



2023-2031 Housing Element Update

Final Initial Study – Mitigated Negative Declaration

prepared by

County of Alameda

Community Development Agency
224 West Winton Avenue, Room 111
Hayward, California 94544

Contact: Liz McElligott, Assistant Planning Director

prepared with the assistance of

Rincon Consultants, Inc.

66 Franklin Street, Suite 300
Oakland, California 94607

October 2024

Table of Contents

1	Introduction	1-1
1.1	Purpose of the Responses to Comments	1-1
1.2	Environmental Review Process	1-1
1.3	Document Organization	1-2
2	Responses to Comments on the Draft IS-MND	2-1
3	Responses to Comments on the Recirculated Draft IS-MND	3-1
4	Revisions to the Recirculated Draft IS-MND	4-1
5	Mitigation Monitoring and Reporting Program.....	5-1

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1 Introduction

1.1 Purpose of the Responses to Comments

This document includes comments received during the circulation of the Initial Study-Mitigated Negative Declaration (IS-MND) prepared for the 2023-2031 Housing Element Update (proposed project) and responses to those comments. This document also includes revisions to the IS-MND made in response to comments, and the Mitigation Monitoring and Reporting Program (MMRP).

The IS-MND identifies the likely environmental consequences associated with implementation of the proposed project and recommends mitigation measures to reduce potentially significant impacts. This document provides a response to comments on the IS-MND and makes revisions to the IS-MND, as necessary, in response to those comments or to make clarifications to material in the IS-MND. This document, together with the Recirculated Draft IS-MND, constitutes the Final IS-MND for the proposed project.

1.2 Environmental Review Process

Pursuant to the California Environmental Quality Act (CEQA), lead agencies are required to circulate a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) and provide the general public with an opportunity to comment on the Draft IS-MND. The Draft IS-MND was circulated for a public review period that began on November 3, 2023, and ended on December 4, 2023. Copies of the NOI were mailed to local and state agencies and posted with the County Clerk's Office. The NOI and Draft IS-MND were also filed with the State Clearinghouse. The Draft IS-MND was posted electronically on the County's website (<https://www.acgov.org/cda/planning/housing-element/housing-element.htm>) and paper copies were available for public review at the Alameda County Planning Department (224 West Winton Avenue, Room 111, Hayward, CA 94544), the Castro Valley Library (3600 Norbridge Ave, Castro Valley, CA 94546), and San Lorenzo Library (395 Paseo Grande, San Lorenzo, CA 94580).

The County of Alameda received six comment letters on the Draft IS-MND. Section 2, "Responses to Comments on the Draft IS-MND," identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute a "substantial revision" by CEQA standards (CEQA Guidelines Section 15073.5).

Following circulation of the Draft IS-MND, the County made changes to the project. Therefore, pursuant to CEQA Guidelines Section 15073.5, the County of Alameda recirculated the IS-MND. The Recirculated Draft IS-MND was circulated for a public review period that began on September 13, 2023, and ended on October 14, 2024. Copies of the NOI for the Recirculated Draft IS-MND were mailed to local and state agencies and posted with the County Clerk's Office. The NOI and Recirculated Draft IS-MND were also filed with the State Clearinghouse. The Recirculated Draft IS-MND was posted electronically on the County's website (<https://www.acgov.org/cda/planning/housing-element/housing-element.htm>) and paper copies were available for public review at the Alameda County Planning Department (224 West Winton Avenue, Room 111, Hayward, CA 94544), the Castro Valley Library (3600 Norbridge Ave, Castro Valley, CA 94546), and San Lorenzo Library (395 Paseo Grande, San Lorenzo, CA 94580).

The County of Alameda received four comment letters on the Recirculated Draft IS-MND. Section 3, “Responses to Comments on the Recirculated Draft IS-MND,” identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute a “substantial revision” by CEQA standards (CEQA Guidelines Section 15073.5).

1.3 Document Organization

This Response to Comments (RTC) Document consists of the following chapters:

- **Chapter 1: Introduction.** This chapter discusses the purpose and organization of this RTC Document and summarizes the environmental review process for the project.
- **Chapter 2: Responses to Comments on the Draft IS-MND.** This chapter contains reproductions of all comment letters received on the Draft IS-MND. A written response for each CEQA-related comment received during the public review period is provided. Each response is keyed to the corresponding comment.
- **Chapter 3: Responses to Comments on the Recirculated Draft IS-MND.** This chapter contains reproductions of comment letters received on the Recirculated Draft IS-MND. A written response for each CEQA-related comment received during the public review period is provided. Each response is keyed to the corresponding comment.
- **Chapter 4: Draft IS-MND Revisions.** Corrections to the Recirculated Draft IS-MND that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Recirculated Draft IS-MND, are contained in this chapter. Underlined text represents language that has been added to the Recirculated Draft IS-MND and ~~strikeout~~ text represents language that has been removed.
- **Chapter 5: Mitigation Monitoring and Reporting Program.** This chapter contains the MMRP for the proposed project.

2 Responses to Comments on the Draft IS-MND

This section includes comments received during public circulation of the Draft IS-MND prepared for the 2023-2031 Housing Element Update Project (proposed project).

The Draft IS-MND was circulated for a 30-day public review period that began on November 3, 2023 and ended on December 4, 2023. The County of Alameda received six comment letters on the Draft IS-MND, including five from public agencies and one from an organization. No comment letters from individuals were received. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter	Page No.
Public Agencies	
1 Department of Toxic Substances Control (DTSC)	2-2
2 East Bay Municipal Utility District (EMBUD)	2-7
3 Ava Community Energy	2-14
4 Castro Valley Unified School District (CVUSD)	2-16
5 California Department of Transportation (Caltrans)	2-20
Organizations	
6 San Lorenzo Village Homes Association	2-24

The comment letters and responses follow. The comment letters are numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in Comment Letter 1).

Where a comment resulted in a change to the IS-MND text, a notation is made in the response indicating that the text is revised. These changes in text are included in Section 4, *Revisions to the Recirculated Draft IS-MND*.



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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



Gavin Newsom
Governor

Letter 1

SENT VIA ELECTRONIC MAIL

November 22, 2023

Liz McElligott, Assistant Planning Director
County of Alameda Community Development Agency
224 Winton Avenue, Room 111
Hayward, CA 94544
elizabeth.mcelligott@acgov.org



RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE ALAMEDA COUNTY
2023-2031 HOUSING ELEMENT UPDATE, DATED NOVEMBER 2, 2023 STATE
CLEARINGHOUSE # [2023110069](#)

Dear Elizabeth McElligott,

The Department of Toxic Substances Control (DTSC) received a MND for the Alameda County 2023-2031 Housing Element Update. The proposed project consists of a complete update to the Alameda County Housing Element which is intended to enable the County to accommodate housing in accordance with State law. The proposed project would bring the element into compliance with State legislation passed since adoption of the 2015-2023 Housing Element and with the current Regional Housing Needs Allocation (RHNA). The Initial Study in the MND analyzes a total number of 3,134 units by 2031 from a residential rezone program which will be implemented to adequately meet the County's assigned RHNA of 4,711 units.

DTSC has identified that this project may affect multiple sites within the project boundaries therefore, based on our project review, we request the consideration of the following comments:

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1. The proposed project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this project. This may restrict what construction activities are permissible in the proposed project areas in order to avoid any impacts to human health and the environment.
2. Due to the broad scope of the project, DTSC is unable to determine the locations of the proposed project site, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the project site to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, DTSC recommends providing further information on the project site and areas that may fall under DTSC's oversight within the DEIR. Once received, DTSC may provide additional comments on the DEIR as further information becomes available. Please review the [Alameda County project area](#) in [Envirostor](#); DTSC's public-facing database.

DTSC believes the County of Alameda Community Development Agency must address these comments to determine if any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA. DTSC recommends the department connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered.

DTSC appreciates the opportunity to comment on the Alameda County 2023-2031 Housing Element Update. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Tamara Purvis
Associate Environmental Planner
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

Letter 1

COMMENTER: Davis Kereazis, Associate Environmental Planner, HWMP – Permitting Division – CEQA Unit, Department of Toxic Substances Control (DTSC)

DATE: November 22, 2023

Response 1.1

The commenter provides an introduction and summary of the project and states that the DTSC has identified the project may affect multiple sites within the project boundaries and provides comments.

The commenter's summary of the project is accurate. For specific responses to comments raised in the remainder of the letter, see Responses 1.2, 1.3, and 1.4.

Response 1.2

The commenter states the proposed project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this project. The commenter states this may restrict what construction activities are permissible in the proposed project areas in order to avoid impacts to human health and the environment.

As stated in Section 9, *Hazards and Hazardous Materials* in the Recirculated Draft IS-MND, there are 23 cleanup sites in the project area. Two rezone sites in the Eden Area are located on cleanup sites (APNs 413-23-67-4 and 80B-300-11). As acknowledged in the Recirculated Draft IS-MND, there could also be unknown contamination on rezone sites throughout the project area. Development facilitated by the proposed project would be required to adhere to existing regulations regarding the treatment of hazardous materials as well as policies included in the Alameda County Safety Element, Eden Area General Plan, and Castro Valley General Plan. Specifically, Policy P8 of the Alameda County Safety Element, Policy P6 of the Eden Area General Plan, and Action 10-4.4 of the Castro Valley General Plan require site assessment and cleanup to be completed before construction to minimize the release of hazardous substances. Future development facilitated by the Housing Element would be required to adhere to applicable local and State regulations related to assessment and cleanup of contamination. No revisions to the IS-MND have been made in response to this comment.

Response 1.3

The commenter explains that due to the broad scope of the project, DTSC is unable to determine the locations of the proposed project site, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the project site to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the commenter recommends providing further information on the project site and areas that may fall under DTSC's oversight within the DEIR. Once received, DTSC may provide additional comments on the DEIR as further information becomes available.

While the commenter refers to the DEIR in the comment, an IS-MND was prepared for this project. The locations of each rezone site are provided in Table 2, Rezone Sites, of the Recirculated Draft IS-MND. Figure 12, Hazardous Waste Sites within the Project Area, of the Recirculated Draft IS-MND also provides a map showing the locations of the rezone sites and locations of mapped cleanup

sites. As explained in Section 9, *Hazards and Hazardous Materials*, of the Recirculated Draft IS-MND and also in Response 1.2, most rezone sites do not have documented contamination, though two rezone sites are located on cleanup sites. No revisions to the IS-MND have been made in response to this comment.

Response 1.4

The commenter states that the County must address these comments to determine if any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA. DTSC recommends the County connect with DTSC's CEQA Unit if any hazardous waste projects managed or overseen by DTSC are discovered.

Please see Response 1.2 and 1.3. As acknowledged in Section 9 of the Recirculated Draft IS-MND, there are two rezone sites with known contamination and there could be unknown contamination on rezone sites throughout the project area. Future development facilitated by the Housing Element would be required to adhere to applicable local and State regulations related to assessment and cleanup of contamination as well as applicable policies regarding cleanup of contaminated sites. Future applicants proposing development on rezone sites will coordinate with DTSC as required pursuant to State law. No revisions to the IS-MND have been made in response to this comment.



