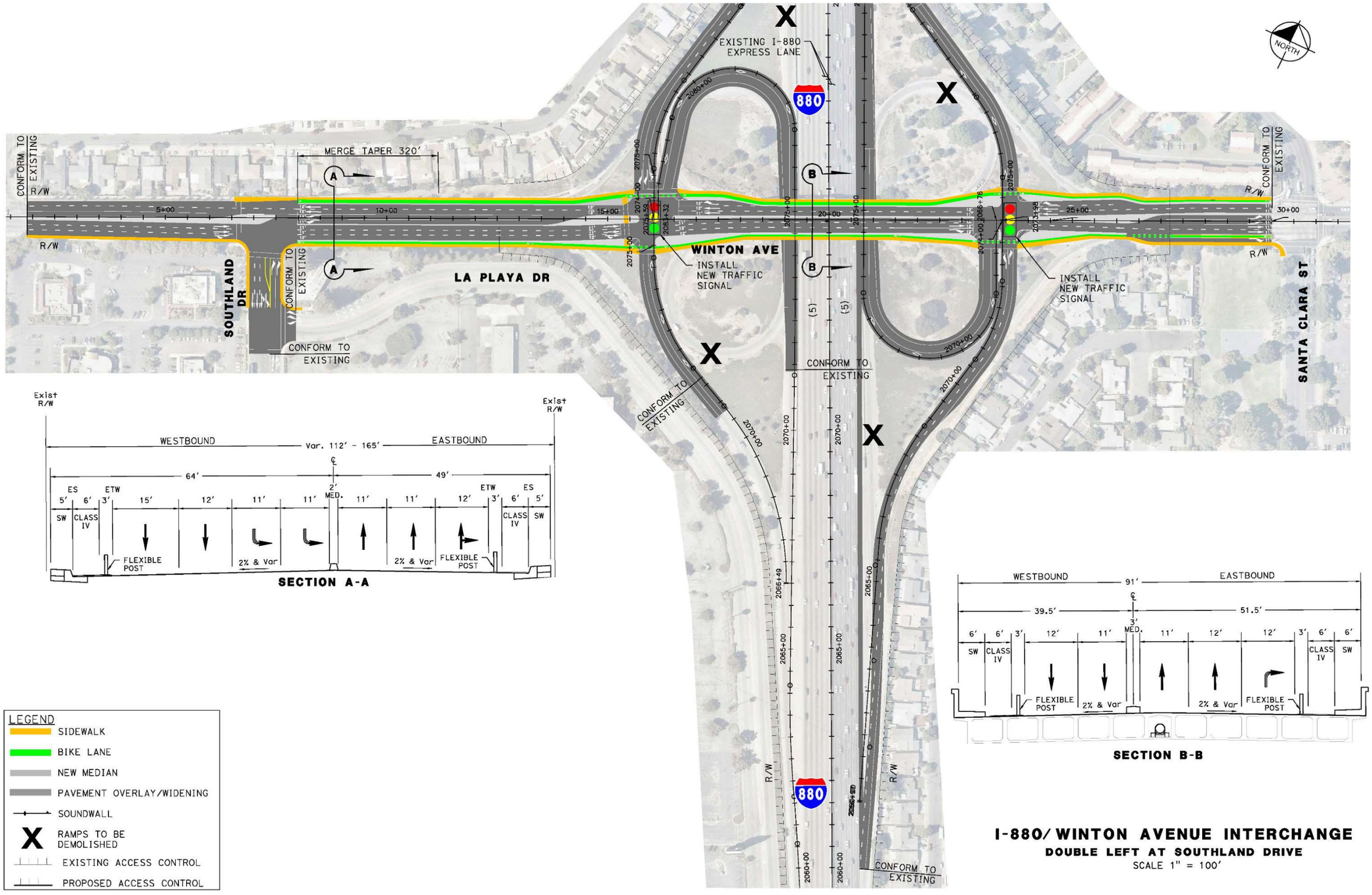
1.3.4 BUILD ALTERNATIVE 2 – FIVE-LANE CONFIGURATION

Build Alternative 2 includes the I-880/Winton Avenue Interchange, I-880 auxiliary lanes, and the A Street improvements described above under Section 1.3.2, Improvements Common to Both Build Alternatives, and the I-880/A Street Interchange five-lane configuration described below and shown in Figure 1.1-5:

- Increase the width of the existing lanes on A Street in both eastbound and westbound directions while keeping the existing 5-lane configuration
- Restripe to adjust to widened lanes

1.3.5 NO BUILD ALTERNATIVE

Under the No Build Alternative, none of the Project improvements included in the Build Alternatives would be constructed. Other planned and approved land use development and transportation improvements along local routes may be implemented by local agencies or under other projects. Existing transportation facilities within the Project area would remain unchanged. The No Build Alternative is considered the environmental baseline against which potential environmental impacts of the Build Alternatives are evaluated.



SECTION A-A

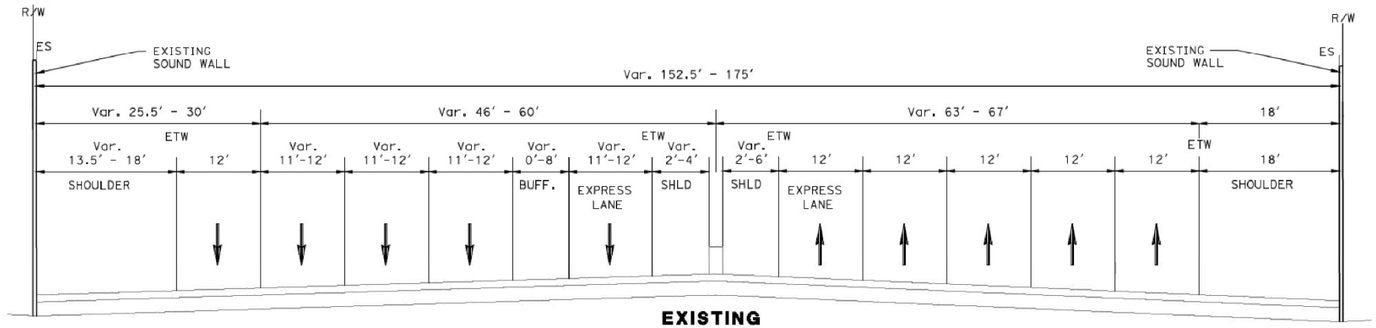
SECTION B-B

LEGEND
- SIDEWALK
- BIKE LANE
- NEW MEDIAN
- PAVEMENT OVERLAY/WIDENING
- SOUNDWALL
- X RAMPS TO BE DEMOLISHED
- EXISTING ACCESS CONTROL
- PROPOSED ACCESS CONTROL

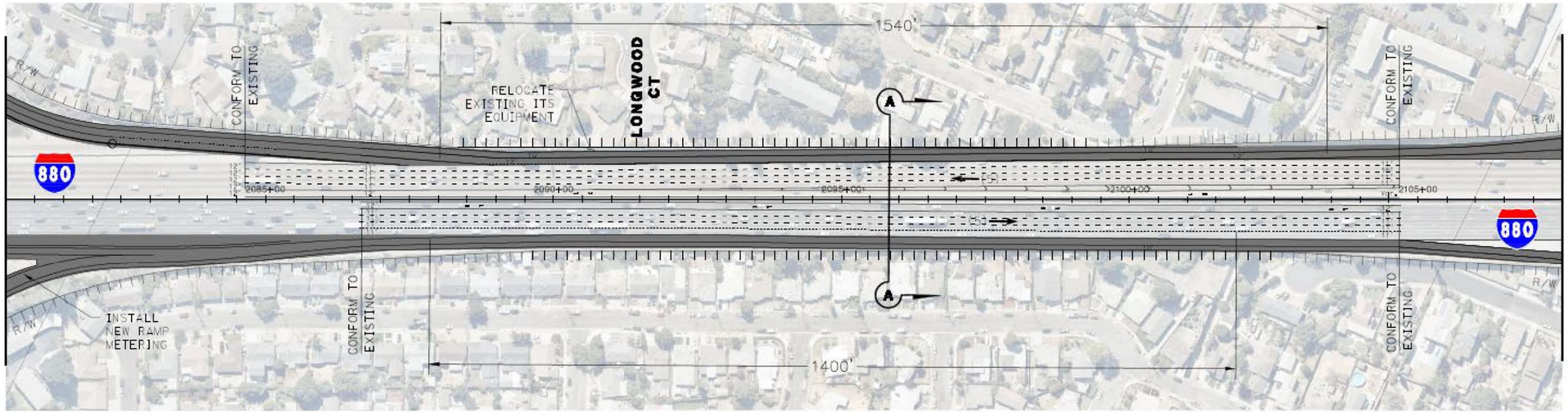
I-880/ WINTON AVENUE INTERCHANGE
DOUBLE LEFT AT SOUTHLAND DRIVE
SCALE 1" = 100'

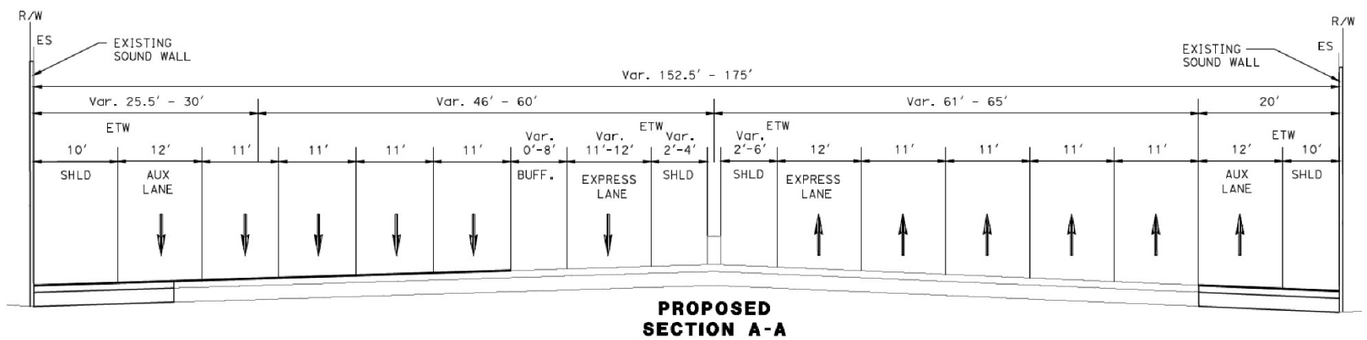
I-880/Winton Avenue Interchange Figure **1.1-2**

Source: Kimley-Horn, 2021



EXISTING SECTION A-A





PROPOSED SECTION A-A

LEGEND

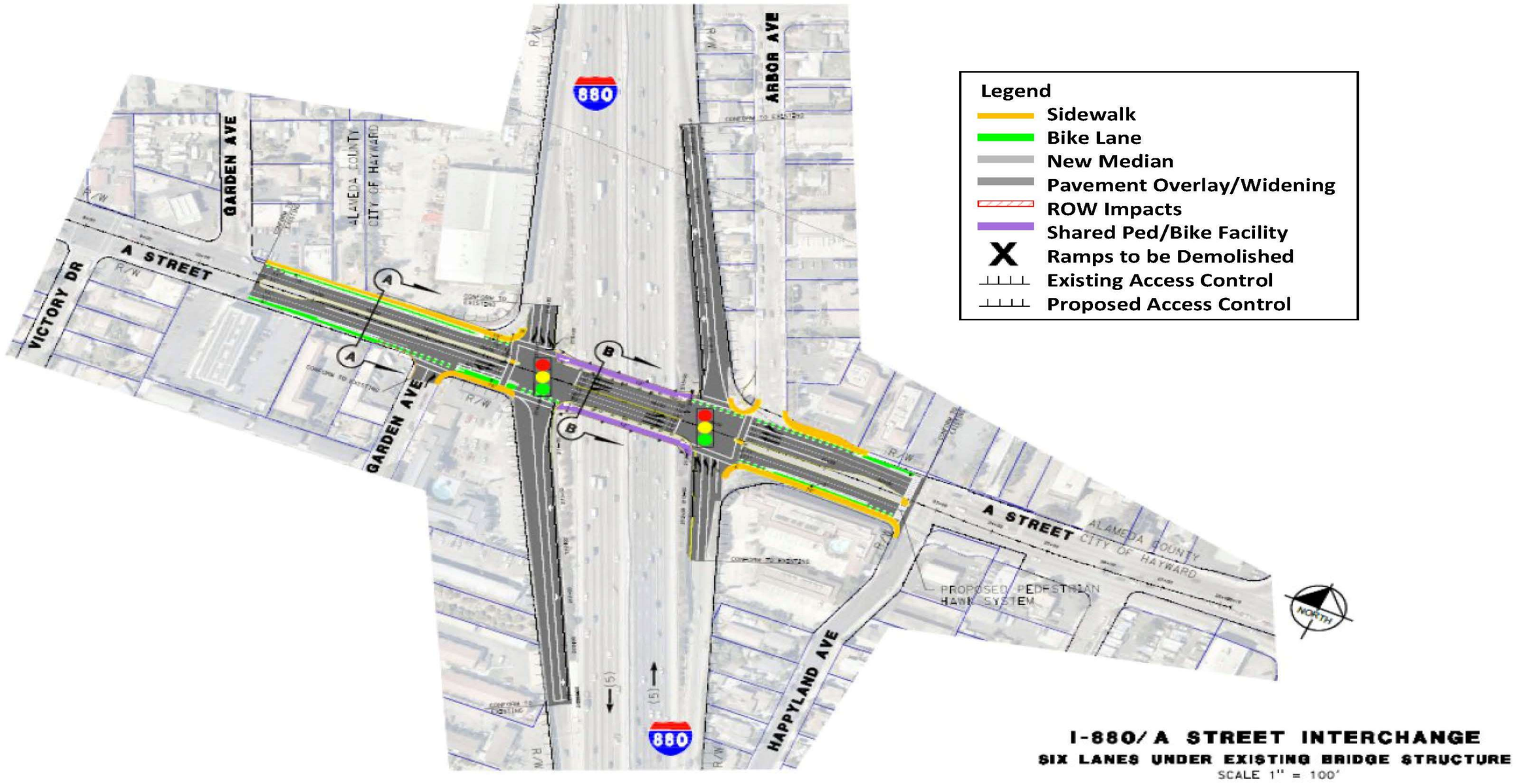
EXISTING ACCESS CONTROL

PROPOSED ACCESS CONTROL

I-880 MAINLINE IMPROVEMENTS
NORTHBOUND AND SOUTHBOUND AUXILIARY LANES
SCALE 1" = 100'

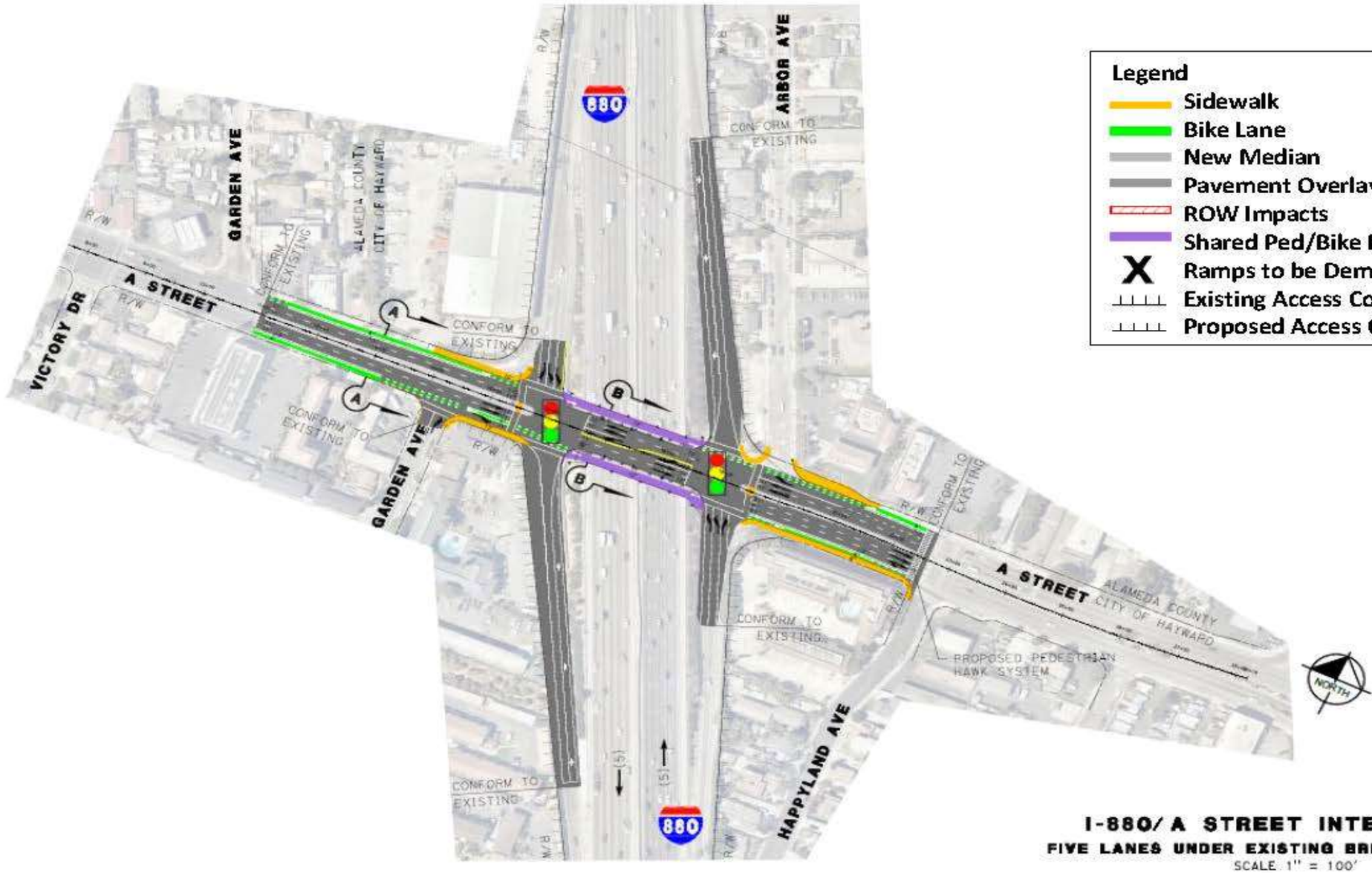
I-880 Mainline Improvements Figure **1.1-3**

Source: Kimley-Horn, 2021



I-880/A Street Interchange – Build Alternative 1 Six Lane Configuration Figure **1.1-4**

Source: Kimley-Horn, 2021



I-880/A Street Interchange – Build Alternative 2 Five Lane Configuration Figure **1.1-5**

Source: Kimley-Horn, 2021

1.3.6 PROJECT FEATURES

The Project includes specific Project features to address resource protection. Project features are universally applied across all Caltrans projects, as applicable. These Project features apply to air quality, biological resources, cultural resources, hazardous wastes and materials, hydrological resources, and noise, (see Table 1.3.6-1). The following Project features would be included:

Table 1.3.6-1 Project Features

Project Feature Number	Description
Aesthetics and Visual Resources	
AES-1	**Vegetation Protection**: Existing trees and vegetation would be preserved to the extent feasible. Trees and vegetation outside of the clearing and grubbing limits would be protected from the contractor's operations, equipment, and materials storage. Tree trimming and pruning, where required, would be conducted under the direction of a qualified biologist.
AES-2	**Replacement Plantings:** Replacement highway plantings and irrigation along with a three-year plant establishment period will be provided in all areas of highway planting removal consistent with the corridor's Classified Landscape Freeway status and where safety and maintenance requirements can be met. Highway planting construction will begin no more than two years following completion of roadway construction. Replacement planting with a 3-year plant establishment period shall be funded from the parent roadway contract. It must be under construction within two years of acceptance of the highway contract that damaged or removed the existing planting.
AES-3	**Erosion Control**: After construction, all areas cleared within the Project limits for uses such as contractor access, staging, and trenching operations would be treated with appropriate erosion control measures (e.g., mulch, hydroseed, and fiber rolls) where required.
AES-4	**Construction Staging**: Except as detailed in the contract plans, staging areas would not affect existing landscaped areas resulting in death and/or removal of trees and shrubs, or disruption and destruction of existing irrigation facilities.
AES-5	**Construction Waste**: During construction operations, unsightly material and equipment in staging areas would be placed where they are less visible and/or covered where possible.
AES-6	**Construction Lighting**: Construction lighting would be directed toward the immediate vicinity of active work to avoid light trespass through directional lighting, shielding, and other measures as needed.
Air Quality	
AQ-1	**Dust Control**: During clearing, grading, earthmoving, or excavation operations, excessive fugitive dust emissions will be controlled by regular watering or other dust preventive measures using the following procedures, as specified in the Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures. All material excavated or graded will be sufficiently watered to prevent excessive amounts of dust. All material

Project Feature Number	Description
	transported on site or off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All material transported on site or off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized to prevent excessive amounts of dust. These control techniques will be indicated in project specifications. Visible dust beyond the property line emanating from the project will be prevented to the maximum extent feasible.
AQ-2	**Idling and Access Points**: Idling times would be minimized either by shutting off equipment when not in use or reducing the maximum idling time to 5 minutes. Clear signage would be provided for construction workers at all access points. Construction activities involving the extended idling of diesel equipment or vehicles would be prohibited.
AQ-3	**Maintaining Construction Equipment and Vehicles**: All trucks that are to haul excavated or graded material on site will comply with California Vehicle Code Section 23114, regarding the prevention of such material spilling onto public streets and roads.
AQ-4	**Contractor Air Quality Compliance**: The contractor will adhere to Caltrans Standard Specifications for Construction, Sections 14.9-02 and 14-9.03, which require contractor compliance with all applicable laws and regulations related to air quality, including air pollution control district and air quality management district regulations and local ordinances.
Biological Resources	
BIO-1	**Preconstruction Bird Surveys:** During the nesting season (February 1 through September 30), pre-construction surveys for nesting birds would be conducted by a qualified biologist no more than 72 hours prior to the start of construction activities. If an active nest is discovered, biologists would establish an appropriate exclusion buffer around the nest. The standard buffer will be 50 feet for passerines (perching songbirds), 100 feet for egrets/herons, and 300 feet for raptors (birds of prey). The buffer zones will be delineated with high-visibility environmental fencing or demarcated with pin flags or ribbon, as applicable based on-site conditions. The area within the buffer would be avoided until the young are no longer dependent on the adults or the nest is no longer active. If a nesting special-status bird species is discovered, the biologist would notify USFWS and/or CDFW for further guidance. Partially constructed and inactive nests may be removed to prevent occupation. Nesting birds near the Project footprint would be regularly monitored for signs of disturbance. To the extent feasible, tree removal would not occur during the nesting season.
BIO-2	**Environmentally Sensitive Area Fencing (ESAs):** Before starting construction, the boundaries of any and all ESAs would be clearly delineated using high-visibility orange fencing. The fencing would remain in place throughout the project duration and would prevent construction equipment or personnel from entering areas that were not analyzed for ground disturbing actions. The final project plans would depict the locations where fencing would be installed and how it would be assembled or constructed. The special

Project Feature Number	Description
	provisions in the bid solicitation package would clearly describe acceptable fencing material, prohibited construction related activities, vehicle operation, material and equipment storage, and other surface disturbing activities.
BIO-3	**Replant, Reseed, and Restore Disturbed areas:** Caltrans would restore temporarily disturbed areas. Exposed slopes and bare ground would be reseeded with native and non-invasive grasses and native shrubs to stabilize and prevent erosion. Where disturbance includes the removal of trees and woody shrubs, trees would be replanted at a ratio to be determined during the design phase, based on the local species composition.
BIO-4	**Reduce Spread of Invasive Species:** To reduce the spread of invasive, nonnative plant species and minimize the potential decrease of palatable vegetation for wildlife species, Caltrans would comply with Executive Order 13112. This order is provided to prevent the introduction of invasive species and provide for their control in order to minimize the economic, ecological, and human health effects. In the event that noxious weeds are disturbed or removed during construction- related activities, the contractor would be required to contain the plant material associated with these noxious weeds and dispose of them in a manner that would not promote the spread of the species. The contractor would be responsible for obtaining all permits, licenses, and environmental clearances for properly disposing of materials. Areas subject to noxious weed removal or disturbance would be replanted with fast-growing native and non-invasive grasses or a native erosion control seed mixture. Where seeding is not practical, the target areas within the Project area would be covered to the extent practicable with heavy black plastic solarization material until disturbed areas are restored to preconstruction conditions.
Cultural Resources	
CUL-1	**Discovery of Human Remains**: If remains are discovered during excavation, all work within 60 feet of the discovery would halt and Caltrans' Cultural Resource Studies office would be called. Caltrans' Cultural Resources Studies Office Staff would assess the remains and, if determined human, would contact the County Coroner as per Public Resources Code (PRC) Sections 5097.98, 5097.99, and 7050.5 of the California Health and Safety Code. If the Coroner determines the remains to be Native American, the Coroner would contact the Native American Heritage Commission who would then assign and notify a Most Likely Descendant. Caltrans would consult with the Most Likely Descendant on respectful treatment and reburial of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.
Geology and Soils	
GEO-1	In the event of unanticipated paleontological resource discoveries during Project-related activities, work in the immediate vicinity of the discovery should be halted until it can be evaluated by a qualified paleontologist in accordance with Caltrans standard specification 14-7.03.
Hazards and Hazardous Materials	
HAZ-1	**Aerially Deposited Lead Work Plan**: Caltrans will prepare a work plan for aerially deposited lead if required during the design phase. Soil samples collected to evaluate aerially-deposited lead would be analyzed for total lead and soluble lead in accordance with Department of Toxic Substances

Project Feature Number	Description
	Control's requirements to determine appropriate actions that would ensure the protection of construction workers, future site users, and the environment.
HAZ-2	**Asbestos and Lead-Based Paint Survey:** Existing interchange structures that would be removed by the Project would be tested for asbestos and lead-based paint by a qualified and licensed inspector prior to demolition. All asbestos-containing material or lead-based paint, if found, would be removed by a certified contractor in accordance with local, state, and federal requirements.
Hydrological Resources	
HYD-1	**Water Quality Best Management Practices**: To address the temporary water quality impacts resulting from the construction activities in the project limits, best management practices (BMPs) would include the measures of sediment control, pH control, material and job site management, and erosion control.
HYD-2	**Stormwater Pollution Prevention Plan**: A Stormwater Pollution Prevention Plan (SWPPP) would be developed and temporary construction BMPs would be implemented in compliance with the requirements of the State Water Resources Control Board (SWRCB) as outlined in the Construction General Permit (GCP). The SWPPP must be prepared by the Contractor and approved by Caltrans, pursuant to Caltrans 2018 Standard Specification 13-3 and Special Provisions. Protective measures would include, at a minimum: ▪ Disallowing any discharging of pollutants from vehicle and equipment cleaning into any storm drains or watercourses. ▪ All grindings, asphalt waste, and concrete waste would be hauled offsite by the end of shift, or if stored in upslope areas, would be a minimum of 150 feet, if feasible, from any aquatic resources, would be stored within previously disturbed areas absent of habitat, and would be protected by secondary containment measures consistent with proposed Caltrans BMPs designed specifically to contain spills or discharges of deleterious materials. ▪ Dedicated fueling and refueling practices would be designated as part of the approved SWPPP. Dedicated fueling areas would be protected from stormwater runoff and would be located at a minimum of 50 feet from downslope drainage facilities and water courses. ▪ Fueling must be performed on level-grade areas. Onsite fueling would only be used when and where it is impractical to send vehicles and equipment offsite for fueling. When fueling must occur onsite, the contractor would designate an area to be used subject to the approval of the Caltrans Resident Engineer. Drip pans or absorbent pads would be used during onsite vehicle and equipment fueling. ▪ Spill containment kits would be maintained onsite at all times during construction operations and/or staging or fueling of equipment. ▪ Dust control measures consistent with Air Quality Project Features would be implemented. Dust control would be addressed during the environmental education session. ▪ Coir logs or straw wattles would be installed in accordance with the Caltrans BMP Guidance Handbook, to capture sediment. ▪ Graded areas would be protected from erosion using a combination of silt fences, erosion control netting (such as jute or coir), and fiber rolls in accordance with the Caltrans BMP Guidance Handbook.

