

Notice of Preparation

Notice of Preparation

To: State Clearinghouse
1400 Tenth Street/P.O. Box 3044
Sacramento, CA 95814

From: Christina Horrisberger, Snr Planner
Alameda County Planning Department
224 W. Winton Ave., Hayward CA 94544

Subject: Notice of Preparation of a Draft Environmental Impact Report

The Alameda County Planning Department will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Christina Horrisberger at the address shown above. We will need the name for a contact person in your agency.

Project Title: Tract 8057 Residential Subdivision Project

Project Applicant, if any: Martin Inderbitzen

Date January 20, 2017

Signature _____

Title Senior Planner

Telephone 510/670-5400



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Chris Bazar

Agency Director

FROM: Christina Horrisberger
Senior Planner
Alameda County Community Development Agency
224 W. Winton Avenue, Suite 110
Hayward, CA, 94544

Albert Lopez

Planning Director

SUBJECT: Notice of Preparation (Notice) of an Environmental Impact Report for the
HL Fairview Garden Project, PLN 2016-00210.

SUMMARY:

The County of Alameda (County) is issuing this Notice to advise other agencies and the public that the County will be preparing an Environmental Impact Report (EIR) for the HL Fairview Garden Project (proposed project) within the Fairview area of unincorporated Alameda County. The EIR will be prepared in compliance with the California Environmental Quality Act (CEQA) and all relevant state and Federal laws. The County will serve as the lead agency under CEQA for preparation of the EIR.

The County is issuing this Notice to alert interested parties and solicit public and agency input into the development of the scope of the EIR and to advise the public that outreach activities conducted by the County and their representatives will be considered in the preparation of the EIR.

DATES:

Written comments on the scope of the HL Fairview Garden Project EIR, including the project objectives, the alternatives to be considered, the impacts to be evaluated, and the methodologies to be used in the evaluations, should be provided to the County by March 8, 2017. A public scoping meeting is scheduled on Monday, February 6, 2017 at the time and location listed below.

ADDRESSES:

Written comments on the project scope should be sent to Christina Horrisberger, Senior Planner, ATTN: *HL Fairview Garden Project EIR*, Alameda County Community Development Agency, 224 W. Winton Avenue, Suite 110, Hayward, CA, 94544, or via email with subject line "HL Fairview Garden Project EIR" to:

christina.horrisberger@acgov.org.

224

West Winton Ave

Room 111

Notice of Preparation and EIR Scoping Meeting

Comments may also be provided orally or in writing at the scoping meeting scheduled at the following time and place:

Monday, February 6, 2017, 6:00 p.m.
Public Hearing Room – 160
224 W. Winton Avenue
Hayward, CA 94544

The project objectives, description of the proposed project and alternatives currently under consideration will be presented at this meeting. The meeting room is accessible to persons with disabilities. If special translation or signing services or other special accommodations are needed, please contact Maria Palmeri, at 510.670.5400 or maria.palmeri@acgov.org at least 48 hours before the scoping meeting.

FOR FURTHER INFORMATION CONTACT: Christina Horrisberger, Senior Planner, ATTN: HL Fairview Garden Project EIR, Alameda County Community Development Agency, 224 W. Winton Avenue, Suite 110, Hayward, CA, 94544, or at (510) 670-5400.

SUPPLEMENTAL INFORMATION:

Scoping

The County invites all interested individuals, organizations, public agencies, and Native American Tribes to comment on the scope of the EIR, including the project's objectives, the alternatives to be studied, the impacts to be evaluated and the evaluation methods to be used. Comments should focus on alternatives that may have fewer environmental impacts while achieving similar objectives and the identification of any significant social, economic, or environmental issues related to alternatives.

The Proposed Project

The Project involves merging the four existing parcels that comprise the approximately 14.3-acre Project site (see attached figures, Regional Location and Project Site and Parcels) and creating a residential subdivision of 27 single family home lots with a minimum lot area of 10,000 square feet each, as shown in **Figure 3, Site Plan**. Parcels 1 and 2 were previously the site of a proposed 15-lot subdivision, identified as Tract Map 8057 (the "Prior Project"). In addition to the 27 parcels intended for single family homes the tentative subdivision map includes five (5) common area parcels.

A Draft EIR for the Prior Project was prepared and circulated in mid-2014 (SCH # 2012022065) but a Final EIR was not completed or certified. Since that time, the site of the original 15-lot subdivision has been acquired by a new party who has expanded the proposed Project site to

include parcels 3 and 4 that abut the original site, and through which access will be provided to the entire proposed 27-lot subdivision. Because of the expansion of the Prior Project, the Lead Agency has determined that a Draft EIR will be prepared for the revised project.