November 28, 2023

Liz McElligott, Assistant Planning Director
Alameda County Community Development Agency
224 West Winton Avenue, Room 111
Hayward, CA 94544

Re: Notice of Availability and Notice of Intent to Adopt a Mitigated Negative Declaration for the Alameda County 2023-2031 Housing Element Update

Dear Ms. McElligott:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration (MND) for the Alameda County (County) 2023-2031 Housing Element Update. EBMUD has the following comments.

WATER SERVICE

Effective January 1, 2018, water service for new multiunit structures shall be individually metered or sub-metered in compliance with Section 537 of California's Water Code & Section 1954.201-219 of California's Civil Code, which encourages conservation of water in multifamily residential, mixed-use multi-family, and commercial buildings by requiring metering infrastructure for each dwelling unit, including appropriate water billing safeguards for both tenants and landlords. EBMUD water services shall be conditioned for all development projects that are subject to these metering requirements and will be released only after the project sponsor has satisfied all requirements and provided evidence of conformance with Section 537 of California's Water Code & Section 1954.201-2019 of California's Civil Code.

Main extensions that may be required to serve individual projects within the Housing Element Update to provide adequate domestic water supply, fire flows, and system redundancy will be at the project sponsor's expense. Enclosed are EBMUD requirements for water main separation (California Waterworks Standards) Code of Regulations, Title 22, Section 64572) and placement of water mains. Pipeline and fire hydrant relocations and replacements due to modifications of existing streets, and off-site pipeline improvements, also at the project sponsor's expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. When the development plans are finalized for individual projects within the Housing Element Update, project sponsors for individual projects should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions of providing water

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service to the development. Engineering and installation of new and relocated pipelines and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

1, cont.

EBMUD's Standard Site Assessment Report indicates the potential for contaminated soils or groundwater to be present within the boundaries of the Housing Element Update. The project sponsors for individual projects should be aware that EBMUD will not install piping or services in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may be hazardous to the health and safety of construction and maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping or services in areas where groundwater contaminant concentrations exceed specified limits for discharge to the sanitary sewer system and sewage treatment plants. The project sponsor must submit copies to EBMUD of all known information regarding soil and groundwater quality within or adjacent to the project boundary and a legally sufficient, complete, and specific written remediation plan establishing the methodology, planning, and design of all necessary systems for the removal, treatment, and disposal of contaminated soil and groundwater.

2

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

WATER CONSERVATION

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

3

Liz McElligott, Assistant Planning Director
November 28, 2023
Page 3

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

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:EZ:kn
wdpd23_312 Alameda County 6th Housing Element

Enclosure: EBMUD Requirements for Placement of Water Mains



Applicant Pipeline Design Criteria

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

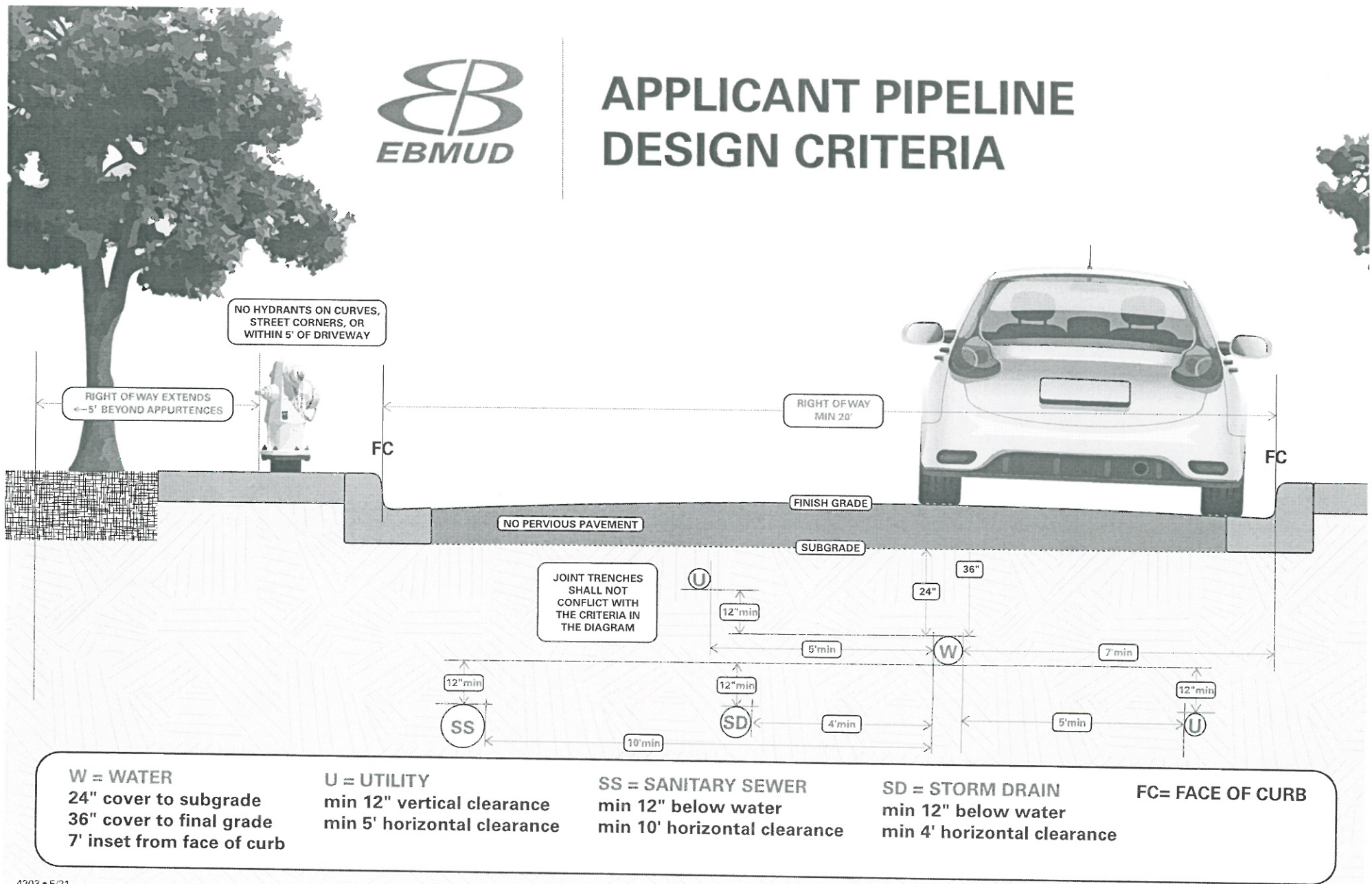
Design Criteria

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

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



APPLICANT PIPELINE DESIGN CRITERIA



Letter 2

COMMENTER: David J. Rehnstrom, Manager of Water Distribution Planning, East Bay Municipal Utility District (EBMUD)

DATE: November 28, 2023

Response 2.1

The commenter summarizes California Water Code and California Civil Code that requires individual metering or sub-metering of units in multi-unit structures. The commenter goes on to note that water main extensions may be required to serve individual projects to provide adequate domestic water supply, fire flows, and system redundancy in compliance with State and local EBMUD requirements at the project sponsor's expense. The commenter states that when development plans are finalized for individual projects under the Housing Element Update, project sponsors should contact EBMUD to determine costs and conditions.

Water infrastructure is discussed in Section 19, *Utilities and Service Systems*, of the Recirculated Draft IS-MND, whereby EBMUD is acknowledged as the main service provider. Future development projects on rezone sites would be required to adhere to all relevant State and local regulations regarding water supply and service, such as those related to metering or sub-metering. Applicable regulations would be enforced by the County during project implementation and review of the associated building permits. As discussed in Section 19, *Utilities and Service Systems*, of the Recirculated Draft IS-MND, development under the proposed project would be located within urban infill areas that are already developed or vacant and surrounded by development and therefore would be served by existing water infrastructure. Future applicants for individual development projects would be expected to contact EBMUD to determine costs and conditions once plans are finalized. No revisions to the IS-MND have been made in response to this comment.

Response 2.2

The commenter notes that contaminated soils or groundwater may be present and that EMBUD will not install water piping or services in contaminated soil or groundwater nor will EBMUD install sewage piping in areas with contaminated groundwater. EMBUD requests information regarding soil and groundwater quality when available and will not design piping or services until such information is received and reviewed. EBMUD would not continue work if contamination is discovered after work begins.

As discussed in Section 9, *Hazards and Hazardous Materials*, of the Recirculated Draft IS-MND, future development would be required to comply with State and local regulations related to contaminated soil or groundwater. Future development under the project would be subject to regulatory programs such as those overseen by the Regional Water Quality Control Board (RWQCB) and the DTSC. These agencies require applicants for development of potentially contaminated properties to perform investigation and cleanup if the properties are contaminated with hazardous substances. In addition, Policy P8 of the Alameda County Safety Element, Policy P6 of the Eden Area General Plan, and Action 10-4.4 of the Castro Valley General Plan require soil and groundwater assessment and cleanup to be completed before construction to minimize the release of hazardous substances. All documentation would be available to the applicant and subsequently EBMUD. No revisions to the IS-MND have been made in response to this comment.

Response 2.3

The commenter requests that the County include compliance with the Model Water Efficient Landscape Ordinance as a condition of approval for individual projects under the Housing Element Update. The commenter states that project sponsors should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service may not be furnished for new or expanded service unless applicable water-efficiency measures are installed at the project sponsor's expense.

As discussed in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, of the Recirculated Draft IS-MND, future development facilitated by the proposed project would be required to comply with EBMUD's and CALGreen's water efficiency regulations, and the State's Model Water Efficiency Landscape Ordinance, to reduce indoor and outdoor water use. Future development would also be required to comply with Bay-Friendly Landscaping guidelines pursuant to Alameda County's Resolution No. 2008-222. Future development would also be required to comply with Section 31 of EBMUD's Water Service Regulations and install applicable water-efficiency measures. No revisions to the IS-MND have been made in response to this comment.

Letter 3

From: Feby Boediaro <fboediaro@avaenergy.org>
Sent: Wednesday, November 8, 2023 12:03 PM
To: McElligott, Elizabeth, CDA
Subject: Fwd: Alameda County Housing Element environmental analysis now available

Hi Liz,

This is Feby Boediaro, Policy Analyst at EBCE/ Ava Community Energy. There is a minor edit on page vi under the abbreviations. EBCE is misspelled, please make sure it is captured correctly.

1

Thank you,
Feby

----- Forwarded message -----

From: Ortiz, Olivia, CDA <Olivia.Ortiz@acgov.org>
Date: Fri, Nov 3, 2023 at 11:33 AM
Subject: Alameda County Housing Element environmental analysis now available
To: Housing Element, CDA <Housing.Element@acgov.org>
Cc: McElligott, Elizabeth, CDA <elizabeth.mcelligott@acgov.org>

Hello!

We are pleased to share the Initial Study and Mitigated Negative Declaration (IS-MND) for the County’s 2023-2031 6th Cycle Housing Element Update. You can find the complete Notice of Intent [here](#) and read the study [here](#).

The IS-MND is available for public review and comment at the Alameda County Planning Department (address listed below), the Castro Valley Library (3600 Norbridge Ave, Castro Valley, CA 94546), and San Lorenzo Library (395 Paseo Grande, San Lorenzo, CA 94580).

Today, November 3, 2023, marks the beginning of the public comment period. The public comment period will conclude on December 4, 2023. Comments must be received on or by this date. When submitting a comment, please include the name and address of a contact person in your agency or organization.

