



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 09/20/05

AGENDA ITEM 3

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** West A Street Realignment - Hesperian Boulevard to Golf Course Road:  
Adopt Mitigated Negative Declaration and Mitigation Monitoring Program

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution approving the Mitigated Negative Declaration and Mitigation Monitoring Program for the West A Street Realignment project.

**BACKGROUND:**

On June 7, 2005, Council authorized the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates for the design of the West A Street Realignment project. The project will include new roadway construction, installation of new curb, gutter, and sidewalk; traffic signal installation and modification; removal and replacement of streetlights; installation of landscaping and irrigation; relocation of utilities; installation of a new storm drain system, and installation of a box culvert to replace a portion of the drainage channel located in the area of the new alignment. Kimley-Horn's scope of work also contained the preparation of documents required for environmental clearance and for obtaining permits from the Army Corps of Engineers, the Regional Water Quality Control Board, and the Department of Fish and Game due to the impacts to the existing drainage channel.

An Initial Study Checklist was prepared for the project. As described below, the major issues with potentially significant impacts discussed in the checklist were related to air quality, biological resources, and hazards and hazardous materials. Approval of the environmental review documents needs to be processed now rather than with advertisement of the project, because the necessary permit applications require project environmental review prior to submittal.

Air Quality:

Approval of the project will result in short-term air quality impacts related to construction and grading. The short-term impacts will include dust generated by clearing and grading activities, exhaust emissions from gas and diesel-powered construction equipment, and vehicular emissions associated with the commuting of construction workers; it is likely that the State's particulate standard may be temporarily exceeded in surrounding areas. However, these impacts would be similar to impacts generated by similar road construction projects in the City. Mitigation measures include watering the site, covering stockpiles of sand, soil, and

similar materials with a tarp; paving as soon as possible, sweeping streets, and designating a person to oversee implementation of the dust control program.

#### Biological Resources:

The project will have a potentially significant impact to wetland areas; however, the impacts will be reduced to a less-than-significant level with mitigation measures. The proposed project will impact 0.04 acres of wetlands area, because of the need to enclose the existing open drainage channel with a culvert to carry the new roadway. As mitigation for this loss of wetlands area, approximately 1,000 linear feet of Sulphur Creek that flows from Skywest Drive past the control tower at the airport will be enhanced and stabilized (see Exhibit B). Goals of this budgeted airport project include stabilizing Sulphur Creek to prevent further damage to air terminal facilities, reduce bank erosion, and decrease flood hazards; enhancing the Creek to a more-natural and aesthetically pleasing condition; and reducing wildlife hazards in compliance with Federal Aviation Administration regulations. In prior meetings, Regional Water Quality Control Board staff indicated its support for this proposed mitigation approach. The Sulphur Creek Improvement Project will also provide mitigation for other City projects.

#### Hazards and Hazardous Materials:

Hazardous materials may be encountered during excavation for the project, since service stations in the surrounding area have had hydrocarbon release, and there is a potential impact to contracted employees as a result of handling hazardous materials. Soil sampling will be conducted at the project site, and samples will be analyzed for constituents of concern, which will reduce potential hazardous materials impact to a less than significant level.

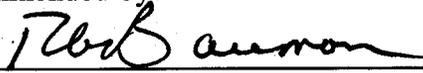
It was determined that the proposed project, as conditioned to include the recommended mitigation measures, would not significantly impact the environment. Therefore, staff recommends that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring Program for this project. The MND was distributed for review on August 17, 2005. Notices of preparation of the MND were posted for 30 days, in accordance with CEQA.

Upon adoption and recordation of the required CEQA document, permit applications to the Army Corps of Engineers, the Regional Water Quality Control Board, and the Department of Fish and Game will be submitted in order to avoid delay to the construction of the West A Street Realignment project, which is scheduled to begin in the spring of 2006.

Prepared by:

  
\_\_\_\_\_  
Morad Fakhrai, Design and Construction Services Manager

Recommended by:

  
\_\_\_\_\_  
Robert A. Bauman, Director of Public Works

Approved by:

  
\_\_\_\_\_  
Jesús Armas, City Manager

Attachment: Exhibit A: Mitigated Negative Declaration

Exhibit B: Site Plan for Sulphur Creek Improvement Project



**CITY OF HAYWARD  
DEPARTMENT OF PUBLIC WORKS  
Engineering & Transportation Division**

**MITIGATED NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

***I. PROJECT DESCRIPTION:***

The proposed project is located within an industrial area of the city of Hayward, approximately 3,000 feet west of Interstate 880. Most of the project area is paved or otherwise disturbed through past or current land uses.

The proposed project includes realignment of 1,900 ft of West A Street from the intersection with Hesperian Boulevard to Golf Course Road through the Hayward Executive Airport property. Skywest Drive will also be realigned to intersect with the proposed West A Street alignment. West A will have four lanes until it reaches the intersection with Skywest, where the road will taper to three lanes (two eastbound and one westbound). West A will have two lanes after the intersection with Golf Course Road. Access driveways will be constructed for the property planned for redevelopment southwest of the intersection of Hesperian Boulevard and Golf Course Road. A gated access driveway will be provided for the Hayward Executive Airport and a cul-de-sac will be constructed at Skywest Drive south of the proposed West A Street alignment. A traffic signal will be installed at the new intersection of West A Street and Skywest Drive and signal modifications will be made at the intersection of Hesperian Boulevard and West A Street. Existing pavement on Golf Course Road and Skywest Drive and a small section of airport parking will be removed to allow for the new alignment. Street lighting and landscape medians will be provided along the proposed roadway.

The project will also install a storm drain system and a 153-ft corrugated metal pipe arch culvert (64x43). The culvert will be placed within a man-made drainage ditch near the intersection of West A Street and Skywest Drive. The ditch is part of a larger storm drain system, which directs flows to Sulphur Creek and has mostly been placed in culverts.

***II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:***

The proposed project could not have a significant effect on the environment.

***III. FINDINGS SUPPORTING DECLARATION:***

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that although the proposed project could have a significant effect on the

environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent.