Project Feature Number	Description
HYD-3	**Temporary Dewatering BMPs:** Groundwater extracted from temporary dewatering activities would be managed based on the groundwater quality within the Project area. Clean groundwater could be used for dust control, collected on-site using desilting basins and/or tanks prior to discharging to receiving waters, or transported to a publicly-owned treatment works. If the Project area contains contaminated groundwater or groundwater that may release contaminated plumes when disturbed, applicable waste discharge requirements or permits would be obtained during the design phase.
HYD-4	**Low-Impact Development Controls**: Potential water quality impacts would be reduced to the maximum extent practicable through proper implementation of stormwater treatment measures such as bioretention swales. The proposed stormwater treatment BMPs would be required to treat runoff from new impervious surface. All proposed stormwater treatment control measures would be compliant with local requirements, such as the San Francisco Bay Municipal Regional Permit Provision C.3.
Noise	
NOI-1	**Construction Schedule:** Construction activities would typically occur during the day, between 9:00 AM and 4:00 PM wherever feasible. Noisy operations would be scheduled to occur within the same time period to the greatest extent possible. Some night work and/or off-peak lane closures is anticipated to occur during project construction. The total noise level would not be significantly greater than the level produced if operations are performed separately.
Tribal Cultural Resources	
TRI-1	If tribal cultural resources are discovered during construction, all earth-moving activity within and within and around the immediate discovery area would be diverted until a Caltrans qualified archaeologist can assess the nature and significant of the find.

1.3.7 CONSTRUCTION

Construction of the Project is anticipated to begin in mid-2024, dependent on funding, and would take approximately 18 months to complete. Both Build Alternatives would follow the same construction phasing sequence. Cut and fill will be required for the installation of sidewalks, bike lanes, new curbs, and new lane configurations at the ramps.

Construction staging areas (i.e., the storage of materials and equipment) would be accommodated within Caltrans' ROW. The largest potential construction staging area would be within the demolition areas at Winton Avenue. Final determination of staging areas would be reviewed as part of the design phase, in conjunction with potential contractors, and would be carefully reviewed to ensure that the staging areas are within the Environmental Study Limits evaluated in the environmental document.

Construction details for the Build Alternatives include:

- Demolition of two of the existing ramps at Winton Avenue
- New, wider ramps to replace demolished ramps
- Sidewalk, curb and intersection improvements along A Street from Happyland Avenue and Garden Avenue, and along Winton Avenue from Southland Place to Santa Clara Street
- Removal of approximately 60 trees (currently estimated at 58 trees)
- Existing sign replacement and new signage
- Installation of new traffic signals at the intersection of I-880 ramps at Winton Avenue and A Street

BRIDGE MODIFICATIONS

Bridge modifications for both Build Alternatives are proposed at the I-880/Winton Avenue overcrossing and include reconstruction of the bridge, sidewalk, and railing.

RETAINING WALLS

Retaining walls are proposed under the outside bay (between the abutment and columns) of the I-880/A Street interchange undercrossing in both directions. The purpose of the retaining wall is to maintain the existing slopes and provide for the addition of a 12-foot-wide shared-use path between the ramp intersections. The retaining wall would be approximately 7 feet high, 200 feet long and would be a ground anchored wall.

PROPOSED DRAINAGE DESIGN

The existing drainage pattern at the Project site will be maintained. Existing drainage in the Project area consists of grate inlets, curb inlets, dikes, curbs, sheet flow, and pipes. As part of the Project design, drainage improvements will include the addition of inlets and pipes, addition of asphalt concrete dikes, removal of existing dikes/curbs, conveyance ditches, rock slope protection, removal of inlets, inlet adjustments, inlet relocations, and addition of energy dissipation devices. All drainage systems will be modified locally to address the new roadway profiles. The overall drainage pattern will be maintained.

UTILITY RELOCATIONS

A Pacific Gas and Electric Company (PG&E) electrical pole (1) at Winton Avenue would need to be relocated and is the only major utility alteration identified in this phase. Other utility alterations include slight modifications such as relocating light poles and adjusting AT&T utilities to grade.

BICYCLE LANE, SIDEWALK, AND CURB IMPROVEMENTS

The Project would require the following construction activities to accommodate new bicycle and pedestrian infrastructure:

- Demolition of existing curb
- Construction of six new signal poles, which would require a maximum excavation depth of 12 feet
- Pavement widening/replacement and sidewalk replacement that would require excavating up to 5 feet of subgrade for placement of the new pavement structure
- Sidewalk, curb, and signal improvements would be compliant with ADA design requirements

CLOSURES AND DETOURS

No long-term (exceeding 24 hours) closures would be required on the I-880 mainline, I-880 ramps, or on local streets during construction. At the Winton Avenue interchange, the existing ramps that are proposed to be removed would be closed only after the replacement ramps are fully functional. Nighttime and/or off-peak lane closures would be required for ramp construction, temporary striping, pavement overlay work, rail and sign installation, and other minor construction work. Detours are not anticipated to be required during construction. Pedestrian access will always be maintained during construction. If detours are required, appropriate detour-related warning and guide signs will be installed per the California Manual on Uniform Traffic Control Devices (MUTCD) and ADA standards.

RIGHT-OF-WAY REQUIREMENTS

The Project would not require Temporary Construction Easements (TCEs) and no permanent ROW acquisitions would be required for either Build Alternative.

1.3.8 NO-BUILD (NO-ACTION) ALTERNATIVE

Under the No-Build Alternative, none of the Project improvements would be implemented.

1.3.9 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER DISCUSSION

The Project Study Report-Project Development Support (PSR-PDS) identified five interchange concept alternatives to be evaluated for further study. Through the Project Approval and Environmental Document (PAED) Phase process, all five of these alternatives were considered but rejected. Several modifications of the five alternatives that were identified in the PSR-PDS were analyzed and resulted in the two new alternatives currently being evaluated, which are considered viable alternatives that meet the Project's purpose and need as discussed above. All the alternatives considered and rejected during the PAED phase and the justification for their rejection are described below.

ALTERNATIVE W1: DIRECT ACCESS TO LA PLAYA DRIVE

This alternative proposes to convert the existing I-880/Winton Avenue interchange from a full cloverleaf interchange to a partial cloverleaf interchange; construct two traffic signals at the I-880 ramp intersections; provide direct access to La Playa Drive from the southbound off-ramp; reconstruct sidewalks and bridge railing; and provide Class IV bikeways within the Project area. This alternative was rejected for the following reasons:

- Difficulty in obtaining approval from Caltrans and Alameda CTC in connecting ramps directly onto a local road. [Per the Highway Design Manual 504.8: For new construction or major reconstruction, access rights shall be acquired on the opposite side of the local road from ramp terminals to preclude driveways or local roads within the ramp intersection.]
- Opposition from Southland Mall
- Traffic analysis results showed no operational benefits with this alternative since the majority of the traffic currently turning left at Southland Drive originates from east of the interchange through Winton Avenue and less from the southbound off-ramp.

ALTERNATIVE W2: TRIPLE LEFT AT SOUTHLAND DRIVE

This alternative proposes converting the existing I-880/Winton Avenue interchange from a full cloverleaf interchange to partial cloverleaf interchange; constructing two traffic signals at the I-880 ramp intersections; widening Winton Avenue to provide three left-

turn lanes at Southland Drive; reconstructing sidewalks and bridge railing; and adding buffered Class IV bikeways within the Project area. This alternative was rejected because traffic analysis results showed no operational benefit with triple left-turn lanes over dual left-turn lanes. In addition, a triple left-turn alternative would require additional ROW.

ALTERNATIVE A1: ROUNDABOUT

This alternative proposes converting the existing I-880/A Street ramp terminal intersections to two-lane double roundabouts to improve traffic operations. New shared pedestrian and bike paths are also constructed in both directions between the ramp intersections. This alternative maintains access to all local streets near the interchange and maintains the existing I-880 bridge structure over A Street. This alternative was not supported by the bicycle community. This alternative was rejected by the project development team members as traffic analysis results showed it did not meet the Project purpose and need of improving traffic operations.

ALTERNATIVE A2: COMPACT DIAMOND INTERCHANGE

This alternative proposes widening A Street under I-880 to improve traffic operations. This would require demolishing the existing undercrossing and constructing a new bridge structure along I-880 over A Street. New bike lanes and sidewalks are also proposed to improve bicycle and pedestrian access and safety. This alternative was shown to be viable and satisfy the operational need of the Project. However, this alternative was found to be cost prohibitive and was eliminated as the traffic analysis showed no additional benefits in constructing a new bridge structure.

ALTERNATIVE A3: SINGLE POINT URBAN INTERCHANGE (SPUI)

This alternative proposes converting the existing I-880/A Street interchange from a Compact Diamond Interchange configuration to a SPUI configuration to improve traffic operations and bicycle and pedestrian access and safety. This would require demolishing the existing undercrossing and constructing a new bridge structure along I-880 over A Street to accommodate the SPUI. This alternative was shown to be viable and satisfy the operational need of the project. However, this alternative was found to be cost prohibitive and was eliminated as the traffic analysis showed no additional benefits over the current Project alternatives that maintain the existing bridge structure and Compact Diamond configuration.

1.3.10 PERMITS AND APPROVALS NEEDED

Table 1.3.10-1 identifies the permits and approvals that would be required for Project construction.

Table 1.3.10-1 Permits and Approvals Needed

Agency	Permit/Approval	Status
State Historic Preservation Officer (SHPO)	Concurrence on Eligibility Determinations	Issued prior to Project approval
Metropolitan Transportation Commission (MTC) Air Quality Conformity Task Force/Federal Highway Administration (FHWA)	Regional Air Quality Conformity	Issued prior to Project approval

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2.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EVALUATION

2.1 CEQA ENVIRONMENTAL CHECKLIST

This checklist identifies physical, biological, social, and economic factors that might be affected by the Project. In many cases, background studies performed in connection with the projects will indicate that there are no impacts to a particular resource. A NO IMPACT answer in the last column reflects this determination. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include both design elements of the Project and standardized measures that are applied to all or most Caltrans projects such as BMPs and measures included in the Standard Plans and Specifications or as Standard Special Provisions have been considered prior to any significance determinations documented below.

2.1.1 AESTHETICS

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

REGULATORY SETTING

State

CEQA establishes that it is the policy of the state to take all action necessary to provide the people of the state "with…enjoyment of aesthetic, natural, scenic and historic environmental qualities" (CA Public Resources Code [PRC] Section 21001[b]).

California Streets and Highways Code Section 92.3 directs Caltrans to use drought resistant landscaping and recycled water when feasible and incorporate native wildflowers and native and climate-appropriate vegetation into the planting design when appropriate.

ENVIRONMENTAL SETTING

A minor Visual Impact Assessment was completed in February 2022. The *Hayward 2040 General Plan* lists the East Bay Hills and San Francisco Bay as scenic vistas within the City. No State Scenic Highways or designated State Scenic Highway segments are located within the Project site, according to the California Scenic Highway Mapping System.

Scenic viewsheds are also important factors to consider when analyzing the aesthetic character of a Project site. While a scenic vista is typically a singular scene or view, scenic viewsheds are areas of particular scenic or historic value deemed worthy of preservation against development and other changes.

The Project site is dominated by the I-880/A Street and I-880/Winton Avenue interchanges, local roadways, commercial buildings, sound walls, and mature trees. The I-880/A Street and I-880/Winton Avenue interchanges afford partial views of the East Bay Hills. However, views of the East Bay Hills are largely obstructed by nearby buildings and trees. The San Francisco Bay is not visible from the Project site. The Project is not located near any natural or historic features that are considered scenic resources by the City.

CEQA SIGNIFICANCE DETERMINATIONS FOR AESTHETICS

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

And

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?

No Impact. The Project is not located within proximity of a scenic vista. Views of the East Bay Hills are obstructed by landscaping and existing development. There are no designated State Scenic Highways or highways eligible for such designation within the Project site. While construction of the project would result in temporary changes to the existing visual environment, such changes would not have a substantial impact on a scenic vista or scenic resource as none are present. A total of 58 trees would be removed as part of the project, changing the existing visual condition for travelers on the roadway. Tree species that would be removed include, but are not limited to coast live oak, crape myrtle, yellow willow, and atlas cedar. Figure 2.1-1 through Figure 2.1-3 depict the Project site under existing conditions. Although trees would be replanted as close to removals as feasible, the removal of mature trees would alter the tree-lined character of Winton Avenue in the Project area and somewhat diminish visual quality by reducing visual contrast and interest.

Westbound A Street, I-880/A Street Undercrossing

Eastbound Winton Avenue, I-880/Winton Avenue Interchange

Existing Conditions – I-880/A Street Undercrossing and I-880/Winton Avenue Interchange Figure **2.1-1**

Source: Kimley-Horn, 2022

Westbound Winton Avenue, I-880/Winton Avenue Interchange

Southbound I-880. Approaching Winton Street Exit

Existing Conditions – Winton Avenue and Mainline I-880 Figure **2.1-2**

Source: Kimley-Horn, 2022

Westbound A Street

Northbound Winton Avenue Near Southland Drive

Existing Conditions – A Street and Winton Avenue Near Southland Drive Figure **2.1-3**

Source: Kimley-Horn, 2022

However, once operational, local motorists and passengers would continue to experience views including typical roadway components such as travel lanes, median barriers, lane striping, traffic signals, lighting fixtures, and roadside landscaping. Implementation of the Project would not alter a scenic vista or scenic resources within a State Scenic Highway, and there would be no impact.

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

Less than Significant. The Project site encompasses the I-880 corridor in an urbanized area surrounded by commercial uses and residential neighborhoods. The Project would not conflict with applicable zoning or other regulations governing scenic quality, as the Hayward 2040 General Plan does not identify any scenic vistas or view corridors that are near or adjacent to the Project site.

Construction of the Project would result in temporary visual impacts. As discussed above, a total of 58 trees would be removed as part of the project, changing the existing visual condition for travelers on the roadway. With implementation of Project feature AES-1 and Project feature AES-2, changes to the existing visual environment would be minimized by preserving existing trees and vegetation to the extent feasible, and replanting removed trees where applicable. With implementation of Project feature AES-1 and Project feature AES-2, changes to the existing visual environment would be reduced by preserving existing trees and vegetation to the extent feasible.

Project feature AES-1: Existing trees and vegetation would be preserved to the extent feasible. Trees and vegetation outside of the clearing and grubbing limits would be protected from the contractor's operations, equipment, and materials storage. Tree trimming and pruning, where required, would be conducted under the direction of a qualified biologist.

Project feature AES-2: Replacement highway plantings and irrigation along with a three-year plant establishment period will be provided in all areas of highway planting removal consistent with the corridor's Classified Landscape Freeway status and where safety and maintenance requirements can be met. Highway replacement planting will begin no more than two years following completion of roadway construction (acceptance of the highway contract that damaged or removed the existing planting). Replacement planting with a 3-year plant establishment period shall be funded from the parent roadway contract. It must be under construction within two years of acceptance of the highway contract that damaged or removed the existing planting.

Additionally, project construction would expose travelers and nearby viewers to bare surfaces, construction debris, equipment, and truck traffic, but these changes would be short-term in nature. Implementation of the Project would reconstruct the bridge structures and construct a new retaining wall at the I-880/A Street Interchange, slightly changing the visual character of the Project site. Through implementation of Project features AES-2 through AES-4, which would implement erosion control measures, preserve landscaping near staging areas, and cover unsightly materials and equipment when feasible, and Avoidance and Minimization Measure (AMM) AES-1, which would apply aesthetic treatments to new retaining walls and bridge structures, temporary and permanent visual changes would be minimized.

Project feature AES-3: After construction, all areas cleared within the Project limits for uses such as contractor access, staging, and trenching operations would be treated with appropriate erosion control measures (e.g., mulch, hydroseed, and fiber rolls) where required.

Project feature AES-4: Except as detailed in the contract plans, staging areas would not affect existing landscaped areas resulting in death and/or removal of trees and shrubs, or disruption and destruction of existing irrigation facilities.

Project feature AES-5: During construction, unsightly material and equipment in staging areas would be placed where they are less visible and/or covered where possible.

AMM AES-1: To reduce the visual appearance of new retaining walls and bridge structures, aesthetic treatments consisting of color, texture and/or patterning, and/or other slope paving will be applied to reduce the visual appearance of the retaining walls and bridge structures. Aesthetic treatments will also reduce glare and deter graffiti and shall be developed during the design phase in coordination with Caltrans. Additionally, the reconstructed bridge, sidewalk, and railing, and other architectural features are to be in line with other features along the corridor.

Once operational, the Project would be compatible with the existing visual character and quality of the site. Project improvements would result in minimal visual changes to the I-880 corridor. The Project site would continue to be an urbanized area with the I-880 corridor as the dominant visual feature. Therefore, the Project would not substantially degrade the existing visual character or quality. With implementation of Project features AES-1 through AES-5, and AMM AES-1, the impact would be less than significant.

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

Less than Significant. During construction, the presence of new sources of light or glare would be temporary and would be confined to construction staging areas and along new on-and-off-ramps at the I-880/A Street and I-880/Winton Avenue interchanges. Through implementation of Project feature AES-5, all temporary construction lighting would be directed toward the immediate vicinity of active work to avoid light trespass through directional lighting, shielding, and other measures, as needed. This incremental increase in nighttime lighting would be negligible in the context of existing nighttime lighting in the Project site and would be comparable to similar freeway corridors. Through implementation of Project feature AES-6, construction lighting would be minimized during construction activities.

Project feature AES-6: Construction lighting would be directed toward the immediate vicinity of active work to avoid light trespass through directional lighting, shielding, and other measures as needed.

Once operational, the Project would not introduce new sources of lighting. Existing lighting impacted by project improvements would be replaced in kind. There would be no increase of light or glare. The impact would be less than significant with implementation of Project feature AES-6.

2.1.2 AGRICULTURE AND FOREST RESOURCES

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

REGULATORY SETTING

State

The California Land Conservation Act

The California Land Conservation Act of 1965, also referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments for farming and open space land uses as opposed to full market value.

Farmland Mapping and Monitoring Program

The California Resources Agency's Farmland Mapping and Monitoring Program (FMMP) provides maps and data to decision makers to assist them in making informed decisions regarding the planning of the present and future use of California's agricultural land resources.

ENVIRONMENTAL SETTING

The Project site is designated as Urban and Built-up Land by California Resources Agency's Farmland Mapping and Monitoring Program (FMMP). The FMMP defines the Urban and Built-up Land category as land used for industrial and commercial purposes, golf courses, landfills, airports, sewage treatment, and water control structures. According to the FMMP, there are no important farmlands, forest lands, or timberlands on or adjacent to the Project site, nor is the Project site located near any lands under the Williamson Act contract (a statewide agricultural land protection program).

General Plan land use designations for the Project site include Single Family Residential, Medium Family Residential, High Density Residential, and Limited Access Commercial.

CEQA SIGNIFICANCE DETERMINATIONS FOR AGRICULTURE AND FOREST RESOURCES

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?

And

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

No Impact. According to the California Department of Conservation's California Important Farmland Finder, there is no Prime or Unique farmland or Farmland of Statewide Importance located within proximity to the Project site. In addition, the Project site does not feature land protected under a Williamson Act. Project improvements would be confined entirely to the Project site and would not require property acquisitions. Therefore, construction and operation of the Project would not conflict with existing zoning for agricultural uses. There would be no impact.

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))?

And

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

No Impact. As discussed above, there are no forest lands or timberlands within or surrounding the Project site. Given this, the Project would not conflict or require rezoning of forest land to non-forest uses. There would be no impact.

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. As previously discussed, there is no farmland within or surrounding the Project site. The Project would not directly or indirectly require the conversion of farmland or forest land. There would be no impact.

2.1.3 AIR QUALITY

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

REGULATORY SETTINGS

Federal and State

The Federal Clean Air Act, as amended, is the primary federal law that governs air quality while the California Clean Air Act (CCAA) is its companion state law. These laws, and related regulations by the U.S. EPA and the California Air Resources Board (CARB), set standards for the concentration of pollutants in the air. At the federal level, these standards are called National Ambient Air Quality Standards (NAAQS). NAAQS and state ambient air quality standards have been established for six transportation-related criteria pollutants that have been linked to potential health concerns: carbon monoxide (CO), nitrogen dioxide, ozone (O3), particulate matter (PM)—which is broken down for regulatory purposes into particles of 10 micrometers or smaller (PM10) and particles of 2.5 micrometers and smaller (PM2.5)—and sulfur dioxide. In addition, national and state standards exist for lead, and state standards exist for visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. The NAAQS and state standards are set at levels that protect public health with a margin of safety and are subject to periodic review and revision. Both state and federal regulatory schemes also cover toxic air contaminants (air toxics); some criteria pollutants are also air toxins or may include certain air toxics in their general definition.

CARB and the United States Environmental Protection Agency have adopted and implemented a number of regulations and emission standards for stationary and mobile sources to reduce emissions of diesel particulate matter (DPM).

Sensitive Receptors

CARB has identified the following persons as those who are most likely to be affected by air pollution: infants, children under 18, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, churches and places of assembly, and parks.

BAAQMD

The Bay Area Air Quality Management District (BAAQMD) is the regional agency tasked with managing air quality in the region. At the state level, CARB (a part of the California EPA) oversees regional air district activities and regulates air quality. The BAAQMD's CEQA Air Quality Guidelines were used in this analysis to evaluate air quality impacts and are presented in Table 2.1.3-1.

Table 2.1.3-1 BAAQMD CEQA Air Quality Guidelines

Criteria Air Pollutants and Precursors (Regional)	Construction	Operation	
	Average Daily Emissions (lb/day)	Average Daily Emissions (lb/day)	Maximum Annual Emissions (tpy)
ROG	54	54	10
NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
$PM_{10}/PM_{2.5}$ (Fugitive dust)	BMPs	None	

Criteria Air Pollutants and Precursors (Regional)	Construction	Operation	
	Average Daily Emissions (lb/day)	Average Daily Emissions (lb/day)	Maximum Annual Emissions (tpy)
Local CO	None 9.0 ppm	9.0 ppm (8-hour average) 20.0 ppm (1-hour average)	
Risk and Hazards for new sources and receptors (Individual Project)	Same as Operational Thresholds	Compliance with Qualified Community Risk Reduction Plan OR Increased cancer risk of >10.0 in a million Increased non-cancer risk of > 1.0 hazard index (chronic or acute) Mg/m3ent PM2.5 increase: > 0.3 µg/m3 annual average Zone of Influence: 1,000-foot radius from property line of source or receptor	

Source: BAAQMD, 2017

ENVIRONMENTAL SETTING

The information in this section is informed by the Air Quality Technical Report prepared for the Project (Caltrans, November 2021). The Project site is located in Alameda County, within the San Francisco Bay Area Air Basin (SFBAAB). Ambient air quality standards have been established at both the state and federal level for the SFBAAB, as listed in Table 2.1.3-1. The Bay Area currently meets all ambient air quality standards except for ground-level O_3, respirable particulate matter (PM_{10}) and $PM_{2.5}$. High O_3 levels are caused by the cumulative emissions of reactive organic gases and nitrogen oxides (NO_x) and can aggravate respiratory and cardiovascular diseases, reduce lung function, and increase coughing and chest discomfort. High particulate matter levels can aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants listed above. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level.

Transportation is the major contributor to regional air pollution. Stationary sources (e.g., smokestack industries) were once important sources of both regional pollution as well

as a local nuisance. Their role in the pollution picture—regionally and locally—has been substantially reduced in recent years by pollution control programs of the BAAQMD. Any further progress in air quality improvement now focuses heavily on tailpipe emissions from automobiles.

Table 2.1.3-2 Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards	California Standards
ozone	1-Hour	---	0.09 ppm
	8-Hour	0.070 ppm	0.070 ppm
carbon monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
nitrogen dioxide	Annual	0.053 ppm	0.030 ppm
	1-Hour	0.100 ppm	0.18 ppm
sulfur dioxide	Annual	---	---
	24-Hour	---	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM_{10}	Annual	---	20 µg/m3
	24-Hour	150 µg/m3	50 µg/m3
$PM_{2.5}$	Annual	12 µg/m3	12 µg/m3
	24-Hour	35 µg/m3	---
lead	30-Day Average	---	1.5 µg/m3
	3-Month Average	0.15 µg/m3	---

Source: Environmental Protection Agency, 1990.
Notes: ppm = parts per million; µg/m3 = micrograms per cubic meter

Sensitive Receptors

Locations that may contain a high concentration of sensitive receptors defined by CARB include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, churches and places of assembly, and parks. Table 2.1.3-3 shows the nearest sensitive receptors to the Project site.