Please direct your comments to:

Liz McElligott, Assistant Planning Director
Alameda County Planning Department
224 West Winton Avenue, Room 111
Hayward, CA 94544
510-670-6120; elizabeth.mcelligott@acgov.org

Thanks,

Olivia Ortiz (they/them),
Planner, Policy Planning Team

ALAMEDA COUNTY • Community Development Agency • Planning Department

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

510.670.6523 • olivia.ortiz@acgov.org • www.acgov.org/cda

Letter 3

COMMENTER: Feby Boediarso, AVA Energy

DATE: November 8, 2023

Response 3.1

The commenter states that “EBCE” is misspelled under “Acronyms and Abbreviations” (page vi) of the IS-MND.

In response to this comment, the Acronyms and Abbreviations section (page vi) of the IS-MND has been revised to reflect the correct spelling. The revisions are listed in Section 4, *Revisions to the Recirculated Draft IS-MND*, of this document. It is also noted that EBCE recently changed its name to Ava Community Energy. This name change does not affect the findings or conclusions of the IS-MND.

Castro Valley Unified School District



BOARD OF EDUCATION

Lavender Lee Whitaker, President
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Gary C. Howard
Sara E. Raymond

SUPERINTENDENT

Parvin Ahmadi

Letter 4

P.O. BOX 2146 • CASTRO VALLEY, CALIFORNIA 94546 • (510) 537-3000

December 1, 2023

Liz McElligott, Assistant Planning Director
Alameda County Planning Department
Via email elizabeth.mcelligott@acgov.org

Dear Liz McElligott,

The Castro Valley Unified School District (CVUSD) is commenting on the 2023-2031 Housing Element Update, Initial Study - Mitigated Negative Declaration ("Study") to clarify some points about the District's student enrollment trends and the potential impact that the new housing identified in the Study will have on CVUSD schools and students.

Page 164 of the Study notes that most CVUSD schools decreased in enrollment between 2020 and 2021. While this point is factually accurate, it is vital (and more significant for a 2023 document) to acknowledge that since 2021, every CVUSD school site has increased in enrollment except for Creekside Middle School, Roy A Johnson High School, and the CVUSD Virtual Academy. In fact, CVUSD's enrollment in the 2023-24 school year is the highest ever for the District.

This is important to acknowledge because the Study identifies 1,168 new housing units that could be added to the area served by CVUSD during this Housing Element cycle. The "pipeline sites" representing projects already underway are accounted for in CVUSD's baseline enrollment projections, but the additional hundreds of new units represent an unprecedented level of potential new development relative to the recent history of CVUSD. Even without these additional new housing units, CVUSD's most recent baseline enrollment projection indicates the District's enrollment will continue to increase above already record-high levels. By 2030, CVUSD is expected to enroll more than 10,500 students even if no other housing units are developed outside of the "pipeline sites". This represents an 11% increase as a baseline projection, which already presents a considerable challenge for the District's planning and facilities construction efforts.

CVUSD's forthcoming Enrollment Projections and Development Impact Report details various scenarios of additional impact from the potential new housing units identified in the County Study. These assumptions quantify a range of potential impacts based on how much of the potential housing is built during the Housing Element cycle and how much of the affordable housing sites can accommodate families.

1





Depending on these variables, the additional impact from new homes built and the corresponding students who would be generated for CVUSD was calculated in tiers of Low Impact, Moderate Impact, High Impact, and Maximum Impact above the District's baseline projections. The table below summarizes CVUSD's findings, indicating the potential for hundreds of additional students to be added to the baseline enrollment projection.

Unit Types	Total Units	Low Impact Students	Moderate Impact Students	High Impact Students	Maximum Impact Students
Single-Family Detached	239	30	85	140	140
Single-Family Attached	299	22	56	91	91
Multi-Family	187	0	26	52	52
Affordable	443	0	70	140	280
Totals	1,168	52	237	423	563

1, con't

The Castro Valley Unified School District requests that Alameda County update its Study narrative to acknowledge current enrollment trends rather than older data that was artificially affected by the then-ongoing COVID-19 pandemic. CVUSD further requests that the Study acknowledge that additional housing will generate new students for a District already growing to record high levels of enrollment.

2

As mentioned in my September 19, 2023 letter to Olivia Ortiz, we look forward to partnering with Alameda County to ensure that the students who eventually live in future homes have great schools with space to enroll them by encouraging future developers to sit down with us and talk about how they might assist beyond paying the basic Statutory School Impact Fees.

3

We look forward to hearing from you.

Sincerely,

Suzy Chan
Assistant Superintendent of Business Services

Letter 4

COMMENTER: Suzy Chan, Assistant Superintendent of Business Services, CVUSD

DATE: December 1, 2023

Response 4.1

The commenter provides an introduction and notes a desire to clarify points regarding the Castro Valley Unified School District's student enrollment trends and the potential impact new housing would have on CVUSD schools and students. Referring to Page 164 of the Draft IS-MND, the commenter confirms that most CVUSD schools decreased in enrollment between 2020 and 2021. However, the commenter states that since 2021, every CVUSD school site has increased in enrollment except for the Creekside Middle School, Roy A Johnson High School, and the CVUSD Virtual Academy. The commenter states that the pipeline sites are accounted for in CVUSD's baseline enrollment projections, but the additional units would represent an unprecedented level of new development relative to the history of the CVUSD. The commenter states that by 2030, enrollment would increase by 11 percent from baseline projections. The commenter states that based on the CVUSD's forthcoming Enrollment Projections and Development Impact Report, implementation of the proposed project would result in up to 563 new students.

In response to this comment, enrollment information in the IS-MND has been revised. The revisions are listed in Chapter 4, *Revisions to the Recirculated Draft IS-MND*, of this document. As noted in Section 15, *Public Services*, of the Recirculated IS-MND, the increase in school-aged children associated with development facilitated by the proposed project would result in an increase in demand for public services including schools. Based on data provided by the commenter, up to 563 students could be generated from development facilitated by the proposed project in the CVUSD service area. These students would be distributed throughout CVUSD schools depending on their location and grade level. Goal 8.4-1 and policies 8.4-1 through 8.4-8 of the Castro Valley General Plan Community Facilities, Parks and Schools Element aim to provide for a system of schools and other educational facilities to meet the educational needs of community residents and to ensure school facilities are adequate to accommodate the growing population. Further, mitigation of impacts could be achieved through payment of school impact fees. Pursuant to Section 65995 (3) (h) of the California Government Code (SB 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." With payment of mandatory school impact fees by developers in the County, impacts would be less than significant.

Response 4.2

The commenter requests for the IS-MND to be updated to reflect current enrollment trends and to acknowledge that additional housing will generate new students for a District already growing to record high levels of enrollment.

In response to this comment letter, revisions to the IS-MND have been made. The revisions are listed in Chapter 3, *Revisions to the Draft IS-MND*, of this document. Please see Response 4.2 for further explanation.

Response 4.3

The commenter expresses the District's wishes to partner with Alameda County to ensure adequate enrollment space and to encourage future developers to discuss how they might assist beyond paying the basic Statutory School Impact Fees.

This comment does not relate directly to the adequacy of the information or analysis within the Draft IS-MND. No changes to the IS-MND are required as a result of this comment. Nonetheless, future developers are only subject to the payment of school impact fees which "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization" pursuant to Section 65995 (3) (h) of the California Government Code (SB 50, chaptered August 27, 1998). The commenter's opinions are noted and will be considered by County decision-makers.

California Department of Transportation



DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

December 4, 2023

SCH #: 2023110069
GTS #: 04-ALA-2023-00770
GTS ID: 31254
Co/Rt/Pm: ALA/VAR/VAR

Liz McElligott, Assistant Planning Director
County of Alameda Community Development Agency
224 Winton Avenue, Room 111
Hayward, CA 94544

Re: Alameda County 2023-2031 Housing Element Update – Mitigated Negative Declaration (MND)

Dear Liz McElligott:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Alameda County 2023-2031 Housing Element Update. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system.

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

Project Understanding

The proposed project consists of a complete update to the Alameda County Housing Element, which is intended to enable the County to accommodate housing in accordance with State law. The proposed project would bring the element into compliance with State legislation passed since adoption of the 2015-2023 Housing Element and with the current Regional Housing Needs Allocation (RHNA). The MND analyzes a total number of 3,134 units by 2031 from a residential rezone program which will be implemented to adequately meet the County's assigned RHNA of 4,711 units.

Travel Demand Analysis

Caltrans commends the County regarding efforts to increase residential density, thereby reducing impacts to Vehicle Miles Traveled (VMT). Per the MND, this project is

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found to have a less than significant VMT impact, therefore working towards meeting the State's VMT reduction goals.

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Integrated Transportation and Land Use

Transportation and housing are integrally connected. The Housing Element Update process provides a mechanism to reflect current transportation and land use policy and adopt efficient land-use strategies such as transit-oriented, infill and mixed-use developments that can potentially reduce VMT and address climate change.

3

Please review and include the reference to the current California Transportation Plan (CTP) in the MND. CTP 2050 envisions that the majority of new housing located near existing housing, jobs, and transit, and in close proximity to one another will reduce vehicle travel and GHG emissions, and be accessible and affordable for all Californians, including disadvantaged and low-income communities. The location, density, and affordability of future housing will dictate much of our future travel patterns, and our ability to achieve the vision outlined in CTP 2050. Caltrans encourages the County to consider and explore the potential of excess state-owned property for affordable housing development, per Executive Order N-06-19.

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Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through efficient and equitable land use planning and policies. The County should also continue to coordinate with Caltrans to identify and implement necessary network improvements and impact mitigation.

6

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

Sincerely,



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

c: State Clearinghouse

Letter 5

COMMENTER: Yunsheng Luo, Branch Chief, Local Development Review, Caltrans

DATE: December 4, 2023

Response 5.1

The commenter thanks the County for including Caltrans in the environmental review process and states the Local Development Review Program reviews land use projects and plans to ensure consistency with Caltrans' mission and State planning priorities. The commenter provides a summary of their understanding of the project.

The commenter's understanding of the project is accurate. This comment does not relate directly to the adequacy of the information or analysis within the Draft IS-MND. No changes to the IS-MND are required as a result of this comment.

Response 5.2

The commenter commends the County's efforts for increasing residential density and reducing impacts related to VMT. The commenter states that the project's less than significant VMT impact works towards meeting the State's VMT reduction goals.

As discussed in Section 17, *Transportation*, of the Draft IS-MND, based on a VMT analysis prepared by TJKM Transportation Consultants, the proposed project would result in a less than significant VMT impact. This comment does not relate directly to the adequacy of the information or analysis within the Draft IS-MND. No revisions to the IS-MND have been made in response to this comment.

Response 5.3

The commenter states that the project provides a mechanism to reflect current transportation and land use policy to adopt efficient land use strategies such as transit-oriented, infill, and mixed-use developments that can potentially reduce VMT and address Climate Change.

As noted throughout the IS-MND, the proposed project involves a residential rezoning to facilitate housing development on infill sites that are primarily undeveloped and underutilized areas and in proximity to jobs, services, and transit. This comment does not relate directly to the adequacy of the information or analysis within the Draft IS-MND. No revisions to the IS-MND have been made in response to this comment.

Response 5.4

The commenter requests a review of the current California Transportation Plan (CTP) and inclusion of the CTP in the IS-MND. The commenter states that the CTP 2050 envisions a majority of new housing located in proximity to housing, jobs, and transit, which would reduce vehicle travel and GHG emissions.