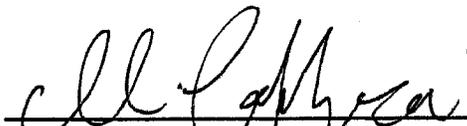
2. The project will not adversely affect any scenic resources. No new structures will be built. The project will have less than significant impact on the existing visual character of the area.
3. The project will not have an adverse effect on agricultural land since the property is already developed as minor arterial and it is surrounded by retail/office commercial, public airport, and commercial/high density residential uses.
4. The project will have potentially significant impact to the air quality; however, the impacts will be reduced to a less than significant level with mitigation measures. The proposed project would not generate an increase in vehicle trips; therefore emissions from project operation are not expected to reach a level that would contribute significantly to an existing or projected air quality violation. Approval of the project will result in short term air quality impacts related to grading and construction. The short term impacts will include dust generated by clearing and grading activities, exhaust emissions from gas- and diesel powered construction equipment, and vehicular emissions associated with the commuting of construction workers, and it is likely that the State's particulate standard may be temporarily exceeded in surrounding areas. However, these impacts would be similar to impacts generated by similar road construction projects in the city. Mitigation measures include watering the site, covering stockpiles of sand, soil, and similar materials with a tarp, paving as soon as possible, sweeping streets, and designating a person to oversee implementation of the dust control program.
5. The project will have less than significant impacts to biological resources such as wildlife. The project will have potentially significant impact to wetlands; however, the impacts will be reduced to a less than significant level with mitigation measures. Zander Associates (2004) prepared a Pre-Construction Notification for compliance with Section 404 of the Clean Water Act on March 12, 2004 for the proposed project. According to the preliminary site assessment, conducted on October 15, 2003, the drainage ditch is the only feature subject to the Corps jurisdiction on the project site. The entire area (approximately 0.04 acre) of the ditch, comprised of 151 linear feet averaging a width of 12 feet at the ordinary high water mark, will be filled as a result of the proposed project. Non-native annual grassland species and some invasive weed species occur along the banks of the ditch; however, there is no in-channel vegetation or any associated riparian vegetation. No special aquatic sites (wetlands, vegetation shallows, and riffle and pool complexes) occur on the project site. The proposed project will impact 0.04 acres of waters of the United States. No other drainages or wetland areas will be impacted by the proposed project. As mitigation for the loss of approximately 0.04 acre of waters of the United States, approximately 1,000 linear feet of Sulphur Creek that flows from Skywest Drive past the control tower at the airport will be enhanced and stabilized. This environmental improvement project will also provide mitigation for other City projects.
6. The project will have less than significant impacts to known cultural resources such as historical resources. The project will have potentially significant impact to archaeological resources; however, the impacts will be reduced to a less than significant

level with mitigation measures. Any cultural remains exposed or discovered during the course of project work will be treated as an inadvertent discovery and procedures specified at 36 CFR §800.13 will be followed. Any Native American Graves Protection and Repatriation Act related discoveries made during the course of landscape modification will be handled with reference to a "Plan of Action" which will be developed. Any Native American cultural resources concerns involving traditional cultural properties or sacred sites will be duly considered prior to ground disturbance. This project will have no impacts to paleontological resources, unique topography or disturb human remains.

7. The project site is not located within a "State of California Earthquake Fault Zone". The project does not involve the construction of structures that could create a hazard in the event of strong seismic ground shaking.
8. The project will have less than significant impacts to hazards and hazardous materials to the public. According to the Phase I prepared for the Planned Development Permit PL-2005-0223 (Twining Laboratories, Inc., 2005b), which occurs adjacent to the proposed project site, service stations in the surrounding area have had hydrocarbon releases. Soil sampling should be conducted at the project site and samples should be analyzed for constituents of concern.
9. The project will meet all water quality standards. Drainage improvements will be made to accommodate storm water runoff. Realignment of West A Street will require only minor changes to existing grades. The proposed project includes placing a culvert within a man-made drainage ditch. These improvements will not substantially alter existing drainage patterns or cause substantial erosion or siltation on- or off-site. There will be no substantial increase in the rate or amount of surface runoff because of minimal increases in pavement and the stormwater drainage design.
10. The project is consistent with the policies of the City General Policies Plan, the City of Hayward Design Guidelines and the Zoning Ordinance.
11. The project will not have significant impact to mineral resources.
12. The project will have a less than significant noise impact. Except for construction noise, which is short term, the project would not expose persons to groundborne vibration or groundborne noise levels. The impact is considered less than significant. Construction of the proposed project would result in a short-term, temporary increase in the ambient noise level. The increase in noise level would be primarily experienced close to the noise source. The magnitude of the increase would depend on the type of construction activity, noise level generated by various pieces of construction equipment and distance between the noise source and receiver. Sound levels of typical construction equipment range from approximately 65 dBA to 95 dBA at 50 feet from the source (U.S. Environmental Protection Agency [U.S. EPA] 1971). Because construction would be limited to the daytime hours (7:00 a.m. to 7:00 p.m.), the impact is considered less than significant.
13. The project will not result in a significant impact to population and housing.

14. The project will have less than significant impact to public services. Access to Kennedy Park from Golf Course Road may be temporarily impacted during construction; however the main access to the park from Hesperian Boulevard will not be affected. Impacts to access would therefore be less than significant. Access to the golf course located adjacent to the north of the proposed project will be affected during construction of the West A Street realignment. Impacts would be temporary and therefore less than significant.
15. The project will not result in significant impacts to recreation.
16. The project will not result in significant impacts to traffic or result in changes to traffic patterns or emergency vehicle access.
17. The project will not result in significant impacts to utilities and service systems.

***IV. PERSON WHO PREPARED INITIAL STUDY:***

  
\_\_\_\_\_  
Morad Fakhrai, Design & Construction Services Manager  
Dated: August 12, 2005

***V. COPY OF INITIAL STUDY IS ATTACHED***

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For additional information, please contact the City of Hayward, Engineering and Transportation Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4762, or e-mail [morad.fakhrai@hayard-ca.gov](mailto:morad.fakhrai@hayard-ca.gov).

