



**CITY OF SAN LEANDRO  
DEPARTMENT OF DEVELOPMENT SERVICES  
Planning Division**

**INITIAL STUDY CHECKLIST FORM**

**Project title:** San Leandro Housing Element, 2010-2014

**Lead agency name, address & phone number:** Kathleen Livermore, Planning Manager  
City of San Leandro, 835 E. 14<sup>th</sup> Street, San Leandro, CA 94577  
(510) 577-3350

**Project location:** The project is coterminous with the City limits and includes all land within the City of San Leandro. It excludes the unincorporated portions of the Planning Area such as Ashland and Hillcrest Knolls, as these areas are covered by the Alameda County Housing Element.

**Project sponsor's Name and address:** **City of San Leandro**  
835 E. 14<sup>th</sup> Street, San Leandro, CA 94577  
Contact: Phil Millenbah, Project Manager

**General Plan:** Because the project is citywide, it encompasses all designations

**Zoning:** Because the project is citywide, it encompasses all zoning districts

**Description of site and proposed project:** See attached Project Description (p. 3)

**Surrounding land uses:** The project encompasses all land within the San Leandro City limits. San Leandro is bordered on the north by urbanized neighborhoods of Oakland, on the south by suburban density neighborhoods in unincorporated Alameda County (San Lorenzo and Ashland), on the west by San Francisco Bay, and on the east by the East Bay Hills, which are largely undeveloped and contained within regional parks.

**Other public agencies involved:** None

**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"/> Land Use and Planning              | <input type="checkbox"/> Transportation/Circulation   | <input type="checkbox"/> Public Services       |
| <input type="checkbox"/> Population and Housing             | <input type="checkbox"/> Biological Resources         | <input type="checkbox"/> Utilities and Service |
| <input type="checkbox"/> Geological Problems                | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics            |
| <input type="checkbox"/> Water                              | <input type="checkbox"/> Hazards                      | <input type="checkbox"/> Cultural Resources    |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Noise                        | <input type="checkbox"/> Recreation            |
| <input 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 the mitigation measures described on an attached sheet have been added to the project. 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 significant effect(s) 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, if the effect is a “potentially significant impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is required, to analyze only the effects that remain to be addressed.
- 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 all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

Kathleen Livermore, Planning Manager  
*Printed name*

City of San Leandro

## **Project Description**

### ***Overview***

The project is an update of the San Leandro Housing Element. The purpose of the Housing Element is to ensure that a decent, safe affordable supply of housing is provided for current and future San Leandro residents. The Element strives to conserve the city's existing housing stock while providing opportunities for new housing for a variety of income groups. It consists of narrative text, tables, and maps, and a series of goals, objectives, policies, and action programs. The planning period for the proposed Housing Element Update is January 1, 2007 through June 30, 2014, although the focus is on 2010-2014.

The Housing Element is one of the seven required elements of the San Leandro General Plan. The proposed project would replace the existing Housing Element (adopted in January 2003) with an updated Element that incorporates new data, new housing targets, and new state requirements. Bay Area cities and counties were required to complete Housing Element updates by June 30, 2009. San Leandro submitted its Administrative Draft Housing Element to the State Department of Housing and Community Development on June 30, 2009 and received comments on the Draft on August 31, 2009. Between September 2009 and January 2010, the City worked with State reviewers and other interested parties to address the changes necessary to receive a compliance determination by the State.

The other elements of the General Plan were adopted by the City Council in 2002. An Environmental Impact Report was prepared to assess the impacts of these elements, including the Housing Element. Subsequently, the City prepared a Transit-Oriented Development (TOD) Strategy for land around the San Leandro BART station and extending to Downtown San Leandro. The TOD Strategy resulted in new land use designations and the rezoning of property around BART and in the Downtown area. An Environmental Impact Report for the TOD Strategy was prepared in 2006 and certified in 2007. The 2010 Housing Element would not result in any increases in density or changes to the General Plan Map or Zoning Map that were not previously analyzed in the General Plan EIR or the TOD EIR.

The Housing Element process began in April 2008. It included a robust community outreach program that featured community workshops, press releases, a project brochure, a dedicated webpage, focus group and stakeholder workshops, outreach to non-English speaking communities, one-on-one interviews, and work sessions with the City Council, Planning Commission, School Board, Human Services Commission, and Rent Review Board.

### ***Content and Organization of Document***

The Housing Element is organized into seven chapters as follows:

- The first chapter (Introduction) describes the requirements for the Housing Element, the Regional Housing Needs Allocation Process, and the process used to develop the Housing Element, and includes a user's guide to the document.
- The second chapter (Review of the 2003 Housing Element) corresponds to a state-mandated requirement to evaluate the effectiveness of the previous Housing Element and identify the steps needed to address any deficiencies. This chapter includes a series of tables that describe the progress that has been made in carrying out the 2003 Element.
- The third chapter (Needs Assessment) includes a state-mandated analysis of demographics, income, affordability, employment, special housing needs, housing stock characteristics, energy conservation,

at-risk housing units, and redevelopment agency funding forecasts. This information is used to assess current and anticipated housing needs in the City.

- The fourth chapter (Analysis of Housing Sites) describes the inventory of sites in San Leandro that could potentially support new housing in the next five years. The chapter also includes an evaluation of housing that has been constructed since the start of the planning period in 2007. Available sites are catalogued by density to facilitate a summary of sites that can accommodate development over 30 units per acre (the “default” density for identifying a site as having the potential for affordable housing).
- The fifth chapter (Potential Constraints to Housing Production) identifies possible governmental and non-governmental constraints to housing development in the city. Among the governmental constraints analyzed are the zoning ordinance, standards for special housing types, design review requirements, the inclusionary zoning program, building code and permit processing requirements, local fees, and site improvement requirements. The non-governmental constraints that are analyzed include infrastructure, environmental hazards, school capacity, land and construction costs, financing and interest rates, and public opinion.
- The sixth chapter (Housing Goals, Objectives, Policies, and Actions) presents the City’s official housing policies along with a series of measurable targets for 2010-2014. The policies are to be implemented through 81 separate action items that are described in this chapter.
- The seventh and final chapter (Implementation Program) includes a “roll-up” of targeted objectives, accompanied by a summary table. The table indicates the responsible party, timing, and funding source for each action.

An Appendix to the Housing Element includes a detailed inventory of the available sites, including maps showing site locations and a data base table showing the acreage, assessor parcel number, existing land use, zoning, and potential number of units for each site.

### ***Regional Housing Needs Allocation***

The basis for the Housing Element’s objectives is the City’s Regional Housing Needs Allocation, or RHNA. The State of California established the RHNA process to ensure that each city and county in the state was doing its “fair share” to accommodate the demand for affordable housing. In the Bay Area, the determination of each jurisdiction’s “fair share” is made by the Association of Bay Area Governments (ABAG), based on a total number of units for the entire region that is calculated by the state. The State determined that the Bay Area needed to produce 214,500 units between 2007 and 2014 to meet projected needs. ABAG disaggregated this total to the region’s 101 member cities and nine counties based on projected household and job growth, land supply, infrastructure constraints, real estate market conditions, public transit availability, and other factors.

San Leandro’s assignment for the 2007-2014 period was 1,630 units. This number was further disaggregated by ABAG by income. The City’s assignment includes 368 units for very low income households, 228 units for low income households, 277 units for moderate income households, and 757 units for above moderate income households. As of the end of 2009, the City had already produced or approved about one-quarter of these units. When the committed units are subtracted out, the remaining assignment for 2010-2014 is 152 very low income units, 221 low income units, 262 moderate income units, and 653 above moderate income units (1,288 units altogether). The City must demonstrate that it can accommodate the very low and low income units (i.e., 273 units) on land that is zoned for densities of at least 30 units per acre.

### *Changes from the 2003 Element*

The following bulleted list highlights the key differences between the 2010 Element and the 2003 Element that preceded it.

- Chapter 1 has been updated to describe the current (2007-2014) RHNA allocation and the process for updating the Housing Element.
- Chapter 2 has been updated to include an evaluation of the 2003 Element. The 2003 Element had included an evaluation of the previous Housing Element, which had not been certified by the state.
- Chapter 3 has been updated to incorporate the best available data on each of the topics covered. Because both the 2003 and 2010 elements fall during the same Census interval, the 2000 census remains the baseline for most demographic and income data. The American Community Survey has been cited in some instances to provide more current data. In other cases, other sources such as the Department of Finance and the California Association of Realtors have been used. Virtually all of the tables in Chapter 3 also appeared in the 2003 Element, but the data has been updated wherever possible.
- Conclusions about the data in Chapter 3 have been updated to reflect new findings. This is particularly important on topics such as housing costs and the housing market, which continued to evolve between 2003 and 2010.
- New text sections have been added on the subprime mortgage crisis and the growing incidence of foreclosures in the city and region.
- Additional detail has been provided on the housing needs of extremely low income persons (earning less than 30 percent of areawide median), consistent with state law. The discussion of homelessness has also been updated and expanded.
- The housing conditions survey used in the 2003 Element has been updated (and expanded) to reflect current conditions.
- The inventory and analysis of units “at risk” of reverting from subsidized to market rate has been completely updated based on 2009 conditions.
- Redevelopment Agency projections data has been updated to cover the 2010-2014 period.
- Chapter 4 (Housing Sites) has been updated and reorganized to reflect current conditions and to better respond to state requirements which seek to identify sites with the capacity for development of 30 units per acre or more. Each housing site listed in the 2003 Element was visited to determine if it was still available. Capacity data for each site was updated based on zoning changes and land use changes. New sites were added to the inventory based on improvement to land value ratio data, site visits, and recent planning studies.
- The Constraints discussion in Chapter 5 has been completely updated to reflect current conditions. Thus, the zoning discussion reflects changes to the zoning regulations and new zoning districts that were adopted between 2003 and 2009, the design review discussion reflects new requirements that were enacted after 2003, and the discussion of fees reflect current fees rather than those from eight years ago.