Key Environmental Issues

Key issues that will be evaluated in the EIR include:

- Aesthetics and visual resources
- Air Quality and Greenhouse Gas Emissions
- Biological resources
- Geology/Soils
- Hydrology and Water Quality
- Land use and planning
- Traffic
- Cumulative impacts.

Alternatives

The EIR will consider the proposed project and a reasonable range of alternatives. Alternatives to the project will include a No Project scenario, an alternative involving 25 percent fewer lots and an alternative that more closely conforms to the *Fairview Area Specific Plan*. The County welcomes comments from the public on alternatives that should be considered.

EIR Process and the Role of Participating Agencies and the Public

The County encourages broad participation in the EIR process during scoping and review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies and the public at large so that the full range of issues related to the proposed project and all reasonable alternatives are addressed and that all significant issues are identified. In particular, the County is interested in learning whether there are areas of environmental concern where there might be a potential for significant impacts. For all potentially significant impacts, the EIR will identify mitigation measures, where feasible, to reduce these impacts to a less than significant level.

Public agencies with jurisdiction are requested to advise the County of the applicable permit and environmental review requirements of each agency, and the scope and content of the environmental information that is germane to the agency's statutory responsibilities in connection with the proposed project. Public agencies are requested to advise the County if

Notice of Preparation and EIR Scoping Meeting

they anticipate taking a major action in connection with the proposed project and if they wish to cooperate in the preparation of the EIR.

A public scoping meeting has been scheduled as an important component of the scoping process for compliance with state environmental law. Details of the scoping meeting described in this Notice will be mailed to property owners within 1000 feet of the project and advertised on the County's internet site: www.acgov.org/cda/planning/landuseprojects/currentprojects.

Due to the time limits mandated by state law, public agencies are requested to send their responses to this Notice to the County at the address provided above at the earliest possible date but no later than March 8, 2017. Members of the general public should provide scoping comments by March 8, 2017.

ATTACHMENT A

NOTICE OF PREPARATION

HL FAIRVIEW GARDEN PROJECT

Site Location and Conditions

The Project site is located centrally in the unincorporated Fairview area of Alameda County (see **Figure 1**), and is comprised of four adjacent parcels that together form an approximately 14.35-acre development area. The parcels that comprise the Project site are described as follows, together with their Assessors' Parcel Number (APN):

- 1) Parcel 1 is an approximately 7.52 acre trapezoidal shaped site that includes a long and narrow stem, 20 feet wide and about 750 feet long, partly along the east side of Parcel 2, that ends at Fairview Avenue approximately 85 feet east of Walter-Dinos Court (APN 417-260-4);
- 2) Parcel 2 is a 2.56-acre, four-sided and irregularly-shaped parcel that is located about 350 feet north of Fairview Avenue, with no frontage on or other connection to Fairview Avenue (APN 417-270-9);
- 3) Parcel 3 is a triangular-shaped 3.1-acre parcel that borders the west side of Parcel 2 and has a narrow 14-foot wide frontage connection to and frontage on Fairview Avenue, located roughly 160 feet west of Walter Dinos Court (APN 417-270-6);
- 4) Parcel 4 is a rectangular-shaped 1.17-acre parcel that has a 50-foot wide, 100-foot long stem that fronts on Fairview Avenue, about 280 feet from Walter Dinos Court (APN 417-270-3).

Parcels 1 and 2 were previously proposed for a 15-lot subdivision, Tract Map 8057, County Planning Department application PLN2010-00140, which also included as part of the project a roughly two-acre access easement within an adjacent 11.6-acre Pacific Gas & Electric (PG&E) parcel on the east side of Parcel 1 (the "Prior Project"). A Draft EIR for the Prior Project was prepared and circulated in mid-2014 (SCH # 2012022065) but a Final EIR was not completed or certified. Since that time, Parcels 1 and 2 have been acquired by a new party who has also expanded the site to include Parcels 3 and 4, through which access would be provided to the entire Project site. The access easement on the PG&E parcel will therefore no longer be required. Because of the expansion and change to the scope of the Prior Project, a new Draft EIR is being prepared that assesses the impacts of the current Project that would involve all four parcels.