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**DISTRIBUTION/POSTING**

- Provide copies to all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



## Environmental Checklist Form

1. Project title: *West A Street Realignment*
2. Lead agency name and address: *City of Hayward Engineering and Transportation Division*
3. Contact person and phone number:  
*Mr. Morad Fakhrai*  
*City of Hayward*  
*(510) 583-4762*
4. Project location:  
*West A Street from Hesperian Boulevard to Golf Course Road approximately 3,000 feet west of Interstate 880 in the city of Hayward, California.*
5. Project sponsor's name and address:  
*Mr. Robert A. Bauman*  
*City of Hayward*  
*Engineering and Transportation*  
*777 B Street*  
*Hayward, CA 94541-5007*
6. General plan designation: *Transportation (Minor Arterial)*
7. Surrounding Zoning:
  - *Retail/Office Commercial*
  - *Public-Airport*
  - *Commercial/High Density Residential*
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

*The proposed project is located within an industrial area of the city of Hayward, approximately 3,000 feet west of Interstate 880. The proposed project is identified in the Location (Figure 1) and Aerial Maps (Figure 2). Most of the project area is paved or otherwise disturbed through past or current land uses.*

*The proposed project includes realignment of 1,900 ft of West A Street from the intersection with Hesperian Boulevard to Golf Course Road through the Hayward Executive Airport property. Skywest Drive will also be realigned to intersect with the proposed West A Street alignment. West A will have four lanes until it reaches the intersection with Skywest, where the road will taper to three lanes (two eastbound and one westbound). West A will have two lanes after the intersection with Golf Course Road. Access driveways will be constructed for the property planned for redevelopment southwest of the intersection of Hesperian Boulevard and Golf Course Road. A gated access driveway will be provided for the Hayward Executive Airport and a cul-de-sac will be constructed at Skywest Drive south of the proposed West A Street alignment. A traffic signal will be installed at the new intersection of West A Street and Skywest Drive and signal modifications will be made at the intersection of Hesperian Boulevard and West A Street. Existing pavement on Golf Course Road and Skywest Drive and a small section of airport parking will be removed to allow for the new alignment. Street lighting and landscape medians will be provided along the proposed roadway.*

*The project will also install a storm drain system and a 153-ft corrugated metal pipe arch culvert (64x43). The culvert will be placed within a man-made drainage ditch near the intersection of West A Street and Skywest Drive. The ditch is part of a larger storm drain system, which directs flows to Sulphur Creek and has mostly been placed in culverts.*

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

*The existing setting surrounding the proposed project area includes commercial developments to the east and to the south, the Hayward Airport to the west, and to the north there is a golf course, Kennedy Park, and high density residential housing. The commercial developments to the east and south of the project area are comprised of the Vagabond Inn, vacant movie theater, gas station, Home Depot, and a Carrows Restaurant. The first three of these developments will be deconstructed as part of a future 186,000-square foot retail project that includes a Target store. The retail project will have access points off of Hesperian Blvd and the realigned West A Street.*

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

- Alameda County Airport Land Use Commission
- Regional Water Quality Control Board
- Alameda County Flood Control District
- United States Army Corp of Engineers
- California Department of Fish and Game

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics                               | <input type="checkbox"/> Agriculture Resources                         | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources          | <input checked="" type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils         |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality                     | <input type="checkbox"/> Land Use / Planning    |
| <input type="checkbox"/> Mineral Resources                        | <input type="checkbox"/> Noise   | <input type="checkbox"/> Population / Housing   |
| <input type="checkbox"/> Public Services                          | <input type="checkbox"/> Recreation                                    | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems              | <input checked="" type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
  
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Robert A. Bauman  
Signature

15 Aug 2005  
Date

Robert A. Bauman  
Printed Name

City of Hayward  
Agency

**ENVIRONMENTAL ISSUES:**

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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**I. AESTHETICS -- Would the project:**

a) Have a substantial adverse effect on a scenic vista?  
*There are no scenic vistas at the project site.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  
*There are no scenic resources of significance on the project site.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Substantially degrade the existing visual character or quality of the site and its surroundings?  
*The new West A Street realignment and widening project will minimally modify the visual character of the area. Because the project is located within an urban developed part of the city and currently Skywest Road runs through the project site, the proposed project will be consistent with the visual character of the surrounding areas. The median and remnant parcels created by the new alignment of West A Street will be landscaped.*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  
*The installation of street lights will not increase light or glare or have an adverse impact on the surrounding areas. Light fixtures will be designed to cast light downward to avoid potential conflicts with aircrafts. Street lighting is part of the existing conditions. Furthermore, there are no residential areas or sensitive habitats adjacent to the project site.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**II. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  
*There are no agricultural resources that are part of the project site and the site is not officially mapped as farmland by the State of California Department of Conservation.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

*The existing site is not zoned for agricultural use and the property is not under a Williamson Act contract.*

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

*There are no agricultural resources that are within the project site.*

**III. AIR QUALITY** – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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

*See comments and mitigation measures for III b.*

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

*Impacts: The Bay Area Air Quality Management District ("BAAQMD") has established thresholds for determining the significance of potential air quality impacts. There are five major air pollutants for which ambient air quality standards have been set by both Federal and State agencies: photochemical oxidants (ozone), carbon monoxide (CO), total suspended particulates (TSP), nitrogen dioxide (NO2), and sulphur dioxide (SO2). The ambient concentrations of these pollutants are continually measured by a network of monitoring stations maintained by the BAAQMD.*

*The proposed project would not generate an increase in vehicle trips; therefore emissions from project operation are not expected to reach a level that would contribute significantly to an existing or projected air quality violation. Approval of the project will result in short term air quality impacts related to grading and construction. The short term impacts will include dust generated by clearing and grading activities, exhaust emissions from gas- and diesel powered construction equipment, and vehicular emissions associated with the commuting of construction workers, and it is likely that the State's particulate standard may be temporarily exceeded in surrounding areas. However, these impacts would be similar to impacts generated by similar road construction projects in the city.*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Mitigation Measures: To mitigate the identified air quality impacts, the following measures should be incorporated into the project:

- Dust generated on the project site shall be controlled by watering all exposed areas at least twice daily during excavation, and especially during clearing and grading operations. Additional watering on windy or hot days is required to reduce dust emissions;
- Cover stockpiles of sand, soil and similar materials with a tarp. Cover trucks hauling dirt or debris to avoid spillage;
- Paving shall be completed as soon as is practicable to reduce the time that bare surfaces and soils are exposed. In areas where construction is delayed for an extended period of time, the ground shall be revegetated to minimize the generation of dust;
- Street sweeping shall be conducted to control dust and dirt tracked from the project site; and
- Designate a person to oversee the implementation of the dust control program.