- Additional detail has been added to the Constraints discussion to comply with state law, particularly SB2 (which requires cities to allow homeless shelters, transitional, and supportive housing by right in at least one zoning district). The Constraints discussion also includes an extensive review of the City’s experience with inclusionary zoning.
- The discussion of constraints has been expanded to address diminished funding resources for affordable housing and to include updated information on infrastructure. It also includes updated information on school capacity constraints, land and construction costs, and the “credit crisis” and diminished availability of mortgage loans since 2007.
- The Housing Objectives have all been updated to reflect the new RHNA figures. The targets are generally higher in this element than they were in the 2003 Element, since the City’s RHNA increased from 870 units in 1999-2006 to 1,630 units in 2007-2014. However, the 1,630 units is within the cumulative capacity provided by the General Plan and TOD Strategy.
- A new Goal has been added to promote green and sustainable neighborhoods. Policies and actions under this goal reflect current initiatives to promote green building, conserve energy (and thereby reduce housing costs), encourage walkable neighborhoods, and reduce greenhouse gas emissions through community design.
- Additional objectives have been added for extremely low income households, consistent with state law.
- Most of the policies in the 2003 Element have been carried forward. A few, such as the policy on mitigation of school impacts (59.08) have been strengthened.
- New actions have been added, including:
  - A proposal to further refine transit oriented development plans for the Bayfair BART station area
  - A proposal to update the Inclusionary Zoning Ordinance
  - A proposal to encourage housing development on the Town Hall Square (Davis/Hays/ E. 14<sup>th</sup>) and former Albertsons Supermarket sites. Housing is already permitted on both of these sites, but the Element more explicitly supports their development in this manner.
  - Support for implementation of the TOD Strategy, including completion of the San Leandro Crossings development
  - Consideration of making long-term affordability requirements more flexible in order to increase the supply of affordable units
  - Participation in the Neighborhood Stabilization Program (which did not exist when the 2003 Element was adopted)
  - Updated strategies to protect at-risk units
  - Updated strategies to continue the Rent Review Board
  - A program to update the Condominium Conversion Ordinance
  - Additional programs to assist extremely low income households, including the Homeless Prevention and Rapid Rehousing Program
  - A commitment to update the zoning ordinance within 12 months to comply with SB2. This commitment would permit shelters with up to 25 beds in the IL zone by right, subject to performance standards to be incorporated in the code.
  - Continued participation in the Countywide “Everyone Home” Program

- Updated recommendations for amending the zoning code, including minimum density requirements for the RM zone, allowances for higher FARs for mixed use projects in the CC and CN zones, amendments to the second unit standards, additional allowances for SROs, and changes to the NA zone so that is more in line with the SA and DA zones.
- The Implementation Chapter (Chapter 7) has been updated for consistency with Chapter 6.

Despite the large number of textual changes, the substantive direction provided by the 2003 Housing Element will not change. The basic goals remain appropriate and continue to be consistent with the other elements of the General Plan.

As noted earlier, the anticipated development discussed in the Housing Element is part of the anticipated residential capacity identified in the previously adopted San Leandro General Plan and TOD Strategy. The Element identifies an *existing* zoning capacity for 2,716 new housing units in the city, which is substantially greater than the RHNA allocation. No Zoning Map changes will be required to achieve the quantified housing objectives listed in the 2010 Element. Consequently, the environmental impacts associated with adoption of the Element are minimal.

The proposed updates to the objectives, policies and actions will not by themselves create physical development or result in any environmental impact beyond what was analyzed in the General Plan and TOD Environmental Impact Reports. Future projects on the sites identified in the Housing Element would be subject to project-specific environmental review.

## **Environmental Checklist**

The Environmental Checklist and discussion that follows is based on questions provided in Appendix G of the CEQA Guidelines. The questions focus on individual concerns within 17 different broad environmental categories such as air quality, cultural resources, land use, and traffic. The CEQA guidelines provide direction for preparing checklist responses. Each question in the Checklist requires a “yes” or “no” reply indicating whether or not the project will have a potentially significant environmental impact of a certain type.

The Checklist table provides other possible replies to the questions, including one which indicates the project would have a “less than significant” impact, and another which indicates that the project *could* have a significant impact but that the impact can be avoided if mitigation measures are applied. The “less than significant” impacts correspond to those where relevant information, reports or studies demonstrate that the impacts would not exceed a threshold of significance established by the lead agency. Impacts that are “less than significant with mitigation” include those where it can be demonstrated that the incorporation of clearly defined mitigation measures into the project would avoid impacts or reduce them to less than significant levels.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D) of the Guidelines). In this case, a brief discussion should identify the earlier analysis used, the impacts that were previously addressed, and the mitigation measures that were applied.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>1. LAND USE AND PLANNING. Would the project:</b>					
a. Physically divide an established community?				X	1, 2
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?			X		1, 2, 3, 5
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	1, 3, 6
<p><b>EXPLANATION:</b></p> <p>a) Physical division of an existing community would typically be associated with construction of a new highway, railroad, subway, park, or other linear feature. In this case, the project is a programmatic update of the City's Housing Element and would have no such effect. No changes to the General Plan Map or Zoning Map would occur and no physical changes which would create barriers within the community are anticipated. The Element supports and reinforces existing General Plan policies to encourage infill housing, promote higher densities around transit, and balance jobs and housing in future growth. Policies in both the Land Use Element and the Housing Element support de-concentration of lower income housing to avoid creating physical, social and economic divisions in the city.</p> <p>b) The Housing Element does not conflict with any federal, state, county or special district plans, and is consistent with applicable City of San Leandro plans, policies, and regulations. The Element recommends a set of revisions to local zoning regulations to remove potential constraints to housing development. It also recommends an update of the City's inclusionary zoning ordinance so it is more responsive to housing market trends. Neither of these actions would be considered conflicts with regulations adopted for the purpose of avoiding or mitigating an environmental affect. Action 53.01-D of the Housing Element calls for updating the General Plan Future Land Use Map so it reflects the land uses and densities depicted on the already adopted TOD Strategy Land Use Plan. This is an administrative task and would not be a substantive change to the Map, since the TOD designation has already been implemented through zoning. The change is intended to ensure consistency between the General Plan and TOD Plan and eliminate a potential conflict that exists between the maps in each document.</p> <p>c) The Housing Element does not propose land use changes to any area covered by a Habitat Conservation Plan or Community Conservation Plan. The City implements a number of plans to protect shoreline marsh areas. There are no housing sites in or immediately adjacent to the protected shoreline marshlands.</p>					
<b>2. POPULATION AND HOUSING. Would the project:</b>					
a. Induce substantial population growth in an area either directly, for example, by proposing new homes and businesses, or indirectly, through projects in an undeveloped area or major infrastructure?			X		3, 7
b. Displace substantial number of existing housing, necessitating the construction of replacement housing elsewhere?				X	1, 3
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	1, 3