Table 2.1.3-3 Sensitive Receptors

Receptor	Description	Distance Between Receptor and Project (ft)
Single-Family Residential	Over 100 single-family residences adjoining the Project site to the east, southeast, and west.	10 feet
Motels	Four motels (Heritage Inn Express, Days Inn, Vagabond Inn, and Best Western Plus Inn) to the east and west of the Project site.	10 feet
Birchfield Park	City of Hayward recreational facility	10 feet
Multi-Family Residential	Over 250 multi-family residential dwelling units to the east and west of the Project site.	30 feet
Senior Housing	Hayward Village Senior Apartments (500+ units) to the northeast of the I-880/A Street interchange	85 feet
Day Care	Pepito's Daycare (24738 Willimet Way, Hayward, CA 94544) to the east of the Project site	200 feet
Longwood Elementary School	Elementary School with 615 students to the west of the Project site	500 feet
Shiloh Baptist Church/ Day Care Center	Church and Daycare Center to the west of the Project site	635 feet

Source: Kimley-Horn and Associate, 2021

CEQA SIGNIFICANCE DETERMINATIONS FOR AIR QUALITY

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

No Impact. The Project is included in the Plan Bay Area 2050 financially constrained Regional Transportation Plan (RTP) (ID RTP ID 21-T06-024) which was found to conform by MTC, FHWA, and Federal Transit Administration (FTA) made a regional conformity determination finding on October 21, 2021. The Project is also included in MTC's financially constrained 2021 Regional Transportation Improvement Program (RTIP) (ID ALA170046). The MTC 2021 RTIP was determined to conform by FHWA and FTA on July 16, 2021. The design concept and scope of the Project is consistent with the project description in the 2021 RTP and RTIP, and the "open to traffic" assumptions of the MTC's regional emissions analysis. The Project was found to be in regional conformance with the State Implementation Plan and would not conflict with implementation of applicable local air quality plans. Therefore, there would be no impact.

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. The Project is located within the San Francisco Bay Area Air Basin, under jurisdiction of the BAAQMD. The Basin is designated nonattainment for O_3, PM_{10}, and $PM_{2.5}$ for state standards and nonattainment for O_3 and $PM_{2.5}$ for Federal standards. Because the Project is included in a conforming RTP and RTIP, emissions of ozone precursors from Project-related traffic are not anticipated to cause or contribute to, or worsen, any violations of the federal air quality standards for ozone. Estimated daily construction emissions, would not meet or exceed the applicable BAAQMD thresholds presented in Table 2.1.3-4.

Table 2.1.3-4 Estimated Daily Construction Emissions

Construction Phase	Pollutant (pounds/day)[1]				
	ROG	CO	NO_x	PM_{10}[2,3]	$PM_{2.5}$[2,3]
Alternative 1					
Land Clearing/ Grubbing	0.94	9.97	8.64	40.39	8.66
Structural Concrete	4.57	44.07	46.27	41.95	10.04
Drainage/ Utilities/Sub-Grade	2.57	28.06	23.87	40.99	9.22
Paving	1.24	18.45	18.92	0.81	0.58
Maximum	*4.57*	*44.07*	*46.27*	*41.95*	*10.04*
Exceeds BAAQMD Thresholds, yes or no	**No**	**No**	**No**	**No**	**No**
Alternative 2					
Land Clearing/ Grubbing	0.94	9.97	8.64	40.39	8.66
Structural Concrete	4.57	44.07	46.27	41.95	10.04
Drainage/ Utilities/Sub-Grade	2.57	28.06	23.87	40.99	9.22
Paving	1.24	18.37	18.28	0.79	0.57
Maximum	*4.57*	*44.07*	*46.27*	*41.95*	*10.04*
Exceeds BAAQMD Thresholds, yes or no	**No**	**No**	**No**	**No**	**No**

Source: Kimley-Horn and Associates, 2021
ROG = reactive organic gases; NO_X = nitrogen oxides; CO = carbon monoxide; PM_{10} = particulate matter up to 10 microns; $PM_{2.5}$ = particulate matter up to 2.5 microns
Notes:
1. Emissions were calculated using the Roadway Construction Emissions Model (RCEM) (Version 9.0) developed by the Sacramento Metropolitan Air Quality Management District (SMAQMD).
2. PM_{10} and $PM_{2.5}$ estimates assume control of fugitive dust from watering and associated dust control measures.
3. Emissions include the sum of exhaust and fugitive dust.

Moreover, Project features AQ-1 through AQ-4 would be implemented to ensure criteria air pollutant emissions during construction would remain below applicable thresholds and would fall below BAAQMD thresholds by controlling fugitive dust, limiting idling times, ensuring haul trucks are compliant with California Vehicle Code, and adhering to Caltrans Standard Specifications for Construction.

Project feature AQ-1: During clearing, grading, earthmoving, or excavation operations, excessive fugitive dust emissions will be controlled by regular watering or other dust preventive measures using the following procedures, as specified in the current edition of BAAQMD's Basic Construction Mitigation Measures. All material excavated or graded will be sufficiently watered to prevent excessive amounts of dust. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All material transported on site or off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized to prevent excessive amounts of dust. These control techniques will be indicated in project specifications. Visible dust beyond the property line emanating from the project will be prevented to the maximum extent feasible.

Project feature AQ-2: Idling times would be minimized either by shutting off equipment when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage would be provided for construction workers at all access points. Construction activities involving the extended idling of diesel equipment or vehicles would be prohibited.

Project feature AQ-3: All trucks that are to haul excavated or graded material on site will comply with California Vehicle Code Section 23114, regarding the prevention of such material spilling onto public streets and roads.

Project feature AQ-4: The contractor will adhere to Caltrans Standard Specifications for Construction, Sections 14.9-02 and 14-9.03, which require contractor compliance with all applicable laws and regulations related to air quality, including air pollution control district and air quality management district regulations and local ordinances.

The current interchange configurations create long traffic queues of vehicles waiting to enter or exit I-880. Congestion and delay in the Project site and surrounding area also negatively affects goods movement to and from the City's Industrial Technology and Innovation Corridor. Once operational, the Project would improve traffic flow and relieve congestion at the I-880/A Street and I-880/Winton Avenue interchanges. Improvements at the interchanges and along the I-880 corridor would reduce vehicle idling and associated emissions. Moreover, the Project would improve mobility and safety of non-motorized travel within the Project site, resulting in an increase in non-motorized trips. Thus, it is anticipated that construction and operation of the Project would result in beneficial air quality impacts (see further discussion under checklist question "c", below). Therefore, the impact would be less than significant through implementation of Project features AQ-1 through AQ-4, and no mitigation is required.

c) Expose sensitive receptors to substantial pollutant concentrations?

No Impact. Some groups of people are more affected by air pollution than others and are known as sensitive receptors. Locations that may contain a high concentration of sensitive receptors include residential areas, hospitals, daycare facilities, elder care facilities, outdoor athletic fields, and elementary schools.

The project site is surrounded by residential and commercial uses. As shown in Table 2.1.3-3, the closest sensitive receptors are single-family residences located approximately 10 feet south of the existing I-880/A Street northbound on-ramp. During construction, a short-term increase in emissions is anticipated. Construction activities would release particulate emissions from excavation, grading, hauling, and other activities as well as exhaust from construction equipment. However, estimated daily construction emissions (Table 2.1.3-4), would not meet or exceed the BAAQMD thresholds presented in Table 2.1.3-4, and thus, would not cause significant degradation of air quality.

Implementation of the Project would not change the mainline ROW and thus would not change the proximity of sensitive receivers to pollutant sources. Once operational, the Project would improve traffic flow without increasing traffic volumes along the I-880 corridor. The Air Quality Technical Report concluded that vehicle air emissions would be improved compared to existing conditions. Table 2.1.3-5 presents project daily vehicle emissions for opening year 2025 and future year 2045. Sensitive receptors would not be exposed to substantial pollutant concentrations, and there would be no impact.

Table 2.1.3-5 Daily Vehicle Emissions

Emissions Source	ROG	TOG	HC	CO	NO_x	PM_{10}	$PM_{2.5}$
Existing							
A Street	1.61	1.87	1.68	18.16	6.78	3.01	0.74
Winton Avenue	5.27	6.11	5.49	59.36	22.17	9.82	2.41
I-880 Mainline	88.66	102.69	92.38	998.17	372.84	107.12	31.76
Total	*95.54*	*110.67*	*99.56*	*1075.69*	*401.79*	*119.95*	*34.90*
Opening Year 2025							
A Street	0.98	1.13	1.05	10.90	1.62	2.51	0.59
Winton Avenue	3.15	3.62	3.35	33.74	10.59	10.26	2.30
I-880 Mainline	57.23	65.67	60.90	620.67	157.59	110.86	29.89
Total	*61.37*	*70.51*	*65.30*	*665.31*	*169.80*	*123.62*	*32.77*
Future Year 2045							
A Street	0.66	0.81	0.73	8.86	3.59	4.14	0.91
Winton Avenue	2.07	2.51	2.29	28.35	5.44	10.05	2.29
I-880 Mainline	35.33	43.11	39.10	478.94	136.53	124.13	32.78
Total	*38.06*	*46.44*	*42.12*	*516.15*	*145.56*	*138.33*	*35.97*

Source: Kimley-Horn and Associates, 2022

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

Less than Significant. During construction, only short-term, temporary odors from vehicle exhaust and construction equipment engines would occur. Construction related odors would not cause substantial odors within the Project site and would disperse so that adjacent properties would not experience offensive odors or fumes. Construction-related odors would be temporary and would cease upon completion of construction.

Once operational, the Project is not expected to produce any offensive odors that would result in odor complaints, based on BAAQMD's guidelines for odor-generating uses and activities. The impact would be less than significant.

2.1.4 BIOLOGICAL RESOURCES

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Game 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 Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on 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	☐	☐	☐	☒

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Plan, or other approved local, regional, or state habitat conservation plan?				

REGULATORY SETTING

Federal

Federal Endangered Species Act

The U.S. Fish and Wildlife Service (USFWS) Endangered Species Act protects listed wildlife species from harm or "take" which is broadly defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct. A "take" can also include habitat modification or degradation that directly results in death or injury to a listed wildlife species.

Federal Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA; 16 U.S.C., §703, Supp. I, 1989) prohibits killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Migratory birds protected under this law include all native birds and certain game birds (e.g., turkeys and pheasants). The MBTA protects active nests from destruction and all nests of species protected by the MBTA, whether active or not, cannot be possessed.

State

California Endangered Species Act and California Native Plant Protection Act

The California Endangered Species Act (CESA) prohibits the take of any plant or animal listed or proposed for listing as rare (plants only), threatened, or endangered. In accordance with the CESA, the California Department of Fish and Wildlife (CDFW) has jurisdiction over state-listed species.

California Fish and Game Code

The F.G.C. includes regulations governing the use of, or impacts to, many of the state's fish, wildlife, and sensitive habitats. CDFW exerts jurisdiction over the bed and banks of rivers, lakes, and streams according to provisions of Sections 1601 through 1603 of the Fish and Game Code.

ENVIRONMENTAL SETTING

The information in this section is informed by the Natural Environment Study (NES) prepared for the Project (Caltrans, April 2022). A Biological Study Area (BSA) was established along the I-880 corridor to determine the Project's potential impacts on biological resources. The BSA encompasses the Project site and a 50-foot buffer zone in order to determine potential indirect impacts such as noise and air quality issues that may be generated by Project-related activities. A reconnaissance field survey was conducted on January 25, 2020, to identify biological resources within the BSA.

The Project site consists entirely of urban habitat and associated commercial, residential structures, paved roadways, and ornamental landscaped vegetation. A total of 172 trees of significance were found on the Project site. A tree of significance is a protected tree as defined in Section 10-15.13 of the City of Hayward tree ordinance. All trees protected under the ordinance require a permit for removal, relocation, cutting, or reshaping. The ordinance requires replacement of all removed or disfigured trees with like-size, like-kind, or an equal value tree or trees as determined by the City's Landscape Architect.

No federally jurisdictional "waters of the U.S.," are located in the BSA. One potential other waters of the U.S, and waters of the State, Sulphur Creek, is located outside the BSA and was found during a 2019 aquatic resource delineation. In addition, two small roadside ditches, one ephemeral and one culverted ephemeral, were identified as a "waters of the State" due to their capacity to conduct surface flows. Special-status plants are unlikely to occur in the BSA. There is a potential for special status roosting bats and migratory birds to occur in the BSA, however, the potential is low.

CEQA SIGNIFICANCE DETERMINATIONS FOR BIOLOGICAL RESOURCES

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 Game or U.S. Fish and Wildlife Service?

Less than Significant. A biological resources survey was conducted on January 25, 2020, to determine the presence or absence of special-status plants and wildlife, along with potential habitat for special-status species within the BSA. Special-status species include those listed as endangered, threatened, or candidate among certain other species with no formal administrative designation; plants included in the California Native Plant Society inventory of rare plants; and State Species of Special Concern (SSC).

A total of 33 special-status plant species have historical occurrence records within a 5-mile radius of the BSA. A total of 36 special-status wildlife species and regulated habitats have the potential to occur within a 5-mile radius of the BSA. Due to the lack of habitat in the highly disturbed, urban BSA, none of these species are expected to be present. Additionally, Project features BIO-5 and BIO-6 would ensure there would be no impacts to special-status plant or wildlife species by restoring disturbed areas and reducing the spread or invasive, nonnative plant species.

Birds protected by the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3800 were observed within the BSA. Project-related activities have the potential to result in the abandonment or destruction of active migratory bird nests if work is completed during the nesting season. Implementation of Project features BIO-1 through BIO-4 would ensure no impact to migratory nesting birds by minimizing nightwork, and imposing site restrictions.

Additionally, AMM BIO-3 would ensure no impact to roosting bats would occur by imposing site restrictions during roosting season.

Project Feature BIO-1: Preconstruction Bird Surveys: During the nesting season (February 1 through September 30), pre-construction surveys for nesting birds would be conducted by a qualified biologist no more than 72 hours prior to the start of construction activities. If an active nest is discovered, biologists would establish an appropriate exclusion buffer around the nest. The standard buffer will be 50 feet for passerines (perching songbirds), 100 feet for egrets/herons, and 300 feet for raptors (birds of prey). The buffer zones will be delineated with high-visibility environmental fencing or demarcated with pin flags or ribbon, as applicable based on-site conditions. The area within the buffer would be avoided until the young are no longer dependent on the adults or the nest is no longer active. If a nesting special-status bird species is discovered, the biologist would notify USFWS and/or CDFW for further guidance. Partially constructed and inactive nests may be removed to prevent occupation. Nesting birds near the Project footprint would be regularly monitored for signs of disturbance. To the extent feasible, tree removal would not occur during the nesting season.

Project Feature BIO-2: Environmentally Sensitive Area (ESAs) Fencing: Before starting construction, the boundaries of any and all ESAs would be clearly delineated using high-visibility orange fencing. The fencing would remain in place throughout the duration of Project construction and would prevent construction equipment or personnel from entering areas that were not analyzed for ground disturbing actions. The final project plans would depict the locations where fencing would be installed and how it would be assembled or constructed. The special provisions in the bid solicitation package would clearly describe acceptable fencing material, prohibited construction

related activities, vehicle operation, material and equipment storage, and other surface disturbing activities.

Project Feature BIO-3: Replant, Reseed, and Restore Disturbed areas: Caltrans would restore temporarily disturbed areas. Exposed slopes and bare ground would be reseeded with native and non-invasive grasses and native shrubs to stabilize and prevent erosion. Where disturbance includes the removal of trees and woody shrubs, native species would be replanted at a ratio to be determined during the design phase, based on the local species composition.

Project Feature BIO-4: Reduce Spread of Invasive Species: To reduce the spread of invasive, nonnative plant species and minimize the potential decrease of palatable vegetation for wildlife species, Caltrans would comply with Executive Order 13112. This order is provided to prevent the introduction of invasive species and provide for their control in order to minimize the economic, ecological, and human health effects. In the event that noxious weeds are disturbed or removed during construction- related activities, the contractor would be required to contain the plant material associated with these noxious weeds and dispose of them in a manner that would not promote the spread of the species. The contractor would be responsible for obtaining all permits, licenses and environmental clearances for properly disposing of materials. Areas subject to noxious weed removal or disturbance would be replanted with fast-growing native and non-invasive grasses or a native erosion control seed mixture. Where seeding is not practical, the target areas within the Project area would be covered to the extent practicable with heavy black plastic solarization material until disturbed areas are restored to preconstruction conditions.

AMM BIO-1: Night Work: Nightwork and/or off-peak lane closures is anticipated to occur. If there is a substantial increase in the nighttime work proposed, then Caltrans would reassess impacts on sensitive resources.

AMM BIO-2: The following site restrictions would be implemented to avoid or minimize potential effects on wildlife and their habitats:

- Project-related vehicle traffic would be restricted to established roads and construction areas. The speed limit of 15 miles per hour in the project footprint would be enforced to reduce dust and excessive soil disturbance.
- Construction access, staging, storage, and parking areas would utilize existing maintenance vehicle pullouts, existing paved areas, gravel shoulder backing, and disturbed areas within the Project limits. Staging and storage areas would be located at least 50 feet from wetlands, the ordinary high-water mark of jurisdictional waters, a concentrated flow of stormwater, a drainage course, or an inlet, unless additional containment efforts are utilized. Access routes and

boundaries of the footprint would be clearly marked prior to initiating construction activities and would be limited to the extent necessary to construct the Project. Only approved areas clearly delineated in the plans may be used for staging and storage.

- Any borrow material must be certified non-toxic and free of weeds to the maximum extent possible.
- All food-related trash items such as wrappers, cans, bottles, and food scraps would be disposed of in closed containers and removed at least once daily from the project footprint.
- All pets would be prohibited from entering the Project area during construction to prevent harassment of, injury to, or mortality of wildlife.
- Firearms would be prohibited within the Project site, except for those carried by authorized security personnel or local, state, or federal law enforcement officials.

AMM BIO-3: Preconstruction surveys for roosting bats must be conducted for all trees and vegetation prior to removal. The following would be implemented to protect roosting bats:

- To the extent practicable, structures or trees will be removed from September 1 to March 1, outside of the bat breeding season, so as not to disturb maternal colonies or roosts. Project feature BIO-1 would be implemented if tree removal occurs between September 1 and September 30.
- Preconstruction surveys will be conducted for all areas that provide suitable bat roosting habitat including manmade structures, snags, rotten stumps, mature trees with broken limbs, exfoliating bark, dense foliage, etc. Sensitive habitat areas and active roost sites would be completely avoided.
- If trees or snags with potential roost sites require removal or trimming, limbs smaller than 3 inches in diameter will be trimmed first and the remaining tree or snag will be left overnight to allow bats to leave and find another roost. A biological monitor will be present during the trimming or removal of trees/snags.

Due to the developed nature of the Project site, it is unlikely roosting bats and migratory birds, nor special status plants and species would occur in the BSA. With implementation of Project features BIO-1 through BIO-4 and AMM BIO-1 through AMM BIO-3, the impact would be less than significant.

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 Game or US Fish and Wildlife Service?

No Impact. Natural Communities of Special Concern (NCSC) may include natural communities such as certain wetlands and Waters of the U.S. and waters of the State, riparian habitats, federally designated critical habitat, and essential fish habitat. No NCSC, including wetlands or Waters of the U.S. or waters of the State, are located within the BSA. Therefore, impacts to NCSC would not occur and a Clean Water Act Section 404 or F.G.C.1602 Lake and Streambed Alteration Agreement would not be required. There are no sensitive natural communities located within the BSA. There would be no impact.

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

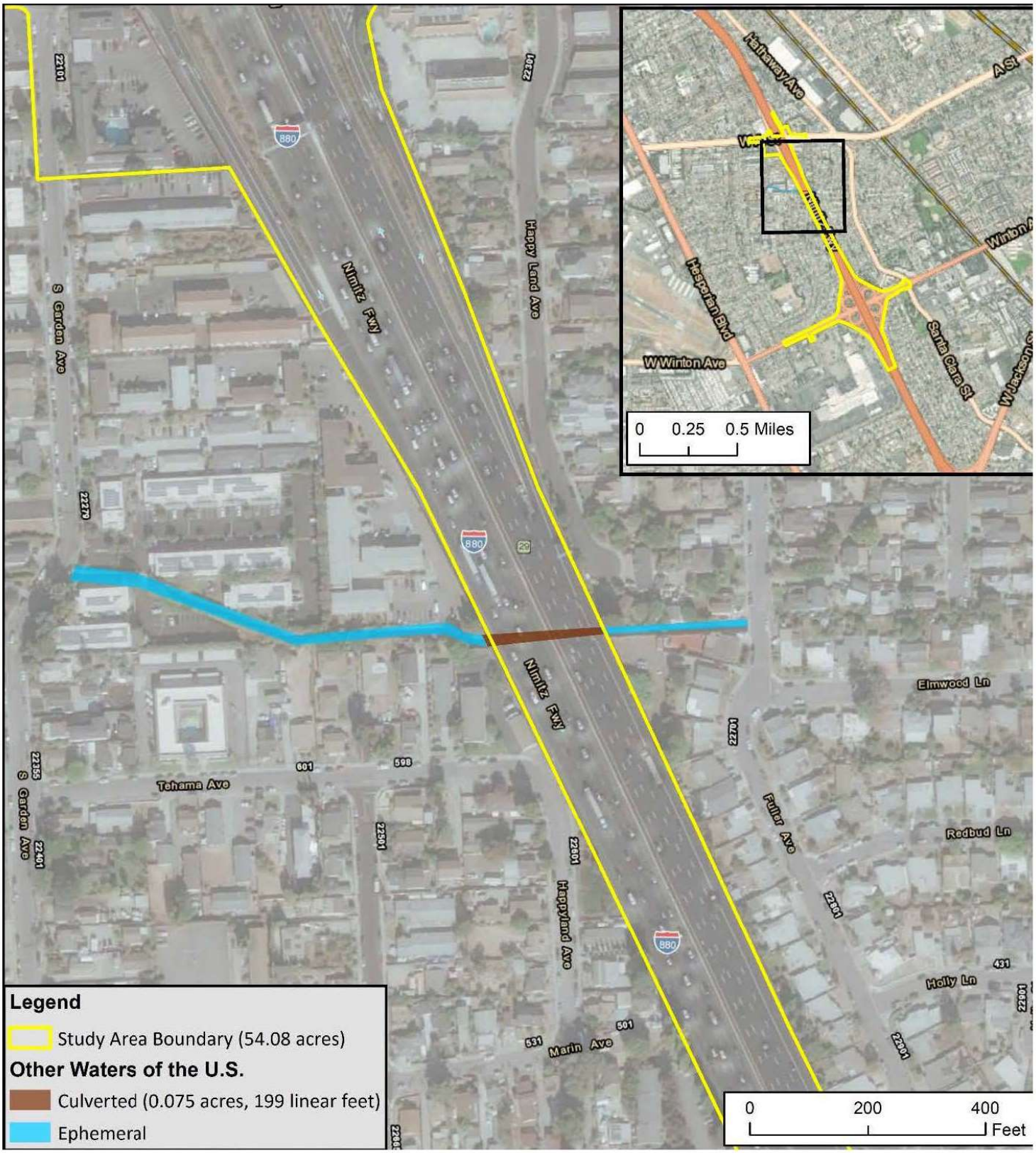
No Impact. As discussed above, there are no wetlands delineated in the BSA. The culverted portion of Sulphur Creek, which is located outside of the BSA, flows beneath I-880 for a distance of about 200 linear feet just south of the I-880/A Street Interchange and is considered both a potential other waters of the U.S. and waters of the State. In addition to the culverted portion of Sulphur Creek, the ephemeral roadside ditch and the culverted portion of the roadside ditch are considered waters of the State. There are 0.075 acre of other waters of the U.S. and 0.156 acre of waters of the State located within the BSA, and no potential wetlands were delineated in the BSA (see Figure 2.1-4 and Figure 2.1-5). The Project will not require dredging or filling in Sulphur Creek.

Implementation of AMM BIO-4 would prevent construction-related debris and fluids from entering the ditches and would ensure that no impacts would occur to potential Other Waters of the U.S. and/or Waters of the State during construction or operation of the Project:

AMM BIO-4: Implementation of Best Management Practices:

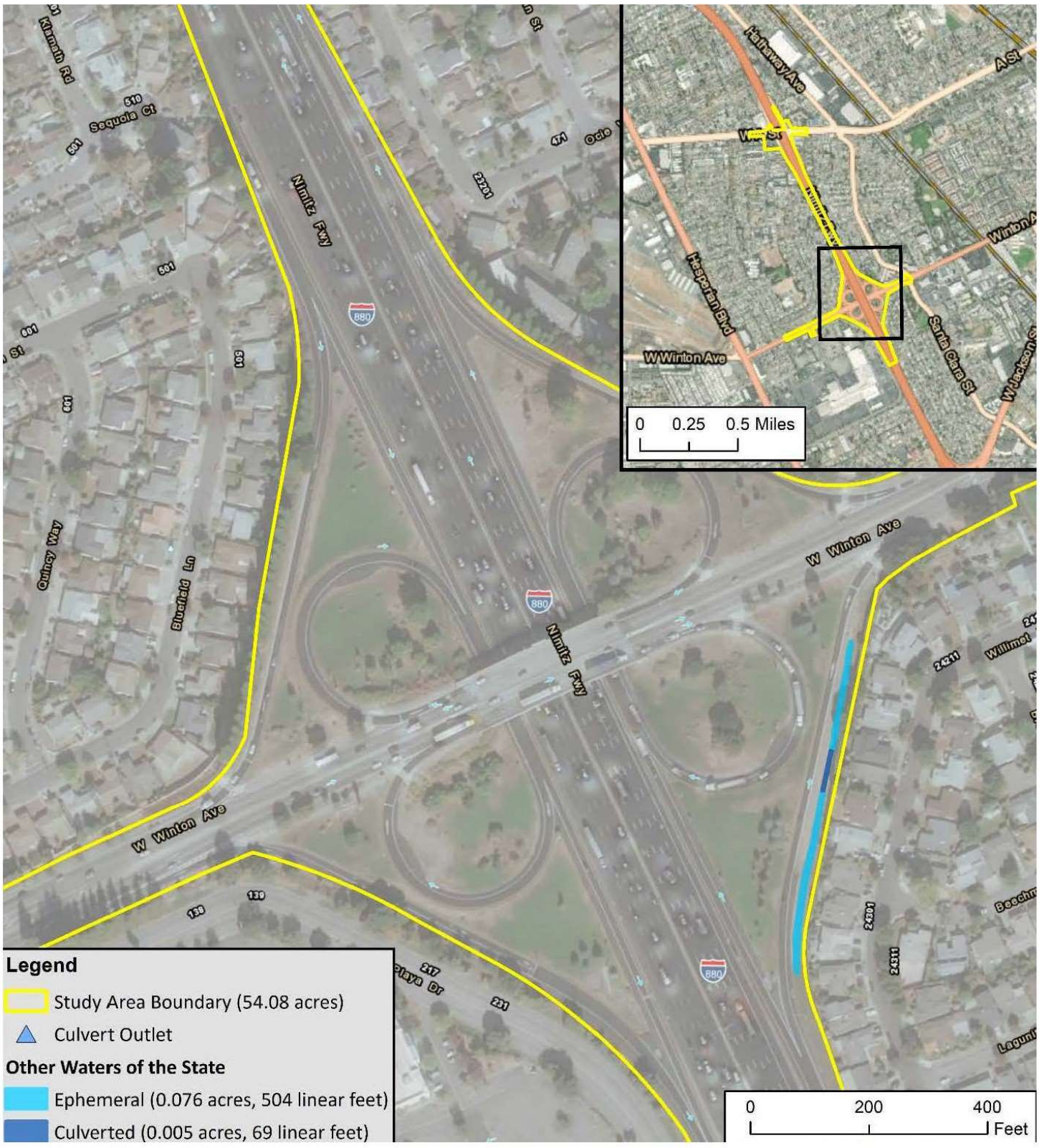
- Implement Erosion Control Measures and Storm Water Pollution Prevention Plans
- Dispose of all spoils, excavated materials, and plant materials at a licensed and approved facility.