Implementation of the above-stated mitigation measures will reduce the air quality impacts to a less than significant level.

Monitoring:

Monitoring of the above mitigation measures will be carried out by the City of Hayward Engineering and Transportation Division during construction. Construction inspectors will ensure compliance as part of their project review.

c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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See comments and Mitigation Measures for III b.

d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project would not involve emissions of toxic air contaminants or potential accidental release of hazardous air materials. There are no sources of toxic air contaminants or potential sources of accidental releases of acutely hazardous air materials within the immediate project vicinity.

If uncontrolled, dust generated by project grading activities could cause adverse health effects and nuisance concerns at downwind locations. However, the conditions of approval of required grading permits would include measures, such as watering of exposed earth that would minimize construction-related dust emissions, as set forth above.

e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project would not involve activities that generate objectionable odors.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**IV. BIOLOGICAL RESOURCES -- Would the project:**

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*The project area is highly urbanized and does not contain suitable habitat for any listed threatened, endangered, or special status species (Zander Associates, 2004). Most of the listed species considered to occur in the vicinity (e.g. Santa Cruz tarplant (Holocarpha macradenia), California clapper rail (Rallus longirostris obsoletus), California least tern (Sterna antillarum browni), salt marsh harvest mouse (Reithroodontomys raviventris), western snowy plover (Charadrius alexandrinus nivosus) are restricted to specific habitat types that are not present on the site. Also, the site is not expected to support any other special-status species<sup>1</sup>, including the burrowing owl (Athene cunicularia), a species designated as a "Species of Special Concern" by the California Department of Fish and Game (CDFG). There are recorded occurrences of burrowing owl in the vicinity of the site (the CDFG's Natural Diversity Data Base (CNDDB) 2003; Hayward, Newark, Redwood Point, and San Leandro). Burrowing owls are small ground-dwelling owls that are residents of open habitats and require burrows for protection, cover, and nesting. Burrowing owls typically use burrows made by fossorial mammals, such as ground squirrels (Spermophilus beechyi). No individual burrowing owls, ground squirrel burrows, or sign of burrowing owl were observed during site visits conducted by Zander Associates on October 12, 2003 and February 21, 2004.*

*The drainage ditch may be considered suitable habitat for the federally-listed California red-legged frog (Figure 2). Since the project site is biologically isolated and surrounded by industrial and commercial development, it is highly unlikely that the drainage ditch is suitable habitat for the California red-legged frog. The project will result in less than significant impacts to endangered, threatened or rare species or their habitats.*

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<sup>1</sup> Special-status species include those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS) under the Federal Endangered Species Act (FESA); those listed or proposed for listing as rare, threatened, or endangered by the CDFG under the California Endangered Species Act (CESA); plants occurring on List 1B and 2 of the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Plants of California* (CNPS 2001); and plants and animals designated as "Species of Special Concern" by the California Department of Fish and Game.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*The project area is highly urbanized and does not contain riparian habitat or sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.*

*See comments to IV a.*

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Zander Associates (2004) prepared a Pre-Construction Notification for compliance with Section 404 of the Clean Water Act on March 12, 2004 for the proposed project. According to the preliminary site assessment, conducted on October 15, 2003, the drainage ditch is the only feature subject to the Corps jurisdiction on the project site. The entire area (approximately 0.04 acre) of the ditch, comprised of 151 linear feet averaging a width of 12 feet at the ordinary high water mark, will be filled as a result of the proposed project. Non-native annual grassland species and some invasive weed species occur along the banks of the ditch; however, there is no in-channel vegetation or any associated riparian vegetation. No special aquatic sites (wetlands, vegetation shallows, and riffle and pool complexes) occur on the project site. The proposed project will impact 0.04 acres of waters of the United States. No other drainages or wetland areas will be impacted by the proposed project.*

Mitigation Measures:

- *As mitigation for the loss of approximately 0.04 acre of waters of the United States, approximately 1,000 linear feet of Sulphur Creek that flows from Skywest Drive past the control tower at the airport will be enhanced and stabilized. This environmental improvement project will also provide mitigation for other City projects.*

Special Conditions:

- *No equipment shall operate in the live stream.*
  - *A post construction report shall be submitted no later than 30 days after the conclusion of construction activities.*
  - *All standard best management practices available shall be implemented to prevent the movement of sediment downstream.*
  - *A detailed plan of the proposed mitigation as enhancement of "approximately 1000 linear feet of Sulphur Creek that flows from Skywest Drive past the control tower at the airport" shall be submitted for approval.*
- Implementation of the above-stated mitigation measures will reduce the biological resources impacts to a less than significant level.*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Monitoring:**

*The City of Hayward Engineering and Transportation Division will be responsible for submitting permit applications to the regulatory agencies (Army Corps of Engineers, Regional Water Quality Control Board, and CDFG) for the Sulphur Creek enhancement and stabilization. Once the applications are approved by the regulatory agencies, the City will implement the mitigation program. Monitoring will be carried out by the City of Hayward Engineering and Transportation Division.*

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The ditch does not support aquatic or riparian vegetation, provides limited habitat for wildlife, and is not a wildlife corridor. Consequently, placing the ditch in a culvert will not result in adverse impacts to migratory fish or wildlife species.*