**EXPLANATION:**

- a) By definition, the Housing Element is intended to facilitate the production of housing in the city and remove impediments to housing construction. The purpose of its policies and actions is to accommodate population growth so that the city accommodates its fair share of the region’s growth. However, accommodating growth is not the same as “inducing” growth. The quantity of development expected by the Housing Element is less than the cumulative total anticipated by the General Plan and TOD Strategy. Adoption of the Element would not cause the city to reach its projected population any faster, or result in higher population forecasts for the city. The anticipated dwellings have already been accounted for in other city plans and programs. The environmental impact associated with these dwellings has already been evaluated in the General Plan EIR and TOD Strategy EIR.
- b) The Housing Element would not displace substantial numbers of housing units. Several of the housing sites identified in the Element currently contain a dwelling unit. These generally consist of single family homes on large lots that could be further subdivided, or older single family homes or mobile homes on lots that are zoned for multi-family housing. In the former case, subdivision would not displace the primary residence but would merely create the capacity for additional units on the property. In the latter case, the loss of any unit would be offset by net gains in the total number of units. Additionally, since such sites are privately owned it would be the landowner’s choice to sell or develop their property, and any loss of housing would be voluntary and profit-driven.
- c) The Housing Element would not result in the displacement of people. In fact, the Element explicitly seeks to avoid displacement. It includes an extensive analysis of the potential for displacement and then sets forth proactive policies and actions to avoid the loss of affordable units as subsidies expire. It also includes policies and actions to avoid displacement resulting from home foreclosures, and it proposes consideration of a just cause for eviction ordinance to limit the eviction of tenants to specified causes. The available housing sites are generally vacant parcels or underutilized commercial sites with no population. On those sites that currently contain a dwelling unit, there is little risk of displacement since the sites are privately owned. In the case of apartment rehabilitation projects, Policy 56.03 of the Element explicitly states that relocation provisions must be provided for any displaced tenants. Similarly, Action 56.08-C proposes measures to stabilize rents in mobile home parks to avoid displacement.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>3. GEOLOGY AND SOILS. Would the project:</b>					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) <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?</i>				X	1, 2, 6
ii) <i>Strong seismic ground shaking?</i>			X		1, 2, 6
iii) <i>Seismic-related ground failure, including liquefaction?</i>				X	1, 2, 6
iv) <i>Landslides?</i>				X	1,2, 6
b. Result in substantial soil erosion or the loss of topsoil?				X	1
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.				X	1

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>3. GEOLOGY AND SOILS, continued</b>					
d. Be located on expansive soil, creating substantial risks of life or property?				X	1,2
e. Have soils capable 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?				X	1,2
f. Any increase in wind or water erosion of soils, either on- or off-site?				X	1
g. Changes in deposition or erosion of beach, sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?				X	1,2

**EXPLANATION:**

a) The Housing Element does not promote any actions that would directly result in development of a specific site or construction of a particular project. However, San Leandro is in a seismically active region, and any development in the city would be vulnerable to seismic hazards. The greatest hazard in the city is ground shaking, which would be very strong to violent in the event of a major earthquake on the San Andreas or Hayward Faults. Only two of the city’s available housing sites are located within the Alquist Priolo Special Studies Zone. These sites have the capacity for just three single family units and represent only one-tenth of one percent of the City’s development potential. Liquefaction hazards are most pronounced in the industrial areas west of I-880 and in the Washington Manor, Heron Bay, Marina Vista, and Marina Faire neighborhoods on the city’s west side. There are only six housing sites in these areas, with a capacity of 19 units. This represents less than one percent of the City’s housing capacity. Only four of the sites in the housing inventory—each with the capacity for only one or two single family homes each—are located in the San Leandro Hills where landslide hazards are present.

Impacts associated with seismic hazards were evaluated in the General Plan EIR and in the TOD Strategy EIR. Mitigation measures were identified in both EIRs to reduce hazards to life and property. In the case of the General Plan, these measures include policies and actions that that will be applied to all future development projects. In addition, City engineering standards require that development in geologically hazardous areas are subject to geotechnical studies, with specific measures taken to reduce potential hazards. All construction also must comply with building code safety regulations. Conformance with the building code and adherence to policies in the General Plan would minimize seismic shaking impacts.

b) Adopting the Housing Element would not by itself result in substantial soil erosion or the loss of soil. Erosion potential was mapped as part of the General Plan Update. Policy 29.01 of the Plan recommends that the City’s engineering and building standards minimize the potential for natural hazards, including shrink swell and erosion hazards. The Plan and its EIR note that erosion control measures would be required for development along San Leandro Creek and in the Hill neighborhoods. Site-specific conditions of approval will continue to be applied on a project-by-project basis. No new or increased impact will result above what was already anticipated by the General Plan EIR and TOD Strategy EIR.

c) The Housing Element does not propose projects on geologic units that are unstable or that would potentially result in landslides, lateral spreading, subsidence, liquefaction, or collapse. Most of the housing sites are on flat, stable land where these hazards are not present. The General Plan EIR analyzed land stability and assigned land use map designations to reduce the potential for hazards. Its policies and action measures aim to minimize exposure to impacts. No new or increased impacts will result above those already anticipated and analyzed in the General Plan and TOD Strategy EIRs.

d) The shrink-swell characteristics of San Leandro’s soils were mapped as part of the General Plan Update. Policies in the Plan seek to mitigate the potential for impacts associated with future development projects. The Housing Element proposes no changes that would result in new or increased impacts. Future development will be required to complete soil studies, and implement engineering improvements and other measures to mitigate for soil expansion potential.

- e) All of the housing sites identified in this Element would be served by public sewer systems. Septic tanks would not be permitted. The housing sites are all located within the City limits, principally on infill sites where sewer lines are available at the curb. No impact would occur as a result of Housing Element adoption.
- f) Adoption of the Housing Element would not cause an impact in water or wind erosion. Erosion impacts are addressed by the General Plan and its associated EIR.
- g) One of the Housing Element sites is located on San Francisco Bay and five of the sites abut San Leandro Creek. Two of these five sites are located within the TOD Strategy area and have the potential for high density development. The General Plan EIR and the TOD Strategy and its associated EIR include provisions to avoid erosion of the Bay and creek banks. General Plan policies address required creek setbacks and measures to preserve riparian areas and prevent streambank erosion. No new or increased impact will result above what is already anticipated as a result of adopting the Housing Element.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>4. HYDROLOGY AND WATER QUALITY. Would the project:</b>					
a. Violate any water quality standards or waste discharge requirements?				X	1, 2
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, for example, 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?				X	1, 2
c. Substantially alter the existing drainage pattern of the site or area, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X	1,2
d. Substantially alter the existing drainage pattern of the site or area, including 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?				X	1, 2
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X	1, 2
f. Otherwise substantially degrade water quality?				X	1, 2, 3
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map (FIRM) or other flood hazard delineation map?			X		1, 2, 8
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X	1, 2
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?					1, 3
j. Inundation by seiche, tsunami, or mudflow?				X	1, 3
k. Exposure of people property to water related hazards such as tidal waves?				X	1

**EXPLANATION:**

- a) Adoption of the Housing Element itself will not violate any water quality standards or waste discharge requirements. The Element is a policy document that would not increase the level of housing production beyond what is already permitted by the 2002 San Leandro General Plan and 2007 TOD Strategy. The impacts of that level of housing production on water quality have already been analyzed in the environmental impact reports for those two plans, and mitigation measures have already been prescribed and are in effect. General Plan policies 32.01 through 32.08 all provide program-level guidance to mitigate potential water quality impacts. Implementation of the Housing Element would not exceed waste discharge requirements established by the Regional Water Quality Control Board, and would not violate the NPDES Permit for stormwater discharge. As appropriate, individual development projects will be subject to environmental review and project-specific measures may be required to mitigate water quality impacts.
- b) The Housing Element would not impact groundwater recharge areas or have an impact on the water table. All of its proposals are consistent with the 2002 General Plan and 2007 TOD Strategy. The impacts of these two plans on groundwater were analyzed in previous EIRs and mitigation measures have already been prescribed in the form of policies and action programs. General Plan Policy 32.10 protects San Leandro's groundwater from the potential adverse effects of urban uses, and will remain in effect for the duration of the Housing Element planning period.
- c) The updated Housing Element would enable continued development on vacant and underutilized properties, which could in turn lead to greater amounts of stormwater runoff and increased impervious surface area. However, the RHNA assignment (1,630 units) is well within the margin of development that was previously analyzed by TOD Strategy and General Plan EIRs. Each of these EIRs included mitigation measures to reduce potential development impacts on stormwater drainage. The General Plan itself includes policies to minimize siltation and erosion from construction, and recommends the use of best management practices on individual development sites. Depending on site location and project attributes, additional environmental review and compliance with applicable regulations may be required for individual development proposals in the future.
- d) There would be no alteration of drainage patterns as a result of Housing Element adoption, and no increased risk of flooding. Drainage impacts were analyzed in the EIRs for the General Plan and TOD Strategy and the Housing Element does not propose development beyond the levels analyzed by those documents. The housing sites are generally located on sites where drainage impacts can be fully mitigated by connecting to the City's storm drain system. In addition, the Housing Element supports green roofs, rain gardens, and other forms of low impact development which would retain a greater quantity of stormwater on-site. These policies may be applied to existing development as well as proposed development, resulting in net environmental benefits.
- e) See Response "d" above. The Housing Element by itself will not contribute runoff that would exceed the capacity of existing or planned storm drainage systems. Future development may have impacts on runoff, but these impacts have been analyzed in the General Plan EIR and the TOD Strategy EIR. Policies and actions in the General Plan reduce the severity of potential impacts. Future development will be subject to environmental review and may be required to conduct additional analysis and mitigation of runoff impacts.
- f) There would be no additional impact on water quality beyond those described above. No increases in development above what was anticipated by the General Plan and TOD Strategy would occur as a result of Housing Element adoption. Consistent with the San Leandro General Plan, the Alameda County Clean Water Program, and the City's engineering design standards, all future housing projects will be required to incorporate best management practices (BMPs) to reduce water quality impacts. BMPs are typically prescribed at the time that specific developments are proposed and reflect the characteristics of each site and project.
- g) Only one of the 86 sites identified in the Housing Element is located in a 100 year flood plain. The site corresponds to the surface parking lots around the Bayfair BART station. According to FEMA's Flood Insurance Rate Maps, portions of this site are in Zone AH which is defined as having water depths of 1 to 3 feet in a 100-year flood. The remainder of the site is in Zone X, which is the 500-year flood plain. The site is designated for public use in the General Plan. Due to its proximity to BART, the Housing Element recommends that it be considered a suitable site for high density housing. Action 53.01-B in the proposed Housing Element recommends that consideration be given to amending the General Plan designation for this site from "Public" to indicate the city's intent to pursue high density mixed use development in the future. Any subsequent General Plan Amendment would be subject to further study and CEQA review, including an evaluation of flooding impacts and mitigation measures. No other flood-related impacts are expected.