In addition to AMM BIO-4, Project feature HYD-1, HYD-2, and HYD-4 would be applicable and reduce potential impacts to water quality during construction. There would be no impact.



Potential Jurisdictional Waters of the U.S. Delineation Map (Sulphur Creek) Figure **2.1-4**

Source: WRECO, 2019



Potential Jurisdictional Waters of the U.S. Delineation Map (Winton Avenue) Figure **2.1-5**

Source: WRECO, 2019

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. Birds protected by the MBTA and California F.G.C. Sections 3503 and 3800 were observed within the BSA. There is a low potential for nesting birds and/or roosting bat habitats within the Project area. However, roosting bats could be affected (mortality/injury/harassment) during the removal of suitable habitat during tree removal. As discussed above, Project feature BIO-1 would require pre-construction bird surveys in order to protect nesting birds, prior to vegetation or tree removal.

There are no aquatic features present in the vicinity of the BSA that provide habitat for fish. As a result, the Project would not affect the movement of any native resident or migratory fish species. In addition, I-880 acts as a barrier to wildlife movement through the BSA and does not serve as a migratory wildlife corridor. Based on these conditions, the Project would not interfere with established native resident or migratory wildlife corridors.

The Project site does not provide migratory corridor for wildlife species, native residents, or migratory fish. Therefore, 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. Construction and operation of the Project would result in the removal of trees regulated by the City of Hayward. Caltrans is exempt from local tree protection ordinances. However, regulated trees provide aesthetic and other benefits to the community and could provide habitat and food sources for local wildlife; therefore, regulated trees impacted by the project will be replaced at ratios that are commensurate with the size of the tree to be removed. A total of 172 trees are located in the BSA and a total of 58 trees would be removed to accommodate implementation of the Project. Tree species that would be removed would include, but not limited to coast live oak, crape myrtle, yellow willow, and atlas cedar. Implementation of AMM BIO-5 would replace all trees at a minimum 1:1 ratio.

AMM BIO-5: Replacement of Regulated Trees: The contractor will avoid the removal of trees by minimizing the area of disturbance where practicable. The contractor will retain a biologist to direct tree pruning activities when feasible where removal is not necessary. Regulated trees to be removed or damaged during the Project will be replaced within the BSA to the extent feasible through coordination with the City.

The Project would remove 58 trees within the BSA. As discussed above in Section 2.1.1, Aesthetics, although trees would be replanted as close to removals as feasible, the removal of mature trees would alter the tree-lined character of Winton Avenue in the Project area and somewhat diminish visual quality reducing visual contrast and interest. With implementation of AMM BIO-5, trees would be replaced at a minimum 1:1 ratio. 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 are no existing Habitat Conservation Plans or Natural Community Conservation Plans in proximity of the Project site. The Project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP. There would be no impact.

2.1.5 CULTURAL RESOURCES

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §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?	☐	☐	☐	☒

REGULATORY SETTING

Federal

The National Register of Historic Places

The National Register of Historic Places (NRHP) has specific criteria for evaluating the eligibility of historic resources. The criteria applies to the property's quality of significance in American history, architecture, archaeology, engineering, and culture as present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association.

State

California Public Resources Code

Archaeological, paleontological, and historical sites are protected by a wide variety of policies and regulations under the California Public Resources Code. California Public Resources Code Section 5097.5 prohibits "knowing and willful" excavation, removal, destruction, injury, and defacement of any paleontological feature on public lands (lands

under state, county, city, district, or public authority jurisdiction, or the jurisdiction of a public corporation), except where the agency with jurisdiction has granted permission.

State Historic Resources Inventory

The California Register of Historical Resources, enacted in 1992, is an authoritative guide to be used to identify the state's historical resources. The California Register program encourages public recognition of resources of architectural, historical, archaeological and cultural significance; identifies historical resources for state and local planning purposes; and defines threshold eligibility for state historic preservation grant funding.

California Environmental Quality Act

Historical Resources

The CEQA Guidelines define a significant resource as any resource listed in or determined to be eligible for listing in the CRHR [see PRC, Section 21084.1 and CEQA Guidelines Section 15064.5 (a) and (b)]. The California Register includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California State Landmarks and Points of Historical Interest.

Archeological Resources

CEQA also requires lead agencies to consider whether projects will affect “unique archaeological resources” (PRC, Section 21083.2(g)) which are defined as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge.

Native American Burials

California law protects Native American burials, skeletal remains, and associated grave goods regardless of their antiquity and provides for the sensitive treatment and disposition of those remains (Section 7050.5(b) of the California Health and Safety Code). CEQA Guidelines section 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered, and that the county coroner or medical examiner be contacted to assess the remains.

ENVIRONMENTAL SETTING

The information in this section is informed by the Historical Resources Evaluation Report (HRER) prepared for the Project in September 2020. An area of potential effects (APE) was established to evaluate the physical history of the properties within close proximity to the Project site, and to place the appropriate historic context.

The HRER identified eight architectural resources previously recorded within a quarter mile of the Project. Of the eight, only two bridges and a portion of one previously recorded property (portion of Southland Mall) are within the APE. The two bridges within the APE are the Winton Avenue Overcrossing (Bridge No. 33 0181) and the A Street Undercrossing (Bridge No. 33 0179). Both structures are listed as Category 5 structures, i.e., not eligible for listing on the NRHP or CRHR. Although a portion of the property containing Southland Mall is located within the APE, it did not require further evaluation as it was previously evaluated. The HRER concluded that none of the properties within the APE are included in the Office of Historic Preservation Historic Property Data File, the Build Environment Resource Directory, or the City of Hayward Historic Preservation Ordinance.

Based on the analysis in the HRER which identified potential buried archeological resources, an Extended Phase I Field Survey was conducted in September 2021. In consultation with the Caltrans Office of Cultural Resource Studies, it was determined that a stand-alone Archaeological Survey Report for surface sites would not be required for the Project. No prehistoric archaeological features or deposits were identified during subsurface exploration. No historic-era archaeological materials were identified at the I-880/A Street Interchange, and two historic-era scatters were identified within the APE near the I-880/Winton Avenue Interchange (Resource 2580-1 and Resource 2580-2). Resource 2580-1 consists of widely dispersed and disturbed historic-era domestic and structural materials and was found exempt from evaluation. Resource 2580-2 consists of a small assemblage of displaced historic-era materials. Resource 2580-1 was determined to be ineligible for listing and is not evaluated further. Potential impacts to Resource 2580-2 resulting from construction activities are discussed further below.

A formal notification of the Project under Section 106 and CEQA (Assembly Bill 52, California Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014) was completed for the Project, which included the Project description and an explanation that the Alameda CTC was initiating consultation. A separate NEPA Categorical Exclusion has been prepared for the Project. The letters also provided the Native American contacts the opportunity to communicate concerns and participate in the identification and protection of cultural resources, sacred lands, or other heritage sites within the Project area. Complete documentation of Native American outreach efforts to date is provided in the HPSR. Additional information regarding the notification process is included in Section 3.0, Comments and Coordination.

CEQA SIGNIFICANCE DETERMINATIONS FOR CULTURAL RESOURCES

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

No Impact. According to the HRER, there are no historic architectural or built environment resources within the APE that are included in the Office of Historic Preservation Historic Property Data File, the Built Environment Resource Directory or designated under the City's Historic Preservation Ordinance. A field survey of the APE was completed by professionally qualified staff on February 12 and 13, 2020. The survey addressed five properties and two bridges within the APE. The undercrossing bridge structure at the I-880/A Street Interchange (Bridge No. 33 0179), and the overcrossing bridge structure at the I-880/Winton Avenue Interchange (Bridge No. 33 0181) are listed as Category 5 structures, i.e., not eligible for listing in the NRHP in the Caltrans Historic Bridge Inventory. The five properties evaluated were determined not eligible for the NRHP or CRHR.

Potential local interested parties for this Project were consulted through notification letters on May 12, 2020. Recipients of the letter include the Hayward Area Historical Society, Alameda County Historical Society, East Bay Genealogical Society, Hayward Library, Alameda County Library, City of Hayward Planning Division, Alameda County Planning Department, and Alameda County Neighborhood Preservation and Sustainability. Follow-up e-mails and electronic communication was sent June 16, 2020. Both the Hayward Area Historical Society and the Alameda County Library replied that they had no comment. The Alameda County Planning Department responded that they were not aware of any historic resources in the area of the two interchanges and included a list of Alameda County historical resources. No other responses were received. Due to the absence of historical resources, there would be no impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than Significant. While no prehistoric archaeological deposits or features were identified during subsurface exploration, one historic-era archaeological site assumed eligible under Stipulation VIII.C.3 of the Section 106 PA for the purposes of this project only, was identified within the APE; Resource site 2580-2.

Resource site 2580-2 contains a small assemblage of displaced historic-era materials below artificial fill in the vicinity of a historically-documented farmstead. Although no intact historic-era deposits or features were identified, some residential features (e.g., wells, privies, or trash pits) may be present. All historic-area materials were recovered between 0.4 and 0.9 meters (1.31–2.95 feet) below ground surface. The recorded boundary of site 2580-2, as delineated by identified artifacts in the field, is 13 by 3.3 feet

(43 square feet). Resource site 2580-2 is located such that it is feasible for the resource to be avoided during project construction. The engineering team has confirmed that the site would be designated as an ESA, with a 12-foot buffer surrounding the site boundary (AMM CUL-1). This buffer would be sufficient to avoid impacts to the resource site as no additional features or artifacts were found nearby.

In consultation with Alameda CTC and Caltrans, the Project required the preparation of an Environmentally Sensitive Area Action Plan to outline measures, protocols, and responsible parties to ensure impacts to Resource 2580-2 are avoided, as described in AMM CUL-1.

AMM CUL-1: To ensure protection of Resource 2580-2, ESA 1 will be established with suitable fencing material sufficient to prevent access to the area, as described in the Environmentally Sensitive Area Action Plan.

- Temporary Fence will be installed at the resource site. The total length of ESA fencing as designed is 215.16 feet (65.58 meters).
- Prior to construction, the Archaeological Consultant or Caltrans Professionally Qualified Staff (PQS) Archaeologist will delineate the ESA in the field and/or supervise fencing installation.
- No Project-related activities may occur within the ESA.
- After construction is completed, the Archaeological Consultant or Caltrans PQS Archaeologist will supervise fencing removal.

It has been determined that Project construction would not affect the integrity of the Resource 2580-2, as it will be avoided. With the implementation of AMM CUL–1, impacts to historic-period deposits would be less than significant.

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

No Impact. There are no known human remains within the Project site. However, ground disturbance and subsurface construction activities associated with the Project could potentially disturb previously undiscovered human burial sites. If previously undiscovered human burial sites are found on the Project site, the Project would implement Project Feature CUL-1 to avoid further disturbance and stop all work within 60 feet of the discovery, until the resource can be evaluated by a qualified paleontologist in accordance with Caltrans standard specification 14-7.03.

Project Feature CUL-1: If remains are discovered during excavation, all work within 60 feet of the discovery would halt and Caltrans' Cultural Resource Studies office would be called. Caltrans' Cultural Resources Studies Office Staff would assess the remains and, if determined human, would contact the County Coroner as per Public Resources Code

(PRC) Sections 5097.98, 5097.99, and 7050.5 of the California Health and Safety Code. If the Coroner determines the remains to be Native American, the Coroner would contact the Native American Heritage Commission who would then assign and notify a Most Likely Descendant. Caltrans would consult with the Most Likely Descendant on respectful treatment and reburial of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Once operational, the Project would not result in further ground disturbance. Due to the absence of known human remains and with implementation of Project feature CUL-1, there would be no impact.

2.1.6 ENERGY

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

REGULATORY SETTING

State

Renewable Energy Standards

In 2002, California established its Renewables Portfolio Standard (RPS) Program, with the goal of increasing the percentage of renewable energy in the State's electricity mix to 20 percent of retail sales by 2010. In 2006, California's 20 percent by 2010 RPS goal was codified under Senate Bill 107. Under the provisions of SB 107 (signed into law in 2006), investor-owned utilities were required to generate 20 percent of their retail electricity using qualified renewable energy technologies by the end of 2010. In 2008, Executive Order S-14-08 was signed into law and required that retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 for retail sellers and publicly owned utilities, requires them to procure 50 percent of the State's electricity from renewable sources by 2030.

ENVIRONMENTAL SETTING

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate. California consumed 279,401 gigawatt-hours (GWh) of electricity and approximately 13,158 therms of natural gas in 2019 (1 therm is equivalent to 100 cubic feet of natural gas).

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California and is used by light-duty cars, pickup trucks, and sport utility vehicles. Diesel is the second most-used fuel in California and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles. Both gasoline and diesel are primarily petroleum-based, and their consumption releases GHG emissions, including carbon dioxide ($CO_{2)}$ and nitrous oxide (N_2O).

CEQA SIGNIFICANCE DETERMINATIONS FOR ENERGY RESOURCES

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

or

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

Less than Significant. The Project is not a capacity increasing project. The Build Alternatives would result in direct energy use during construction. However, the energy expenditure would be offset by the long-term operational energy savings associated with reduced local traffic congestion.

The Project would include construction of six new signal poles throughout the Project site. Caltrans Standard Specifications and BMPs would be implemented during construction to reduce any inefficient or unnecessary energy resource usages. As described in Project features AQ-2 and AQ-3, in Section 2.1.3, Air Quality, BMPs include limiting the idling of vehicles and equipment on-site and maintaining vehicles and equipment. Additionally, the energy needed for construction of the Project would be typical of other transportation improvement projects. Construction equipment would be required to use EPA tier 4 engines or equivalent equipment.

While the addition of the signal poles would slightly increase energy consumption for the City, the energy uses and requirements for operation and maintaining the signal poles would be similar to current energy uses. Therefore, the amount of energy required for Project operation is not expected to be substantial and would be similar to current energy uses and requirements for operating and maintaining existing light poles and other existing electronic equipment along I-880.

Additionally, Senate Bill 100 mandates 100 percent clean electricity for California by 2045. Because electricity used for roadway lighting at the Project site would be powered by the existing electricity grid, the Project would eventually be powered by renewable energy and would not conflict with this statewide plan. The Project would not conflict with or obstruct state or local plans for renewable energy or energy efficiency. Therefore, this impact would be less than significant.

2.1.7 GEOLOGY AND SOILS

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological	☐	☐	☐	☒

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
resource or site or unique geological feature?				

REGULATORY SETTING

Federal

Archaeological and Paleontological Salvage

Archaeological and Paleontological Salvage Statute 23 USC 305 amends the Antiquities Act of 1906. This statute allows funding for mitigation of paleontological resources recovered pursuant to federal aid highway projects, provided that "excavated objects and information are to be used for public purposes without private gain to any individual or organization" (Federal Register [FR] 46(19): 9570).

State

The Alquist-Priolo Earthquake Zoning Act

The Alquist-Priolo Earthquake Zoning Act (1972) and the Seismic Mapping Act (1990) direct the State Geologist to delineate regulatory zones to prevent the construction of buildings used for human occupancy on the surface trace of active faults.

Public Resource Code

The State of California Public Resources Code (Chapter 1.7), Sections 5097 and 30244, includes additional state level requirements for the assessment and management of paleontological resources. These statutes require reasonable mitigation of adverse impacts to paleontological resources resulting from development on state lands, and define the excavation, destruction, or removal of paleontological “sites” or “features” from public lands without the express permission of the jurisdictional agency as a misdemeanor.

ENVIRONMENTAL SETTING

The Project site has a relatively flat topography, is not located within the Alquist-Priolo Earthquake Zone, and no active faults have been mapped on the Project site. However, the Project site is within a Liquefaction Seismic Hazard Zone and is in the San Francisco Bay Area, a seismically active region of California. There are several active faults near the Project site capable of generating ground shaking at the Project site,

including Hayward Fault, Calaveras Fault, Mission Fault, San Andreas Fault, Greenville Fault, and Mount Diablo Fault. The Hayward Fault Line is 0.9 mile east of the Project site. A Preliminary Geotechnical Report was prepared in August 2021.

CEQA SIGNIFICANCE DETERMINATIONS FOR GEOLOGY AND SOILS

a) Expose people or structures to 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?

Or

ii) Strong seismic ground shaking?

Less than Significant. During an earthquake, surface rupture occurs when the ground surface is broken as a result of fault movement. Surface rupture mostly occurs along active faults. The Project site is not within the Alquist-Priolo Special Study Zone and no known or mapped active faults pass through the Project site. Therefore, the potential for ground surface rupture due to faulting is extremely low to non-existent.

However, the Project is located in the San Francisco Bay Area, a region susceptible to earthquakes. The Project would improve traffic flow but would not increase capacity, add housing, or otherwise increase the number of individuals who would travel through the Project site. As such, exposure to fault rupture and ground shaking would be similar to existing conditions. Therefore, the impact would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Or

iv) Landslides?

Less than Significant. Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a significant loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Liquefaction can result in significant deformations and ground rupture. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface.

The Project is located in a State-designated Liquefaction Hazard Zone. The likely consequence of potential liquefaction at the site would be settlement. The Project would be constructed in compliance with Caltrans Engineering Manuals, including all seismic standards for structures. Compliance with the Caltrans Engineering Manuals reduces potential risk associated with settlement from seismically induced liquefaction.

The Project site and its surroundings are flat and highly urbanized. The Project site does not have any steep slopes or hillsides that would be susceptible to landslides. Further, the Project site is not located in a landslide hazard zone. Landslide would not pose a risk during construction or operation. With adherence to the Caltrans Engineering Manuals, this impact would be less than significant, and no mitigation is required.

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

Less than Significant. Project construction would involve ground disturbing activities such as excavation, grading, and trenching. These activities could expose soils and increase the potential for soil erosion from wind or stormwater runoff. The Project site has been rated for slight erosion hazard based on soil types, per the Stormwater Data Report. BMPs such as temporary silt fencing, fiber rolls, check dams, temporary soil stabilizers, temporary erosion control, and other measures could be used to minimize potential erosion (see Project feature HYD-1, in Section 2.1.10, Hydrology and Water Quality). With implementation of BMPs, this 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. The Project would likely not result in settlement, subsidence, liquefaction, collapse, lateral spreading, or landslide on- or off-site. As the Project site and vicinity are characterized by flat topography, landslide and lateral spreading would not pose a risk to the Project or the surrounding area. No soils observed at the site are susceptible to subsidence or collapse. However, liquefaction potential would be studied further during the design phase by drilling additional geotechnical borings, as discussed in the geotechnical report. If liquefaction is found to be an issue at these locations, the loss of strength due to liquefaction will be addressed during design. Additionally, the Project would be constructed in compliance with the Caltrans Engineering Manual,

which would reduce the potential risk associated with settlement from seismically induced liquefaction. Therefore, this 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 risks to life or property?

No Impact. Expansive soils can undergo significant volume changes when moisture content in the soil fluctuates. This continuous change in volume can cause foundations built on site to move unevenly and crack. The Geotechnical Report concluded that expansive soils are not likely to be encountered on site based on available boring data. The presence of expansive soils would be verified during the final design phase when more data becomes available. To avoid risks associated with expansive soils, foundation design would be reviewed and approved by Caltrans engineers. With adherence to the Caltrans Engineering Manual, there would be no impact.

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 would not require the use of septic tanks during project construction or operation. There would be no impact.

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

No Impact. A Paleontological Evaluation Report was completed in July 2020 for the Project. Fossils are recorded in the vicinity of the Project area from Pleistocene-age deposits less than 1 mile away, which are similar to the sediments likely present at various depths beneath the Holocene surficial deposits at the Project site. Planned excavations for the Project would be shallow (5 to 12 feet deep) and are anticipated to be entirely within the Historic-age artificial fill and Holocene-age deposits, which are interpreted as being a minimum of 28.50 feet thick. Therefore, it is unlikely that Project construction would encounter paleontological resources, but unanticipated discoveries are known to occur in Alameda County. However, to reduce potential impacts if paleontological resources are encountered, Project feature GEO-1 would require implementation of discovery procedures and would require a qualified paleontologist to recommend measures specific to the discovered resource.

Project feature GEO-1: In the event of unanticipated paleontological resource discoveries during Project-related activities, work in the immediate vicinity of the discovery should be halted until it can be evaluated by a qualified paleontologist in accordance with Caltrans standard specification 14-7.03.

With implementation of Project feature GEO-1**,** there would be no potential impacts to paleontological resources.

2.1.8 GREENHOUSE GAS EMISSIONS

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

REGULATORY SETTING

State

Assembly Bill 32 and CEQA

The Global Warming Solutions Act (AB 32) codified the State's GHG emissions target by directing CARB to reduce the State's global warming emissions to 1990 levels by 2020. AB 32 was signed and passed into law by Governor Schwarzenegger on September 27, 2006. Since that time, the CARB, CEC, California Public Utilities Commission, and Building Standards Commission have all been developing regulations that will help meet the goals of AB 32 and Executive Order S-3-05.

Senate Bill 375

SB 375 was enacted to expand the efforts of AB 32 by controlling indirect GHG emissions caused by urban sprawl. SB 375 provides incentives for local governments and applicants to implement new conscientiously planned growth patterns. This includes incentives for creating attractive, walkable, and sustainable communities and revitalizing existing communities. The legislation also allows applicants to bypass certain environmental reviews under CEQA if they build projects consistent with the new sustainable community strategies. SB 375 enhances CARB's ability to reach the AB 32 goals by directing the agency in developing regional GHG emission reduction targets to be achieved from the transportation sector for 2020 and 2035. CARB works with the metropolitan planning organizations (e.g., Association of Bay Area Governments

[ABAG] and MTC) to align their regional transportation, housing, and land use plans to reduce vehicle miles traveled and demonstrate the region's ability to attain its GHG reduction targets.

Executive Order EO-B-30-15 (2015) and SB 32 GHG Reduction Targets

In April 2015, Governor Brown signed Executive Order which extended the goals of AB 32, setting a greenhouse gas emissions target at 40 percent of 1990 levels by 2030. On September 8, 2016, Governor Brown signed SB 32, which legislatively established the GHG reduction target of 40 percent of 1990 levels by 2030. In November 2017, CARB issued California's 2017 Climate Change Scoping Plan. While the state is on track to exceed the AB 32 scoping plan 2020 targets, this plan is an update to reflect the enacted SB 32 reduction target.

BAAQMD CEQA Guidelines and 2010 Bay Area Clean Air Plan

BAAQMD identifies thresholds of significance for operational GHG emissions from land-use development projects in its guidelines. These guidelines include recommended significance thresholds, assessment methodologies, and mitigation strategies for GHG emissions. Under the Guidelines, if a project would result in operational-related GHG emissions of 1,100 metric tons (MT) (also called the "bright line" threshold), or 4.6 MT per service population of carbon dioxide equivalents (CO_2e) per year or more, it would make a cumulatively considerable contribution to GHG emissions and result in a cumulatively significant impact to global climate change. In jurisdictions where a qualified Greenhouse Gas Reduction Strategy has been reviewed under CEQA and adopted by decision-makers, compliance with the Greenhouse Gas Reduction Strategy would reduce a project's contribution to cumulative GHG emission impacts to a less than significant level. The Guidelines also outline a methodology for estimating GHGs.

The Clean Air Plan is a multi-pollutant plan that addresses GHG emissions along with other air emissions in the San Francisco Bay Area Air Basin. One of the key objectives in the Clean Air Plan is climate protection. The Clean Air Plan includes emission control measures in five categories: Stationary Source Measures, Mobile Source Measures, Transportation Control Measures, Land Use and Local Impact Measures, and Energy and Climate Measures. Consistency of a project with current control measures is one measure of its consistency with the Clean Air Plan. The current Clean Air Plan also includes performance objectives, consistent with the State's climate protection goals under AB 32 and SB 375, designed to reduce emissions of GHGs to 1990 levels by 2020 and 40 percent below 1990 levels by 2035.

ENVIRONMENTAL SETTING

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, GHG emissions have a broader, global impact. Global warming associated with the "greenhouse effect" is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere. The most common GHGs contributing to global warming and associated climate change are CO_2, perfluorocarbons (PFCs), sulfur hexafluoride, methane (CH_4), N_2O, and hydrofluorocarbons. Emissions of GHGs contributing to global climate change are attributable to a variety of natural processes and human activities. Emissions of GHGs by human activities are associated with the transportation, industrial and manufacturing, utility, residential, commercial, and agricultural sectors.

The Caltrans *Active Transportation Program* (ATP) was created by legislation in 2013 (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354). The goals of the ATP include increasing the proportion of trips accomplished by biking and walking; increasing safety and mobility for non-motorized users; advancing the ability of regional agencies to achieve greenhouse gas reduction goals; enhancing public health and ensuring that the ATP benefits disadvantaged communities and provides a range of projects to benefit many types of active transportation users. Because the main goals of the Project are to prioritize multimodal transportation infrastructure, improve merge-weave operations, and improve traffic operations, the Project supports and is consistent with the goals of the ATP.

CEQA SIGNIFICANCE DETERMINATIONS FOR HAZARDS AND HAZARDOUS MATERIALS

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

Less than Significant.

Construction

Construction of the Project would result in direct emissions of CO_2, N_2O, and CH_4 from construction equipment and the transport of materials and construction workers to and from the Project site. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years). Total GHG emissions generated during all phases of construction are listed below in Table 2.1.8-1. As shown in Table 2.1.8-1, the Project construction would result in 1,654 $MTCO_2e$, approximately 55 $MTCO_2e$/year when amortized over 30 years for Build Alternative 1, and 1,667 $MTCO_2e$, approximately 56 $MTCO_2e$/year when amortized over 30 years for Build Alternative 2. Project-related construction emissions are confined to a short period in

relation to the overall life of the Project. Due to the short duration of construction, GHG emissions during construction would be minor and temporary. This impact would be less than significant.