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The ditch does not support aquatic or riparian vegetation, provides limited habitat for wildlife, and is not a wildlife corridor. Consequently, placing the ditch in a culvert will not result in adverse impacts to migratory fish or wildlife species.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project site is developed and would not require the removal or disturbance of sensitive biological resources or landmark trees.*

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project is consistent with the City of Hayward Conservation and Environmental Protection element of the General Plan, which addresses open space preservation, regional trails and open spaces linkages, hydrology and water quality, biological resources, geologic and seismic hazards, flood hazards, hazardous materials, air quality, support for transportation control measures adopted by the Bay Area Air Quality Management District, and noise mitigation. These issues are addressed in greater specificity in other areas of this Mitigated Negative Declaration.*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**V. CULTURAL RESOURCES -- Would the project:**

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*The City shall require standard mitigation measures in connection with potential historical resources. Any historical artifacts unearthed on the site in connection with the construction of the proposed project shall be offered to the Hayward Area Historical Society at no charge. No historic or prehistoric resources are known to exist on the project site.*

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Impacts: If previously unknown resources are encountered during grading activities, this could result in a potentially significant impact.*

Mitigation Measures:

*- The project will adopt standard mitigation measures in connection with potential archaeological resources.*

*- Any cultural remains exposed or discovered during the course of project work will be treated as an inadvertent discovery and procedures specified at 36 CFR §800.13 will be followed. Any Native American Graves Protection and Repatriation Act related discoveries made during the course of landscape modification will be handled with reference to a "Plan of Action" which will be developed. Any Native American cultural resources concerns involving traditional cultural properties or sacred sites will be duly considered prior to ground disturbance.*

*Implementation of the above-stated mitigation measures will reduce impacts cultural resources to a less than significant level.*

Monitoring:

*During construction, the Contractor shall stop work in the event of discovery and consult with a professional archeologist who will determine if the resources are significant. A mitigation plan shall be submitted to the City by the professional archeologist for approval.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Because the underlying substrate is alluvium, which has a low paleontological sensitivity, and the depth of excavation will be less than five feet, no paleontological resources are expected to be impacted at the project site.*

d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See comment V b.*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**VI. GEOLOGY AND SOILS -- Would the project:**

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.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*The project site is not located within a "State of California Earthquake Fault Zone." The site is located approximately 2.1 miles from the Hayward fault system. The potential for fault rupture is low.*

*It is likely that the site will be subjected to a major earthquake during the life of the proposed project. No active faults are believed to exist within the project site. Therefore, during such an event it is unlikely that surface rupture due to faulting or severe ground shaking will occur at the site; however, ground-shaking may be violent.*

ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*The project does not involve the construction of structures that could create a hazard in the event of strong seismic ground shaking (i.e., bridges or buildings).*

iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Ground shaking can be expected at the site during a moderate to severe earthquake, which is common to virtually all development in the general region. Seismic ground failure, including liquefaction and subsidence, is likely at this site.*

*According to the geotechnical report (Twining Laboratories, Inc., 2005a) prepared for the Mitigated Negative Declaration for the Planned Development Permit PL-2005-0223 (City of Hayward., 2005a), which occurs adjacent to the proposed project site, the area is located in a liquefaction hazard zone delineated in response to the Seismic Hazards Mapping Act. As a result, there is a potential for seismic settlement at the site. The analysis indicated that a total seismic settlement of about 1 inch would occur as a result of shaking caused by an earthquake of .65 g and a magnitude of 7.1. This settlement may not occur uniformly over the site due to variations in the thicknesses of different soil layers; therefore, a differential seismic settlement of about 1/3 inch across in 30 linear feet should be anticipated. This impact is considered less than significant.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>iv) Landslides?</p> <p><i>The site is on relatively level land. The site and surrounding area does not contain steep slopes and is relatively devoid of topographic changes. The project will not result in or expose people to potential impacts involving landslides or mudflows.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p> <p><i>See comments under VI a.</i></p> <p><i>The proposed widening will slightly increase the amount of impervious surface area on-site. Due to the fact that the site is relatively flat with existing drainage and the developed nature of the surrounding environment, site soil modifications are not expected to result in potentially significant impacts.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p> <p><i>See comment under VI a.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p> <p><i>There is medium expansion potential of the near surface sandy soils at the site (Twining Laboratories, Inc., 2005a). However, there will not be a significant impact because the site does not contain structures.</i></p> <p><i>See comments under VI a.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</p> <p><i>The project will not require connection to City water and sewer services and would not use septic systems.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:**

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

*Impacts: According to the Phase I prepared for the Planned Development Permit PL-2005-0223 (Twining Laboratories, Inc., 2005b), which occurs adjacent to the proposed project site, service stations in the surrounding area have had hydrocarbon releases.*

Mitigation Measures:

- Soil sampling should be conducted at the project site and samples should be analyzed for constituents of concern.

Implementation of the above-stated mitigation measures will reduce potential hazardous materials impacts on the proposed project to a less than significant level.

Monitoring:

The soils investigations will be carried out by the City of Hayward Engineering and Transportation Division and submitted to the City of Hayward Fire and Public Works Departments as well as the Regional Water Quality Control Board for clearance prior to any construction.

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Construction of the project would involve the use of heavy equipment which uses small amounts of oils and fuels and other potentially flammable substances. During construction, equipment would require refueling and minor maintenance on location which could lead to fuel and oil spills.

The proposed project would not result in a significant risk of explosion or accidental release of hazardous substances. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, state, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements.