In response to this comment, Section 17, *Transportation*, of the Recirculated IS-MND has been revised, and a consistency analysis of the project with the CTP 2050 has been included. The revisions are listed in Section 4, *Revisions to the Recirculated Draft IS-MND*, of this document. The analysis found that the proposed project would not conflict with Caltrans' CTP 2050 and impacts would be less than significant.

Response 5.5

The commenter encourages the County to consider and explore the potential of excess state-owned property for affordable housing development, per Executive Order N-06-19.

The commenter's opinions are noted and will be considered by County decision-makers. This comment does not relate directly to the adequacy of the information or analysis within the Draft IS-MND. No revisions to the IS-MND have been made in response to this comment.

Response 5.6

The commenter expresses support for collaboration with local agencies to work towards a safe and multi-modal transportation system integrated through efficient and equitable land use planning and policies. The commenter states that the County should continue to coordinate with Caltrans to identify and implement necessary network improvements and impact mitigation.

The commenter's opinions are noted and will be considered by County decision-makers. This comment is related to the County's collaboration with Caltrans and does not relate directly to the adequacy of the information or analysis within the Draft IS-MND. No revisions to the IS-MND have been made in response to this comment.

November 13, 2023

Alameda Community Development Agency
Regional Housing Needs Allocation (RHNA)

Dear Sir/Madam,

Subject: LETTER OPPOSING USING SAN LORENZO DOWNTOWN AREA FOR HOUSING (RHNA)

To Whom it may Concern:

The San Lorenzo Village Center Specific Plan has been in place since 2004. Redevelopment, Economic Development, and now CDA, have all participated in the fulfillment of this plan over the years. The Bohannon properties around Paseo Grande and Hesperian have been designated and zoned as Retail or Commercial/Mixed Use for years.

Since then, Mercy housing has built The Arbor at Hesperian, with seventy-seven (77) affordable units and zero commercial or retail space. The Village Green Apartment complex has been approved with 144 residential units, and only 12,000 square feet of commercial space. This development will occupy about $\frac{3}{4}$ of the San Lorenzo Village Center 'downtown' area.

These developments were approved and accepted by the County and San Lorenzo Village, with the understanding that the remainder of the San Lorenzo Village Center would be primarily utilized for retail, as the Specific Plan indicates.

The County is now working on the restoration of the Lorenzo Theater, a California State Historic Building. This is being done, with the hope and promise that it would attract new Retail/Commercial businesses into the San Lorenzo downtown area. There are plans for a Plaza and community gathering area, which CDA had been working towards.

Now, the San Lorenzo Village Center plan could be totally undermined by targeting and designating this area for affordable housing to fulfill the RHNA mandates. The San Lorenzo Village Homes Association urges those involved in this use of the downtown area to read the specific plan and to adhere to the criteria specified in it. Some criteria involve height limitations on buildings, and set-backs and design criteria that would have to be ignored to build a high number of multi-family units.

However, the primary reason for the opposition is the loss of ever having a community gathering area and shopping area that a community the size of San Lorenzo needs to thrive. The opportunity for services and amenities that our community once had and hope to have again will be forever lost if the area designated for and developed for affordable housing. Even the potential residents of such housing would not have the services they would desire for necessity

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cont.

and convenience, because those housing units would be built and the very property where the retail businesses needed for a community are planned to exist.

We strongly urge that you address our concerns and adjust the plans accordingly.

Thank you.

Sincerely,

San Lorenzo Village Homes Association
Board of Directors

Letter 6

COMMENTER: San Lorenzo Village Homes Association

DATE: November 13, 2023

Response 6.1

The commenters provide an explanation of recent development in the San Lorenzo downtown area and express opposition to development on the San Lorenzo Village Center into housing. The commenters express opposition to converting retail and a community gathering place into residential.

This comment is related to the merits and features of the proposed project itself and does not specifically raise environmental issues or relate directly to the adequacy of the information or analysis within the Draft IS-MND. The lead agency is only required to evaluate comments on environmental issues. Nonetheless, the commenters' opinions are noted and will be considered by County decision-makers.

3 Responses to Comments on the Recirculated Draft IS-MND

This section includes comments received during recirculation of the Draft IS-MND prepared for the 2023-2031 Housing Element Update Project (proposed project).

The Recirculated Draft IS-MND was circulated for a 30-day public review period that began on September 13, 2024 and ended on October 14, 2024. The County of Alameda received four comment letters on the Recirculated Draft IS-MND, all from public agencies. No comment letters from organizations or individuals were received. The commenters and the page number on which each commenter’s letter appear are listed below.

Letter No. and Commenter	Page No.
Public Agencies	
1 East Bay Municipal Utility District (EMBUD)	3-2
2 Castro Valley Unified School District (CVUSD)	3-6
3 California Department of Transportation (Caltrans)	3-13
4 California Highway Patrol (CHP)	3-18

The comment letters and responses follow. The comment letters are numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in Comment Letter 1).

Where a comment resulted in a change to the IS-MND text, a notation is made in the response indicating that the text is revised. These changes in text are included in Section 4, *Revisions to the Recirculated Draft IS-MND*.



Castro Valley Unified School District

BOARD OF EDUCATION

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SUPERINTENDENT

Parvin Ahmadi

Letter 1

P.O. BOX 2146 • CASTRO VALLEY, CALIFORNIA 94546 • (510) 537-3000

September 20, 2024

Liz McElligott
Assistant Planning Director
Alameda County Planning Department

Sent via email to elizabeth.mcelligott@acgov.org

Dear Ms. Elizabeth McElligott,

The Castro Valley Unified School District (CVUSD) is commenting on the 2023-2031 Housing Element Update, Recirculated Draft Initial Study - Mitigated Negative Declaration ("Study") to clarify some points about the District's student enrollment trends and the potential impact that the new housing identified in the Study will have on CVUSD schools and students.

Page 158 of the Study notes that most CVUSD schools decreased in enrollment between 2020 and 2021. While this point is factually accurate, it is vital (and more significant for a 2024 document) to acknowledge that since 2021, every CVUSD school site has increased in enrollment except for Creekside Middle School, Roy A Johnson High School, and the CVUSD Virtual Academy. In fact, CVUSD's enrollment in the 2024-25 school year is the highest ever for the District, surpassing a record set only in the previous 2023-24 school year.

This is important to acknowledge because the Study identifies more than 700 new housing units that could be added to the area served by CVUSD during this Housing Element cycle. The "pipeline sites" representing projects already underway are accounted for in CVUSD's baseline enrollment projections, but the additional hundreds of new units represent an unprecedented level of potential new development relative to the recent history of CVUSD. Even without these additional new housing units, CVUSD's most recent baseline enrollment projection indicates the District's enrollment will continue to increase above already record-high levels. By 2030, CVUSD is expected to enroll more than 10,500 students even if no other housing units are developed outside of the "pipeline sites". This represents an 11% increase as a baseline projection, which already presents a considerable challenge for the District's planning and facilities construction efforts.

This leads CVUSD to have additional concern for some statements in the Study. Specifically, on page 166, the Study asserts that there will be a "less than significant" impact to school facilities due to "the full and complete mitigation" of impacts by school impact fees. School impact fees are simply not adequate to actually provide the facilities needed to accommodate an increase in student population, especially for a growing school district with record levels of enrollment like CVUSD.

Since new students generated by increasing levels of development, as enabled by zoning changes in the Housing Element Update, will require new school facilities, and existing school impact fees will not be enough to fund

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these expanded facilities, CVUSD strongly disagrees that there will be a “less than significant” impact as a result of the population growth anticipated by the Study. | 2, cont.

The Castro Valley Unified School District requests that Alameda County update its Study narrative to acknowledge current enrollment trends rather than older data that was artificially affected by the then-ongoing COVID-19 pandemic. CVUSD further requests that the Study acknowledge that additional housing will generate new students over and above the levels already anticipated by a District working to accommodate record high levels of enrollment. Finally, CVUSD requests that the Study indicate a higher level of impact to CVUSD due to the need to construct additional school facilities to accommodate new students who move into the District because of increased residential development, construction of which will not be fully funded by existing school impact fees. | 3

We look forward to partnering with Alameda County to ensure that the students who eventually live in future homes have great schools with space to enroll them by encouraging future developers to sit down with us and talk about how they might assist beyond paying the basic Statutory School Impact Fees. | 4

Sincerely,

Suzy Chan

Assistant Superintendent of Business Services

Letter 1

COMMENTER: Suzy Chan, Assistant Superintendent of Business Services, CVUSD

DATE: September 20, 2024

Response 1.1

The commenter provides an introduction and notes a desire to clarify points regarding the Castro Valley Unified School District's student enrollment trends and the potential impact new housing would have on CVUSD schools and students. Referring to Page 158 of the Recirculated Draft IS-MND, the commenter confirms that most CVUSD schools decreased in enrollment between 2020 and 2021. However, the commenter states that since 2021, every CVUSD school site has increased in enrollment except for the Creekside Middle School, Roy A Johnson High School, and the CVUSD Virtual Academy. The commenter states that CVUSD's enrollment for the 2024-2025 school year is the highest ever for the district. The commenter states that the project identifies over 700 new housing units that could be added to the area served by CVUSD. The pipeline sites are accounted for in CVUSD's baseline enrollment projections, but the additional units would represent an unprecedented level of new development relative to the history of the CVUSD. The commenter states that by 2030, enrollment is projected to increase by 11 percent from baseline projections and this only accounts for "pipeline sites" not the additional development identified in the Housing Element.

This comment is similar to Comment 4.1 as described in Section 2, Responses to Comments on the Draft IS-MND. In response to this comment, enrollment information in the IS-MND has been revised. The revisions are listed in Chapter 4, *Revisions to the Recirculated Draft IS-MND*, of this document. As noted in Section 15, *Public Services*, of the IS-MND, the increase in school-aged children associated with development facilitated by the proposed project would result in an increase in demand for public services including schools. Nonetheless, with payment of school impact fees and implementation of Goal 8.4-1 and policies 8.4-1 through 8.4-8 of the Castro Valley General Plan, impacts were found to be less than significant.

Response 1.2

The commenter expresses concern about statements on Page 166 of the Recirculated Draft IS-MND regarding the conclusion that the project would have less than significant impacts and that payment of school impact fees is full and complete mitigation. The commenter suggests that school impact fees are not adequate to provide facilities needed to accommodate the increase in student population. The commenter reiterates an opinion that new students generated by the proposed development facilitated under the Housing Element will require new school facilities and existing school fees aren't sufficient to fund the facilities.

As discussed throughout the Recirculated Draft IS-MND, the proposed Housing Element Update sets goals and policies for meeting housing goals in the 2023-2031 planning period. It does not grant entitlements for any specific project or future development. Therefore, adoption of the proposed project would not approve any housing, but would facilitate growth throughout the unincorporated areas of Alameda County which is analyzed in the IS-MND.

Future development in the County would be subject to required school impact fees. Fees are based upon a long-term planning document (or levy) which established the projections for school facility needs. Government Code section 65995 establishes the payment of fees as mitigation for potential

increase in enrollment resulting from a land use development project. (Gov. Code section 65995(h)). “Subdivision (h) of Government Code section 65995 provides that payment of the statutory fee is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving [the] development of real property ... on the provision of adequate school facilities.” Furthermore, a public agency may not refuse to approve the development of real property based on the developer's refusal to provide school facilities mitigation that exceeds the amount authorized by statute. (Gov.Code, § 65995, subd. (i).” (Chawanakee Unified School Dist. v. County of Madera (2011) 196 Cal.App.4th 1016, 1025–1026; see also, Santa Rita Union School District v. City of Salinas (2023) 94 Cal.App.5th 298).