Table 2.1.8-1 Construction Greenhouse Gas Emissions

Construction Phase	$MTCO_2e$ for Build Alternative 1	$MTCO_2e$ for Build Alternative 2
Grubbing/Land Clearing	53.32	53.32
Grading/Excavation	1,089.00	1,101.62
Drainage/Utilities/Sub-Grade	409.38	409.38
Paving	102.76	102.76
Maximum (tons/phase)	1,089.00	1,101.62
Total tons per construction project	1,654.45	1,667.07

MTCO2e = metric tons of carbon dioxide equivalent
Notes:
Emissions were calculated using the Roadway Construction Emissions Model (RCEM) (Version 9.0) developed by the Sacramento Metropolitan Air Quality Management District (SMAQMD).

Operations

The Project proposes to improve the I-880/A Street and I-880/Winton Avenue interchanges to relieve congestion, enhance operations, enhance safety and provide needed capacity for all modes of transportation. This Project is to consider improvements to enhance operations, safety, and access to the Southland Mall for all modes of transportation at the I-880/A Street and I-880/Winton Avenue interchanges. It will also involve modifying signals and reconfiguring intersections to improve right turning maneuvers. The Project would not result in increased traffic volumes (refer to Section 2.1.17 for further discussion of vehicle miles traveled [VMT]). Additionally, as discussed in Table 2.1.8-2, the daily greenhouse gas emissions for the opening year conditions would produce less greenhouse gas emissions than existing conditions.

Table 2.1.8-2 Daily Greenhouse Gas Emissions

Emissions Source	Metric Tons per Day			
	CO_2	N_2O	CH_4	CO_2e
Existing				
A Street	2.77	0.00	0.00	2.82
Winton Avenue	9.06	0.00	0.00	9.22
I-880 Mainline	152.29	0.01	0.01	155.10
Total	**164.12**	**0.01**	**0.01**	**167.15**
Opening Year 2025				
A Street	2.17	0.00	0.00	2.13
Winton Avenue	8.11	0.00	0.00	8.00
I-880 Mainline	139.87	0.01	0.01	137.74
Total	**150.15**	**0.01**	**0.01**	**147.86**
Difference from Existing	**-13.97**	**0.00**	**0.00**	**-19.28**

Source: Kimley-Horn and Associate, 2021

Therefore, the Project would not generate an increase in operational GHG emissions compared to existing conditions. Furthermore, the Project would improve traffic flow and relieve congestion at the I-880/A Street and I-880/Winton Avenue interchanges, reducing vehicle idling and associated emissions. As such, GHG emissions from the Project would be less than significant, and no mitigation is required.

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

Less than Significant. The Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Key planning policy documents for the Project include statewide Renewable Portfolio Standards and GHG Reduction Targets, the *Bay Area Climate Action Plan*, the *Eden Area General Plan*, and the *Hayward 2040 General Plan*. The Project is consistent with the goals and policies of these planning documents. Therefore, the impact would be less than significant.

2.1.9 HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 for people residing or excessive noise for people working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

REGULATORY SETTING

Federal

Resource Conservation and Recovery Act (42 United States Code [(U.S.C.]) 6901 et seq.)

The Resource Conservation and Recovery Act regulates the identification, generation, transportation, storage, treatment, and disposal of solid and hazardous materials and hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.)

The Comprehensive Environmental Response, Compensation, and Liability Act regulates former and newly discovered uncontrolled waste disposal and spill sites. The Comprehensive Environmental Response, Compensation, and Liability Act established the National Priorities List of contaminated sites and the "Superfund" cleanup program.

State

Department of Toxic Substances Control and Regional Water Quality Control Board

The Department of Toxic Substances Control (DTSC) regulates hazardous waste and remediation of existing contamination and evaluates procedures to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal Resource Conservation and Recovery Act of 1976 and the California Health and Safety Code. The Bay Regional Water Quality Control Board (RWQCB) also provides regulatory oversight for sites with contaminated groundwater or soils.

Government Code §65962.5 (Cortese List)

Section 65962.5 of the Government Code requires the CalEPA to develop and annually update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA

requirements. The Cortese List includes hazardous substance release sites identified by DTSC and the State Water Resources Control Board (SWRCB).

ENVIRONMENTAL SETTING

The following discussion qualitatively analyzes potential impacts related to hazardous materials adjacent to the Project site. A hazardous materials technical memorandum was prepared in October 2020.

Hazardous Materials Use and Storage Regulation

Within the City, a number of local, state, and federal regulations govern the use, transport, and storage of hazardous materials. A Hazardous Materials Business Plan is generally required of any facility which generates any quantity of hazardous waste, or which handles hazardous materials in amounts greater than 55 gallons for liquids, 500 pounds for solids, and 200 cubic feet for compressed gases. The implementation and enforcement of these local, state, and federal regulations regarding the use, storage, and transport of hazardous materials (including setbacks for flammable storage from property lines) reduce the potential for impacts to off-site land uses, in the event of an accidental release.

Potential Sources of Contamination

The I-880/A Street and I-880/Winton Avenue Interchange study area primarily consists of flat terrain with built up urban, residential, and commercial land uses interspersed with industrial pockets. Land uses surrounding the I-880/A Street Interchange consist of commercial centers, hotels and low to medium density residential communities. The I-880/Winton Avenue Interchange is surrounded by urban, residential, and commercial land uses. Based on a desktop search of the California Department of Toxic Substances Control, Envirostor database, the Project would be constructed within a 0.5-mile radius of two potential contamination sources. The two potential contamination sources are discussed below:

The Unocal Station 3791 site is located within a 0.5-mile radius of the I-880/A Street Interchange. This site is located to the northeast and upgradient of the A Street/I-880 Interchange and is an active service station. It is included in the Leaking Underground Storage Tank (LUST) database but is currently listed as a closed site. Review of closure documents indicate that groundwater underneath Arbor Avenue is impacted with petroleum hydrocarbons. Since construction activities at the I-880/A Street Interchange involves only surface soil removal, groundwater is not expected to be encountered.

The Sears Roebuck & Co site is located within a 0.5-mile radius of the I-880/Winton Avenue Interchange. Review of the latest available groundwater monitoring report which

dates back to 2017 indicates presence of petroleum hydrocarbons and benzene in the groundwater underneath West Winton Avenue. Depth to groundwater is approximately 30 feet. The Project involves installation of piers and supports for the replacement overpass in the area of groundwater impacts underneath the I-880/Winton Avenue Interchange.

CEQA SIGNIFICANCE DETERMINATIONS FOR HAZARDS AND HAZARDOUS MATERIALS

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant. The Project would involve the use of common types of potentially hazardous materials such as pesticides for highway replacement landscaping, and diesel fuel. During construction, ground disturbing activities could expose construction workers to soil contaminants, which would pose a health risk. Adherence to AMM HAZ-1 would require a Site Safety Plan. With adherence to Caltrans requirements, Project construction would not create a significant hazard to the public or the environment through the transport, use, or disposal of, hazardous materials.

AMM HAZ-1: Prepare a Site Safety Plan: In accordance with Caltrans protocol, a Site Safety Plan shall be prepared and implemented prior to initiation of any construction/development activities to reduce health and safety hazards to workers and the public. The Site Safety Plan will include protocols for the handling, storage, and disposal of all hazardous and potentially hazardous materials including but not limited to soils and groundwater.

As a transportation infrastructure project, Project operation would not directly involve the routine use, disposal, or transportation of hazardous materials and would not have a significant impact on the public or the environment.

With implementation of AMM HAZ-1 outlined above, impacts related to the routine use, transport, or disposal of hazardous materials would be less than significant, and no mitigation is required.

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. Due to the age of structures (including bridges) within the Project site there is a potential for presence of asbestos containing materials and lead based paint. Soils along the Project area are likely contaminated with lead from exhaust of cars burning leaded gasoline. Therefore, aerially-deposited lead could be found in

soils along the I-880. Project feature HAZ-1 requires preparation of a work plan if aerially deposited lead is present in soil samples. This work would be performed during the design phase.

Project feature HAZ-1: Caltrans will prepare a work plan for aerially deposited lead if required during the design phase. Soil samples collected to evaluate aerially-deposited lead would be analyzed for total lead and soluble lead in accordance with Department of Toxic Substances Control's requirements to determine appropriate actions that would ensure the protection of construction workers, future site users, and the environment.

Project feature HAZ-2 would be implemented to prevent exposure to lead based paint and ACM by requiring an ACM investigation. With implementation of the ACM investigation, surveys for lead based paint would be conducted prior to demolition of the structures within the ROW. Lead based paint and ACM would be abated by using a contractor certified to perform such work.

Project feature HAZ-2: Existing interchange structures that would be removed by the Project would be tested for asbestos and lead-based paint by a qualified and licensed inspector prior to demolition. All asbestos-containing material or lead-based paint, if found, would be removed by a certified contractor in accordance with local, state, and federal requirements.

During construction and operation, the Project would be required to follow appropriate health and safety plans based on these findings. Therefore, potential impacts from hazardous materials are less than significant and no mitigation is required.

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

Less than Significant. The Hayward Unified School District (HUSD) schools closest to the Project location are within one mile of the Project location, those being Burbank Elementary school at 222 Burbank Street (3,000 feet south of the A Street interchange, Longwood Elementary school at 27790 Portsmouth Avenue (650 feet north of the Winton Avenue interchange), and Park Elementary School at 411 Larchmont Street (2,600 feet south of the Winton Avenue interchange). Some hazardous materials may be used during construction activities. However, due to the nature of the Project, the use of the hazardous materials and quantities would be temporary. Currently, the interchanges operate within a mile of the respective schools, and do not handle or emit hazardous materials, substances, or waste. Operation of the Project would operate similar to existing conditions with enhanced mobility and pedestrian and bike safety features. Operation of the Project would not result in a need for handling or emitting hazardous materials. The impact would be less than significant.

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?

Less than Significant. Review of site observations, Geotracker and Envirostor, Historical Report and EDR report resulted in the identification of two known contamination sites:

- Sears Roebuck & Co, 660 W Winton Avenue, Hayward, CA. Review of environmental data indicates that groundwater to the west of Winton Avenue/I-880 is impacted with petroleum hydrocarbons including benzene. Depth to groundwater is approximately 30 feet.
- Unocal Station 3791, 391 A Street, Hayward, CA. This site is located northeast of the I-880/A Street interchange and is currently a Mobil gas station. Review of closure documents indicate that groundwater underneath Arbor Avenue is impacted with petroleum hydrocarbons, however the groundwater impacts do not reach A Street.

The Project would involve installation of piers and supports for the replacement overpass at Winton Avenue, near areas of known groundwater contamination. Therefore, health and safety measures are required to address groundwater contamination. Since the Project improvements near A Street would only involve surface soil removal, groundwater should not be encountered. However, in the event the Project involves installation of piers to 30 feet at this location, proper measures to address groundwater contamination would be implemented as described below.

No other environmental areas of concern were identified or apparent according to the Phase I Environmental Site Assessment. Construction of the Project may encounter contaminated groundwater due to the depth of groundwater at the Project site which varies from 15 to 30 feet. AMM HAZ-1 would be implemented to limit exposure to contaminated groundwater by implementing a Site Safety Plan. Therefore, this impact would be less than significant, and no mitigation is required.

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 excessive noise for people residing or working in the project area?

No Impact. The Hayward Executive Airport is within one mile of the I-880/A Street Interchange. As noted in the Hayward Airport Land Use Compatibility Plan (ALUCP), the Project site is located in Safety Zone Six. As indicated in the ALUCP, roadway improvements within Safety Zone Six are permitted, meaning that activities are

compatible with airport operations with a few exceptions. Limitations require ensuring activities would not create height hazard obstructions, smoke, glare, electronic, wildlife attractants, or other airspace hazards. Noise, airspace protection, and/or overflight policies may still apply.

The purpose of the Project is to improve mobility and enhance pedestrian and bicycle safety. The Project would not construct new buildings or otherwise increase the presence of people traveling through the Project site. Some hazardous materials may be used during construction activities. However, due to the nature of the Project, the use of the hazardous materials and quantities would be limited and temporary. Once operational, the Project would operate similar to existing conditions with interchange and local road improvements and would not handle or emit such hazardous materials. Based on the foregoing, no impact would occur.

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

Less than Significant. The closest fire station to the Project site is Fire Station 6, located 4,500 feet west of the I-880/Winton Avenue intersection. The closest Hayward Police Department Office is located approximately 700 feet east of the I-880/Winton Avenue Interchange. Although no property owned or used by emergency service providers would be acquired, construction activities would have the potential to temporarily disrupt roadway access, potentially affecting roadway access. As discussed in Section 2.1.17, Transportation/Traffic, AMM TRA-1 would implement a Traffic Management Plan (TMP) that would outline access for police, fire, and medical services in the local area. With implementation of AMM TRA-1, the impact would be less than significant.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. The Project is in an urbanized area without wildland areas. The Project is not located adjacent to natural areas that would be subject to wildland fires. Moreover, the Project would not build new structures or otherwise increase the presence of people or risk associated with wildfires. There would be no impact.

2.1.10 HYDROLOGY AND WATER QUALITY

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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 a 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 offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity or planned stormwater drainage systems or provide substantial additional sources 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?	☐	☐	☒	☐

REGULATORY SETTING

Federal

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program to provide subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. Flood Insurance Rate Maps designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one in one hundred (1 percent) chance of being flooded in any one year based on historical data.

State

National Pollutant Discharge Elimination System (NPDES) Permit Program

The NPDES permit program controls sources that discharge pollutants into waters of the United States (e.g., streams, lakes, bays, etc.). For the City, these regulations are implemented at the regional level by the San Francisco Bay RWQCB. The RWQCB is responsible for protecting the quality of surface water and groundwater by issuing and enforcing compliance with the NPDES permits and by preparation and revision of the relevant Regional Water Quality Control Plan, also known as the Basin Plan.

Under the Municipal Regional Stormwater NPDES Permit, development projects that create, add, or replace 10,000 square feet or more of impervious surface area are required to control post-development stormwater runoff through source control, site design, and treatment control BMPs. Additional requirements must be met by certain large projects that create one acre or more of impervious surfaces.

Statewide Construction General Permit

The SWRCB has implemented a NPDES General Construction Permit for the State of California. Projects that would disturb more than one acre of land are required to submit a Notice of Intent and a Storm Water Pollution Prevention Plan (SWPPP) to the SWRCB to apply for coverage under the NPDES Construction and Land Disturbance General Permit. Construction activities subject to this permit include grading, clearing, or any activities that cause ground disturbance such as stockpiling or excavation. The SWPPP will include the site-specific BMPs to control erosion and sedimentation and maintain water quality during the construction phase. The SWPPP also contains a summary of the structural and non-structural BMPs to be implemented during the post-construction period.

ENVIRONMENTAL SETTING

Water Supply

The City purchases its water from San Francisco Public Utilities Commission (SFPUC), which gets its water from the Hetch Hetchy watershed. The water flows from Hetch Hetchy from the SFPUC system to Hayward through two pipelines, a 24" pipeline that travels down Mission Blvd and a second a 42" pipeline that travels down Hesperian Boulevard. The City approved and adopted an Urban Water Management Plan in July 2021. The City has forecasted increases in water demand due to densification and intensification of both residential and non-residential land uses.

Stormwater

The RWQCB has issued a Municipal Regional Stormwater NPDES Permit (Permit Number CAS612008). The regional permit applies to 77 Bay Area municipalities, including the City. Under provisions of the NPDES Municipal Permit, redevelopment projects that disturb more than 10,000 square feet are required to design and construct stormwater treatment controls to treat post-construction stormwater runoff. Post-construction runoff must be treated by using LID treatment controls, such as biotreatment facilities.

In addition to water quality controls, the Municipal Regional Stormwater NPDES permit requires all projects that create or replace 1 acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation or other impacts to beneficial uses of local rivers, streams, and creeks. As the Project would generate more than 1 acre of impervious surfaces, a NPDES permit would be required for the Project.

Groundwater

Fluctuations in groundwater levels are common due to seasonal fluctuation, underground drainage patterns, regional fluctuations, and other factors. The Project site is located within the Santa Clara Valley-Niles Cone groundwater basin. Groundwater depth within the Project site varies from 15 to 30 feet.

Tsunamis and Seiches

Seismically-induced ocean waves are caused by displacement of the sea floor by a submarine earthquake and are called tsunamis. Seiches are waves produced in a confined body of water such as a lake or reservoir by earthquake ground shaking or land sliding. Seiches are possible at reservoir, lake or pond sites. The Project site is not located within a Tsunami Hazard Area, or seiche zone.

CEQA SIGNIFICANCE DETERMINATIONS FOR HYDROLOGY AND WATER QUALITY

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

Less than Significant. The Project would have potential short-term water quality impacts during construction. Project grading and excavation activities would have the potential to increase erosion and result in temporary water quality impacts. Stormwater runoff could potentially cause sediment-laden flows to enter storm drainage facilities or sheet flowing into Sulphur Creek, potentially impacting the creek. Additional sources of sediment include uncovered or improperly covered active and non-active stockpiles, construction staging areas, and construction equipment not properly maintained or cleaned.

Both Build Alternatives would result in a soil disturbance of 1 acre or more during construction. As such, the Project must comply with the Statewide Construction General Permit. The Caltrans NPDES Permit references the Construction General Permit for regulation of stormwater discharges from all Caltrans construction projects. The Project includes measures to provide required temporary and permanent BMPs which include stormwater treatment and avoidance and minimization measures for hydromodification impacts to receiving waterbodies, such as biofiltration swales/strips, bioretention areas, and trash capture devices to remove pollutants. The stormwater treatment measures will be designed in accordance with the Caltrans Project Planning and Design Guide, and the hydromodification analysis and avoidance and minimization measures would comply with the San Francisco Bay Regional Water Quality Control Board Municipal NPDES Permit.

However, temporary impacts to water quality during construction would be avoided by implementing Project feature HYD-1, which requires temporary construction site BMPs such as sediment control and materials management. Additionally, Project feature HYD-2 would require a SWPPP to be developed for temporary construction BMPs

Project feature HYD-1: To address the temporary water quality impacts resulting from the construction activities in the project limits, Best Management Practices (BMPs) would include the measures of sediment control, pH control, material and job site management, and erosion control.

Project feature HYD-2: A SWPPP would be developed and temporary construction BMPs would be implemented in compliance with the requirements of the SWRCB as outlined in the Construction General Permit (GCP). The SWPPP must be prepared by the Contractor and approved by Caltrans, pursuant to Caltrans 2018 Standard Specification 13-3 and Special Provisions. Protective measures would include, at a minimum:

- Disallowing any discharging of pollutants from vehicle and equipment cleaning into any storm drains or watercourses.
- All grindings, asphalt waste, and concrete waste would be hauled offsite by the end of shift, or if stored in upslope areas, would be a minimum of 150 feet, if feasible, from any aquatic resources, would be stored within previously disturbed areas absent of habitat, and would be protected by secondary containment measures consistent with proposed Caltrans BMPs designed specifically to contain spills or discharges of deleterious materials.
- Dedicated fueling and refueling practices would be designated as part of the approved SWPPP. Dedicated fueling areas would be protected from stormwater runoff and would be located at a minimum of 50 feet from downslope drainage facilities and water courses.
- Fueling must be performed on level-grade areas. Onsite fueling would only be used when and where it is impractical to send vehicles and equipment offsite for fueling. When fueling must occur onsite, the contractor would designate an area to be used subject to the approval of the Caltrans Resident Engineer. Drip pans or absorbent pads would be used during onsite vehicle and equipment fueling.
- Spill containment kits would be maintained onsite at all times during construction operations and/or staging or fueling of equipment.
- Dust control measures consistent with Air Quality Project Features would be implemented. Dust control would be addressed during the environmental education session.
- Coir logs or straw wattles would be installed in accordance with the Caltrans BMP Guidance Handbook, to capture sediment.
- Graded areas would be protected from erosion using a combination of silt fences, erosion control netting (such as jute or coir), and fiber rolls in accordance with the Caltrans BMP Guidance Handbook.

As discussed in Project feature HYD-3, Caltrans would implement temporary construction site BMPs for sediment control and dewatering activities.

Project feature HYD-3: Groundwater extracted from temporary dewatering activities would be managed based on the groundwater quality within the Project area. Clean groundwater could be used for dust control, collected on-site using desilting basins and/or tanks prior to discharging to receiving waters, or transported to a publicly-owned treatment works. If the Project area contains contaminated groundwater or groundwater

that may release contaminated plumes when disturbed, applicable waste discharge requirements or permits would be obtained during design phase.

Once operational, the Project would have a minimal increase to stormwater pollution effects because runoff from Project activities would be treated with stormwater treatment facilities and diverted into modified drainage systems. Additionally, pollution and runoff sources are not expected to change. As outlined in the Drainage Impact Study Report, prepared in July 2021, Project feature HYD-4 would implement the use of BMPs such as biofiltration swales and strips to treat runoff throughout the Project corridor to further reduce effects to water quality.

Project feature HYD-4: Potential water quality impacts would be reduced to the maximum extent practicable through proper implementation of stormwater treatment measures such as bioretention swales. The proposed stormwater treatment BMPs would be required to treat runoff from new impervious surface. All proposed stormwater treatment control measures would be compliant with local requirements, such as the San Francisco Bay Municipal Regional Permit Provision C.3.

Therefore, with the implementation of BMPs as described in Project feature HYD-1, Project feature HYD-2, Project feature HYD-3, and Project feature HYD-4, this impact would be less than significant.

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. The Project may require dewatering activities due to modifications to the bridge structures at the I-880/Winton Avenue and I-880/A Street interchanges and the construction of the retaining walls. Construction activities that contact groundwater or require dewatering could create loose soils and introduce pollutants to the groundwater.

As mentioned above in Section 2.1.9, Hazardous Waste and Materials, construction of the Project would be likely to encounter contaminated groundwater during installation of piers and supports for the replacement overpass at the I-880/Winton Avenue Interchange due to the depth of groundwater at the Project site (15 to 30 feet). Therefore, construction of the Project could encounter groundwater at I-880/Winton Avenue Interchange. However, construction activities such as dewatering, are temporary in nature and would not result in a substantial depletion of groundwater supplies that could result in a lowering of the groundwater table. Caltrans would implement temporary construction site BMPs for sediment control and dewatering activities (Project feature HYD-3), which would reduce impacts to groundwater supplies and groundwater recharge. Construction activities at the I-880/A Street Interchange are

not anticipated to encounter contaminated groundwater due to the Project area being upgradient from known groundwater contamination areas and would not require dewatering activities. Therefore, impacts to groundwater supplies during construction would be less than significant.

The Project would not require the regular use of water, during Project operations, thus the Project would not result in lasting groundwater depletion.

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 a substantial erosion or siltation on- or off-site;

Less than Significant. The Project would construct retaining walls under the outside bay (between the abutment and columns) of the I-880/A Street interchange undercrossing structure in both directions. The slopes of the retaining wall would be designed using Caltrans Standards Specifications. Additionally, the retaining walls would be stabilized using permanent erosion control measures. Temporary construction and permanent BMPs would be employed to comply with the NPDES and to prevent any construction materials or siltation entering the receiving water bodies. In addition to implementation of temporary construction BMPs, Caltrans is required to perform quarterly non-stormwater discharge visual inspections and rain event visual inspections during a storm event, and post-storm events.

Soil stabilization and sediment control measures include placing linear sediment barriers, such as silt fencing along embankment slopes to prevent erosion from runoff and run-on sources. At locations where permanent erosion control BMPs cannot be immediately placed, slope interruption devices such as fiber rolls would be installed, and a soil stabilizer hydraulically applied. These BMP efforts would also address wind erosion concerns. Therefore, with implementation of BMPs and Project features, this impact would be less than significant, and no mitigation is required.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

And

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;

And

iv) Impede or redirect flood flows?

Less than Significant. A Stormwater Drainage Report was prepared for the Project in July 2021. The Project would include the following drainage improvements: adding inlets and pipes, adding asphalt concrete dikes, removing existing dikes/curbs, conveyance ditches, rock slope projection, removing inlets, adjusting and relocating inlets, and adding energy dissipation devices. All drainage systems would be modified locally to address the new roadway designs. Overall, the original drainage pattern would be maintained at existing levels, as the Project would serve to provide operational improvements to the existing transportation facility. Stormwater would be managed and treated on-site. The Project would include the replacement and creation of new impervious surface in the Project site. A total of 1.65 acres of impervious surface would be removed and replaced, and 0.10 acre of net new impervious surfaces would be created.

As the Project would not increase the rate or amount of surface runoff, nor contribute runoff water which would exceed the capacity. The impact would be less than significant.

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

Less than Significant. Both the I-880/A Street Interchange and the I-880/Winton Avenue Interchange are within FEMA Zone X, which is defined as an area with no associated flood hazards. The I-880/A Street Interchange is located adjacent to a FEMA Zone AO, which is defined as an area of one percent annual chance of flooding. Although the Project site along A Street encroaches onto Zone AO, the proposed improvements would not change the land use and the existing ground elevation will be maintained. Therefore, the base floodplain risk will be minimal. As stated above, the Project is not located in a Tsunami Hazard area, nor is it located in an inundation zone, or seiche zone. Therefore, this impact would be less than significant, and no mitigation is required.

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

Less than Significant. Construction of the Project would comply with Alameda County Stormwater Quality BMPs and the Alameda County Stormwater Control guidelines. With adherence to these BMPs and guidelines, and implementation of Project feature HYD-2, the impact would be less than significant.

2.1.11 LAND USE AND PLANNING

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

REGULATORY SETTING

There are no applicable federal or state policies related to Land Use.

ENVIRONMENTAL SETTING

LAND USE CHARACTERISTICS

Land uses within the Project site are generally transportation uses associated with the existing interchanges or associated landscaping.

I-880/A Street Interchange

Land use designations surrounding the I-880/A Street Interchange include general commercial and commercial/high-density residential to the north and commercial and low to high density residential to the south. The surrounding land uses consist of commercial centers, hotels and low to medium density residential communities interspersed through the north and south side of the interchange. The south side of the interchange includes high density residential housing, hotels, and few commercial businesses. The north side of the interchange has similar land uses as the south, with commercial businesses, high density residential housing. The north side of the interchanges also includes an industrial materials supply company. There are residential communities adjacent to the Project site on the north and south end.