The proposed project would not result in a significant risk of explosion or accidental release of hazardous substances. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, state, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No schools are located within one-quarter mile of the project site. During operation no hazardous emissions or acutely hazardous substances or waste would be utilized within the project.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*The gas station site at 20499 Hesperian Blvd. is on the list of hazardous material sites and could create a potentially significant hazard to the public and the environment (Twining Laboratories, Inc., 2005b). See comment VII a.*

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 working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project site is located on property of the Hayward Executive Airport and is within 1/2 mile of airport runways. Normal operations of the facility would not result in safety related or other adverse impacts to people working near the project site.*

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See Comment in VII e.*

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*During development of the project, no emergency access would be impeded by construction activities. Because the project would not interfere with emergency response plans or emergency evacuation plans, and would not place an undue burden on emergency response capabilities, the impact of the project on hazardous materials emergency response planning and services would be considered less than significant.*

h) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project site is surrounded by a mix of commercial, residential and airport and airport-related development. Based on the site's location in an urban area on the Bay side, it would not be subject to wildland fires.*

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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**VIII. HYDROLOGY AND WATER QUALITY -- Would the project:**

a) Violate any water quality standards or waste discharge requirements?  
*The project would not violate any water quality standards or waste discharge requirements. Any runoff that occurred during storm events would be managed in accordance with the requirements of the San Francisco Regional Water Quality Control Board.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?  
*According to the geotechnical report prepared for the Planned Development Permit PL-2005-0223 (Twining Laboratories, Inc., 2005a), which occurs adjacent to the proposed project site, groundwater was encountered at depths ranging from 10 to 14 feet. The maximum depth of excavation for the proposed project (approximately 8 feet) would be above the anticipated groundwater table.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  
*Realignment of West A Street will require only minor changes to existing grades. The proposed project includes placing a culvert within a man-made drainage ditch. These improvements will not substantially alter existing drainage patterns or cause substantial erosion or siltation on- or off-site.*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?  
*There will be no substantial increase in the rate or amount of surface runoff because of minimal increases in pavement and the stormwater drainage design. See comment in VIII c.*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) 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?  
*The proposed construction will not substantially increase the amount of impervious surface area on-site. Also, any increase in paved surfaces will not result in significantly lower absorption rates than the existing clay soils. Thus, this is not expected to result in potentially significant impacts.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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*Storm water runoff from this site is carried in an existing underground storm drain system part of which is owned by Alameda County Flood Control District. The underground storm drain system proposed for this project will connect to this existing line in accordance with City and Alameda County Flood Control District standards. It is anticipated that the total volume of runoff from the site will be approximately the same as current volumes. The project is not expected to result in potentially significant impacts due to changes in absorption rates, drainage patterns, or the rate and amount of surface runoff.*

f) Otherwise substantially degrade water quality?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project will result in the discharge of urban runoff into existing Alameda County Flood Control District facilities, which ultimately discharge into surface waters. The runoff from the site will be treated with two stormwater treatment Vortex units to remove sediments and oil from site runoff. The project is not expected to result in potentially significant impacts with incorporation of these stormwater treatment facilities.*

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*According to the Flood Insurance Rate Maps published by the Federal Emergency Management Agency, the site is not located within the FEMA 100-year floodplain.*

*Since construction is not within the 100 year flood hazard area, the project will not result in exposure of people or property to hazards such as flooding.*

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See comment VIII g.*

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See comment VIII g.*

j) Inundation by seiche, tsunami, or mudflow?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The potential for inundation by seiche, tsunami, or mudflow is low. No dams or open reservoirs are sited within the city limits and the site is not in an area subject to tsunami.*

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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**IX. LAND USE AND PLANNING - Would the project:**

a) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project would not divide the established community in the project area.*

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project conforms to the City of Hayward General Plan, which includes the transportation circulation element.*

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project would not conflict with an applicable habitat conservation plan or natural community conservation plan.*

**X. MINERAL RESOURCES -- Would the project:**

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The state requires local jurisdictions to protect areas with economically significant mineral resources from incompatible development. In an effort to maintain availability of sand, gravel and crushed rock for long-term construction needs, the California Division of Mines and Geology (under the authority of the Surface Mining and Reclamation Act of 1975) has classified aggregate mineral zones throughout the state. The only designated "sector" of regional significance in Hayward meeting the tests of economic feasibility and current compatible land use that is to be protected from land uses incompatible with mineral extraction is La Vista Quarry, located in the unincorporated area east of Mission Blvd. and Tennyson Road (City of Hayward, 2002). Therefore, no impacts to mineral resources would occur as a result of the proposed project.*

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See comment in X a.*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**XI. NOISE - Would the project result in:**

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Noise sensitive receptors are land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.*

*They often include residential dwellings, hotels, hospitals, educational facilities and libraries. The closest noise sensitive receptors to the project is a hotel located at the southwest intersection of West A and Hesperian Avenue and multi-family residences located at least 600 feet to the north of Golf Course Road. According to the General Plan, a 3 dBA increase in the Day-Night Average Noise Level (Ldn) is considered substantial and would cause a significant noise impact. Because the proposed project would not increase the Average Daily Traffic Volume (ADT), truck trips or vehicle speed, or move the travel lanes significantly closer to noise sensitive receptors, a significant increase in the Ldn would not occur. Therefore, no significant impact would result from the project.*

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Except for construction noise, which is short term, the project would not expose persons to groundborne vibration or groundborne noise levels. The impact is considered less than significant.*

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See comment in XI a.*

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Construction of the proposed project would result in a short-term, temporary increase in the ambient noise level. The increase in noise level would be primarily experienced close to the noise source. The magnitude of the increase would depend on the type of construction activity, noise level generated by various pieces of construction equipment and distance between the noise source and receiver. Sound levels of typical construction equipment range from approximately 65 dBA to 95 dBA at 50 feet from the source (U.S. Environmental Protection Agency [U.S. EPA] 1971). Because construction would be limited to the daytime hours (7:00 a.m. to 7:00 p.m.), the impact is considered less than significant.*

- |  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Potentially<br/>Significant<br/>Unless<br/>Mitigation<br/>Incorporation</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>                |
|--|---|--|---|-------------------------------------|
| 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 expose people residing or working in the project area to excessive noise levels?<br><br><i>According to the existing 1999 noise contours at the Hayward Executive Airport provided in the Hayward Airport Master Plan (Coffman and Associates, 2002), the project is located outside of the 65 dBA CNEL noise contour. Therefore, people working in the project area will not be exposed to excessive noise levels.</i> | <input type="checkbox"/>                      | <input type="checkbox"/>   | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?<br><br><i>The project is not located within the vicinity of a private airstrip.</i>   | <input type="checkbox"/>                      | <input type="checkbox"/>   | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