While the commenter identifies a potential increase in enrollment and overcrowding in the school district, this alone does not demonstrate a CEQA impact separate from that covered by Government Code Section 65995 and the payment of fees has been deemed sufficient mitigation for any impacts on school facilities from the proposed development.

Should the CVUSD determine that new or expanded school facilities are needed, it is not known where such facilities would be located. No location has been identified for a new school as part of the proposed HEU. When and if the CVUSD proposes a new or expanded school and identifies an appropriate site and funding, the CVUSD will conduct a complete evaluation of the school’s environmental impacts under CEQA.

Nonetheless, the commenter’s opinions are noted and will be considered by County decision-makers.

Response 1.3

The commenter requests for the IS-MND to be updated to reflect current enrollment trends and to acknowledge that additional housing will generate new students for a District already growing to record high levels of enrollment.

In response to this comment letter, revisions to the IS-MND have been made. The revisions are listed in Chapter 4, *Revisions to the Recirculated Draft IS-MND*, of this document. Please also refer to Response 1.2 regarding the impact conclusions of the IS-MND.

Response 1.4

The commenter expresses the District’s wishes to partner with Alameda County to ensure adequate enrollment space and to encourage future developers to discuss how they might assist beyond paying the basic Statutory School Impact Fees.

This comment does not relate directly to the adequacy of the information or analysis within the Draft IS-MND. Please see Responses 1.1, 1.2, and 1.3. The commenter’s opinions are noted and will be considered by County decision-makers.



Letter 2

September 27, 2024

Liz McElligott, Assistant Planning Director
Alameda County Planning Department
224 West Winton Avenue, Room 111
Hayward, California 94544

Re: Notice of Availability and Notice of Intent to Adopt a Recirculated Draft Mitigated Negative Declaration for the Alameda County 2023-2031 Housing Element Update, Alameda County

Dear Ms. McElligott:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Recirculated Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Alameda County 2023-2031 Housing Element Update (Project) located in the unincorporated areas of Alameda County. EBMUD commented on the Draft IS/MND for the Project on September 8, 2023. EBMUD’s original comments (see enclosure) still apply regarding water service and water conservation.

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If you have any questions concerning this response, please contact Sandra Mulhauser, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-7032.

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:DVG:djr
wdpd24_199 Alameda County 2023-2031 Housing Element Update

Enclosure: EBMUD’s September 8, 2023 comment letter



September 8, 2023

Olivia Ortiz, Planner
Alameda County Community Development Agency, Planning Department
224 W. Winton Avenue, Room 111
Hayward, CA 94544

Re: Notice of Public Review of the Draft 6th Cycle Housing Element Update for
Unincorporated Alameda County

Dear Ms. Ortiz:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on Notice of Public Review of Draft 6th Cycle Housing Element Update for Unincorporated Alameda County (County). EBMUD has the following comments.

WATER SERVICE

Effective January 1, 2018, water service for new multiunit structures shall be individually metered or sub-metered in compliance with Section 537 of California's Water Code & Section 1954.201-219 of California's Civil Code, which encourages conservation of water in multifamily residential and mixed-use multi-family and commercial buildings by requiring metering infrastructure for each dwelling unit, including appropriate water billing safeguards for both tenants and landlords. EBMUD water services shall be conditioned for all development projects that are subject to these metering requirements and will be released only after the project sponsor has satisfied all requirements and provided evidence of conformance with Section 537 of California's Water Code & Section 1954.201-2019 of California's Civil Code.

Main extensions that may be required to serve any specific developments within the Housing Element Update to provide adequate domestic water supply, fire flows, and system redundancy will be at the project sponsor's expense. Please see the enclosed EBMUD documents for California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains. Pipeline and fire hydrant relocations and replacements due to modifications of existing streets, and off-site pipeline improvements, also at the project sponsor's expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. When the development plans are finalized for individual projects within the Housing Element Update, project sponsors for individual projects should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions of providing water service to the development. Engineering and installation of new and relocated pipelines and services require substantial lead time,

which should be provided for in the project sponsor's development schedule. EBMUD's Standard Site Assessment Report indicate the potential for contaminated soils or groundwater to be present within the boundaries of the Housing Element Update. The project sponsors for individual projects should be aware that EBMUD will not install piping or services in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may be hazardous to the health and safety of construction and maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping or services in areas where groundwater contaminant concentrations exceed specified limits for discharge to the sanitary sewer system and sewage treatment plants. The project sponsor must submit copies to EBMUD of all known information regarding soil and groundwater quality within or adjacent to the project boundary and a legally sufficient, complete and specific written remediation plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of contaminated soil and groundwater.

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

WATER CONSERVATION

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

Olivia Ortiz, Planner
September 8, 2023
Page 3

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

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:VDC:djr
wdpd23_202 Alameda County Housing Element

Enclosures: EBMUD Requirements for Placement of Water Mains



Applicant Pipeline Design Criteria

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

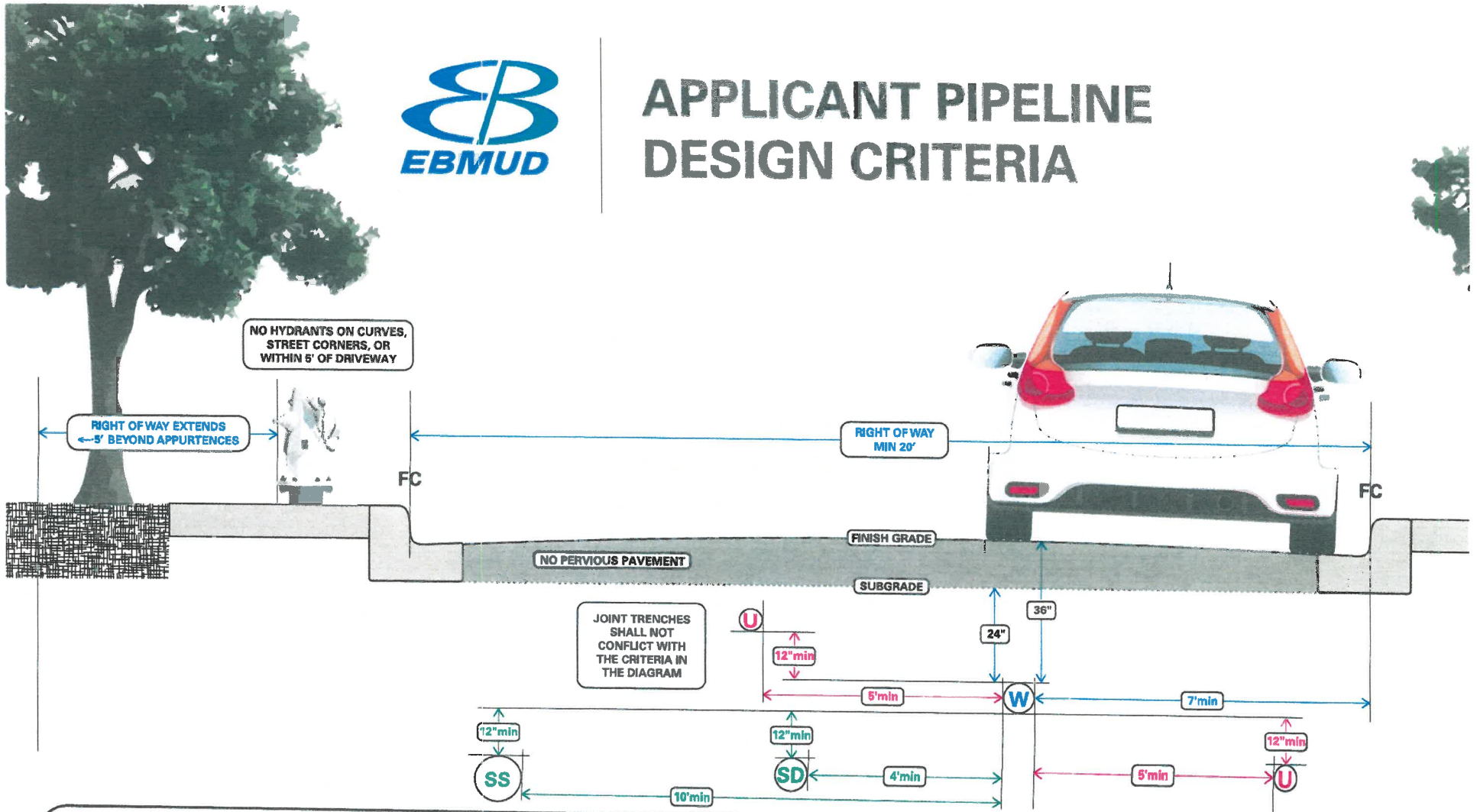
Design Criteria

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

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



APPLICANT PIPELINE DESIGN CRITERIA



W = WATER 24" cover to subgrade 36" cover to final grade 7' inset from face of curb	U = UTILITY min 12" vertical clearance min 5' horizontal clearance	SS = SANITARY SEWER min 12" below water min 10' horizontal clearance	SD = STORM DRAIN min 12" below water min 4' horizontal clearance	FC= FACE OF CURB
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Letter 2

COMMENTER: David J. Rehnstrom, Manager of Water Distribution Planning, East Bay Municipal Utility District (EBMUD)

DATE: September 27, 2024

Response 2.1

The commenter states that their letter on the Draft IS-MND dated September 8, 2023, still applies regarding water service and water conservation. The letter dated September 8, 2023 is provided as an attachment.

Please see the response to Letter 2 in Section 2, Responses to Comments on the Draft IS-MND, for a response to the September 8, 2023 letter. No additional comments have been raised beyond what was included in the previous letter.

California Department of Transportation



DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

October 11, 2024

SCH #: 2023110069
GTS #: 04-ALA-2023-00861
GTS ID: 31254
Co/Rt/Pm: ALA/VAR/VAR

Liz McElligott, Assistant Planning Director
Alameda County
224 W. Winton Avenue, Room 111
Hayward, CA 94544

Re: Alameda County 2023-2031 Housing Element Update – Mitigated Negative Declaration (MND)

Dear Liz McElligott:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Alameda County 2023-2031 Housing Element Update Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the September 2024 MND.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Project Understanding

The proposed project would amend the Alameda County General Plan by updating the current Housing Element. The recirculated MND analyzes a total number of 3,779 units by 2031 from a residential rezone program which will be implemented to adequately meet the County’s assigned Regional Housing Needs Assessment (RHNA) of 4,711 units.

Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses vehicle miles traveled (VMT) analysis for land use projects, please review Caltrans’ Transportation Impact Study Guide ([link](#)).

1

2

The project VMT analysis and significance determination are undertaken in a manner consistent with the Office of Planning and Research's (OPR) Technical Advisory. Per the MND, this project is found to have a less than significant VMT impact, therefore working towards meeting the State's VMT reduction goals.

2, cont.

Integrated Transportation and Land Use Planning

Transportation and housing are integrally connected. The Housing Element Update process provides a mechanism to reflect current transportation and land use policy and adopt efficient land-use strategies such as transit-oriented, infill and mixed-use developments that can potentially reduce vehicle miles traveled and address climate change.