- h) See response “g” above. Adoption of the Housing Element by itself would not directly cause structures to be placed in locations that would impede or redirect flood flows. Issues relating to flooding were comprehensively addressed in the General Plan EIR and the TOD Strategy EIR. General Plan policies address mitigation of flood hazards and reduce the potential for future impacts.
- i) Many of the housing sites would be impacted in the event of dam failure at Lake Chabot. However, these sites already have General Plan designations that permit housing and adoption of the updated Housing Element by itself would not place a greater number of people in harm’s way. Moreover, the impacts of dam failure were analyzed in the San Leandro General Plan EIR and the TOD Strategy EIR and were determined to be less than significant. Consistent with state law, policies in the General Plan address a complete range of flooding and seismic hazards, including dam failure.
- j) Tsunami hazards in San Leandro are minimal due to the City’s distance from the ocean. There are seiche hazards associated with Lake Chabot and mudflow hazards in the San Leandro Hills, which have very limited housing capacity. The General Plan EIR included policies to mitigate these hazards to less than significant levels. The Housing Element does not propose any increases in density in areas where tsunami, seiche, or mudflow hazards are present. Therefore, there would no direct impact on hazard levels associated with adoption of the element.
- k) Adoption of the Housing Element would not expose additional people or property to tidal waves.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
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**5. 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?				X	1, 2, 9
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X		1, 2
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)?			X		1,2
d. Expose sensitive receptors to substantial pollutant concentrations?			X		1, 2
e. Create objectionable odors affecting a substantial number of people?				X	1, 2

**EXPLANATION:**

- a) Adoption of the Housing Element would not conflict with Air Quality Plans for the San Francisco Bay Area. The level of development accommodated by the Element is consistent with the 2009 projections prepared by the Association of Bay Area Governments, which in turn guide the Bay Area Air Quality Management District’s air quality planning programs. The BAAQMD guidelines state that sources of air pollution that comply with all applicable BAAQMD regulations generally are not considered to have significant air quality impacts. In general, the Housing Element strongly supports and reinforces air quality plans by promoting more compact, transit oriented development, and by accommodating housing close to the region’s major job centers.
- b) The 2002 General Plan EIR identified a significant, unavoidable impact associated with continued development in an air basin that does not meet state and federal ozone standards. When that EIR was certified, a Statement of Overriding Considerations was adopted for project-related air quality emissions. The EIR identified a set of mitigation measures, including policies to reduce driving, regulate construction in a way that minimizes air pollution sources, promote public

education on air quality hazards, reduce particulates from sources such as fireplaces, control stationary sources, and shift toward cleaner-burning fuels. The General Plan also incorporated Transportation Control Measures (TCMs) to reduce total vehicle miles traveled. The Housing Element by itself would have a less than significant impact on air quality standards, since it would not add to the impacts already evaluated by the General Plan EIR and the subsequent TOD Strategy EIR. The impacts resulting from buildout of the General Plan and TOD areas were previously analyzed in those EIRs.

- c) See response “b” above. A Statement of Overriding Considerations has already been adopted to reflect the impacts of continued growth in San Leandro on criteria air pollutants. The Housing Element supports housing growth in the city, consistent with the other elements of the General Plan and the TOD Strategy. The impacts of this growth on criteria pollutants was analyzed in the EIRs for these two respective projects, and mitigation measures have already been prescribed. These measures will continue to apply to future construction on the 86 housing sites identified in the Housing Element. Previously identified mitigation measures include environmental review for individual development proposals, which would include an assessment of project-related and cumulative air quality impacts.
- d) Sensitive receptors, which include residences, schools, hospitals, and similar uses, could be subject to construction-related impacts as new housing is constructed. In addition, the Housing Element supports provision of housing for special needs populations, including seniors who may be more vulnerable to air pollution-related conditions such as asthma. Adopting the Housing Element would not by itself expose sensitive receptors to substantial pollutant concentrations. The Element proposes construction that is consistent with the General Plan and TOD Strategy. Mitigation measures associated with sensitive receptors have already been identified through the EIRs for these projects. These include the use of best available control technology to reduce construction-related impacts, as well as policies that reduce the siting of housing near sources of air pollution. None of the housing sites identified in the Element are within 300 feet of Interstate 880. Two of the sites are within 300 feet of Interstate 580. At such time that housing developments are proposed on these sites, additional mitigation measures would be prescribed as needed to reduce potential impacts associated with particulates and carbon monoxide.
- e) Adopting the Housing Element would not create objectionable odors. Any odor-related impacts associated with future growth have already been evaluated by the San Leandro General Plan EIR and the TOD Strategy EIR. The proposed Element is consistent with these plans.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>6. BIOLOGICAL RESOURCES. Would the project:</b>					
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?				X	1, 2, 10
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X	1, 2,
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?				X	1, 2

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
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?				X	1, 2
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	1, 2
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?				X	1, 2

**EXPLANATION:**

- a) The updated Housing Element does not propose any actions that would directly have any effect on lands designated for the protection of biological or natural resources. These lands include the shoreline marshland, the regional park at Oyster Bay, and the undeveloped areas east of the city in the sphere of influence. Almost all of the housing sites identified in the Element are infill properties where natural conditions were disturbed many years ago. Impacts on candidate, sensitive, and special status species were analyzed in the General Plan EIR and the TOD Strategy EIR. The General Plan includes several policies to mitigate potential impacts, including Policy 26.01 which promotes the long-term conservation of the city’s wetlands, grasslands, and riparian areas, and Policy 26.02 which requires measures to mitigate the impacts of development on plant and animal habitat. Action 26.04-A requires biological assessments for development in areas where special status species may be present. The Housing Element is consistent with these policy directives and would result in no additional or previously unanticipated impacts.
- b) Five of the housing sites are adjacent to San Leandro Creek. These sites are already designated for residential development by the San Leandro General Plan, and the potential impacts of their development on the creek ecosystem was analyzed in the General Plan EIR and in the TOD Strategy EIR. The General Plan includes policies to enhance riparian habitat, restore the natural qualities of the creek, and promote long-term creek conservation (see Policies 25.03 and 25.05). No new or increased impact will result from adopting the Housing Element. Any specific development proposals on Housing Opportunity Sites 3, 4, 28, 31, and 80 would be subject to subsequent environmental review, and could potentially include site-specific measures to address riparian impacts. None of the other housing sites is located in a riparian area.
- c) None of the housing sites are located in wetland areas. Thus, adoption of the Housing Element would not have a substantial adverse effect on wetlands. No direct removal, filling, or hydrologic interruption is proposed. General Plan policies 26.01 and 26.05 specifically address wetlands protection.
- d) Adopting the General Plan will not by itself interfere with the movement of any native resident or migratory fish or wildlife species or wildlife corridors, or impede the use of native wildlife nursery sites. The housing sites are all located within urbanized areas. The potential for such impacts was previously evaluated in the General Plan EIR and the TOD Strategy EIR and was determined to be less than significant. No new or increased impact will result from adopting the Housing Element.
- e) Adoption of the Housing Element will not result in conflicts with any local tree protection ordinances and will likely result in a net increase in tree cover, as the properties proposed for housing are typically vacant sites with minimal vegetation, or underutilized commercial properties that are largely impervious. There are no conflicts with local policies or ordinances protecting biological resources associated with the project.
- f) The Housing Element does not conflict with any habitat conservation plan or natural community conservation plan. There are no housing sites within the area covered by the Shoreline Marshlands Enhancement Program.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>7. MINERAL RESOURCES. Would the project:</b>					
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?				X	1, 2
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?				X	1, 2
<b>EXPLANATION:</b>  a-b) Neither the State Geologist nor the State Mining and Geology Board has classified any areas in San Leandro as containing mineral deposits which are of statewide significance or the significance of which requires further evaluation. The 2002 General Plan EIR confirms that there are no mineral deposits of significance in the city limits. The Housing Element proposes no changes that would change this condition. Thus, no impacts to mineral resources would result from Housing Element adoption.					
<b>8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	1
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?				X	1, 2
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	1,2
d. Be located on a site which is included on a list of hazardous materials sites and, as a result, would it create a significant hazard to the public or the environment?			X		1,2,6,7
e. For a project located within an airport land use plan, would the project result in a safety hazard for people residing or working in the project area?				X	1, 2, 11
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?				X	1
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	1, 2
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?				X	1, 2