I-880/Winton Avenue Interchange

Land use designations north of the I-880/Winton Avenue Interchange consists of low density residential, public/quasi-public, and retail and office commercial. Land use designations south of the interchange consists of low density residential, retail and office commercial, public/quasi-public, and parks and recreation. Adjacent land uses to the I-880/Winton Avenue interchange consist of low to medium density residential communities and commercial businesses. The largest business complex within proximity to the Project site is the Southland Mall and associated department stores, which are located southwest of the Project site. There are government-associated offices such as the Alameda County Office of Education, Hayward Hall of Justice, Alameda County Social Services Department, and Hayward Unified School District to the east. Single-family residential communities are located adjacent to the Project site on the east and west ends of the interchange.

PLANNED DEVELOPMENTS

The Hayward Planning Area includes land within City limits and the Eden Area planning area within the City's Sphere of Influence. The City's Sphere of Influence is the area in which the City of Hayward has the power to affect development for the Eden Area planning area without having formal authority to do so. The Planning Area covers 72.18 square miles with 42.81 square mile considered not developable, covered by water, or protected as natural open space. The established urban limit ultimately protects the baylands and hillsides from urban development. The City is largely a built-out community, and as a result, future development opportunities are limited to relatively small infill development sites and the redevelopment of underutilized properties.

CEQA SIGNIFICANCE DETERMINATIONS FOR LAND USE AND PLANNING

a) Physically divide an established community?

No Impact. The Project would improve existing transportation infrastructure within the Project site to enhance overall efficiency and ease congestion. Implementation of the Project would also result in improved pedestrian and bicycle conditions that would increase non-motorized mobility and enhance safety in the Project site. Construction and operation of the Project would not add a new transportation route or structure that could serve as a barrier that would physically divide an established community. Therefore, no impact would occur, and no mitigation is required.

b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The Hayward General Plan identifies the I-880/A Street and I-880/Winton Avenue interchanges as areas that could benefit from improved circulation and enhanced mobility. MTC, as the regional transportation planning agency in the San Francisco Bay Area, has also included the Project in the RTP. Therefore, the Project is accounted for in both the local General Plan and overarching, regional plans. Construction activities and all Project improvements would be confined to existing Caltrans ROW. No TCEs or displacements of residences or businesses are anticipated. Implementation of the Project would not require or result in changes to existing land uses or zoning in the Project site. The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction of the Project. There would be no impact.

2.1.12 MINERAL RESOURCES

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

REGULATORY SETTING

State

Surface Mining and Reclamation Act of 1975

The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796) provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized, and mined lands are reclaimed to a usable condition.

SMARA also encourages the production, conservation, and protection of the state's mineral resources. Public Resources Code Section 2207 provides annual reporting requirements for all mines in the state, under which the State Mining and Geology Board is also granted authority and obligations.

ENVIRONMENTAL SETTING

According to the Mineral Land Classification Map for Alameda County, the Project site is located within zone mineral resource zone (MRZ)-1, an area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

CEQA SIGNIFICANCE DETERMINATIONS FOR MINERAL RESOURCES

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?

And

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 Project site is located within zone MRZ-1 on the Mineral Land Classification Map. As no mineral deposits are present within the Project site, construction and operation of the Project would not result in the loss of availability of a known mineral resource or a locally-important mineral resources recovery site. There would be no impact.

2.1.13 NOISE

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) For a project 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 of public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

REGULATORY SETTING

Federal

Federal Transit Administration

Recommendations in the FTA's Transit Noise and Vibration Impact Assessment Manual (2018) have been used as guidance to determine whether or not a change in traffic would result in a substantial permanent increase in noise. Under the FTA standards, the allowable noise exposure increase is reduced with increasing ambient existing noise exposure, such that higher ambient noise levels have a lower allowable noise exposure increase**.** Table 2.1.13-1 shows the significance thresholds for increases in traffic-related noise levels. These standards are applicable to a project's impact on existing sensitive receptors.

Table 2.1.13-1 Allowable Increases in Exposure to Traffic Noise

Existing Noise Exposure (dBA L_{dn} or L_{eq})	Allowable Noise Exposure Increase (dBA L_{dn} or L_{eq})
45-49	7
50-54	5
55-59	3
60-64	2
65-74	1
75+	0

Source: Federal Transit Administration 2018

ENVIRONMENTAL SETTING

Noise is typically described as any unwanted or objectionable sound and is technically described in terms of the loudness of the sound (amplitude) and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). However, because the human ear is not equally sensitive to sound at all frequencies, the A-weighted decibel scale (dBA), which gives greater weight to the frequencies of sound to which the human ear is most sensitive, was devised to relate noise to human sensitivity. A Noise Study Report was prepared for the Project in August 2021. Existing noise levels for the Project site range from 54 to 65 dBA Leq(h).

The dBA measurement system is not an effective way to measure noise levels within a community since community noise is always fluctuating and changing. Therefore, other methods of describing noise levels have been developed, the most common of which are the Community Noise Equivalent Level (CNEL) and the Day-Night Noise Level (Ldn). Ldn is an average of all noise levels recorded over a 24-hour period, with a 10-dB penalty for nighttime noise that occurs between 10:00 p.m. and 7:00 a.m. CNEL is also an average sound level over a 24-hour period, with a 10 dB penalty added for noise between 10:00 p.m. and 7:00 a.m. and an additional 5 dB penalty added for the evening hours of 7:00 p.m. to 10:00 p.m.

Noise measurement locations were selected to represent each major developed area, and to capture the traffic noise level pattern within the Project site. Residential subdivisions adjacent to the Project site consist of generally flat topography, which contain various sound barriers with a height of 16 feet. Additionally, a commercial retail development is located within the Project site, however there are no outdoor areas associated with the commercial retail development and are not considered to be areas of frequent human use. However, there are residences adjacent to the Project site; see Table 2.1.3-3, in Section 2.1.3, Air Quality, for the applicable sensitive receptors for the Project.

Construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increased distance. The effects of ground vibration may be imperceptible at lowest levels, low rumbling sounds and detectable vibrations at moderate levels, and damage to nearby structures at the highest levels.

CEQA SIGNIFICANCE DETERMINATIONS FOR NOISE

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. A field investigation was conducted to identify land uses that could be subject to traffic and construction noise impacts from the Project. Existing noise levels range from 54 to 65 dBA Leq(h). Future design-year build noise levels are predicted to range from 54 to 66 dBA Leq(h). Predicted noise levels in the design-year are not predicted to approach or exceed the noise abatement criterion or result in a substantial increase in noise. As a result, operational traffic noise impacts would be negligible.

During construction, noise from construction activities may intermittently dominate the noise environment in the immediate area. Noise associated with construction is controlled by Caltrans Standard Specification Section 14-8.02, “Noise Control”. Caltrans Standard Specification Section 14-8.02 dictates that no project would exceed 86 dBA Lmax at 50 feet from the job site activities from 9pm to 6am. The contractor must equip an internal combustion engine with the manufacturer-recommended muffler. Operating an internal combustion engine on a job site without the appropriate muffler is prohibited. Table 2.1.13-2 summarizes noise levels produced from construction equipment that is commonly used on roadway construction projects. Construction equipment is expected to generate noise levels ranging from 70 to 90 dB at a distance of 50 feet, and noise produced by construction equipment would be reduced over distance at a rate of about 6 dB per doubling of distance.

Table 2.1.13-2 Construction Equipment Noise

Equipment	Maximum Noise Level (dBA at 50 feet)
Scrapers	89
Bulldozers	85
Heavy Trucks	88

Equipment	Maximum Noise Level (dBA at 50 feet)
Backhoe	80
Pneumatic Tools	85
Concrete Pump	82

Source: Federal Transit Administration, 2018.

Construction activities would be conducted in accordance with Caltrans Standard Specifications Section 14.8-12 and would be short-term and intermittent. Moreover, AMM NOI-1, has been established to reduce increased noise near sensitive receptors by locating staging equipment and noise generating construction equipment as far from noise-sensitive receptors as feasible.

AMM NOI-1: To the extent that is feasible, locate all staging equipment at grade or lower than adjacent residences. Stationary noise generating construction equipment would be located as far as feasible from noise-sensitive receptors. To the maximum extent feasible, construct noise barriers (e.g., temporary enclosures or stockpiles of excavated material) between noisy activities and noise sensitive receptors or around activities with high noise levels or group of noisy equipment.

In addition to the established measures in AMM NOI-1, other measures including proper use of construction equipment and construction scheduling are applicable to the Project. AMM NOI-2 through NOI-3, would further reduce any temporary increases in noise by properly maintaining internal combustion engines, utilizing “quiet” air compressors and other equipment. Project feature NOI-1 would entail the limiting construction activities to the daytime hours.

AMM NOI-2: All internal combustion engines would be maintained properly to minimize noise generation. Equip all internal combustion engine driven equipment with manufacturer recommended intake and exhaust mufflers that are in good condition and appropriate for the equipment.

AMM NOI-3: The Project would utilize “quiet” air compressors and other “quiet” equipment where such technology exists as feasible.

Project feature NOI-1: Construction activities would typically occur during the day, between 9:00 AM and 4:00 PM wherever feasible. Noisy operations would be scheduled to occur within the same time period to the greatest extent possible. Some night work and/or off-peak lane closures is anticipated to occur during project construction. The total noise level would not be significantly greater than the level produced if operations are performed separately.

With implementation of AMM NOI-1 through NOI-3, and Project feature NOI-1, this impact would be less than significant, and no mitigation is required.

b) Generation of excessive ground borne vibration or ground borne noise levels?

Less than Significant. Caltrans predominantly focuses on three types of transportation related vibration sources: normal highway traffic, construction equipment, and heavy and light rail operations. Of all sources of transportation related vibration sources, construction vibrations are of greatest concern. Project construction would result in vibration levels that would be felt in the immediate vicinity of construction activities, however areas in immediate vicinity to the heaviest construction impacts are not directly adjacent to sensitive receptors. In addition, construction period impacts would be temporary. There are no FHWA or state standards that dictate groundborne vibration. Highway traffic during operation and temporary construction vibrations are not anticipated to result in a threat to buildings or structures, or significant annoyance to nearby residents. As such, project construction and operation would not have the potential to result in a notable increase in ground borne vibration along the existing I-880 corridor. Therefore, construction and operation impacts associated with ground borne vibration or noise would be less than significant, and no mitigation is required.

c) For a project 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 of public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less than Significant. The Hayward Executive Airport is located within one mile of the I-880/A Street Interchange. As noted in Hayward (ALUCP), the Project location resides in Safety Zone Six. As discussed previously, in Section 2.1.9, Hazards, the project is compatible and would not conflict with the Hayward ALUCP.

The Project includes interchange and local road improvements to the existing I-880 corridor and local roadway network. The ambient noise level at and surrounding the Project site would likely increase during construction activities. However, due to the nature of the Project, the increased noise levels would be temporary. As stated above, operation of the Project would operate similar to existing conditions. Future design-year build noise levels are predicted to range from 54 to 66 dBA Leq(h), similar to the existing condition range of 54 to 65 dBA Leg(h). Predicted noise levels in the design-year are not predicted to approach or exceed the noise abatement criterion or result in a substantial increase in noise. Therefore, this impact would be less than significant, and no mitigation is required.

2.1.14 POPULATION AND HOUSING

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

REGULATORY SETTING

Land use and population assumptions established in long-range planning documents are commonly used as the basis for growth projections within cities and regions. Planned growth can be characterized as development established in a city or county's general plan, such as the *Hayward 2040 General Plan* or the *Alameda County General Plan*. Both general plans serve as respective guidelines for planned growth in Hayward and Alameda County, and are used in the development of regional plans, such as Plan Bay Area, to project long-term regional growth. Rapid growth, which has not been planned for in local and regional planning documents, has the potential to disturb the jobs-housing balance of a city and result in unanticipated environmental impacts by increasing demand for services and infrastructure.

ENVIRONMENTAL SETTING

The information in this section is informed by a Community Impact Assessment (CIA) memo that was prepared in May 2022.

The population and household data in the CIA was compiled from the 2020 Census, which is the most recent U.S. Census data after the U.S. Census in 2010. Alameda County is part of the nine counties that make up the San Francisco Bay Area, is the second most populous county in the region, and is the seventh most populous county in the state. The existing population in the City is approximately 162,954 according to the 2020 Census data. The City experienced a 11.4% percent increase in population

between 2010 and 2020, a slightly lower population increase in comparison to the County. Between 2010 and 2020, the number of households increased by 5 percent in Hayward. ABAG projections on population growth indicates that the County is expected to see an increase in population by 18 percent and Hayward 15 percent by 2040.

CEQA SIGNIFICANCE DETERMINATIONS FOR POPULATION AND HOUSING

a) Induce substantial 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)?

No Impact. The Project would not include the creation of a new transportation route, new homes, or businesses. The Project included improvements to the existing I-880 corridor and local roadway network. The Project is not capacity increasing; thus, it would not directly or indirectly increase population growth. Based on the foregoing, the Project would not induce population growth. Therefore, no impact would occur, and no mitigation is required.

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

No Impact. As reported in the CIA memo prepared for the Project, implementation of the Project would not require TCEs and would not result in permanent relocation or displacement of residences or businesses. None of the Build Alternatives would displace housing or necessitate the construction of housing elsewhere. The project would not increase the capacity of the existing I-880 corridor or local roadway network and would not indirectly induce growth in the region. Therefore, no impact would occur, and no mitigation is required.

2.1.15 PUBLIC SERVICES

a) 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:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

REGULATORY SETTING

State

Quimby Act – California Code Sections 66475-66478

The Quimby Act (California Government Code Sections 66475-66478) was approved by the California legislature to preserve open space and parkland in the State. The Quimby Act authorizes local governments to establish ordinances requiring developers of new subdivisions to dedicate parks, pay an in-lieu fee, or perform a combination of the two. As described below, the city has adopted a Parkland Dedication Ordinance and a Park Impact Ordinance, consistent with the Quimby Act.

ENVIRONMENTAL SETTING

Fire Protection

The Hayward Fire Department (HFD) serves and provides fire protection and emergency services to the Project site. HFD maintains optimum staffing levels for sworn, civilian, and support staff to provide quality protection to the community. HFD aims for a response time of five minutes for the first unit to arrive on scene, and eight minutes for all remaining units to arrive on scene for 90 percent of all high-level emergency calls. The HFD has 118 personnel and 9 firehouses. The closest fire station

to the Project site is Fire Station 6, which is located 4,500 feet west of the I-880/Winton Avenue Interchange at 1401 W Winton Ave.

Police Protection

The Hayward Police Department (HPD) is operated by 300 members and led by Chief Toney Chaplin. HPD serves and provides emergency services to the community with a response time of approximately five minutes for 90 percent of all high-level emergency calls. Police service to the Project site is provided by HPD which operates from its headquarters at 300 West Winton Avenue, approximately 700 feet east of the I-880/Winton Avenue Interchange.

Schools

The HUSD serves approximately 20,771 students and is comprised of 21 elementary schools, 5 middle schools, 3 high schools, an alternative high school, an adult education center, and the Helen Turner Children's Center for pre-school children. There are three HUSD schools within a mile of the Project site. Burbank Elementary school at 222 Burbank Street is located 3,000 feet south of the I-800/A Street Interchange, Longwood Elementary school at 27790 Portsmouth Avenue is located 650 feet north of the I-880/Winton Avenue Interchange), and Park Elementary School at 411 Larchmont Street is located2,600 feet south of the I-880/Winton Avenue Interchange.

Parks

The Hayward Area Recreation and Park District (HARD) is an independent special use district that has been created to provide park and recreation services to the community. The boundaries of HARD encompass a 100 square-mile area including the City and the unincorporated communities of Castro Valley, San Lorenzo, Ashland, Cherryland, and Fairview. There are three parks that are part of HARD located within 0.5 miles of the Project site, including Cannery Park located approximately 2,400 feet east of the I-880/A Street Interchange, Centennial Park located approximately 4,200 feet east of the I-880/Winton Avenue Interchange, and Birchfield Park residing approximately 1,000 feet southeast of the I-880/Winton Avenue Interchange.

CEQA SIGNIFICANCE DETERMINATIONS FOR PUBLIC SERVICES

a) 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:

Less than Significant. The closest fire station to the Project area is HFD Station 6, located less than 1 mile east of Winton Avenue. The closest police station to the Project area is HPD headquarters, located approximately 700 feet east of the I-880/Winton Avenue Interchange. The Project would not introduce a new transportation route, nor does it include the creation of new homes that would increase regional growth. As the Project is not capacity increasing, implementation of the Project would not result in a need for expanded facilities.

Although no property owned or used by emergency service providers would be acquired, construction activities would have the potential to temporarily disrupt roadway access within the Project site, potentially affecting emergency response time. With implementation of AMM TRA-1, a TMP would be developed by Caltrans during the design phase. The TMP would include elements such as haul routes, one-way traffic controls to minimize speeds and congestion, flag workers, and phasing, to reduce impacts to residents as feasible and maintain access for police, fire, and medical services in the local area. Emergency service providers would be notified in advance of any roadway closure or change in local access, as a part of the TMP. This would allow emergency service providers to be aware of detours in advance and plan alternate routes as needed. Therefore, this impact would be less than significant, and no mitigation is required.

Schools

No Impact. As previously discussed in Section 2.1.14, Population and Housing, the Project does not have the potential to directly or indirectly induce regional growth. Implementation of the Project would not result in increased demand for schools or result in impacts related to new or expanded school facilities. Therefore, no impact would occur, and no mitigation is required.

Parks and Other Public Facilities

No Impact. Open space and other public facilities such as libraries and community centers are typically provided by the City. As discussed above, the Project would not directly or indirectly induce regional growth. Given this, the Project would not increase demand for open space or other public facilities. Therefore, no impact would occur, and no mitigation is required.

2.1.16 RECREATION

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

REGULATORY SETTING

There are no applicable federal or state policies related to Recreation.

ENVIRONMENTAL SETTING

HARD is an independent special use district that has been created to provide park and recreational services to residents. The recreation and park district encompasses 100 square miles and includes the City and unincorporated communities of Castro Valley, San Lorenzo, Ashland, Cherryland, and Fairview. According to the City's Parks and Facilities map, the City contains a total of 75 recreation areas which include numerous parks, aquatic centers, community centers, and more. As mentioned in Section 2.2.15, Public Services, the closest parks in the proximity to the Project site are Cannery Park, Centennial Park, and Birchfield Park which are located within 0.5 miles of the Project site. There are no open space and recreation land uses present on or adjacent to the Project site.

CEQA SIGNIFICANCE DETERMINATIONS FOR RECREATION

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

And

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. As discussed above, the Project would not include residential, recreational, or business uses and does not have the potential to directly or indirectly induce regional growth. Implementation of the Project would not increase the use of existing neighborhood and regional parks such that substantial physical deterioration or expansion would occur. Therefore, no impact would occur, and no mitigation is required.

2.1.17 TRANSPORTATION/TRAFFIC

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, or ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b) Conflict or be inconsistent with CEQA Guidelines § 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?	☐	☐	☒	☐

REGULATORY SETTING

There are no applicable federal or state policies related to Transportation or Traffic.

ENVIRONMENTAL SETTING

The information in this section is informed by the Traffic Operations Analysis Report (TOAR). The following discussion qualitatively analyzes potential impacts on the local transportation network.

Regional Access

Regional access to the Project site is provided by I-880, which the Project site encompasses along I-880 from 0.1 mile north of the I-880/A Street Interchange to 0.4 mile south of the I-880/Winton Avenue Interchange from post mile 17.2 to 18.6. I-880 is an east-west interstate which extends north through north through Alameda County and south towards San José. Primary access to and from the I-880 is provided via various on-and-off-ramps at the Project site.

Local Access

Roadways that provide primary vehicular circulation to the Project site include Winton Avenue, Santa Clara Street, Southland Drive, A Street, Happyland Avenue, Arbor Avenue, South Garden Avenue, and Victory Drive.

- **Winton Avenue** is a four-lane road that begins at Peking Court and terminates at Depot Road. Winton Avenue connects residential neighborhoods and local businesses east and westward in the City.
- **Santa Clara Drive** is a four-lane side street that begins at Bishop Avenue and terminates at A Street. Santa Clara Drive connects residential neighborhoods to northern and southern areas of Hayward.
- **Southland Drive** is a five-lane street that starts at Winton Avenue and terminates at Hesperian Boulevard. Southland Drive serves as a connection to the Southland Mall.
- **Hesperian Boulevard** is a four-lane street that spans the entire length of Hayward and continues into San Lorenzo and Union City. Hesperian Boulevard serves as a main arterial street that continues north and southward.
- **A Street** is a four-lane street that begins at Charlene Way and terminates at Clubhouse Drive. A Street connects residential neighborhoods and local businesses in the City.
- **Happyland Avenue** is a one-lane residential street that begins at A Street and terminates as a cul-de-sac. Happyland Avenue serves as a connection from the residential neighborhood to City streets.
- **Arbor Avenue** is a one-lane residential street that begins at A Street and terminates as a cul-de-sac. Arbor Avenue serves as a connection from the residential neighborhood to City streets.
- **South Garden Avenue** is a one-lane side street connects residential neighborhoods and local businesses north and southward in the City.
- **Victory Drive** is a one-lane side street that begins at A Street and terminates at Marin Avenue. Victory Drive serves as a connection from the residential neighborhood to City streets.

Currently, there are five Alameda County Transit routes that utilize Winton Avenue and A Street within the Project limits. Routes numbered 60, 86, and M currently run Winton Avenue; however, there are no existing stops within the Project limits. There are two AC Transit routes currently running along A Street. Route number 93 has no existing stops

within the Project limits. Route number 83 has three stops within the Project limits as listed below:

- Westbound side of A Street between Arbor Avenue and Happyland Avenue;
- Eastbound side of A Street between Happyland Avenue and Fuller Avenue; and
- Southeast corner of Victory Drive/A Street intersection.

CEQA SIGNIFICANCE DETERMINATIONS FOR TRANSPORTATION/TRAFFIC

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

And

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

No Impact. A Traffic Operations Analysis Report was prepared for the project in November 2021. Transportation Analysis Framework: Evaluating Transportation Impacts of State Highway System Projects (TAF) details the methodology for calculating induced demand for capacity increasing transportation projects on the State Highway System. Non-capacity increasing projects such as maintenance, safety improvements, and transportation projects that create facilities for pedestrian and cyclists and transit projects are exempt. Based on the project type, it was determined that the project is exempt from detailed VMT analysis as it would not increase VMT. Therefore, the project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3 (b) or other applicable plans or regulations, and there would be no impact.

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

No Impact. The Project would remove the existing cloverleaf design at the I-880/Winton Avenue Interchange and redesign the on-and-off-ramps into a partial cloverleaf design. The I-880/A Street improvements would include sidewalk, curb and intersection improvements along A Street from Happyland Avenue and South Garden Avenue, and the installation of new traffic signals at the I-880/A Street on-and-off-ramps. These improvements would not significantly alter the existing profile or otherwise introduce harsh curves or unsafe design features. Therefore, this would result in no impact, as the on-and-off-ramps would operate under similar existing conditions with improved conditions of the local roadways and interchanges, and no mitigation is required.

d) Result in inadequate emergency access?

Less than Significant. Emergency access to the Project site would remain accessible via existing roadways during construction. AMM TRA-1 would implement a TMP that would outline access for police, fire, and medical services in the local area. Additionally, the Project would comply with the HFD and HPD emergency access standards, and both the HFD and HPD would have copies of the TMP. Therefore, the Project would not result in inadequate emergency access. The impact would be less than significant, and no mitigation is required.

AMM TRA-1: A Traffic Management Plan (TMP) would be developed by Caltrans during the design phase. The TMP would include elements such as haul routes, one-way traffic controls to minimize speeds and congestion, flag workers, and phasing, to reduce impacts to local residents as feasible and maintain access for police, fire, and medical services in the local area.

2.1.18 TRIBAL CULTURAL RESOURCES

Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

REGULATORY SETTING

Federal

The National Register of Historic Places

The National Register of Historic Places has specific criteria for evaluating the eligibility of historic resources. The criteria apply to the quality of significance in American history, architecture, archaeology, engineering, and culture as present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association.

State

California Environmental Quality Act

California law protects Native American burials, skeletal remains, and associated grave goods regardless of their antiquity and provides for the sensitive treatment and disposition of those remains (Section 7050.5(b) of the California Health and Safety Code). CEQA Guidelines section 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered, and that the county coroner or medical examiner be contacted to assess the remains. If the county coroner or medical examiner determines that the remains are those of Native Americans, the NAHC must be contacted within 24 hours. The property owner is required to consult with the appropriate Native Americans identified by the NAHC as a "most likely descendant" to develop an agreement for the treatment and disposition of the remains.

Assembly Bill 52

Assembly Bill 52 (AB 52) established tribal cultural resources as a category of environmental resources under CEQA. The legislation includes new requirements for consultation regarding projects that may affect a tribal cultural resource, a definition of "tribal cultural resource," and a list of recommended mitigation measures. AB 52 also requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified of projects proposed within that area.

Senate Bill 18

Senate Bill (SB) 18, signed into law in September 2004, requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places through local land use planning. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to cultural places. The consultation and notice requirements apply to adoption and amendment of both general plans (Government Code Section 65300 et seq.) and specific plans (Government Code Section 65450 et seq.). Specifically, Government Code Section 65352.3 requires local governments, prior to making a decision to adopt or amend a general plan, to consult with California Native American tribes identified by the NAHC for the purposed of protecting or mitigating impacts to cultural places. As previously discussed, the NAHC is the State agency responsible for the protection of Native American burial and sacred sites.

California Public Resources Code

Archaeological, paleontological, and historical sites are protected by a wide variety of policies and regulations under the California Public Resources Code. Under the Public Resources Code, the State Historical Resources Commission is responsible for oversight of the CRHR and designation of State Historical Landmarks and Historical Points of Interest. Key provisions of the Public Resources Code that provide protection to cultural and paleontological resources are outlined below.

- California Public Resources Code Sections 5097.9–5097.991 protects Native American historical and cultural resources and sacred sites and identifies the powers and duties of the NAHC. It also requires notification of discoveries of Native American human remains and provides for treatment and disposition of human remains and associated grave goods.
- California Public Resources Code Sections 5097.98 provides that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation until the coroner has determined that the remains are not subject to provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC.

California Public Resources Code Section 5097.5 prohibits “knowing and willful” excavation, removal, destruction, injury, and defacement of any paleontological feature on public lands (lands under state, county, city, district, or public authority jurisdiction, or the jurisdiction of a public corporation), except where the agency with jurisdiction has granted permission.

State Historic Resources Inventory

The California Register of Historical Resources, enacted in 1992, is an authoritative guide to be used to identify the state's historical resources. The California Register program encourages public recognition of resources of architectural, historical, archaeological and cultural significance; identifies historical resources for state and local planning purposes; and defines threshold eligibility for state historic preservation grant funding. The information contained in the SHPO directory indicates whether a property

is listed in the National Register or is determined eligible for listing in the National Register or through another federal agency.