**XII. POPULATION AND HOUSING -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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)?<br><br><i>The project would not induce substantial growth.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?<br><br><i>There are no existing residences in the project limits; therefore, there will be no displacement of residences.</i>                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?<br><br><i>See comment XII b.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XIII. 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:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>Fire protection?  <i>The proposed project would have no effect upon fire and police protection, maintenance of public facilities, and other government services.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Police protection?  <i>See comment under XIII a.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Schools?  <i>No schools are located within one-quarter mile of the project site</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Parks?  <i>Access to Kennedy Park from Golf Course Road may be temporarily impacted during construction; however the main access to the park from Hesperian Boulevard will not be affected. Impacts to access would therefore be less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Other public facilities?  <i>Access to the golf course located adjacent to the north of the proposed project will be affected during construction of the West A Street realignment. Impacts would be temporary and therefore less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>XIV. RECREATION --</b>				
<p>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?  <i>The project would not increase the use of existing neighborhoods or regional parks, or other recreational facilities.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?  <i>The proposed project does not involve construction or expansion of recreation facilities.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**XV. TRANSPORTATION/TRAFFIC -- Would the project:**

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*A traffic analysis study was prepared by staff of the City of Hayward Public Works Dept. in July, 2005 (City of Hayward, 2005b). The Average Daily Traffic (ADT) counts show 4,100 ADT as the existing condition within the project area and 5,700 ADT after the construction of the planned retail development to the east of the proposed project. Intersection LOS changed for only one intersection: Hesperian Boulevard and West A Street in the PM peak hour from 24.9 seconds per vehicle (LOS "C") to 25.6 (LOS "D"). The existing LOS C is only 0.1 of a second below the LOS "D" threshold (25.0). This is not a significant change in the delay. The City of Hayward has established a level of service ("LOS") policy to maintain LOS D or better at all signalized intersections (City of Hayward, 2002). The West A Street realignment project will ultimately provide better access to the industrial area to the west and it will also provide a more useful parcel for the future commercial retail area to the east. The proposed project will not significantly increase the number of vehicle trips.*

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See comment XV a.*

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*According to the Hayward Executive Airport Master Plan (Coffman and Associates, 2002), the project is outside of all of the airport's safety zones. Furthermore, the project does not propose any structures which would interfere with air traffic patterns. Therefore, no impacts to air traffic patterns would occur.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project has been designed to meet City street standards.*

e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project will not result in inadequate emergency access.*

f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project will not result in inadequate parking capacity.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>The proposed project does not conflict with adopted policies, plans or other programs supporting alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i>No additional wastewater will be generated by this project. Therefore, the wastewater treatment requirements of the RWQCB will not be exceeded.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The project will not require construction of new water or wastewater facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Two new stormwater treatment Vortex units will be installed to remove sediments and oil from site runoff. No significant environmental effects will occur as a result because there are no sensitive resources in the area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>Sufficient water supplies are available to serve the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) 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? <i>This project will not increase the demand of wastewater treatment.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i>Any construction debris can be accommodated at the nearest landfill.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>The project will comply with all regulations related to solid waste.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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**XVII. 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, 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project would not degrade the quality of the environment, result in an adverse impact on fish, wildlife, or plant species including special status species, or prehistoric cultural resources because project components would be constructed on areas that are not identified as sensitive. Prehistoric or historic cultural resources would not be adversely affected because no archeological or historic resources are known to exist on the project site or in the area. Further, project implementation includes compliance with appropriate procedures for avoiding or preserving artifacts or human remains if they are discovered during project excavation.*

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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project is consistent with the City's General Plan and will have minimal effect on the environment. The proposed project will not contribute to significant cumulative effects.*

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*The proposed project may temporarily impact the area by construction-related air quality, noise, and traffic impacts. These impacts would not have any substantial direct or indirect adverse effects on humans because construction impacts would be temporary and have been reduced or eliminated by environmental control measures incorporated into the project design. Impacts to air quality, biological resources, cultural resources, and hazardous materials would be mitigated to a less than significant level by the mitigation measures indicated.*

The following materials are on file in the City of Hayward Engineering and Transportation Division:

City of Hayward, 2002. City of Hayward General Plan. March 2002

City of Hayward, 2005a. Mitigated Negative Declaration for the Planned Development Permit PL-2005-0223. July 2005.

City of Hayward, 2005b. Traffic Impact Study. July 2005.

Coffman and Associates, 2002. Hayward Airport Master Plan. April 2002.

Twining Laboratories, Inc., 2005a. Geotechnical Engineering Investigation Report for the Planned Development Permit PL-2005-0223. June 2005

Twining Laboratories, Inc., 2005b. Phase I Environmental Site Assessment for the Planned Development Permit PL-2005-0223. June 2005

Zander Associates, 2004. Pre-construction Notification West "A" Street Extension Project, Hayward, CA. March 2004.