**EXPLANATION:**

- a) Adoption of the Housing Element would not result in any transport, use, or disposal of hazardous materials. Additional housing in San Leandro would probably lead to increased volumes of household hazardous wastes, but these increases have already been accounted for in the General Plan EIR and the TOD Strategy EIR. Policies have already been integrated into the General Plan to address potential impacts. Policy 34.06 promotes public education about safe disposal of hazardous waste and Action 34.06-A calls for publicity of household hazardous waste collection events and the location and hours of hazardous waste collection facilities. Because the Housing Element is focused on residential uses, there would be no impact associated with industrial or commercial sources of hazardous waste generation.
- b) The Housing Element would not result in any increased risk of upset or accident conditions involving the release of hazardous materials into the environment. Some of the housing sites may contain older structures that would be demolished, creating the potential for asbestos, lead, mercury, and PCB releases. This potential was already analyzed in the General Plan EIR and is addressed through policies in the Plan. Policy 34.07 in the General Plan indicates that the City will “ensure the safe and proper handling of hazardous building materials”, and further notes that any such materials must be handled and disposed in a manner that protects human health and the environment. The Housing Element does not propose development in areas that were not previously assessed for this hazard in the General Plan. Furthermore, any subsequent development project on the housing sites identified in the Element would be subject to environmental review. This would include hazardous materials release risk assessments, along with a requirement to comply with all applicable federal, state, and local hazardous materials regulations.
- c) The proposed Housing Element would not cause the emission of hazardous materials or require the handling of hazardous materials within one-quarter mile of a school. Future construction on any of the housing sites would require clearance from the Bay Area Air Quality Management District regarding the presence of any potentially hazardous materials that could be emitted during demolition or site grading.
- d) Some of the housing opportunity sites identified in the proposed Housing Element were previously used (or are currently used) for commercial purposes. The housing sites include gas stations, car sales lots, car rental lots, auto repair businesses, and a furniture warehouse. In some cases, past activities may have introduced contaminants that will require clean-up before the site may be safely redeveloped. Other sites may have been in agricultural use before they were commercially developed and could have residual herbicides or pesticides in the soil.

The need for clean-up on such sites has already been analyzed in the General Plan EIR and TOD strategy EIR. The development proposed by the Housing Element is consistent with the development proposed by those plans in terms of quantity (density) and location. No additional impacts are expected as a result of Housing Element adoption. The General Plan EIR included mitigation measures to address the potential for adverse impacts. These measures correspond to General Plan policies, including Policy 34.02 which requires clean-up prior to the development or reuse of any contaminated site. The General Plan EIR also included a mitigation measure which requires a Phase I environmental assessment prior to the redevelopment of any site where hazardous materials may be present. This would apply to some of the housing opportunity sites that were previously used for agricultural, industrial, or heavier commercial uses.

- e) Housing Element adoption will not result in a safety hazard for people residing or working near areas covered by an airport land use plan. The Element is consistent with the Airport Land Use Compatibility Plan for Oakland International Airport. Although there are long-established residential areas in the approach path to the North Field at Oakland International Airport, none of the city’s 86 housing sites are located in this area. Housing sites 10 and 86 are located in the approach path to North Field but are in the Bayfair Mall Area which is four miles from the runway. Consistent with the General Plan, any proposal to place housing in the area covered by the Airport Land Use Plan would be coordinated through the Alameda County Airport Land Use Commission. Impacts resulting from anticipated growth on airport-related hazards were addressed in the General Plan EIR; the Housing Element proposes no new or increased impacts.
- f) There are no private airstrips in or adjacent to San Leandro.

- g) The Housing Element would have no effect on emergency response plans or evacuation plans for the City. The Element accommodates housing growth on sites that have already been designated for development in the General Plan, and would not result in increases in population beyond the levels assumed during emergency response planning. Impacts of growth on emergency response have been previously analyzed in the EIRs for the General Plan and TOD Strategy. The General Plan includes policies and actions to improve emergency preparedness and these measures would remain in effect after the Housing Element is adopted.
- h) The General Plan would not expose people or structures to increased risk of wildfire. The Housing Element indicates the potential for fewer than 20 new homes in the San Leandro Hills, which is the only part of the city identified as having high wildfire risks. This represents less than one percent of the city's housing capacity. Measures to mitigate wildfire risks in the hills were previously identified in the General Plan EIR and would continue to apply after the Housing Element is adopted.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>9. NOISE. Would the project result in:</b>					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?			X		1, 2, 3
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?				X	1, 2, 3
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X	1, 2
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X	1, 2
e. For a project located within an airport land use plan, would the project expose people residing or working in the project area to excessive noise levels?				X	1, 2, 11
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?				X	1

**EXPLANATION:**

- a) Adoption of the Housing Element would not by itself expose people to noise levels that exceed the standards established in the General Plan. Some of the housing sites are located near the I-580 freeway and others abut BART and the railroad rights-of-way. Exterior noise levels in these locations do exceed 65 dB Ldn in some instances, which is the General Plan compatibility threshold for housing. The potential impact of these noise sources on housing development was previously analyzed in the EIRs for the General Plan and TOD Strategy. Mitigation measures have already been prescribed and would be implemented as specific development projects are proposed. Most of these measures address design, architecture, noise buffering, sound walls, and site planning. These are found under Goals 35 and 36 in the San Leandro General Plan. In addition, Policy 35.01 of the General Plan requires acoustical studies and noise mitigation measures for any project located in an area that exceeds the City's noise compatibility guidelines. Additional measures are contained in the TOD Strategy EIR.

The Housing Element suggests that a General Plan Amendment be considered for the Bayfair BART station parking lot to facilitate future housing development. The 11-acre site is currently designated for Public use on the General Plan Map. Any General Plan Amendment for this site would be subject to environmental review, including evaluations of potential noise impacts. Mitigation measures would be identified as necessary for that project. Thus, the overall impact of the Housing Element on exposure to noise is less than significant.

- b) Adoption of the Housing Element would not by itself increase exposure of persons to groundborne vibration or groundborne noise. As noted in response “a” above, site specific noise analyses are required for individual housing developments, consistent with the San Leandro General Plan. Mitigation measures are applied to these developments as necessary to reduce noise and vibration impacts to less than significant levels. The City’s Site Plan Review process ensures consistency with noise thresholds and other standards. No new or increased levels of noise or vibration would occur as a result of the Housing Element.
- c) Adoption of the Housing Element would not cause an increase in ambient noise levels. The amount and location of housing accommodated by the Element is consistent with the amount and location already included in the General Plan and TOD Strategy. This level of development was previously assessed in the EIRs for these two projects. In both instances, the permanent impacts of housing development on ambient noise levels was determined to be less than significant.
- d) Temporary increases in noise would occur during housing construction. This is a short-term impact that is regulated through permit conditions and the noise limitations specified by the San Leandro Municipal Code. General Plan Action 35.05-A requires conditions of approval for any new development, including construction hours and operating hours to minimize the potential for noise impacts. The Housing Element would not increase development levels above what was cumulatively anticipated by the General Plan and TOD Strategy. Temporary noise impacts have already been evaluated and no impact beyond those previously considered in the General Plan EIR and TOD Strategy EIR is expected.
- e) The Housing Element would have no impact on people residing or working within areas covered by the Metropolitan Oakland Airport Land Use Plan. Consistent with the General Plan, no additional residential development is proposed within the 65 db Ldn contours associated with Oakland Airport. Most of the city’s housing potential is located near the two BART stations and along the East 14<sup>th</sup> Street corridor, areas which are not affected by the Airport Land Use Plan.
- f) Because there are no private airstrips within the city limits, there would be no impacts.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>10. TRANSPORTATION/CIRCULATION. Would the project:</b>					
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; that is, results in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?			X		1, 2
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X		1, 2
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?				X	1, 2
d. Substantially increase hazards due to a design feature, for example, sharp curves or dangerous intersections or incompatible uses (farm equipment)?				X	1, 2
e. Result in inadequate emergency access?				X	1, 2
f. Result in inadequate parking capacity?			X		1, 2
g. Conflict with adopted policies, plans, or programs supporting alternative transportation, for example, bus turnouts, bicycle racks?				X	1, 2
h. Trigger CMA Review? (GPA involving more than 100 p.m. peak hour trips generated over existing GP)				X	1, 2

**EXPLANATION:**

- a) The Housing Element and its related action programs would not directly result in development and would not significantly impact traffic in San Leandro. The quantity of development projected by the Element is less than the cumulative total evaluated by the TOD Strategy EIR and General Plan EIR. The proposed Housing Element includes actions to establish minimum density requirements in the RM zones and to increase allowable densities in the NA zones. This will not impact the City's traffic forecasts because the forecasts already presume high density multi-family development in these areas, consistent with the 2002 General Plan.