California Register of Historic Resources

California Code of Regulations Title 14, Chapter 11.5, Section 4850 creates the California Register of Historical Resources (California Register) which is maintained by the California Department of Parks and Recreation Office of Historic Preservation. Historic properties listed, or formally designated for eligibility to be listed, on the National Register are automatically listed on the California Register. State Landmarks and Points of Interest are also automatically listed. The California Register can also include properties designated under local preservation ordinances or identified through local historical resource surveys.

ENVIRONMENTAL SETTING

This discussion is informed by the Extended Phase I Field Results conducted in September 2021. A search of the NAHC Sacred Lands File was completed on July 24, 2019, to identify tribal cultural resources. Additionally, formal notification under Section 106 and Assembly Bill (AB) 52 began with letters was sent on May 28, 2020, to a list of individuals provided by the NAHC. The letters also provided the NAHC an opportunity to communicate concerns and participate in the identification and protection of cultural resources, sacred lands, or other heritage sites within the Project area. Complete documentation of Native American outreach efforts to date is provided in the HPSR. Additional information regarding the notification process is included in Section 3.0, Comments and Coordination.

CEQA SIGNIFICANCE DETERMINATIONS FOR TRIBAL CULTURAL RESOURCES

a) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k),**

Or

b) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

No Impact. No known tribal cultural resources were identified within the APE. A search of the NAHC Sacred Lands File was completed on July 24, 2019, and determined that there was no indication of the presence of cultural resources in the Project area. Formal notification under Section 106 and Assembly Bill (AB) 52 began with letters sent on May 28, 2020, to the following individuals:

- Andrew Galvan, Chairperson, Ohlone Indian Tribe
- Valentin Lopez, Chairperson, Amah Mutsun Tribal Band
- Irenne Zwierlein, Chairperson, Amah Mutsun Tribal Band of Mission San Juan Batista
- Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan
- Katherine Erolinda Perez, Chairperson, North Valley Yokuts Tribe
- Monica Arellano, Vice-Chairperson, Muwekma Ohlone Indian Tribe of the San Francisco Bay Area

As discussed in Section 2.1.5, Cultural Resources, letters were provided to the Tribal contacts to communicate concerns and participate in the identification and protection of cultural resources, sacred lands, or other heritage sites within the Project area.

During follow-up phone calls, Valentin Lopez stated that the Project was outside of the Amah Mutsun Tribal territories, and therefore he had no concerns in relation to the Project. Chairperson Ann-Marie Sayers responded that because no sites were known to be located within the Project APE, she had no concerns. Voicemails and emails were sent to the remaining individuals on the Commission contact list, with no response to date.

However, subsurface construction activities associated with the Project could potentially damage or destroy previously undiscovered unique tribal cultural resources. If previously undiscovered tribal cultural resources are found within the Project site, Project features CUL-1 and TRI-1 would halt all construction activities within and around the immediate discovery area. If human remains are discovered within the Project site, Caltrans Cultural Resources Studies Office Staff would assess the remains and contact the County Coroner per PRC Sections 5097.98, 5097.99, and 7050.5 of the California Health and Safety Code. If the Coroner determines the remains to be Native American, the Coroner will contact the NAHC, who will then assign and notify the Most Likely Descendent. Caltrans would consult with the Most Likely Descendent on respectful treatment and reburial of the remains. Further provisions of PRC 5097.98 would be followed as applicable. There would be no impact.

Project feature TRI-1: If tribal cultural resources are discovered during construction, all earth-moving activity within and around the immediate discovery area would be diverted until a Caltrans qualified archaeologist can assess the nature and significance of the find.

2.1.19 UTILITIES AND SERVICE SYSTEMS

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 statutes and regulations related to solid waste?	☐	☐	☒	☐

REGULATORY SETTING

There are no applicable federal or state policies related to Utilities and Service Systems.

ENVIRONMENTAL SETTING

Hayward is served by a variety of local and regional utilities such as the San Francisco Public Utilities Commission (SFPUC) for water, and PG&E for electricity. Currently, existing light poles are present at both the I-880/A Street and I-880/Winton Avenue interchanges. Stormwater facilities for the Project are maintained by the Hayward Clean

Water Program and City of Hayward Maintenance Services Department. Table 2.1.19-1 summarizes utilities that are present within the study area.

Table 2.1.19-1 Public Utility Providers

Utility Type	Provider	Description
Water	SFPUC	Hayward purchases its water from SFPUC. About 85 percent of water comes from the Hetch Hetchy watershed, an area located in Yosemite National Park. The remaining 15 percent is from the Alameda watershed, located in the East Bay and stored in the Calaveras and San Antonio Reservoirs.
Wastewater	Hayward Water Pollution Control Facility (WPCF)	Owned and operated by the City. Has been serving the City of Hayward since 1952. The WPCF treats an average of 11.3 million gallons of wastewater every day generated by Hayward's residents and businesses.
Gas and Electricity	Pacific Gas and Electric (PG&E)	Provides electricity service and natural gas
Waste Management	Waste Management of Alameda County (WMAC)	Community-based provider of waste, recycling and composting services.
Stormwater Management	Hayward Clean Water Program / City of Hayward Maintenance Services Department	The Alameda County Flood Control District provides stormwater treatment and management services to eliminate stormwater pollution and facilitate flood control
Communication Services	Comcast and AT&T	Cable, high-speed internet, voice

Source: City of Hayward 2020, Available at: https://www.hayward-ca.gov/services/city-services. Accessed: September 2021

CEQA SIGNIFICANCE DETERMINATIONS FOR UTILITIES AND SERVICE SYSTEMS

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. As previously discussed, the Project would not directly or indirectly induce regional growth. The Project would not require or result in the

construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

Both Build Alternatives would require the relocation of one PG&E pole at the I-880/Winton Avenue Interchange. Additional utility alterations are minor in nature and include slight modifications such as adjusting to grade and protecting existing utilities in place. Service disruptions are not anticipated, but if services must be briefly interrupted to perform construction activities, the duration of interruptions would be kept to a minimum. Caltrans will arrange for advance notification to residents and businesses if any temporary disruptions in service are necessary with incorporation of AMM UTL-1.

AMM ULT-1: Caltrans would notify all affected utility companies of construction schedules for proposed Project work so that they can relocate the gas line, telephone, cable, and overhead distribution lines prior to construction, and minimize disruption of utility service.

The impact would be less than significant, and no mitigation is required.

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

No Impact. The Project would entail improvements to the I-880 corridor and local roadway network. Operation would not require the regular use of potable or non-potable water, and thus would not increase water demand in the Project site. There would be no impact.

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?

No Impact. As discussed above, operation of the Project would not generate wastewater. Given this, implementation of the Project would not result in an increased usage of wastewater treatment facilities in the Project site. There would be no impact.

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?

And

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

Less than Significant. Construction activities could generate waste from activities such as vehicle and equipment cleaning, thermoplastic striping, pavement markers concrete

curing, and concrete finishing. Demolition of the two existing ramps at Winton Avenue, existing curb demolition, and bridge rail demolition would generate waste. This would be disposed of appropriately by the construction contractor at a facility with adequate capacity and would not have a long-term or ongoing impact on solid waste. Implementation of BMPs would ensure temporary construction and demolition activities would reduce the impact to a less than significant level. As a transportation improvement project, the Project would not require landfill capacity or solid waste disposal.

Operation of the Project would not generate solid waste and municipal waste collection would not be needed. Therefore, the impact would be less than significant.

2.1.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

REGULATORY SETTING

State

Senate Bill 1241

Senate Bill 1241 required the Office of Planning and Research, the Natural Resources Agency, and the California Department of Forestry and Fire Protection to develop amendments to the "CEQA Checklist" for the inclusion of questions related to fire hazard impacts for Projects located on lands classified as very high fire hazard severity zones. The 2018 updates to the CEQA Guidelines expanded this to include Projects "near" these very high fire hazard severity zones.

ENVIRONMENTAL SETTING

The California Department of Forestry and Fire Protection (CAL FIRE) FHSZ Maps includes proposed FHSZ Maps for the State Responsibility Area lands. CAL FIRE allows those reviewing local responsibility area hazard zone maps to verify any adopted ordinances that may affect communities' hazard mapping and building code requirements. The Project site is not located in a FHSZ. Due to the urbanized area surrounding the Project site, the risk for wildfire is considered very low.

CEQA SIGNIFICANCE DETERMINATIONS FOR WILDFIRE

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

No Impact. The Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The Project site is within jurisdiction of the Alameda County Operational Area Emergency Response Plan, which serves as an operational plan as well as a reference document that may be used for emergency planning and operations. The Project would not interfere with the Alameda County Operational Area Emergency Response Plan. Although no property owned or used by emergency service providers would be acquired, construction activities have the potential to temporarily disrupt roadway access along the Project site, potentially affecting emergency access. Temporary detours or delays due to construction would be known to motorists, pedestrians, and emergency services beforehand to facilitate access in and out of the Project site during construction, and there would be no impact

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. There are no residences within the Project site. The Project would not increase traffic volumes compared to existing conditions with improved conditions of the local roadways and interchanges. Therefore, it would not increase wildfire risk through exposing greater numbers of users to wildfire-prone areas. The Project would not change existing topography in a notable way and would not exacerbate wildfire risk through changes in slope. There would be no impact.

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 would require the relocation of a single PG&E pole. After relocation of the pole, the Project site would operate similar to existing conditions but with improvements to the local roadways and interchanges. The Project would not exacerbate wildfire risk through the relocation of the PG&E pole. Therefore, there would be no impact.

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. Since the Project is not in a flood zone or landslide area, the Project would not create conditions that would expose people or structures to significant risks from downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. There would be no impact.

2.1.21 MANDATORY FINDINGS OF SIGNIFICANCE

Would the Project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the Project have the potential to 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 considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

CEQA SIGNIFICANCE DETERMINATIONS FOR MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to 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. As described in Section 2.2.4, Biological Resources, Section 2.2.5, Cultural Resources, and Section 2.2.7, Geology and Soils, the Project includes Project features and AMMSs to address resource protection for wildlife and cultural

resources. With adherence to the applicable Project features and AMMs in the aforementioned sections, impacts would be reduced to a less than significant level, and no mitigation is required.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than Significant. The Project would involve improvements to existing transportation infrastructure within the Project site. Within the broader project area, the proposed project would improve bicycle/pedestrian access across I-880. Therefore, in combination with present and future projects, the Project would not contribute to a cumulatively considerable impact on the environment. With incorporation of several Project features avoidance and minimization measures, construction and operation of the Project would not result in a substantial contribution to a cumulatively considerable impact.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant. As previously discussed throughout this Initial Study, the Project would not result in significant environmental impacts with implementation of Project features and AMMs. The Project features identified in Chapter 1.0, Project Description, include Project features AQ-1 through AQ-4, AMM HAZ-1 and Project features HAZ-1 through HAZ-2, and AMM NOI-1 though AMM NOI-3 would address potential impacts related to air quality, hazards, and noise impacts. Implementation of these aforementioned Project features would ensure that the Project would not result in impacts that could cause direct or indirect adverse effects on human beings.

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3.0 COMMENTS AND COORDINATION

3.1 EARLY COORDINATION AND CONSULTATION

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps Caltrans determine the necessary scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance and minimization measures and related environmental requirements. Agency consultation and public participation for the Project have been accomplished through a variety of continued formal and informal methods during the planning and development process, including but not limited to, additional community meetings, informational mailings, a project website, news releases to local media, project development team (PDT) meetings, and interagency coordination meetings.

This chapter summarizes the results of Caltrans' efforts to fully identify, address, and resolve Project-related issues through early and continuing coordination.

3.1.1 PUBLIC PARTICIPATION

PUBLIC AND AGENCY SCOPING PROCESS

Alameda County Transportation Commission (Alameda CTC), Caltrans, and the PDT held a public open house meeting for the Project, which took place on October 10, 2019, at the Southgate Community Center in the City of Hayward (City), to solicit input from local agencies and members of the community on the preliminary Build Alternative. The location was chosen due to its accessibility and proximity to the Project area. There were 16 participants in attendance at the open house.

The meeting featured an informative overview of the Project including key take-aways, such as funding sponsors, working groups, Project status, and Project schedule. Members of the public were also informed of the Project alternatives, with accompanying data and statistics of traffic patterns for the Project site. After the presentation, members of the public had access to the project team to ask questions and to submit written comments and concerns about the Project. Members of the public expressed concerns regarding the width of shared bike/pedestrian lanes and pedestrian safety.

To engage the public at the October 2019 open house, Alameda CTC, Caltrans, and the City used several channels of outreach, including:

- Digital advertisements were placed on the City's website
- Invitation posts to the open house meeting were shared via Alameda CTC's Facebook and Twitter feeds, Caltrans District 4 Facebook and Twitter feeds
- Website postings on the Alameda CTC home page (https://www.alamedactc.org)

NOTICE OF AVAILABILITY OF THE ENVIRONMENTAL DOCUMENT

A Notice of Availability was circulated to the project mailing list and to parties listed on the distribution list (see Chapter 5.0, Distribution List) on June 1, 2022. All property owners/occupants within a 500-foot radius of the Project area received a project mailer informing them of the availability of the IS/ND. The notice provided information on the proposed project including a summary of the alternatives being considered, where the environmental document can be reviewed, the address to where comments can be sent, and the close of the comment period.

PUBLIC MEETING

Information on the Project and the Draft IS/ND will be presented at the following public meeting:

Date: June 15, 2022

Time: 6:00PM to 7:30PM

Web/Zoom Link: https://us06web.zoom.us/j/89682724763

COMMUNITY BASED ORGANIZATIONS INVOLVEMENT

Stakeholder outreach began in 2019 and has included a variety of community events. Key stakeholder groups near the Project area were identified collaboratively with local agencies. Each of the stakeholder groups were contacted via email in the early Spring of 2019. Follow up email and phone messages were sent four to eight days prior to each stakeholder meeting, and a reminder message was sent the day of.

Stakeholder meetings were selected based on their proximity to the Project area. These events gave the outreach team opportunities to connect with stakeholder members at community activities. A detailed description of each stakeholder meeting is provided below.

Meeting #1: Bicycle and Pedestrian

Stakeholder Meeting #1 was held at Cyclepath Hayward, 22510 Foothill Blvd on May 23, 2019. Eleven people attended the meeting, including the project team and participants. This meeting served to reconvene key stakeholders with a focus on bicycle and pedestrian infrastructure. Meeting attendees also shared their concerns and comments regarding the proposed project. Key concerns discussed at Stakeholder Meeting #1 included bicyclist and pedestrian safety concerns regarding the safety of proposed improvements to existing intersection crossings, and concerns about how proposed operational improvements would alter traffic flows.

Meeting #2: Local Agencies and Emergency Services

Stakeholder Meeting #2 was held at the Hayward City Hall, Conference Room B on June 19, 2019. The following local agencies were in attendance: AC Transit, Association of Bay Area Governments (ABAG), Alameda County Public Works, City of Hayward, Alameda County Economic Development, Hayward Public Works, Alameda County Emergency Medical Services, Hayward Parks & Recreation. This meeting served to reconvene local agencies and emergency service providers and asked for their input on emergency service when designing and constructing the interchange improvements. Key concerns discussed at Stakeholder Meeting #2 include concerns about safety for north/south and eastward bike/ped movements at A Street. Additional discussions surrounded the use of ADA compliant pedestrian access points around A Street.

Meeting #3: Chamber of Commerce and Business Community

Stakeholder Meeting #3 was held at MS International, 22300 B Hathaway Avenue on June 25, 2019. A total of 27 people attended the meeting, including the project team and participants. This meeting served to convene key chamber and business stakeholders and ask for their input on preliminary project concepts. Key concerns discussed at Stakeholder Meeting #3 include concerns about potential traffic increases at A Street, and the use of a roundabout at A Street. To note, the roundabout design was considered but ultimately rejected.

3.1.2 NATIVE AMERICAN CONSULTATION

On July 24, 2019, archeologists contacted the Native American Heritage Commission (NAHC) requesting a search of the Sacred Lands File on behalf of the Project. The NAHC responded stating that no significant resources have previously been identified in the area of potential effects (APE). A list of interested Native American Tribal representatives with traditional lands or cultural places within Alameda County was included in the NAHC response.

The NAHC provided a list of six tribal contacts that may have information pertinent to the Project area or have concerns regarding the Project. In May 2020, letters were sent via certified mail to the following six contacts provided by the NAHC:

- Amah Mutsun Tribal Band
  - Valentin Lopez, Chairperson
- Amah Mutsun Tribal Band of Mission San Juan Bautista
  - Irene Zwierlein, Chairperson
- Indian Canyon Mutsun Band of Costanoan
  - Ann Marie Sayers, Chairperson
- Muwekma Ohlone Indian Tribe of the SF Bay Area
  - Monica Arellano
- North Valley Yokuts Tribe
  - Katherine Erolinda Perez, Chairperson
- The Ohlone Indian Tribe
  - Andrew Galvan

The letters contained a preliminary project description and requested information regarding any unrecorded Native American cultural resources or other information regarding the Project area. To date two responses have been received.

During follow-up phone calls, Valentin Lopez stated that the Project was outside of the Amah Mutsun Tribal territories and that he had no concerns in relation to the Project. Chairperson Ann-Marie Sayers responded that because no sites were known to be located within the Project APE, she had no concerns. Voicemails and emails were sent to the remaining individuals on the Commission contact list and no responses have been received to date.

3.1.3 CONSULTATION AND COORDINATION WITH PUBLIC AGENCIES

PROJECT DEVELOPMENT TEAM (PDT)

Regular PDT meetings provided a forum for coordination, issue resolution, and information feedback between Caltrans, Alameda CTC, the City, and Project consultants.

PDT meetings have occurred since 2019 and will continue to occur throughout the remainder of the environmental and project approval process. The PDT represents various fields of expertise, including design, environmental review, traffic operations, ROW, and project management. Accordingly, the PDT meets to review the project status, address issues as they arise, and identify action items required in order to proceed through the project development process.

AGENCY CONSULTATION

In addition to PDT meetings, there are several other public agencies involved in environmental clearance and permitting of the proposed project. These agencies include SHPO and the MTC Air Quality Conformity Task Force.

MTC is the regional transportation planning agency in the San Francisco Bay Area that includes the project area. MTC is responsible for updating the RTP, which is a comprehensive blueprint for the development of mass transit, highway, freight, bicycle and pedestrian facilities. Based on interagency consultation with the Air Quality Conformity Task force, the Project does not fit the definition of a project of air quality concern as defined by 40 CFR 93.123(b)(1) or 40 CFR 93.128, and therefore is not subject to $PM_{2.5}$ project level conformity requirement.

A quantitative particulate matter (PM) analysis is required under the United States Environmental Protection Agency (U.S. EPA) Transportation Conformity rule for projects of air quality concern. On March 10, 2006, the U.S. EPA published a final rule that establishes the transportation conformity criteria and procedures for determining which transportation projects must be analyzed for local air quality impacts.

Table 3.1.3-1 Permits and Approvals Needed

Agency	Permit/Approval	Status
State Historic Preservation Officer (SHPO)	Concurrence on Eligibility Determinations	Issued prior to Project approval
Metropolitan Transportation Commission (MTC) Air Quality Conformity Task Force/Federal Highway Administration (FHWA)	Regional Air Quality Conformity	Issued prior to Project approval

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4.0 LIST OF PREPARERS

LOCAL AGENCY PARTNERS

Angelina Leong, Project Manager, Alameda County Transportation Commission

Shabnam Yari, Associate Transportation Engineer, City of Hayward

Kathy Garcia, Deputy Director of Public Works, City of Hayward

LIST OF CALTRANS REVIEWERS

Wahida Rashid, Branch Chief

Cody Ericksen, Associate Environmental Planner

ENGINEERING AND CONSULTANT TEAM

Kimley Horn and Associates

Aaron Heustess, Senior Engineer

Ace Malisos, Project Manager

Parag Mehta, Project Manager

Prasanna Muthireddy, Deputy Project Manager

Randall Kopff, Landscape Architect

Circlepoint

Audrey Zagazeta, Principal-In-Charge

Brianna Bohonok, Principal

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Liane Chen, Senior Associate Planner

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Justine Garner, Associate Planner

Krysten McCue, Associate Planner

Janet Kung, Assistant Planner

Bailey Warren, Assistant Planner

Far Western Anthropological Research Group, Inc.

Bridget Wall, Senior Archaeologist

Angela Younie, Principal Investigator

David Hyde, Principal Investigator

Jack Meyer, Principal Investigator

Melissa Johnson, Lead Archeological Surveyor

Naomi Scher, PQS Principal Investigator-Prehistoric Archaeology

JRP Historical Consulting, LLC

Christopher McMorris, Principal/Architectural Historian

Cheryl Brookshear, PQS Architectural Historian

Paleo Solutions

Courtney Richards, Principal Paleontologist

Parikh Consultants, Inc.

Jorge Turbay, Senior Project Engineer

TJKM

Nayan Amin, President

Ravi Puttagunta, Senior Engineer

WRECO

Joyce Cheng, Senior Civil Engineer

Sandra Etchell, Senior Biologist

Mauricio Onelas-Zamores, Civil Engineer

Denny Zhu, Associate Engineer

5.0 DISTRIBUTION LIST

This Initial Study with Proposed Negative Declaration (IS/ND) was distributed to the following responsible and trustee agencies and elected officials. Distribution of this IS/ND included hard copy, electronic media, reference to the web site in which the document is available, or a combination of these. Agency names marked with an asterisk (*) received copies through the State Clearinghouse.

In addition to the following list, local officials, stakeholders, community groups, businesses, and interested persons on the Project mailing list were notified of the availability of this document and public meetings as described in Chapter 3.0, Comments and Coordination. Furthermore, all property owners/occupants within a 500-foot radius of the Project site received a project mailer informing them of the availability of the IS/ND.

FEDERAL AGENCIES

Environmental Protection Agency
Region IX
Federal Activities Office, CMD-2
75 Hawthorne Street #11
San Francisco, CA 94105-3901

U.S. Army Corps of Engineers
Sacramento District
1325 J Street, Room 1513
Sacramento, CA 95814

U.S. Fish and Wildlife Service
2800 Cottage Way W-2605
Sacramento, CA 95825

STATE AGENCIES

California Air Resources Board*
Executive Officer Richard Corey
1001 I Street
P.O. Box 2815
Sacramento, CA 95814

California Department of Conservation*
Director David Shabazian
801 K Street, MS 24-01
Sacramento, CA 95814

California Highway Patrol*
Chief Ernie Sanchez
Golden Gate Division
1551 Benicia Road
Vallejo, CA 94591

California Public Utilities Commission*
Executive Director Rachel Peterson
505 N Van Ness Avenue
San Francisco, CA 94102

Native American Heritage Commission*
Executive Secretary Raymond C. Hitchcock
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691

California Department of Fish & Wildlife
Region 3*
Regional Manager Erin Chappell
2825 Cordelia Route, Suite 100
Fairfield, CA 94534

State Clearinghouse
Executive Officer Samuel Assefa
1400 Tenth Street
Sacramento, CA 95814

California Office of Historic Preservation*
SHP Officer Julianne Polanco
1725 23rd Street #100
Sacramento, CA 95816

Department of Toxic Substances Control*
Director Meredith Williams
1001 I Street
Sacramento, CA 95814-2828
P.O. Box 806
Sacramento, CA 95812

California Department of Housing and Community Development *
Director Gustavo Velasquez
2020 West El Camino Avenue
Sacramento, CA 95833

Regional Water Quality Control Board
District 2*
Executive Officer Michael Montgomery
1515 Clay Street, Suite 1400
Oakland, CA 94612

REGIONAL AGENCIES

Association of Bay Area Governments
Executive Director Therese McMillan
375 Beale Street,
San Francisco, CA 94105

Bay Area Air Quality Management District
Chief Executive Officer Jack Broadbent
939 Ellis Street
San Francisco, CA 94109

Metropolitan Transportation Commission
Deputy Executive Director Bradford Paul
375 Beale Street
San Francisco, CA 94105

ELECTED/LOCAL OFFICIALS

Mayor Barbara Halliday
City of Hayward
777 B Street
Hayward, CA 94541

The Honorable Bill Quirk
Assemblymember, 20th District
22320 Foothill Boulevard #540
Hayward, CA 94541

Councilmember Aisha Wahab
City of Hayward
777 B Street
Hayward, CA 94541

Councilmember Angela Andrews
City of Hayward
777 B Street
Hayward, CA 94541

Councilmember Sara Lamnin
City of Hayward
777 B Street
Hayward, CA 94541

Councilmember Elisa Marquez
City of Hayward
777 B Street
Hayward, CA 94541

Councilmember Mark Salinas
City of Hayward
777 B Street
Hayward, CA 94541

Councilmember Francisco Zermeno
City of Hayward
777 B Street
Hayward, CA 94541

The Honorable Alex Padilla
United States Senate
501 I Street, Suite 7-800
Sacramento, CA 95814

The Honorable Diane Feinstein
United States Senate
One Post Street, Suite 2450
San Francisco, CA 94104

The Honorable Eric Swalwell
US House of Representatives
15th District
3615 Castro Valley Boulevard
Castro Valley, CA 94546

Richard Valle, Supervisor, District 2
Alameda County Board of Supervisors
24301 Southland Drive, Suite 101
Hayward, CA 9454

The Honorable Bob Wieckowski
California State Senate, 10th District
39510 Paseo Padre Parkway, Suite 280
Fremont, CA 94538

OTHER

California Transportation Commission
Executive Director Mitch Weiss
1120 N Street
Sacramento, CA 95814

Appendix A - Caltrans Title VI Statement

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-6130
FAX (916) 653-5776
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

September 2021

NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures "*No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance*."

Caltrans will make every effort to ensure nondiscrimination in all of its services, programs and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin. In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a nondiscriminatory manner.

Related federal statutes, remedies, and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page: https://dot.ca.gov/programs/civil-rights/title-vi .