3

Please review and include the reference to the current California Transportation Plan (CTP) in the DEIR. CTP 2050 envisions that the majority of new housing located near existing housing, jobs, and transit, and in close proximity to one another will reduce vehicle travel and GHG emissions, and be accessible and affordable for all Californians, including disadvantaged and low-income communities. The location, density, and affordability of future housing will dictate much of our future travel patterns, and our ability to achieve the vision outlined in CTP 2050. Caltrans encourages the County to consider and explore the potential of excess state-owned property for affordable housing development, per Executive Order N-06-19.

4

5

Caltrans looks forward to reviewing the DEIR that should demonstrate how the future housing development patterns align with the County's adopted VMT policies. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through efficient and equitable land use planning and policies. The County should also continue to coordinate with Caltrans to identify and implement necessary network improvements and impact mitigation.

6

Equity and Public Engagement

We will achieve equity when everyone has access to what they need to thrive no matter their race, socioeconomic status, identity, where they live, or how they travel. Caltrans is committed to advancing equity and livability in all communities. We look forward to collaborating with the County to prioritize projects that are equitable and provide meaningful benefits to historically underserved communities.

7

Caltrans encourages the County to foster meaningful, equitable and ongoing public engagement in the Housing Element Update process to ensure future transportation decisions and investments reflect community interests and values. The public engagement process should include community-sensitive and equity-focused

Liz McElligott, Assistant Planning Director
October 11, 2024
Page 3

approaches seeking out the needs of individuals from underserved, Tribal, and low-income communities, the elderly, and individuals with disabilities.

7, cont.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Melissa Hernandez, Associate Transportation Planner via LDR-D4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact LDR-D4@dot.ca.gov.

Sincerely,



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

c: State Clearinghouse

Letter 3

COMMENTER: Yunsheng Luo, Branch Chief, Local Development Review, Caltrans

DATE: October 11, 2024

Response 3.1

The commenter thanks the County for including Caltrans in the environmental review process and states the Local Development Review Program reviews land use projects and plans to ensure consistency with Caltrans' mission and State planning priorities. The commenter provides a summary of their understanding of the project.

The commenter's understanding of the project is accurate. This comment does not relate directly to the adequacy of the information or analysis within the Recirculated Draft IS-MND. No changes to the Recirculated IS-MND are required as a result of this comment.

Response 3.2

The commenter states that with the enactment of Senate Bill 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. The commenter states that the project vehicle miles traveled (VMT) analysis and significance determination are undertaken in a manner consistent with the Office of Planning and Research's Technical Advisory. The commenter states that the project's less than significant VMT impact works towards meeting the State's VMT reduction goals.

As discussed in Section 17, *Transportation*, of the Draft IS-MND, based on a VMT analysis prepared by TJKM Transportation Consultants, the proposed project would result in a less than significant VMT impact. No revisions to the IS-MND have been made in response to this comment.

Response 3.3

The commenter states that the project provides a mechanism to reflect current transportation and land use policy to adopt efficient land use strategies such as transit-oriented, infill, and mixed-use developments that can potentially reduce VMT and address Climate Change.

This comment is similar to Comment 5.3 as summarized in Section 2, Responses to Comments on the Draft IS-MND. Please see Response 5.3. As noted throughout the IS-MND, the proposed project involves a residential rezoning to facilitate housing development on infill sites that are primarily undeveloped and underutilized areas and in proximity to jobs, services, and transit. This comment does not relate directly to the adequacy of the information or analysis within the Recirculated Draft IS-MND. No revisions to the IS-MND have been made in response to this comment.

Response 3.4

The commenter requests a review of the current California Transportation Plan (CTP) and inclusion of the CTP in the IS-MND. The commenter states that the CTP 2050 envisions a majority of new housing located in proximity to housing, jobs, and transit, which would reduce vehicle travel and GHG emissions.

This comment is similar to Comment 5.4 as described in Section 2, Responses to Comments on the Draft IS-MND. Please see Response 5.4. In response to this comment, Section 17, *Transportation*, of

the IS-MND has been revised, and a consistency analysis of the project with the CTP 2050 has been included. The revisions are listed in Section 4, *Revisions to the Recirculated Draft IS-MND*, of this document. The analysis found that the proposed project would not conflict with Caltrans' CTP 2050 and impacts would be less than significant.

Response 3.5

The commenter encourages the County to consider and explore the potential of excess state-owned property for affordable housing development, per Executive Order N-06-19.

This comment is similar to Comment 5.5 as described in Section 2, Responses to Comments on the Draft IS-MND. Please see Response 5.5. The commenter's opinions are noted and will be considered by County decision-makers. This comment does not relate directly to the adequacy of the information or analysis within the IS-MND. No revisions to the IS-MND have been made in response to this comment.

Response 3.6

The commenter states that they look forward to reviewing the DEIR that should demonstrate how future housing development patterns align with the County's adopted VMT policies. The commenter expresses support for collaboration with local agencies to work towards a safe, functional, and interconnected multi-modal transportation system integrated through efficient and equitable land use planning and policies. The commenter states that the County should continue to coordinate with Caltrans to identify and implement necessary network improvements and impact mitigation.

While the commenter references a DEIR, an IS-MND was prepared for this project. As stated in Section 17, *Transportation*, of the Recirculated Draft IS-MND, the proposed project was found to have a less than significant impact with respect to VMT and would not conflict with the County's VMT policies. The commenter's opinions are noted and will be considered by County decision-makers. No revisions to the IS-MND have been made in response to this comment.

Response 3.7

The commenter states that Caltrans is committed to advancing equity and livability in all communities and that they look forward to collaborating with the County to prioritize projects that are equitable and provide meaningful benefits to underserved communities. The commenter encourages the County to foster meaningful, equitable, and ongoing public engagement in the Housing Element Update process to ensure future transportation decisions and investments reflect community interest and values. The commenter suggests the public engagement process should include community-sensitive and equity-focused approaches seeking out the needs of individuals from underserved, Tribal, and low-income communities, the elderly, and people with disabilities.

The commenter's opinions are noted and will be considered by County decision-makers. This comment does not relate directly to the adequacy of the information or analysis within the IS-MND. No revisions to the IS-MND have been made in response to this comment.



CALIFORNIA HIGHWAY PATROL

601 N 7th St, Sacramento, CA 95811 | 800-735-2929 (TT/TDD) | 800-735-2922 (Voice)

GAVIN NEWSOM, GOVERNOR

CALIFORNIA STATE TRANSPORTATION AGENCY

October 03, 2024

File No.: 345.17195.17207.24-120B

County of Alameda
224 West Winton Avenue, Room 111
Hayward, CA 94544

Subject: SCH 2023110069

To Whom it May Concern:

The Hayward Area of the California Highway Patrol received the Notice of Completion of the Environmental document for the proposed project name for State Clearinghouse (SCH) number 2023110069. After review, we have concerns with the potential impact this project could have on traffic congestion.

Our concern relates to the proposed construction of 3,779 residential units. The proposed project is located within close proximity to several State Routes and Interstates. State Route 238, north of Interstate 580, is a major throughfare for traffic connecting to Interstate 880. The lanes are reduced from five lanes to three lanes as traffic proceeds northbound on State Route 238 from Interstate 580. The transition to Interstate 880 is separated into two lanes for traffic continuing onto Interstate 880 southbound, and eventually one lane for traffic proceeding onto Interstate 880 northbound. The local streets within the surrounding area of these State Routes and Interstates will be severely impacted by the increase in traffic. This project would have a negative impact on our operations due to the increased traffic congestion which would necessitate the need for additional traffic control measures to mitigate the potential increase in traffic crashes within our jurisdiction.

If you have any questions regarding these concerns, please contact me at (510) 489-1500.

Sincerely,

A. DANMEIER, Captain
Commander
Hayward Area

cc: Golden Gate Division
Special Projects Section

M e m o r a n d u m

Date: September 23, 2024

To: Oakland Area

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Special Projects Section

File No.: 063.A10212.A20019.NoC.Doc

Subject: ENVIRONMENTAL DOCUMENT REVIEW AND RESPONSE
SCH# 2023110069

Special Projects Section (SPS) recently received the referenced Notice of Completion environmental impact document from the State Clearinghouse (SCH).

Please use the attached checklist to assess its potential impact to local Area operations and public safety. If it is determined that departmental input is advisable, your written comments referencing the above SCH number must be sent to the lead agency and emailed to state.clearinghouse@opr.ca.gov. Your written comments must be received by SCH no later than **October 14, 2024**. For reference, additional information can be found in General Order 41.2, Environmental Impact Documents.

For project tracking purposes, SPS must be notified of the assessment of the project (including negative reports). Please email a copy of the response to EIR@chp.ca.gov. For questions or concerns, please contact the Transportation Planning Unit at (916) 843-3370.

 19571 For

L. NARVAEZ, SSM III
Commander

Attachments: Checklist
Project File

cc: Golden Gate Division



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2023110069

Project Title: Alameda County 2023-2031 Housing Element Update

Lead Agency: County of Alameda Contact Person: Liz McElligott
Mailing Address: 224 West Winton Avenue, Room 111 Phone: 510-670-6120
City: Hayward Zip: 94544 County: Alameda County

Project Location: County: Unincorporated Alameda County City/Nearest Community: Ashland, Castro Valley, Cherryland, Hayward Acres, Folsom, San Lorenzo

Cross Streets: _____ Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: _____

Assessor's Parcel No.: Multiple Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: SR-185, SR-238, I-238, I-580, I-880 Waterways: Kelly Canyon Creek, San Lorenzo Creek, Coyote Creek, Eden Creek, Pacheco Creek

Airports: _____ Railways: BART, UPRR Schools: Multiple

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: Recirculation FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Development Type:

Residential: Units 3,779 Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type _____ MW _____
 Waste Treatment: Type _____ MGD _____
 Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

All within unincorporated Alameda County since the HEU applies to the unincorporated Alameda County

Project Description: (please use a separate page if necessary)

The proposed project is a recirculation of a previous Draft IS-MND and consists of a complete update to the Alameda County Housing Element which is intended to enable the County to accommodate housing in accordance with State law. The proposed project would bring the element into compliance with State legislation passed since adoption of the 2015-2023 Housing Element and with the current Regional Housing Needs Allocation (RHNA). The Recirculated IS-MND analyzes a total number of 3,779 units by 2031 from a residential rezone program which will be implemented to adequately meet the County's assigned RHNA of 4,711 units.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input checked="" type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # 4 | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # 2 |
| <input checked="" type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # 3 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date September 13, 2024 Ending Date October 14, 2024

Lead Agency (Complete if applicable):

Consulting Firm: <u>Rincon Consultants</u>	Applicant: <u>Alameda County</u>
Address: <u>449 15th St #303</u>	Address: <u>224 W. Winton Avenue, Room 111</u>
City/State/Zip: <u>Oakland, CA 94612</u>	City/State/Zip: <u>Hayward, CA, 94544</u>
Contact: <u>Karly Kaufman</u>	Phone: <u>510-670-6120</u>
Phone: <u>510-671-0179</u>	

Signature of Lead Agency Representative: *Cynthia McCall* Date: 9/10/24

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Letter 4

COMMENTER: A. Danmeier, Captain, California Highway Patrol

DATE: October 3, 2024

Response 4.1

The commenter expresses concern about the project's potential impacts related to traffic congestion. Specifically, the commenter expresses concern about the construction of 3,779 residential units in close proximity to several State Routes and Interstates, including State Route 238 which connects Interstate 580 and Interstate 880. The commenter asserts that the local streets with surrounding area of these State Routes and Interstates would be severely impacted by the increase in traffic. The commenter states an opinion that the project would have a negative impact on their operations due to the increased traffic congestion which would necessitate the need for additional traffic control measures to mitigate the potential increase in traffic crashes within their jurisdiction.