Measures necessary to mitigate General Plan and TOD Area transportation impacts have already been prescribed in the General Plan and TOD Strategy EIRs and are currently being implemented and monitored. These measures include impact fees, transportation demand management programs, signal timing, and specific capital improvement projects based on growth projections. Future residential projects on sites in the TOD area, and on all of the sites identified in the Housing Element, are subject to additional environmental review. Each project will be reviewed for its individual and cumulative impacts on the street system, and site-specific mitigation measures will be prescribed as needed.

- b) Future residential development constructed pursuant to Housing Element policy could, either individually or cumulatively, result in traffic levels of service that exceed the standards adopted by the Alameda County Congestion Management Agency (ACCMA). However, such impacts have already been evaluated by the City in its General Plan EIR and TOD Strategy EIR, and have been further documented in project-level traffic studies. The San Leandro City Council has already accepted a significant unavoidable impact associated with General Plan buildout in the vicinity of the Downtown BART Station. The Housing Element would not amend land use designations or cause property to be rezoned in a manner that changes traffic forecasts or that causes projected traffic conditions to further deteriorate. Numerous mitigation measures have been prescribed and implemented by project-level traffic studies. Such measures will continue to be prescribed and implemented in the future, consistent with the General Plan.
- c) The Housing Element will have no impact on air traffic patterns or air traffic levels. None of the planned housing sites are near height-restricted areas. The densest construction in the City would be expected to consist of mid-rise (rather than high-rise) buildings and would not affect flight patterns.
- d) The Housing Element proposes no changes to the road network, and would not introduce vehicles or other uses that would create potential traffic safety hazards. Any future residential development would be subject to Site Plan Review to ensure that roads and other transportation features meet City engineering standards and avoid the creation of hazards.
- e) Adopting the Housing Element would have no impact on emergency access. Residential development would be on lands that are already designated and planned for urban development. Consistent with the General Plan, development plans would be reviewed by the Police and Fire Departments to ensure that emergency access provisions are adequate.
- f) Action 59.02-A of the proposed Housing Element recommends that changes to the parking standards be considered. The proposed changes would make the standards for the NA- district comparable to those in the SA- district, allow a greater percentage of the spaces in multi-family transit-oriented development to be uncovered, eliminate guest parking requirements for two- and three-unit buildings, and lower the parking requirements for studio apartments from 1.5 to 1.25 spaces per unit. The overall effect on parking capacity would be small, since these regulations would apply primarily to transit-served development where auto ownership rates are lower. The changes reflect "best practices" in parking standards, and would have a less than significant impact on parking capacity. Individual projects would still be subject to Site Plan Review, including assessments of parking needs and proposed parking provisions.
- g) The Housing Element would have no impacts on policies, plans, or programs supporting alternative transportation. Consistent with the General Plan and TOD Strategy, most of the housing capacity identified in the Element is located in areas near BART and along the East 14<sup>th</sup> Street bus corridor, areas that are conducive to the use of alternative travel modes. The Element reinforces adopted policies and plans to encourage transit use, bicycling, and walking. Individual future projects will require additional environmental review, and if needed specific provisions to support pedestrian, bicycle, and transit use would be prescribed at that time.
- h) The Housing Element is a policy document that reinforces the existing General Plan and TOD Strategy. Its adoption will not result in additional trip generation.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>11. PUBLIC SERVICES. 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:</b>					
a. Fire protection?				X	1, 2
b. Police protection?				X	1, 2
c. Schools?			X		1, 2
d. Parks?				X	1, 2
e. Other public facilities?				X	1, 2
<b>EXPLANATION:</b>					
<p>a) Adoption of the Housing Element would not affect the Alameda County Fire Department’s ability to provide fire protection services to San Leandro and would not require new or physically altered fire stations. Although the housing accommodated by the Element could result in an increased number of service calls, the impacts of this increase have already been analyzed in the EIRs for the General Plan and the TOD Strategy. Both of these EIRs determined that fire protection impacts could be mitigated to less than significant levels. The Housing Element would not increase the quantity or location of development beyond the amount already permitted by the General Plan and TOD Strategy. General Plan Policy 2.11 requires all development to be designed for adequate access by emergency personnel and for prevention, suppression, and detection of fire. Policy 45.01 establishes response time standards for fire protection services, and Policy 45.05 requires Fire Department review of proposed development plans. Collectively, these policies will ensure that fire service impacts are mitigated as individual housing developments are proposed.</p> <p>b) Adoption of the Housing Element would not affect the San Leandro Police Department’s ability to provide police protection services to San Leandro and would not require new or physically altered government facilities. Although the housing accommodated by the Element could result in an increased number of service calls, the impacts of this increase have already been analyzed in the EIRs for the General Plan and the TOD Strategy. Both of these EIRs concluded that police service impacts would be mitigated to less than significant levels. The Housing Element would not increase the quantity or location of development beyond the amount permitted in the General Plan and TOD Strategy. General Plan Policy 45.01 establishes response time standards for police protection services, and Policy 45.05 requires Police Department review of proposed development plans. Collectively, these policies will ensure that police service impacts are mitigated as individual housing developments are proposed.</p> <p>c) Educational services are provided to San Leandro residents by the San Leandro and San Lorenzo Unified School Districts. School capacity is presently an issue in the San Leandro School District, with a number of campuses operating over their design capacity. Future residential development facilitated by the Housing Element would increase the number of students in this district. State-mandated development fees are insufficient to address the need for additional facilities, creating the potential for further overcrowding. The Housing Element itself encourages three and four bedroom rental units and places an emphasis on family housing, which could mean that future housing has higher student generation rates than recent new construction.</p> <p>All of these factors were addressed in the EIRs for the General Plan and TOD Strategy. The level of residential development anticipated by the Housing Element is within the envelope that was analyzed by these two plans. The General Plan includes policies to mitigate school impacts. Policy 4.01 indicates that residential development should only be allowed to occur when the public facilities needed to serve that development are available or will be provided concurrently with that development. Policy 46.02 requires mitigation of school impacts to the full extent permitted by law. General Plan Actions 4.03-A and 46.02-A also directly address school impacts.</p> <p>Recognizing the sensitivity of this issue and the extensive discussion of school impacts during the Housing Element update, the Housing Element itself includes a policy to mitigate the impacts of increased enrollment on school facility needs. Policy 59.08 indicates that the City will work with both school districts to consider strategies that supplement the impact fees and bond measures already in place. These strategies include modifications to school enrollment boundaries, bussing to less crowded schools, MOUs with adjacent districts to accept overflow, reductions in out-of</p>					

boundary enrollment, grade reconfiguration, development of charter schools, and leasing of underutilized or vacant commercial space for school use. Implementation of these strategies, in tandem with General Plan policies and the mitigation measures already specified in the General Plan EIR and TOD Strategy EIR, will reduce impacts to less than significant levels.

- d) Adoption of the Housing Element would not by itself affect the demand for parks or the City’s ability to maintain its existing parks. Although the housing accommodated by the Element would increase the city’s population and lead to a demand for more parkland and recreational services, the impacts of this increase have already been analyzed in the EIRs for the General Plan and the TOD Strategy. Both of these EIRs concluded that this impact would be reduced to less than significant levels. The General Plan includes policies requiring new development to offset the demand for parkland by paying an impact fee (Policy 23.02), policies to develop new parks in underserved areas and on underdeveloped or vacant sites (Policies 22.03, 22.07), and policies to work with the East Bay Regional Park District to ensure that San Leandro receives its fair share of regional park benefits (Policies 23.04, 23.05). The General Plan also supports joint use agreements to increase access to school athletic fields and recreational facilities. The Housing Element would not increase development levels beyond the quantities that were already analyzed in the General Plan EIR and TOD Strategy EIR. Continued implementation of General Plan policies and compliance with the park dedication ordinance/ impact fee program will address future potential impacts.
- e) Adoption of the Housing Element would not affect other public facilities, including libraries, City administrative facilities, and public works maintenance yards. The impacts of future growth on these facilities has already been analyzed in the General Plan EIR and TOD Strategy EIR and was determined to be less than significant due to policies incorporated in the General Plan.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
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**12. UTILITIES AND SERVICE SYSTEMS. Would the project:**

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X	1, 2
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?				X	1, 2
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?				X	1, 2
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X	1, 2
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?				X	1, 2,
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X	1, 2
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X	1
h.. Comply with federal, state, and local statutes and regulations related to discharge of storm waters?				X	1

**EXPLANATION:**

- a) Adoption of the Housing Element would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board. The quantity of development accommodated by the Element is within the envelope analyzed

by the General Plan EIR and the TOD Strategy EIR. The EIRs for these plans analyzed impacts on wastewater treatment requirements and determined that the potential for adverse impacts could be mitigated through General Plan policies. No new or increased impacts above what is already anticipated in these environmental documents would occur as a result of Housing Element adoption. Future development on any of the housing sites listed in the Element would be subject to future environmental review procedures and could potentially be required to provide additional mitigation.