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Civil Rights, at 1823 14th Street, MS-79, Sacramento, CA 95811; PO Box 942874, MS-79, Sacramento, CA 94274-0001; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

Toks Omishakin
Director

Appendix B - List of Technical Reports

Appendix B - List of Technical Reports Prepared

1. Visual Impact Assessment Memorandum
2. Air Quality Report
3. Natural Environment Study - Minimal Impacts
4. Historical Resources Evaluation Report
5. Extended Phase I Field Survey
6. Preliminary Geotechnical and Foundation Report
7. Paleontological Evaluation Report
8. Phase I Initial Site Assessment
9. Historic Property Survey Report
10. Stormwater Data Report
11. Water Quality Assessment Report
12. Location Hydraulic Study
13. Noise Study Report
14. Community Impact Assessment Memorandum
15. Traffic Operations Analysis Report

Appendix C - Species Lists for USFWS, NMFS, CNPS, and CNDBB

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Newark (3712251) OR Redwood Point (3712252) OR Hayward (3712261) OR San Leandro (3712262))
 AND Taxonomic Group IS (Ferns OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes)

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Amsinckia lunaris bent-flowered fiddleneck	PDBOR01070	None	None	G3	S3	1B.2
Astragalus tener var. tener alkali milk-vetch	PDFAB0F8R1	None	None	G2T1	S1	1B.2
Balsamorhiza macrolepis big-scale balsamroot	PDAST11061	None	None	G2	S2	1B.2
Centromadia parryi ssp. congdonii Congdon's tarplant	PDAST4R0P1	None	None	G3T1T2	S1S2	1B.1
Chloropyron maritimum ssp. palustre Point Reyes salty bird's-beak	PDSCR0J0C3	None	None	G4?T2	S2	1B.2
Chorizanthe robusta var. robusta robust spineflower	PDPGN040Q2	Endangered	None	G2T1	S1	1B.1
Eryngium aristulatum var. hooveri Hoover's button-celery	PDAPI0Z043	None	None	G5T1	S1	1B.1
Eryngium jepsonii Jepson's coyote-thistle	PDAPI0Z130	None	None	G2	S2	1B.2
Extriplex joaquinana San Joaquin spearscale	PDCHE041F3	None	None	G2	S2	1B.2
Fritillaria liliacea fragrant fritillary	PMLIL0V0C0	None	None	G2	S2	1B.2
Gilia millefoliata dark-eyed gilia	PDPLM04130	None	None	G2	S2	1B.2
Helianthella castanea Diablo helianthella	PDAST4M020	None	None	G2	S2	1B.2
Hoita strobilina Loma Prieta hoita	PDFAB5Z030	None	None	G2?	S2?	1B.1
Holocarpha macradenia Santa Cruz tarplant	PDAST4X020	Threatened	Endangered	G1	S1	1B.1
Horkelia cuneata var. sericea Kellogg's horkelia	PDROS0W043	None	None	G4T1?	S1?	1B.1
Lasthenia conjugens Contra Costa goldfields	PDAST5L040	Endangered	None	G1	S1	1B.1
Monolopia gracilens woodland woollythreads	PDAST6G010	None	None	G3	S3	1B.2
Plagiobothrys glaber hairless popcornflower	PDBOR0V0B0	None	None	GX	SX	1A

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Polygonum marinense Marin knotweed	PDPGN0L1C0	None	None	G2Q	S2	3.1
Sanicula maritima adobe sanicle	PDAPI1Z0D0	None	Rare	G2	S2	1B.1
Senecio aphanactis chaparral ragwort	PDAST8H060	None	None	G3	S2	2B.2
Spergularia macrotheca var. longistyla long-styled sand-spurrey	PDCAR0W062	None	None	G5T2	S2	1B.2
Streptanthus albidus ssp. peramoenus most beautiful jewelflower	PDBRA2G012	None	None	G2T2	S2	1B.2
Stuckenia filiformis ssp. alpina northern slender pondweed	PMPOT03091	None	None	G5T5	S2S3	2B.2
Suaeda californica California seablite	PDCHE0P020	Endangered	None	G1	S1	1B.1
Trifolium hydrophilum saline clover	PDFAB400R5	None	None	G2	S2	1B.2

Record Count: 26

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Newark (3712251) OR Redwood Point (3712252) OR Hayward (3712261) OR San Leandro (3712262))
 AND Taxonomic Group IS (Fish OR Amphibians OR Reptiles OR Birds OR Mammals OR Mollusks OR Arachnids OR Crustaceans OR Insects)

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Accipiter cooperii Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
Accipiter striatus sharp-shinned hawk	ABNKC12020	None	None	G5	S4	WL
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S1S2	SSC
Ambystoma californiense pop. 1 California tiger salamander - central California DPS	AAAAA01181	Threatened	Threatened	G2G3T3	S3	WL
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Ardea herodias great blue heron	ABNGA04010	None	None	G5	S4	
Asio flammeus short-eared owl	ABNSB13040	None	None	G5	S3	SSC
Athene cunicularia burrowing owl	ABNSB10010	None	None	G4	S3	SSC
Bombus crotchii Crotch bumble bee	IIHYM24480	None	None	G2	S1S2	
Bombus occidentalis western bumble bee	IIHYM24250	None	None	G2G3	S1	
Charadrius nivosus nivosus western snowy plover	ABNNB03031	Threatened	None	G3T3	S2	SSC
Circus hudsonius northern harrier	ABNKC11011	None	None	G5	S3	SSC
Coturnicops noveboracensis yellow rail	ABNME01010	None	None	G4	S1S2	SSC
Danaus plexippus pop. 1 monarch - California overwintering population	IILEPP2012	Candidate	None	G4T2T3	S2S3	
Elanus leucurus white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Geothlypis trichas sinuosa saltmarsh common yellowthroat	ABPBX1201A	None	None	G5T3	S3	SSC

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Gonidea angulata western ridged mussel	IMBIV19010	None	None	G3	S1S2	
Lasiurus cinereus hoary bat	AMACC05030	None	None	G3G4	S4	
Laterallus jamaicensis coturniculus California black rail	ABNME03041	None	Threatened	G3T1	S1	FP
Masticophis lateralis euryxanthus Alameda whipsnake	ARADB21031	Threatened	Threatened	G4T2	S2	
Melospiza melodia pusillula Alameda song sparrow	ABPBXA301S	None	None	G5T2T3	S2S3	SSC
Microcina lumi Lum's micro-blind harvestman	ILARA47050	None	None	G1	S1	
Nannopterum auritum double-crested cormorant	ABNFD01020	None	None	G5	S4	WL
Neotoma fuscipes annectens San Francisco dusky-footed woodrat	AMAFF08082	None	None	G5T2T3	S2S3	SSC
Nycticorax nycticorax black-crowned night heron	ABNGA11010	None	None	G5	S4	
Oncorhynchus mykiss irideus pop. 8 steelhead - central California coast DPS	AFCHA0209G	Threatened	None	G5T2T3Q	S2S3	
Pomatiopsis californica Pacific walker	IMGASJ9020	None	None	G1	S1	
Rallus obsoletus obsoletus California Ridgway's rail	ABNME05011	Endangered	Endangered	G3T1	S1	FP
Rana boylii foothill yellow-legged frog	AAABH01050	None	Endangered	G3	S3	SSC
Rana draytonii California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
Reithrodontomys raviventris salt-marsh harvest mouse	AMAFF02040	Endangered	Endangered	G1G2	S1S2	FP
Riparia riparia bank swallow	ABPAU08010	None	Threatened	G5	S2	
Rynchops niger black skimmer	ABNNM14010	None	None	G5	S2	SSC
Scapanus latimanus parvus Alameda Island mole	AMABB02031	None	None	G5T1Q	SH	SSC
Setophaga petechia yellow warbler	ABPBX03010	None	None	G5	S3S4	SSC
Sorex vagrans halicoetes salt-marsh wandering shrew	AMABA01071	None	None	G5T1	S1	SSC
Spirinchus thaleichthys longfin smelt	AFCHB03010	Candidate	Threatened	G5	S1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Sternula antillarum browni	ABNNM08103	Endangered	Endangered	G4T2T3Q	S2	FP
California least tern						
Tryonia imitator	IMGASJ7040	None	None	G2	S2	
mimic tryonia (=California brackishwater snail)						

Record Count: 41

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Newark (3712251) OR Redwood Point (3712252) OR Hayward (3712261) OR San Leandro (3712262))
 AND Taxonomic Group IS (Dune OR Scrub OR Herbaceous OR Marsh OR Riparian OR Woodland OR Forest OR Alpine OR Inland Waters OR Marine OR Estuarine OR Riverine OR Palustrine)

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Northern Coastal Salt Marsh	CTT52110CA	None	None	G3	S3.2	
Northern Coastal Salt Marsh						
Valley Needlegrass Grassland	CTT42110CA	None	None	G3	S3.1	
Valley Needlegrass Grassland						

Record Count: 2

Search Results

32 matches found. Click on scientific name for details

Search Criteria: Quad is one of [3712261:3712262:3712251:3712252]

▲ SCIENTIFIC NAME	COMMON NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK	PHOTO
Amsinckia lunaris	bent-flowered fiddleneck	Boraginaceae	annual herb	Mar-Jun	None	None	G3	S3	1B.2	 © 2011 Neal Kramer
Astragalus tener var. *tener*	alkali milk-vetch	Fabaceae	annual herb	Mar-Jun	None	None	G2T1	S1	1B.2	No Photo Available
Balsamorhiza macrolepis	big-scale balsamroot	Asteraceae	perennial herb	Mar-Jun	None	None	G2	S2	1B.2	 ©1998 Dean Wm. Taylor
Calochortus umbellatus	Oakland star-tulip	Liliaceae	perennial bulbiferous herb	Mar-May	None	None	G3?	S3?	4.2	No Photo Available
Castilleja ambigua var. *ambigua*	johnny-nip	Orobanchaceae	annual herb (hemiparasitic)	Mar-Aug	None	None	G4T4	S3S4	4.2	 ©2011 Dylan Neubauer
Centromadia parryi ssp. *congdonii*	Congdon's tarplant	Asteraceae	annual herb	May-Oct(Nov)	None	None	G3T1T2	S1S2	1B.1	No Photo Available
Chloropyron maritimum ssp. *palustre*	Point Reyes salty bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	Jun-Oct	None	None	G4?T2	S2	1B.2	 ©2017 John Doyen
Chorizanthe robusta var. *robusta*	robust spineflower	Polygonaceae	annual herb	Apr-Sep	FE	None	G2T1	S1	1B.1	No Photo Available
Eryngium aristulatum var. *hooveri*	Hoover's button-celery	Apiaceae	annual/perennial herb	(Jun)Jul(Aug)	None	None	G5T1	S1	1B.1	No Photo Available
Eryngium jepsonii	Jepson's coyote-thistle	Apiaceae	perennial herb	Apr-Aug	None	None	G2	S2	1B.2	No Photo Available
Extriplex joaquinana	San Joaquin spearscale	Chenopodiaceae	annual herb	Apr-Oct	None	None	G2	S2	1B.2	No Photo Available
Fritillaria liliacea	fragrant fritillary	Liliaceae	perennial bulbiferous herb	Feb-Apr	None	None	G2	S2	1B.2	 © 2004 Carol W. Witham
Gilia millefoliata	dark-eyed gilia	Polemoniaceae	annual herb	Apr-Jul	None	None	G2	S2	1B.2	 © 2017 John Doyen
Helianthella castanea	Diablo helianthella	Asteraceae	perennial herb	Mar-Jun	None	None	G2	S2	1B.2	 © 2013 Christopher Bronny

Hoita strobilina	Loma Prieta hoita	Fabaceae	perennial herb	May-Jul(Aug-Oct)	None	None	G2?	S2?	1B.1	 © 2004 Janell Hillman
Holocarpha macradenia	Santa Cruz tarplant	Asteraceae	annual herb	Jun-Oct	FT	CE	G1	S1	1B.1	 © 2011 Dylan Neubauer
Horkelia cuneata var. *sericea*	Kellogg's horkelia	Rosaceae	perennial herb	Apr-Sep	None	None	G4T1?	S1?	1B.1	 © 2018 Neal Kramer
Lasthenia conjugens	Contra Costa goldfields	Asteraceae	annual herb	Mar-Jun	FE	None	G1	S1	1B.1	 © 2013 Neal Kramer
Leptosiphon acicularis	bristly leptosiphon	Polemoniaceae	annual herb	Apr-Jul	None	None	G4?	S4?	4.2	 © 2007 Len Blumin
Leptosiphon grandiflorus	large-flowered leptosiphon	Polemoniaceae	annual herb	Apr-Aug	None	None	G3G4	S3S4	4.2	 © 2003 Doreen L. Smith
Monolopia gracilens	woodland woollythreads	Asteraceae	annual herb	(Feb)Mar-Jul	None	None	G3	S3	1B.2	 © 2016 Richard Spellenberg
Piperia michaelii	Michael's rein orchid	Orchidaceae	perennial herb	Apr-Aug	None	None	G3	S3	4.2	No Photo Available
Plagiobothrys glaber	hairless popcornflower	Boraginaceae	annual herb	Mar-May	None	None	GX	SX	1A	No Photo Available
Polygonum marinense	Marin knotweed	Polygonaceae	annual herb	(Apr)May-Aug(Oct)	None	None	G2Q	S2	3.1	No Photo Available
Ranunculus lobbii	Lobb's aquatic buttercup	Ranunculaceae	annual herb (aquatic)	Feb-May	None	None	G4	S3	4.2	No Photo Available
Sanicula maritima	adobe sanicle	Apiaceae	perennial herb	Feb-May	None	CR	G2	S2	1B.1	No Photo Available
Senecio aphanactis	chaparral ragwort	Asteraceae	annual herb	Jan-Apr(May)	None	None	G3	S2	2B.2	No Photo Available
Spergularia macrotheca var. *longistyla*	long-styled sand-spurrey	Caryophyllaceae	perennial herb	Feb-May	None	None	G5T2	S2	1B.2	No Photo Available
Streptanthus albidus ssp. *peramoenus*	most beautiful jewelflower	Brassicaceae	annual herb	(Mar)Apr-Sep(Oct)	None	None	G2T2	S2	1B.2	 © 1994 Robert E. Preston, Ph.D.
Stuckenia filiformis ssp. *alpina*	northern slender pondweed	Potamogetonaceae	perennial rhizomatous herb (aquatic)	May-Jul	None	None	G5T5	S2S3	2B.2	 Dana York (2016)

Suaeda californica	California seablite	Chenopodiaceae	perennial evergreen shrub	Jul-Oct	FE	None	G1	S1	1B.1	No Photo Available
Trifolium hydrophilum	saline clover	Fabaceae	annual herb	Apr-Jun	None	None	G2	S2	1B.2	No Photo Available

Showing 1 to 32 of 32 entries

Suggested Citation:
California Native Plant Society, Rare Plant Program. 2022. Rare Plant Inventory (online edition, v9-01 1.5). Website https://www.rareplants.cnps.org [accessed 11 May 2022].

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To: May 11, 2022
Project Code: 2022-0041611
Project Name: I-880 INTERCHANGE IMPROVEMENTS PROJECT (WINTON AVENUE AND A STREET)

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of

this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Project Code: 2022-0041611
Event Code: None
Project Name: I-880 INTERCHANGE IMPROVEMENTS PROJECT (WINTON AVENUE AND A STREET)
Project Type: Road/Hwy - Maintenance/Modification
Project Description: The purpose of the Project is to:
• Improve merge/weave operations along the segment of I-880 between the I-880/A Street and I-880/Winton Avenue interchanges
• Improve traffic operations and accessibility to retail and other uses at Winton Avenue
• Improve traffic operations at the I-880/A Street interchange
• Prioritize multimodal transportation infrastructure at the I-880/A Street and I 880/Winton Avenue interchanges, including Complete Streets features such as bike lanes and pedestrian friendly design to enhance mobility and safety.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@37.659260950000004,-122.10324161078668,14z

Counties: Alameda County, California

Endangered Species Act Species

There is a total of 11 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Salt Marsh Harvest Mouse *Reithrodontomys raviventris* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/613	Endangered

Birds

NAME	STATUS
California Clapper Rail *Rallus longirostris obsoletus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4240	Endangered
California Least Tern *Sterna antillarum browni* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104	Endangered
Western Snowy Plover *Charadrius nivosus nivosus* Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

Reptiles

NAME	STATUS
Alameda Whipsnake (=striped Racer) *Masticophis lateralis euryxanthus* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5524	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog *Rana draytonii* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened
California Tiger Salamander *Ambystoma californiense* Population: U.S.A. (Central CA DPS) There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp *Branchinecta lynchi* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened

Flowering Plants

NAME	STATUS
Santa Cruz Tarplant *Holocarpha macradenia* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6832	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPaC User Contact Information

Agency: County of Alameda
Name: Ashley Chan
Address: 1243 Alpine Road Suite 108
City: Walnut Creek
State: CA
Zip: 94596
Email ashley.chan@hdrinc.com
Phone: 9253959519

Lead Agency Contact Information

Lead Agency: California Department of Transportation District 4

Appendix D - Resources Evaluated Relative to the Requirements of Section 4(f): No Use Determination

Resources Evaluated Relative to the Requirements of Section 4(f): No Use Determination

INTRODUCTION

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 United States Code (USC) 303, declares that "it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites."

Section 4(f) specifies that the Secretary of Transportation may approve a transportation program or project "requiring the use of publicly owned land of a public park, recreational area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- There is no prudent and feasible alternative to using that land; and
- The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."

Section 4(f) further requires coordination with the Department of the Interior and, as appropriate, the involved offices of the Department of Agriculture and the Department of Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f). If historic sites are involved, then coordination with the State Historic Preservation Officer is also needed.

Responsibility for compliance with Section 4(f) has been assigned to the Department pursuant to 23 USC 326 and 327, including determinations and approval of Section 4(f) evaluations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

This analysis discusses parks, recreational facilities, wildlife refuges and historic properties found within or near the Build Alternatives' Project area. As described below, there are no facilities within the study area that meet the criteria for protection under

Section 4(f) because either: 1) they are not publicly owned, 2) they are not open to the public, 3) they are not eligible historic properties, 4) the Project does not permanently use the property and/or does not hinder the preservation of the property, or 5) proximity impacts would not result in constructive use.

BACKGROUND

A “use” of a Section 4(f) resource occurs in the following circumstances:

PERMANENT USE

A permanent use of a Section 4(f) resource occurs when property is permanently incorporated into a transportation facility. This might occur as a result of partial or full acquisition, permanent easements, or temporary easements that exceed limits for temporary use, as noted below.

TEMPORARY USE

A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of property that is considered adverse in terms of the preservationist purposes of the Section 4(f) statute. A temporary occupancy of a property does not constitute a use of a Section 4(f) resource when the following conditions are satisfied:

- Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

CONSTRUCTIVE USE

A constructive use of a Section 4(f) resource occurs when a transportation project does not permanently incorporate land from the resource, but the proximity of the project results in impacts (e.g., noise, vibration, visual, access, ecological) that are so severe

that the protected activities, features, or attributes that qualify the resource for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only if the protected activities, features, or attributes of the resource are diminished. This determination is made through the following:

- Identifying the current activities, features, or attributes of the resource that qualify it for protection under Section 4(f) and may be sensitive to proximity impacts.
- Analyzing the potential proximity impacts on the resource.
- Consulting with the appropriate officials having jurisdiction over the resource.

PROJECT DESCRIPTION

The California Department of Transportation (Caltrans), in cooperation with the Alameda County Transportation Commission (Alameda CTC) and the City of Hayward (City), propose to provide interchange and local road improvements along Interstate 880 (I-880) at the I-880/A Street and I-880/Winton Avenue interchanges. The I-880 Interchange Improvement Project (Project) would include interchange on- and off-ramp reconfigurations, modification of bridge structures, local roadway restriping, and bicycle and pedestrian improvements.

Implementation of the Project would provide interchange and mainline improvements along I-880 from 0.1 mile north of the I-880/A Street Interchange to 0.1 mile south of the I 880/Winton Avenue Interchange. The Project would include interchange on-and-off-ramp reconfigurations, modifications of bridge structures, mainline improvements (auxiliary lanes between the I-880/A Street and I-880/Winton Avenue interchanges), and bicycle and pedestrian improvements in the City.

BUILD ALTERNATIVES

The alternatives being evaluated are “Build Alternative 1,” “Build Alternative 2,” and the “No-Build Alternative.” Both Build Alternatives propose the same improvements at the A Street undercrossing, I-880 auxiliary lanes between the I-880/A Street and I-880/Winton Avenue interchanges, and I-880/Winton Avenue Interchange improvements. The differences between the Build Alternatives are related to the proposed lane configuration of A Street. Build Alternative 1 would improve A Street underneath the I-880 bridge structure to accommodate six traffic lanes, while Build Alternative 2 would retain the existing five-lane configuration.

NO BUILD ALTERNATIVE

Under the No-Build Alternative, none of the Project features described under the Project would be constructed. The existing transportation facilities within the Project area would

remain unchanged except for planned and programmed improvements. No other projects are planned within the Project area.

RESOURCES EVAULATED RELATIVE TO THE REQUIREMNETS OF SECTION 4(F)

BUILD ALTERNATIVES

PUBLIC PARKS AND RECREATIONAL FACILITIES

Section 4(f) applies to existing and planned parks, recreation areas, and wildlife refuges when the land is publicly owned, is open to the public, and the public agency that owns the property has formally designated and determined it to be significant for park, recreation area, or wildlife and waterfowl refuge purposes. Evidence of formal designation as a Section 4(f) resource would be the inclusion of the publicly owned land, and its function as a Section 4(f) property into a city or county Master Plan.

For planned resources, a mere expression of interest or desire is not sufficient. For example, when privately held properties are formally designated into a Master Plan for future park development, Section 4(f) is not applicable. The key is whether the planned facility is presently publicly owned, presently formally-designated for Section 4(f) purposes, and presently significant.

There are no publicly owned, publicly accessible parks, recreation facilities, historic resources, or wildlife refuges within or adjacent to the Project site. Given the criteria listed above, there are no Section 4(f) resources within or adjacent to the Project site.

There are, however, three potential 4(f) resources within 0.5 mile of the Project area: Cannery Park, Centennial Park, and Birchfield Park (Table 1). Two of the parks and recreational resources are closest to the I-880/Winton Avenue Interchange, and one is near the I-880/A Street Interchange. All resources mentioned below are located within the City of Hayward.

Table 1: Potential 4(f) Resources Close to the Project Area

Name	Size	Status	Distance from Project Area (within 0.5 mile)
Cannery Park	8.9 acres	Built	2,400 feet east of the I-880/A Street Interchange
Centennial Park	10.7 acres	Built	4,200 feet east of the I-880/Winton Avenue Interchange
Birchfield Park	5.75 acres	Built	1,000 feet southeast of the I-880/Winton Avenue Interchange

Source: Circlepoint 2021

Nearby potential Section 4(f) recreational resources identified in Table 1 would not be acquired as part of the proposed Build Alternatives, thereby avoiding direct effects. There would be no temporary construction work that would occur on these properties. Due to the relative distance between the parks and limits of the Build Alternatives (1,000 feet or greater), the construction and operation of the Build Alternatives would not result in any aesthetic, air quality, noise, or water quality impacts to the nearby parks. As such, construction of the Build Alternatives would not disturb wildlife, vegetation, facilities, functions, or accessibility of the parks.

The Build Alternatives would therefore not result in any use of parks or recreational facilities protected by Section 4(f).

WILDLIFE AND WATERFOWL REFUGES

There are no wildlife or waterfowl refuges within the Project area. The closet wildlife refuge is the Sulphur Creek Nature Center, located approximately 2.5 miles east of the Project area. Owing to the relative distance to the reserve, the Build Alternatives would not have any reasonably foreseeable direct, temporary, or constructive use of any wildlife or waterfowl refuge area. Therefore, the Build Alternatives would not result in the use of a wildlife or waterfowl refuge protected by Section 4(f).

HISTORIC SITES

The Area of Potential Effects (APE) was established in consultation with Caltrans staff and approved in September 2020. The APE for this Project includes the Project's area of direct impacts consisting of the ROW for the I-880 corridor and intersecting sections of A Steet and Winton Avenue. The APE for potential indirect impacts was generally established as the legal parcel adjacent to where potential direct impacts would occur. The APE boundary is identical for all Build Alternatives.

Based on the results of the Northwestern Information Center (NWIC) records search, a review of historic and current maps, research in archival records, and field surveys, it has been determined that there are five potentially historic properties and two bridges within the APE. The undercrossing bridge structure at the I-880/A Street Interchange (Bridge No. 33 0179), and the overcrossing bridge structure at the I-880/Winton Avenue Interchange (Bridge No. 33 0181) are listed as Category 5 structures, i.e., not eligible for listing in the National Register of Historic Places (NRHP) in the Caltrans Historic Bridge Inventory. All five properties evaluated were determined not eligible for the NRHP. Therefore, the APE does not contain any buildings or structures which qualify as historical resources that would be protected under Section 4(f).

As the resources identified above have been identified as not eligible for the NRHP, the Build Alternatives would not result in any use or adverse effects on historic sites. The

Build Alternatives would therefore not result in any use of historical resources protected by Section 4(f).

No Build Alternative

Under the No-Build Alternative, no changes would be made within the overall project area. The existing transportation facilities within the project area would remain unchanged with the exception of planned and programmed improvements. Given this, the No-Build Alternative would have no effect on public parks and recreational facilities, wildlife and waterfowl refuges, or historic sites, and would not result in the use of any Section 4(f) resources.

CONCLUSION

As discussed above, the Build Alternative would not result in any use of public parks, recreational facilities, wildlife and waterfowl refuges, or historic sites within 0.5 mile of the Project area or within the historic APE. Therefore, a No Use Determination is proposed for all Section 4(f) resources.

Appendix E - Air Quality Conformity Letter

Malisos, Ace

From: Harold Brazil <HBrazil@bayareametro.gov>
Sent: Tuesday, December 1, 2020 1:00 PM
To: sshepard@alamedactc.org
Cc: Fund Management System; Harold Brazil; Adam Crenshaw; Malisos, Ace
Subject: FMS POAQC Project TIP ID ALA170004 (I-880 Interchange Improvements (Winton Avenue/A Street) update: Project is a not a POAQC

Categories: External

Dear Project Sponsor

Based on the recent interagency consultation with the Air Quality Conformity Task force, Project TIP ID ***ALA170004 (FMS ID:6326.00)*** does not fit the definition of a project of air quality concern as defined by 40 CFR 93.123(b)(1) or 40 CFR 93.128 and therefore is not subject to $PM_{2.5}$ project level conformity requirement. Please save this email as documentation confirming the project has undergone and completed the interagency consultation requirement for $PM_{2.5}$ project level conformity. Note project sponsors are required to undergo a proactive public involvement process which provides opportunity for public review as outlined by 40 CFR 93.105(e). For projects that are not of air quality concern, a comment period is only required for project level conformity determinations if such a comment period would have been required under NEPA. For more information, please see FHWA $PM_{2.5}$ Project-Level Conformity Frequently Asked Questions (FAQ):

https://www.fhwa.dot.gov/ENVIRONMENT/air_quality/conformity/policy_and_guidance/faqs/pm25faqs.cfm

If you have any questions, please direct them to Harold Brazil at hbrazil@bayareametro.gov or by phone at 415-778-6747