Pursuant to California Public Resources Code section 21099(b)(2) and *CEQA Guidelines* Section 15064.3, "a project's effect on automobile delay shall not constitute a significant environmental impact." Therefore, the IS-MND does not make significance conclusions with respect to impacts related to automobile delay (LOS). The commenter does not provide specific evidence or analysis of a significant impact related to additional trips on the system that could lead to a significant environmental impact. As discussed in Section 17, *Transportation*, of the Recirculated Draft IS-MND, adoption of the proposed HEU analyzes the amount of new housing units the unincorporated County will accommodate during the 2023-2031 planning period and sets goals and policies for how this housing is implemented. It does not grant entitlements for any specific project or future development. Thus, the plan for new housing and the goals and policies needed to achieve that housing do not have a specific transportation safety impact or hazard. The proposed project would not include hazardous geometric design features or incompatible uses. Each housing application would be evaluated at the project specific level and undergo design review which would ensure design features would be in accordance with all applicable Alameda County standards to minimize design hazards. Therefore, the Recirculated Draft IS-MND did not identify a specific traffic safety hazards and impacts were found to be less than significant. The commenter's opinions are noted and will be forwarded to County decision-makers for consideration. This comment does not relate directly to the adequacy of the information or analysis within IS-MND. No revisions to the IS-MND have been made in response to this comment.

4 Revisions to the Recirculated Draft IS-MND

Chapter 4 presents specific changes to the text of the Recirculated Draft IS-MND that are being made in response to comments received or to make corrections. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with underlined and deleted text is indicated with ~~strikeout~~. Page numbers correspond to the page numbers of the Draft IS-MND.

These revisions do not constitute a “substantial revision” to the Recirculated Draft IS-MND, do not change the findings of the Recirculated Draft IS-MND, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Recirculated Draft IS-MND. None of the conditions pursuant to CEQA Guidelines Section 15073.5 requiring second recirculation of an IS-MND have been met.

Acronyms and Abbreviations

Page vi:

~~ECBE~~ EBCE East Bay Community Energy

Section 15, Public Services

Page 164 (*Environmental Setting, Schools*):

CASTRO VALLEY AREA

The Castro Valley Area is served by three school districts: the Castro Valley Unified School District (CVUSD), the HUSD, and the SLZUSD. Schools within the three school districts include 12 elementary schools, five middle schools, and four high schools. Between 2020 and 2021, all most schools within the CVUSD have declined experienced a decline in enrollment from 2020 to 2021 except for Castro Valley High, Castro Valley Virtual Academy, Proctor Elementary, and Roy A. Johnson High (California Department of Education 2022). However, according to the CVUSD, since 2021 enrollment at every CVUSD school site has increased except for Creekside Middle School, Roy A Johnson High School, and the CVUSD Virtual Academy. Enrollment for the 2024-2025 school year is the highest ever for the district (CVUSD 2024).

Section 17, Transportation

Page 186 (*Impact a*):

Because the proposed HEU does not include modifications to the existing transportation network and individual future developments would be designed consistent with applicable bicycle and pedestrian facility requirements, the proposed HEU would not conflict with the County’s existing circulation, bicycle, or pedestrian plans.

Caltrans adopted the California Transportation Plan (CTP) 2050 on February 2021, which aims to create a safe, resilient, and universally accessible transportation system that

supports communities, advances racial and economic justice, and improves public and environmental health. CTP 2050 has identified eight goals in the areas of safety, climate, equity, accessibility, quality of life and public health, economy, environment, and infrastructure (Caltrans 2021). The following objectives are applicable to the proposed project:

- **Climate Objective 1: Advance a clean, carbon neutral transportation system.** This objective aims to meet GHG reduction targets, move the transportation sector away from dependence on carbon-based fuels, and position California to achieve full carbon neutrality over the plan horizon.
- **Accessibility Objective 1: Increase access to destinations.** Accessibility can be improved not only through transportation system enhancements, but through compact, diverse land uses that support multiple modes and facilitate shorter and more convenient trips.
- **Environment Objective 1: Improve air quality and minimize pollutants from transportation.** Transportation is the largest contributor to statewide GHG emissions. Criteria air pollutants such as particulate matter, carbon monoxide, nitrogen oxide, and volatile organic compounds have been linked to a wide range of public health issues. This objective aims to reduce pollutants and improve health outcomes.

The proposed project would be consistent with the goals and objectives of the CTP 2050 by facilitating development of housing within the urbanized areas of unincorporated Alameda County, as well as within the county’s TPAs and near or adjacent to transportation corridors currently served by bus stations and the Castro Valley BART and Bay Fair BART, as well as Class II and Class III bicycle lanes such as Foothill Boulevard, Castro Valley Boulevard, Redwood Boulevard, Ashland Avenue, E. Lewelling Boulevard, Meekland Avenue, Five Canyons Road, Maud Avenue, and Grant Avenue. By locating rezone sites in proximity to bus and BART stations and Class II and Class III bicycle lanes, the proposed project would encourage walking or the use of bicycles and reduce reliance on single-occupancy vehicles, thereby reducing VMT and GHG emissions. In addition, future development facilitated by the project would be required to comply with the most updated EV requirements outlined in Title 24 at the time of construction, which would further reduce GHG emissions. Therefore, the proposed project would not conflict with Caltrans’ CTP 2050.

Overall, impacts to transit, roadway, bicycle, and pedestrian facilities would be less than significant.

References

Page 220:

- Caltrans. 2021. California Transportation Plan 2050. Adopted February 2021.
<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/ctp-2050-v3-a11y.pdf>
- CVUSD. 2024. Comment Letter on the 2023-2031 Housing Element Initial Study Recirculated Draft IS-MND.

5 Mitigation Monitoring and Reporting Program

The Initial Study-Mitigated Negative Declaration (IS-MND) identifies the applicable mitigation measures that will be implemented to reduce the impacts associated with the County of Alameda 2023-2031 Housing Element Update Project. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in section 21081.6(a)(1) of the Public Resources Code:

...the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of adopting a mitigated negative declaration.

To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. Future project applicants will have the responsibility for implementing the measures that apply to development activity, and the various County departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

The first column identifies mitigation measures that were identified in the IS-MND. The second column, entitled "Implementation Procedures," identifies the procedures for implementing the mitigation measure. The third column "Monitoring and Reporting Actions," refers to the monitoring action that must be taken to ensure the mitigation measure's implementation. The fourth column, entitled "Monitoring Timing," refers to when the monitoring will occur to ensure that the mitigation action is complete. The fifth column, "Monitoring Responsibility," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The "Compliance Verification" column is where the agency responsible verifies that the measures have been implemented.