- b) The Housing Element would not require the construction of new water or wastewater facilities or the expansion of existing facilities. As a policy document, its adoption would not directly result in any construction or physical development project. Impacts to water and wastewater treatment facilities were previously analyzed in the EIRs for the General Plan and TOD Strategy, as well as subsequent environmental documents prepared for specific projects. The General Plan and TOD EIRs determined that water and wastewater impacts could be mitigated to less than significant levels by implementing policies and actions in the General Plan. General Plan Policy 52.03 calls for coordination with EBMUD to ensure that infrastructure remains adequate to serve new development. General Plan Policy 52.05 directs the City to maintain capacity at the San Leandro wastewater treatment plant to accommodate projected levels of growth and to work with the Oro Loma Sanitary District to do the same. The General Plan EIR also includes a mitigation measure to continue the City's sewer replacement program. Policies are also included requiring future development to pay its fair share to improve water and sewer facilities. Continued application of these policies, coupled with ongoing environmental review of individual development projects, would eliminate the potential for impacts related to the Housing Element.
- c) The Housing Element by itself would not require the construction or expansion of stormwater drainage facilities. The General Plan and TOD Strategy EIRs both analyzed the storm drainage impacts associated with build out of a given set of land use designations on a given set of properties. These designations will not change with adoption of the Housing Element. The General Plan EIR determined that storm drainage impacts would be mitigated to less than significant levels by adopting General Plan policies and actions. These include Policy 52.06, which requires drainage improvements for new development to ensure that runoff is adequately handled. The General Plan also prescribes measures to reduce runoff through porous pavement, impervious surface standards, and other forms of low impact development. Continued implementation of these measures would avoid the potential for Housing Element-related impacts.
- d) Adoption of the Housing Element would not have an impact on water supplies. Water supply needs were previously addressed in the General Plan EIR and the TOD Strategy EIR. The Housing Element does not propose any increases to the development quantity analyzed in those documents. The projections used in the San Leandro General Plan are consistent with the assumptions used by East Bay Municipal Utility District in its Urban Water Management Plan, and are not impacted by the Housing Element. Since 2002, policies have been included in the General Plan to reduce water supply impacts to less than significant levels. These include Policy 27.02, which encourages water conservation and reclaimed water use; Policy 27.03, which encourages drought-tolerant landscaping; and Policy 27.04, which calls for planning and building standards that encourage the efficient use of water. Future development projects would be subject to environmental review, which would include an assessment of water supply needs and accompanying measures to meet those needs and implement conservation measures.
- e) Adoption of the Housing Element would not require a determination by the wastewater treatment provider regarding capacity since the Element is a policy document and does not propose any specific physical development. Operators of the San Leandro Water Pollution Control Plant and the Oro Loma Sanitary District Wastewater Treatment Plant were consulted during the General Plan Update to ensure that their facilities had sufficient capacity to handle the margin of development anticipated by the General Plan. Appropriate mitigation measures and policies were developed and incorporated into the General Plan. Those measures are applied on an ongoing basis. The Housing Element does not propose changes that would exceed the capacity of either plant. Future development would be subject to environmental review, including a determination that the respective wastewater plants have sufficient capacity to handle sanitary sewer flows.
- f) Adoption of the Housing Element will have no impact on solid waste disposal needs. Development impacts on waste disposal were previously assessed in the General Plan EIR and the TOD Strategy EIR. The quantity of development accommodated by the Housing Element is within the cumulative total evaluated in these two EIRs. Each of the EIRs identified measures to address the potential for solid waste impacts. These measures include General Plan Policy 27.01, which promotes recycling and composting, and Action 27.01-A which identifies programs to divert 75 percent of the City's wastestream from landfills. In addition, the Housing Element itself encourage waste reduction by promoting green building and the use of recycled materials.

- g) The Housing Element would be fully compliant with federal, state, and local statutes/ regulations related to solid waste. These regulations were analyzed during the Update process and were not identified as a housing production constraint.
- h) The Housing Element would be fully compliant with federal, state, and local statutes and regulations related to stormwater discharge. These regulations were analyzed during the Housing Element process and were not identified as a constraint to housing production.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
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**13. RECREATION**

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		1, 2
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?				X	1, 2

**EXPLANATION:**

- a) The Housing Element by itself would not increase the use of neighborhood or regional parks, or lead to the deterioration of these facilities through overuse. However, residential development consistent with the Element’s policies would result in additional park users in San Leandro. The growth anticipated by the Housing Element has already been accounted for and analyzed in the EIRs for the General Plan and TOD Strategy. The Element would not increase housing development beyond the forecasts included in those document, and would not increase impacts on park facilities or recreational services beyond those already evaluated. The General Plan includes proactive measures to respond to increased demand for parkland, including a park dedication ordinance and in-lieu fee. General Plan Policy 21.02 mandates regular systematic maintenance of City parks, and Policy 22.05 calls for a commitment to a high level of maintenance in any new park development. General Plan Actions 21.01-B, 21.02-A, and 21.10-A all address ongoing funding for park maintenance and rehabilitation.
- Future residential projects would be subject to environmental review. This would include the establishment of additional parks on a project-by-project basis, or the payment of the park impact fee to offset associated impacts. The Housing Element acknowledges the park impact fee as a potential development constraint (due to its high cost) and indicates that the City should consider reductions in certain circumstances (i.e., senior housing). This is already City policy, and no significant changes would occur as a result of Housing Element adoption.
- b) The Housing Element is a policy document addressing housing affordability and does not propose recreational facilities or the expansion of recreational facilities.

**14. AESTHETICS. Would the project:**

a. Have a substantial adverse effect on a scenic vista?				X	1, 2, 5
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X	1, 2, 3
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				X	1, 2
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X	1, 2
e. Create significant shadow effects on adjacent buildings?			X		1, 2, 4, 12

## EXPLANATION:

- a) Adoption of the Housing Element would have no impact on scenic vistas. The housing sites listed in the Element are predominantly infill sites on flat land and would be expected to accommodate low- to mid-rise buildings. Less than one percent of the City's housing capacity as defined by the Housing Element is located in hill neighborhoods where visual impacts would be most prevalent. Any development in these areas would be subject to site plan review, design review requirements, and View Protection (VP) zoning provisions on a project-by-project basis. Visual impacts associated with housing development in San Leandro were also addressed in the General Plan EIR and subsequent environmental documents such as the TOD Strategy EIR. General Plan policies have already been adopted to minimize the potential for impacts on scenic vistas. For example, Policy 2.08 ensures that alterations, additions, and new homes are designed in a manner that preserves access to sunlight and avoids the disruption of panoramic views.
- b) The Housing Element is a policy document that will not directly result in physical development. Thus, it will not damage scenic resources or alter state scenic highway view corridors. No new or increased impact will result above what was already anticipated and evaluated in the EIRs for the General Plan and the TOD Strategy. General Plan policies have been developed to reduce the potential for damage to scenic resources and these policies would not be altered by the Housing Element Update. Policy 2.13 specifically requires new development to be harmonious with its natural setting and to preserve features such as creeks, large trees, ridgelines, and rock outcroppings. Future housing proposals would be subject to design review requirements which would further ensure that scenic resources are protected.
- c) As noted in "a" and "b", the project is a policy document. It would not adversely affect the visual character of the City and its surroundings. The visual effect of higher density development around the BART stations, in Downtown San Leandro, and along the East 14<sup>th</sup> Street and MacArthur corridors was analyzed in the General Plan EIR. The visual effect of higher density development around the Downtown BART Station and surrounding areas was further analyzed in the TOD Strategy EIR. Both documents concluded that impacts would be less than significant because of Plan policies and other measures addressing urban design. The General Plan includes numerous policies to ensure the compatibility of new development with the City's visual character (see Policies 1.11, 2.04, 3.05, 6.06, 42.04, 42.07, 43.01, and 43.07). No new or increased impact will result above what was already anticipated in these two Plans and their associated EIRs. In addition, future housing developments will be subject to environmental review, enabling an assessment of visual impacts on a project-by-project basis.
- d) Because the Housing Element is a policy plan rather than a physical development, its adoption would not result in new sources of light and glare. However, the Element does accommodate additional housing, which would have associated illumination impacts. These impacts have already been considered in the EIRs for the General Plan and the TOD Strategy. The Housing Element does not propose light sources outside of the areas that were identified for development in these two planning documents. The General Plan EIR mitigated potential light impacts by calling for street lighting standards and exterior lighting standards that were designed to reduce glare and that were oriented and positioned to reduce adverse effects. This measure would continue to apply after the Housing Element is adopted. Individual development projects will be subject to environmental review, at which time specific lighting impacts and standards will be assessed.
- e) Impacts of future growth on shadow effects were analyzed in the General Plan EIR and in the TOD Strategy EIR. The Housing Element would not increase the number of housing units beyond the number projected by those two EIRs. In general, the Element supports denser construction and higher density housing, consistent with the Land Use Element of the General Plan. It recommends future zoning changes to increase the allowable Floor Area Ratio for mixed use projects (with housing) in the in CC and CN zones, and it suggests increasing the height limit in the NA-1 and NA-2 (North Area) zones from 30 to 40 feet. This is consistent with the General Plan land use definitions for these areas. The impact of these zoning changes would be less than significant due to the continued application of General Plan policies for visual compatibility as well as the City's design review requirements. Specifically, Policy 43.01 of the General Plan requires that the mass and scale of new structures be compatible with adjacent structures. In the case of the North Area (East 14<sup>th</sup> Street from San Leandro Creek to Durant Avenue), development would still have to conform to the established guidelines and standards in the North Area Plan. Specific development projects will continue to be evaluated on a case by case basis, at which time shading impacts will be further assessed.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>15. CULTURAL RESOURCES. Would the project:</b>					
a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?				X	1, 2
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?				X	1, 2
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	1, 2
d. Disturb any human remains, including those interred outside of formal cemeteries?				X	1, 2