**DUE TO THE LENGTH OR COLOR  
OF THE REFERENCED EXHIBIT,  
IT HAS BEEN ATTACHED AS A  
SEPARATE LINK.**

**WEST A STREET REALIGNMENT PROJECT  
MITIGATION MONITORING PROGRAM**

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p><b>Impact III b: Air Quality.</b> The Bay Area Air Quality Management District (“BAAQMD”) has established thresholds for determining the significance of potential air quality impacts. There are five major air pollutants for which ambient air quality standards have been set by both Federal and State agencies: photochemical oxidants (ozone), carbon monoxide (CO), total suspended particulates (TSP), nitrogen dioxide (NO<sub>2</sub>), and sulphur dioxide (SO<sub>2</sub>). The ambient concentrations of these pollutants are continually measured by a network of monitoring stations maintained by the BAAQMD.</p> <p>The proposed project would not generate an increase in vehicle trips; therefore emissions from project operation are not expected to reach a level that would contribute significantly to an existing or projected air quality violation. Approval of the project will result in short term air quality impacts related to grading and construction. The short term impacts will include dust generated by clearing and grading activities, exhaust emissions from gas and diesel powered construction equipment, and vehicular emissions associated with the commuting of construction workers, and it is likely that the State’s particulate standard may be temporarily exceeded in surrounding areas. However, these impacts would be similar to impacts generated by similar road construction projects in the city.</p>	<p><b>Mitigation Measure III b:</b> To mitigate the identified air quality impacts, the following measures should be incorporated into the project: Dust generated on the project site shall be controlled by watering all exposed areas at least twice daily during excavation, and especially during clearing and grading operations. Additional watering on windy or hot days is required to reduce dust emissions. Cover stockpiles of sand, soil and similar materials with a tarp. Cover trucks hauling dirt or debris to avoid spillage. Paving shall be completed as soon as is practicable to reduce the time that bare surfaces and soils are exposed. In areas where construction is delayed for an extended period of time, the ground shall be revegetated to minimize the generation of dust. Street sweeping shall be conducted to control dust and dirt tracked from the project site; and Designate a person to oversee the implementation of the dust control program. Implementation of the above-stated mitigation measures will reduce the air quality impacts to a less than significant level.</p>	<p>Contractor</p>	<p>City of Hayward Engineering and Transportation Division - Construction Inspector</p>	<p>During construction and grading operations</p>

**WEST A STREET REALIGNMENT PROJECT  
MITIGATION MONITORING PROGRAM**

<b>Environmental Impact</b>	<b>Mitigation Measure</b>	<b>Implementing Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Timing</b>
<p><b>Impact IV c: Biological Resources.</b> According to the preliminary site assessment, conducted on October 15, 2003, the drainage ditch is the only feature subject to the Corps jurisdiction on the project site. The entire area (approximately 0.04 acre) of the ditch, comprised of 151 linear feet averaging a width of 12 feet at the ordinary high water mark, will be filled as a result of the proposed project. Non-native annual grassland species and some invasive weed species occur along the banks of the ditch; however, there is no in-channel vegetation or any associated riparian vegetation. No special aquatic sites (wetlands, vegetation shallows, and riffle and pool complexes) occur on the project site. The proposed project will impact 0.04 acres of waters of the United States. No other drainages or wetland areas will be impacted by the proposed project.</p>	<p><b>Mitigation Measure IV c:</b> As mitigation for the loss of approximately 0.04 acre of waters of the United States, approximately 1,000 linear feet of Sulphur Creek that flows from Skywest Drive past the control tower at the airport will be enhanced and stabilized. This environmental improvement project will also provide mitigation for other City projects. Special Conditions: No equipment shall operate in the live stream. A post construction report shall be submitted no later than 30 days after the conclusion of construction activities. All standard best management practices available shall be implemented to prevent the movement of sediment downstream. A detailed plan of the proposed mitigation as enhancement of "approximately 1000 linear feet of Sulphur Creek that flows from Skywest Drive past the control tower at the airport" shall be submitted for approval. Implementation of the above-stated mitigation measures will reduce the biological resources impacts to a less than significant level.</p>	<p>City of Hayward Engineering and Transportation Division</p>	<p>Department of Public Works</p>	<p>After permit approval by the regulatory agencies (Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Game)</p>

**WEST A STREET REALIGNMENT PROJECT  
MITIGATION MONITORING PROGRAM**

<b>Environmental Impact</b>	<b>Mitigation Measure</b>	<b>Implementing Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Timing</b>
<p><b>Impact V b: Cultural Resources.</b> If previously unknown resources are encountered during grading activities, this could result in a potentially significant impact.</p>	<p><b>Mitigation Measure V b:</b> The project will adopt standard mitigation measures in connection with potential archaeological resources. Any cultural remains exposed or discovered during the course of project work will be treated as an inadvertent discovery and procedures specified at 36 CFR §800.13 will be followed. Any Native American Graves Protection and Repatriation Act related discoveries made during the course of landscape modification will be handled with reference to a "Plan of Action" which will be developed. Any Native American cultural resources concerns involving traditional cultural properties or sacred sites will be duly considered prior to ground disturbance.</p>	<p>Contractor</p>	<p>City of Hayward Engineering and Transportation Division - Construction Inspector</p>	<p>During construction and grading operations</p>
<p><b>Impacts VII a: Hazards and Hazardous Materials.</b> According to the Phase I prepared for the Planned Development Permit PL-2005-0223 (Twining Laboratories, Inc., 2005b), which occurs adjacent to the proposed project site, service stations in the surrounding area have had hydrocarbon releases.</p>	<p><b>Mitigation Measure VII a:</b> Soil sampling should be conducted at the project site and samples should be analyzed for constituents of concern. Implementation of the above-stated mitigation measures will reduce potential hazardous materials impacts on the proposed project to a less than significant level.</p>	<p>City of Hayward Engineering and Transportation Division</p>	<p>Department of Public Works and Fire Department</p>	<p>During construction and grading operations</p>

**DUE TO THE LENGTH OR COLOR  
OF THE REFERENCED EXHIBIT,  
IT HAS BEEN ATTACHED AS A  
SEPARATE LINK.**

**DRAFT**

*NH*  
*9/8/05*

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

**RESOLUTION APPROVING THE MITIGATED NEGATIVE  
DECLARATION AND MITIGATION MONITORING  
PROGRAM FOR THE WEST A STREET REALIGNMENT-  
HESPERIAN BOULEVARD TO GOLF COURSE ROAD  
PROJECT, PROJECT NO. 5185**

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the City Council has independently reviewed and considered the information contained in the initial study upon which the mitigated negative declaration and mitigation monitoring program is based, certifies that the mitigated negative declaration and mitigation monitoring program has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the mitigated negative declaration and mitigation monitoring program reflects the independent judgment of the City of Hayward.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby approves the mitigated negative declaration and mitigation monitoring program prepared in connection with the West A Street Realignment - Hesperian Boulevard to Golf Course Road Project, Project No. 5185.

IN COUNCIL, HAYWARD, CALIFORNIA September 20, 2005

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

**ABSTAIN: COUNCIL MEMBERS:**

**ABSENT: COUNCIL MEMBERS:**

**ATTEST: \_\_\_\_\_**  
**City Clerk of the City of Hayward**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney of the City of Hayward**