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
Air Quality					
AQ-1: Project-Level Air Quality Analysis					
<p>The County shall establish the following Standard Condition of Approval for discretionary projects on rezone sites requiring County approval:</p> <p>For individual projects subject to CEQA that do not meet the BAAQMD construction and/or operational screening criteria under Table 4-1 of the BAAQMD 2022 CEQA Air Quality Guidelines, individual air quality analysis shall be conducted to determine project significance. Where individual projects exceed BAAQMD project-level significance thresholds, mitigation measures shall be incorporated to reduce emissions to below thresholds. Construction mitigation measures may include, but are not limited to, incorporation of U.S. Environmental Protection Agency Tier 4 and/or alternative fueled equipment, use of onsite power sources instead of generators, and use of low/no-VOC content architectural coatings. Operational mitigation measures may include, but are not limited to, increased incorporation of photovoltaic systems (PV) beyond regulatory requirements, increased incorporation of EV charging stations and/or infrastructure beyond regulatory requirements, incorporation of a development-wide ride-share system, or elimination of natural gas usage within residential developments. Individual project analysis and accompanying emission-reduction measures shall be conducted by a qualified air quality consultant and approved by the County prior to issuance of a permit to construct or permit to operate.</p>	<p>The County shall establish and apply a standard condition of approval requiring individual air quality analysis for projects that do not meet BAAQMD construction and/or operational screening criteria.</p>	<p>Verify that the standard condition of approval is established and applied; verify that individual air quality analysis is completed for projects that do not meet BAAQMD construction and/or operational screening criteria.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	
AQ-2: Construction Health Risk Assessment					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:</p> <p>Individual projects that do not meet at least one of the following screening criteria shall implement the measure listed below these criteria:</p> <ul style="list-style-type: none"> ▪ The project is the development of an accessory dwelling unit, single-family residence, or duplex; ▪ Construction of the project would not occur within 1,000 feet of sensitive receptors; ▪ Construction of the project would not involve demolition, site preparation, or grading phases; ▪ Construction would not last longer than two months; or ▪ Construction would utilize U.S. Environmental Protection Agency (EPA) Tier 4 construction equipment and/or electric equipment for all off-road equipment. 	<p>The County shall establish and apply a standard condition of approval to require Tier 4 equipment and/or alternative fuel equipment be used for projects that do not meet one or more of the screening criteria.</p>	<p>Verify that the standard condition of approval is established and applied; verify that Tier 4 equipment and or alternative fuel equipment is used for projects that do not meet one or more of the screening criteria.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
<p>Prior to issuance of construction permit(s), the County shall confirm that the applicable plan(s) stipulates that the measure listed below would be implemented by the construction contractor during construction:</p> <ul style="list-style-type: none"> All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the U.S. EPA Tier 4 final standards and/or be electrically powered. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards. In the event that Tier 4 or electrically-powered engines are not commercially available, use of alternatively fueled equipment or other control technology (i.e., diesel particulate filters) may suffice, as long as emissions during construction can be demonstrated by a qualified air quality consultant to not exceed BAAQMD health risk thresholds. 					
Biological Resources					
BIO-1: Special-status Bat Species Avoidance and Minimization					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:</p> <p>For projects that involve demolition of uninhabited buildings or removal of mature trees large enough to contain crevices and hollows that could support bat roosting, focused surveys to determine the presence/absence of roosting bats shall be conducted prior to demolition or tree removal. If active maternity roosts are identified, a qualified biologist shall establish avoidance buffers applicable to the species, the roost location and exposure, and the proposed construction activity in the area. If active non-maternity day or night roosts are found on the project site, measures shall be implemented to passively relocate bats from the roosts prior to the onset of construction activities. Such measures may include removal of roosting site during the time of day the roost is unoccupied or the installation of one-way doors, allowing the bats to leave the roost but not to re-enter. These measures shall be presented in a Bat Passive Relocation Plan that shall be submitted to, and approved by, CDFW.</p>	<p>The County shall establish and apply a standard condition of approval to avoid and minimize effects to special-status bat species.</p>	<p>Verify that the standard condition of approval is established and applied; verify that focused bat surveys are conducted by a qualified biologist to determine the presence/absence of special status bat species.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
BIO-2: Preconstruction Surveys for Nesting Birds					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:</p> <p>For projects that would involve native or naturalized vegetation or tree removal, a general pre-construction nesting bird survey shall be conducted by a qualified biologist within 14 days prior to the initiation of construction activities. If construction is stopped for more than 14 days during the nesting season, a pre-construction survey shall be conducted prior to the re-start of construction activities. Surveys shall include the disturbance area plus a 50-foot buffer for passerine species, and a 500-foot buffer for raptors.</p> <p>If active nests are located, an appropriate avoidance buffer shall be established within which no work activity would be allowed that would impact these nests. The avoidance buffer shall be established by the qualified biologist on a case-by-case basis based on the species and site conditions. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until juveniles have fledged and/or the nest is inactive. A qualified biologist shall confirm that breeding/nesting is complete, and the nest is no longer active prior to removal of the buffer. If work within a buffer area cannot be avoided, then a qualified biologist shall be present to monitor all project activities that occur within the buffer. The biological monitor shall evaluate the nesting avian species for signs of disturbance and shall have the ability to stop work.</p>	<p>The County shall establish and apply a standard condition of approval to avoid and minimize impacts to nesting birds that may be on the project site through surveying by a qualified biologist and the establishment of an avoidance buffer if active nests are found.</p>	<p>Verify that the standard condition of approval is established and applied; verify that a bird survey is conducted by a qualified biologist on the project site.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	
BIO-3: Biological Resources Screening and Assessment					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:</p> <p>For projects located on parcels that intersect with a creek or are within 100 feet of a creek the project applicant shall hire a qualified biologist to perform a preliminary biological resources screening, for the County’s review and approval, to determine whether the project has the potential to impact special status biological resources, inclusive of special status plants and animals, sensitive vegetation communities, jurisdictional waters (including creeks, drainages, streams, ponds, vernal pools, riparian areas and other wetlands), critical habitat, wildlife movement area, or biological resources protected under local or regional ordinances or an existing HCP or NCCP. If it is determined that the project has no potential to impact biological resources, no further action is required.</p>	<p>The County shall establish and apply a standard condition of approval to screen for biological resources on the project site for projects requiring approval.</p>	<p>Verify that the standard condition of approval is established and applied; verify that for projects on sites located on or adjacent to a creek, the project applicant has hired a qualified biologist to perform a preliminary biological resources screening.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
<p>If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 50 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources, as approved by the County. The project-specific biological analysis shall evaluate the potential for impacts to all biological resources including, but not limited to special status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, State, and/or federal agencies. If the project would have the potential to impact these resources, recommendations developed to enhance wildlife movement (e.g., installation of wildlife friendly fencing), as applicable, to reduce impacts to less than significant levels. Pending the results of the project-specific biological analysis, County review, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, NMFS, CDFW, and/or other local, State, and federal agencies may be required.</p>					
Cultural Resources					
CUL-1: Identification of Historic Resources					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:</p> <p>For a project that involves demolition or alteration of a building or structure over 45 years of age, the project applicant shall hire a qualified professional to conduct a historical resources survey and evaluation of the building(s) or structure(s) to determine their eligibility for recognition under State, federal, or local historic resource designation criteria. The evaluation shall be prepared by an architectural historian or historical architect meeting the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards (PQS) as defined in 36 Code of Federal Regulations (CFR) Part 61. The historical age building or structure shall be evaluated considering their historic context and documented in a report meeting the California Office of Historic Preservation’s guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to Alameda County for review and concurrence prior to project approval.</p>	<p>The County shall establish and apply a standard condition of approval requiring a historical resources survey and evaluation of buildings/ structures to determine eligibility for recognition under State, federal, or local historic resource designation criteria.</p>	<p>Verify that the standard condition of approval is established and applied; verify that a historical resources survey and evaluation of buildings or structures to determine age eligibility is conducted.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
CUL-2: Treatment of Historic Resources					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:</p> <p>If historical resources are identified as a result of a survey and evaluation conducted, efforts shall be made to ensure that the relocation, rehabilitation, or alteration of the resource under the proposed project is consistent with the Secretary of the Interior’s Standards for the Treatments of Historic Properties (Standards). A report identifying and specifying the treatment of character-defining features and construction activities shall be provided, demonstrating how the project complies with the Standards and avoids the substantial adverse change in the significance of the historical resource as defined by CEQA Guidelines Section 15064.5(b). The report shall be prepared by an architectural historian or historical architect meeting the PQS as defined by 36 CF Part 61 and provided to the County for review and concurrence prior to project approval.</p>	<p>The County shall establish and apply a standard condition of approval requiring a report identifying and specifying the treatment of character-defining features and construction activities for historical resources.</p>	<p>Verify that the standard condition of approval is established and applied; verify that a report identifying and specifying the treatment of character-defining features and construction activities is prepared for historical resources.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	
CUL-3: Archaeological Resources Assessment					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone requiring discretionary approval:</p> <p>Prior to approval of an individual development projects under the 2023-2031 Housing Element that will involve ground disturbance activities that may include, but are not limited to, grading and excavation, an archaeological resources assessment shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in either prehistoric or historic archaeology. Assessments shall include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center (NWIC) and a Sacred Lands File Search maintained by the Native American Heritage Commission (NAHC). The records searches shall characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the project site. A Phase I pedestrian survey shall be undertaken in proposed project sites that are undeveloped to identify the presence or absence of any surface cultural materials. By performing a records search, a Sacred Lands File search, and a Phase I survey, a qualified archaeologist will classify the project site as having high, medium, or low sensitivity for archaeological resources.</p> <p>If the Phase I archaeological survey identifies resources that may be affected by the project, the archaeological resources assessment shall also include Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include, but would not be</p>	<p>The County shall establish and apply a standard condition of approval requiring an archaeological resources assessment.</p>	<p>Verify that the standard condition of approval is established and applied; verify that an archaeological resources assessment is conducted.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
<p>limited to, a Phase III Data Recovery Program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant by adding fill soils on top of the resources rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist in consultation with the County of Alameda and with other relevant parties.</p>					
CUL-4: Unanticipated Discoveries of Archaeological Resources					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval:</p> <p>In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities associated with the 2023-2031 Housing Element, work within 50 feet of the find shall halt and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the resource. If the resource is determined by the qualified archaeologist to be prehistoric, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the qualified archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of California Code of Regulations (CCR) Guidelines Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource’s significance. The County of Alameda shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Guidelines Section 15126.4(b)(3)(C).</p>	<p>The County shall establish and apply a standard condition of approval to provide guidance in the case that archaeological resources are unexpectedly encountered during ground-disturbing activities.</p>	<p>Verify that the standard condition of approval is established and applied; verify that all ground-disturbing activities are halted in the case that archeological resources are discovered on the project site.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
Geology and Soils					
GEO-1: Paleontological Resources Assessment					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring discretionary approval for projects that could disturb geologic units with high or undetermined paleontological sensitivity:</p> <p>Paleontological Resources Assessment. Prior to initial ground disturbance on sites on geologic units with high or undetermined paleontological sensitivity (including Pleistocene alluvial fan and fluvial deposits, undivided Miocene sedimentary rocks, Undivided sedimentary rocks of Great Valley Complex, and Knoxville Formation), the project applicant shall retain a Qualified Professional Paleontologist, as defined by SVP (2010), to conduct a paleontological resources assessment (PRA). The PRA shall determine the paleontological sensitivity of geologic formation(s) underlying the proposed disturbance area, consistent with SVP (2010) guidelines and assess the potential for the project to impact those formations. If the PRA concludes that the project could have a significant impact on paleontological resources, the Qualified Professional Paleontologist shall create a Paleontological Mitigation and Monitoring Program, which will be approved by the County.</p>	<p>The County shall establish and apply a standard condition of approval to protect paleontological resources.</p>	<p>Verify that the standard condition of approval is established and applied; verify that a paleontological resources assessment is completed.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	
Greenhouse Gas Emissions					
GHG-1: Consistency with BAAQMD’s Project-Level GHG Threshold					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:</p> <p>Individual projects should be consistent with one of the following measures:</p> <ul style="list-style-type: none"> ▪ The project should not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and the project shall achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2. ▪ Be consistent with the future Alameda County Climate Action Plan if it meets the criteria under State CEQA Guidelines Section 15183.5(b). 	<p>The County shall establish and apply a standard condition of approval to be consistent with either one of the two measures.</p>	<p>Verify that the standard condition of approval is established and applied; verify that the project is consistent with either one of the two measures.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

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Noise					
NOI-1: Construction Noise Reduction Plan					
<p>The County shall establish the following Standard Condition of Approval for projects on rezoned sites requiring County approval:</p> <p>For projects within 500 feet of a noise sensitive land use and that involve subterranean parking, large excavation, construction over 18 months in duration, and/or the use of heavy-duty equipment, project applicants shall include these measures on demolition, grading, and construction plans submitted to the County. The Alameda County Building Department shall verify that grading, demolition, and/or construction plans submitted to the County include these notations prior to issuance of demolition, grading and/or building permits.</p> <ul style="list-style-type: none"> ▪ Mufflers. During excavation and grading construction phases, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers’ standards. ▪ Stationary Equipment. All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receivers. ▪ Equipment Staging Areas. Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receivers. ▪ Smart Back-up Alarms. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations. ▪ Electrically-Powered Tools and Facilities. Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible. ▪ Noise Disturbance Coordinator. The project applicant shall designate a “noise disturbance coordinator” responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the County shall be posted at the construction site. 	<p>The County shall establish and apply a standard condition of approval requiring a Construction Noise Reduction Plan for projects that meet the criteria.</p>	<p>Verify that the standard condition of approval is established and applied; verify that the project applicant develops a Construction Noise Reduction Plan.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	

Mitigation Measure	Implementation Procedures	Monitoring and Reporting Action	Monitoring Timing	Monitoring Responsibility	Compliance Verification (Initial, Date, Comments)
NOI-2: Construction Vibration Control Plan					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:</p> <p>Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); a vibratory roller within 40 feet of fragile historical resources or 25 feet of any other structure; or a dozer or other large earthmoving equipment within 20 feet for a fragile historical structure or 15 feet of any other structure, the project applicant shall prepare a groundborne vibration analysis to assess and mitigate potential vibration impacts related to these construction activities. This vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (e.g., 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry building, and 0.3 in/sec PPV for engineered concrete and masonry buildings).</p>	<p>The County shall establish and apply a standard condition of approval requiring the applicant to prepare a vibration control plan prior to the commencement of construction activities.</p>	<p>Verify that the standard condition of approval is established and applied; verify that the project applicant prepares a vibration control plan.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	
Tribal Cultural Resources					
TCR-1: Suspension of Work Around Potential Tribal Cultural Resources					
<p>The County shall establish the following Standard Condition of Approval for projects on rezone sites requiring County approval:</p> <p>In the event that archaeological resources of Native American origin are identified during implementation of the proposed project, all earth-disturbing work within 50 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If Alameda County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s). The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery. The Alameda County Community Development Director or designee shall review and approve the plan prior to implementation.</p>	<p>The County shall establish and apply a standard condition of approval requiring the suspension of all earth-disturbing work in the case that archaeological resources of Native American origin are identified during implementation of the proposed project.</p>	<p>Verify that the standard condition of approval is established and applied; verify that all earth-disturbing work is suspended if archaeological resources of Native American origin are identified during implementation of the proposed project.</p>	<p>Prior to project approval.</p>	<p>County of Alameda Community Development Agency</p>	