**EXPLANATION:**

- a) The Housing Element would have no direct impact on historical resources in San Leandro. The Element does not propose General Plan Map changes or rezoning on sites where historic resources are present. The impact of future housing on historic resources has already been analyzed in the General Plan EIR and in the TOD Strategy EIR. The extent of the impacts documented in those EIRs would not be changed as a result of the proposed Housing Element. The General Plan includes policies to protect historic sites and structures (Policy 38.03), create local historic districts (Policy 38.04), expand inventories of historic resources (Policy 38.06), relocate older structures as an alternative to demolition (Policy 38.08), minimize demolition by neglect (Policy 38.09), maintain a Preservation Ordinance (Policy 39.03), and improve record-keeping so that historic properties can be readily identified when applications are submitted (Policy 39.05). The City also has a Preservation Ordinance (Chapter 4-26 of the Municipal Code) which establishes requirements for protection of historic resources. None of these policies or standards was identified as a constraint in the Housing Element, and none will be modified as a result of the Element's adoption. In the event a housing site contains a historic resource, site-specific measures (such as relocation or preservation of existing structures) may be required. Such measures would be prescribed on a case-by-case basis, following Secretary of the Interior standards.
- b) Adoption of the Housing Element would not affect archaeological resources. The geographic extent of these resources was documented in the General Plan EIR and mitigation measures have already been prescribed. Native American archaeological sites do exist in San Leandro and it is possible that housing development could disturb buried resources. Projects in areas of archaeological sensitivity may be required to conduct archaeological surveys and take appropriate measures to protect resources. This is already a standard condition of approval and it would be applied as needed during future environmental review.
- c) Adoption of the Housing Element would not affect paleontological resources or unique geologic features. This was identified as a less than significant impact in the General Plan EIR and nothing in the Housing Element would change that finding. If necessary, future development proposals would be subject to additional archaeological evaluation, which could result in the discovery of unknown paleontological remains. Appropriate action would be taken at that time, consistent with General Plan Policy 38.12.
- d) An existing land use survey was conducted for each site in the Housing Inventory. None of the sites are known to contain human remains. In the event such remains are discovered during further reconnaissance or site disturbance, appropriate measures would be taken to avoid disturbance.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>16. AGRICULTURE RESOURCES. Would the project:</b>					
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?				X	1
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	1
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?				X	1
<b>EXPLANATION:</b>					
<p>a) Adopting the Housing Element will not result in the conversion of farmland to non-agricultural use. Although some of the housing sites identified in the Element were once used for agriculture or contain remnant orchards, none are in commercial agricultural use today. As an urbanized community, San Leandro does not have formally designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the City limits.</p> <p>b) There is no agricultural zoning within the project area, and no sites in San Leandro are covered by Williamson Act contracts.</p> <p>c) See responses to “a” and “c” above. Some of the housing sites may contain remnant fruit trees or field crops dating from their 20<sup>th</sup> century use for agriculture. However, there are no changes proposed by the Housing Element that would cause active farmland to be converted to non-agricultural use.</p>					
<b>17. GREENHOUSE GAS EMISSIONS. Would the project:</b>					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		13, 14
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X	13, 14
<b>EXPLANATION:</b>					
<p>(a-b)The California legislature passed Assembly Bill 32 in 2006, requiring that the state reduce greenhouse gas (GHG) emissions to 1990 levels by 2020. An enforceable statewide cap on GHG emissions will be phased in starting in 2012. In addition, Senate Bill 375 seeks to curb GHGs by reducing urban sprawl and vehicle miles traveled. In response to these legislative actions, the City of San Leandro adopted a Climate Action Plan in December 2009 which incorporates strategies to reduce emissions. These strategies include green building, car sharing, transit-oriented development, greater use of renewable energy sources, more efficient water use, energy and water conservation, urban forestry, expanded use of hybrid vehicles, additional recycling and waste diversion programs, and improvements to pedestrian and bicycle networks, among others.</p> <p>The Housing Element was prepared concurrently with the Climate Action Plan and reinforces its overall mission. Goal 57 has been added to the Housing Element explicitly to address global climate change issues (see Goal 57). Although the Housing Element would accommodate additional residents, who would in turn generate GHGs through driving and energy use, the margin of increase is lower than it might otherwise be because of the Element’s emphasis on higher density transit-oriented development. More than 85 percent of the City’s housing capacity is on multi-family development sites, most within one-half mile of a BART station. Similarly, the City’s Climate Action Plan strongly supports higher density housing, transit-oriented development, and affordable housing, recognizing the relationship</p>					

between housing and vehicle miles traveled. The Housing Element is consistent with the Climate Action Plan, and will help move the City toward the goals established through AB 32 and SB 375. Plan-related impacts would be less than significant.

ISSUES	POTENTIALLY SIGNIFICANT ISSUES	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
<b>18. MANDATORY FINDINGS OF SIGNIFICANCE.</b>					
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?				X	
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means the incremental effects of a project that are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)			X		
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	

**EXPLANATION:**

- a) Adoption of the Housing Element does not by itself have the potential to create the impacts listed here. The Element identifies programs to satisfy the City’s Regional Housing Needs Allocation and meet the housing needs of all economic segments of the community. It does not approve any specific project or result in any physical change. The impacts listed in “a” above were analyzed as part of the EIR for the San Leandro General Plan, and were further analyzed in subsequent EIRs such as the TOD Strategy. The General Plan includes policies and actions which strive to protect environmental quality, plant and animal habitat, special status species, and historic resources and to avoid and mitigate the impacts listed above. No new or increased impacts would occur as a consequence of adopting the Housing Element.
- b) The cumulative impacts of development on the City’s housing sites were analyzed as part of the General Plan EIR. Policies and actions have been included in the General Plan to address these impacts. When the TOD Strategy was completed in 2007, its EIR considered the cumulative effects of TOD-area development and development on other housing sites in the City, including those listed in the Housing Element at the time. No new or increased impacts would occur as a result of adopting the 2010 Housing Element. Although the list of housing sites has changed slightly, cumulative impacts remain less than significant provided that policies in the General Plan continue to be implemented. Future housing development would be subject to environmental review, and assessment of cumulative impacts would be required at that time.
- c) The Housing Element would have no adverse effects on human beings, either directly or indirectly. It is intended to assist human beings by meeting the shelter needs of low and very low income households and persons with special needs. Its policies and actions would have no adverse affect on others in the community who do not meet these criteria.

## Sources

The following references were consulted to prepare the Initial Study Checklist:

1. *San Leandro General Plan Update Draft Environmental Impact Report*, Prepared by Barry Miller, AICP, for the City of San Leandro, November 2001 (FEIR prepared in 2002)
2. *Downtown San Leandro Transit Oriented Development (TOD) Strategy EIR*, Prepared by Design Community and Environment for City of San Leandro, June 5, 2007.
3. *City of San Leandro General Plan*, May 2002
4. Field Inspection, Barry Miller on behalf of City of San Leandro, 2008-2009
5. San Leandro Zoning Ordinance, 2009
6. Map of Available Housing Sites (Housing Element Appendix A), 2009
7. *San Leandro Housing Element*, City of San Leandro. January 2003
8. *Flood Insurance Rate Maps*, FEMA. August 3, 2009. Panel 06001C0259G
9. *CEQA Guidelines for Air Quality Impacts*. Bay Area Air Quality Management District, 1999
10. California Natural Diversity Data Base for the San Leandro, Hayward, Oakland West, Oakland East, and Las Trampas Ridge 7.5 minute Quadrangles
11. *Draft Alameda County Land Use Compatibility Plan*, Alameda County Land Use Commission, 2008
12. *San Leandro North Area Plan*, City of San Leandro, 1991
13. *San Leandro Climate Action Plan*, City of San Leandro. December 2009
14. *Proposed Amendments to CEQA Guidelines to Address Greenhouse Gas Emissions*. State Office of Planning and Research, April 2009

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