Project Description

The Project consists of a subdivision of the four parcels into a total of 27 single family home lots with a minimum lot area of 10,000 square feet each, and five (5) common area lots for stormwater detention/treatment and for open space. A total of 12 residential lots would be created on Parcels 3 and 4, and 15 lots on Parcels 1 and 2 (in about the same configuration as proposed in the Prior Project, as shown in the Preliminary Site Plan (**Figure 3**)). Access to the site would be provided through the 50-foot wide stem on Parcel 4 where it abuts Fairview Avenue. The Project will propose to establish an agreement with the homeowner's association for the adjacent Jelincic subdivision (Tract 6102) to include in the Project a vehicular connection to Karina Street, providing an emergency vehicular access

(EVA) for both subdivisions; the proposed EVA is not yet shown on the subdivision drawings. Water and wastewater utilities would be provided by extending utilities to the site from Fairview Avenue through the proposed access road. An on-site stormwater management system would be designed for the Project to retain stormwater in two on-site detention basins, each equipped with features that would provide water quality treatment in compliance with current Countywide Clean Water Program requirements and would control the release of retained stormwater at a rate lower than the current rate of runoff from the undeveloped parcels.

Architectural designs of the future homes on the Project site have not been provided. Other details of the Project will be determined following receipt and consideration of technical studies currently underway, including an updated biological survey, geologic/soils analysis, traffic impact study and visual photo-simulations.

Project Setting

The Fairview area consists of gently rising elevations above and east of downtown Hayward. Historically, Hayward and the hills to the east were used for various forms of agriculture, the hilly area primarily being used for cattle and horse grazing and for chicken farms. Over the past 20 to 30 years, many large parcels in the Fairview area have been developed with suburban-style residential subdivisions of typically 10 to 15 homes, although large areas retain a rural residential character of one-acre or larger parcels. The main exception to this pattern is the Five Canyons area, a large 1990s-era master-planned development of several hundred single family and attached homes, parks, parkland and community facilities, located in the northeastern Fairview area. Other land uses include the Lone Tree Cemetery, a very few commercial and institutional uses, a few parks and some agriculturally-designated lands on the southeastern edge. Major arterial roadways within the area include Kelly Street, Maud Avenue, D Street, Fairview Avenue and Five Canyons Parkway. The Five Canyons Open Space, a 300-acre regional park lies between the Five Canyons development and the western, older Fairview neighborhoods.

The site of the Prior Project (Parcels 1 and 2) are vacant and used for limited horse grazing. Parcels 3 and 4 are also undeveloped except for a single vacant and abandoned residential structure located on a knoll on Parcel 3. The overall site slopes upward from Fairview Avenue to a ridge east of and adjacent to the easterly edge of the Jelincic Subdivision (Tract 6102), west of Parcel 1. The site contains a few areas with slopes over 30-percent and other areas between 15 and 30 percent slope. The site is bounded on the north and east by large wooded parcels (including the PG&E parcel), on the south by the subdivision on Walter Dinos Court and other homes along Fairview Avenue, and on the west by the Jelincic Subdivision (Tract 6102). Karina Street in the Jelincic Subdivision directly borders the western edge of Parcel 1 along the ridge. This ridge is at an elevation of approximately 650 feet and is one of the highest promontories in the vicinity, providing wide vistas across Hayward, San Francisco Bay, and the East Bay Hills east and north of the Fairview area.

Proposed Analysis

The Lead Agency has determined that the Project has the potential to significantly affect the environment and consequently is requiring that an Environmental Impact Report (EIR) be prepared. The EIR will focus on issues related to aesthetics, air quality and greenhouse gas emissions, biological resources, hydrology/water quality, geology/soils, land use and traffic. Other environmental topics required to be addressed in an EIR but that would not result in significant impacts, such as agricultural and forest resources, mineral resources, etc.) will be included in the EIR as "Other Less than Significant Effects."

Probable Environmental Impacts and Approach to Analysis

Aesthetics, air quality/greenhouse gas emissions, biological resources, hydrology, land use and traffic are anticipated to be the most important issues and on which the Project may be expected to have potentially significant impacts. A discussion of the issues and intended analysis is included below.

- Aesthetics:** Photo-simulations of the proposed grading plan and future homes will be prepared to provide the public and the Lead Agency with information regarding how the Project would appear from off-site public viewing locations. This information will inform further consideration of the project's consistency with relevant policies of the *Fairview Area Specific Plan* (see Land Use, below).
- Air Quality/
GHG** The EIR will include an assessment of impacts to air quality including the emission of greenhouse gases. The potential effects of dust and other construction period emissions along with operational emissions will be measured against the significance criteria of the local air district – the Bay Area Air Quality Management District (BAAQMD).
- Biology:** The EIR will consolidate and summarize the results of biological surveys conducted previously on all parts of the Project site and will present updated findings based on a current site visit to all four parcels by a qualified biologist. Issues of concern include the potential presence of sensitive plant species, nesting birds, bat species and the potential that small areas on the original project site (Parcels 1 and 2) could qualify as wetlands under the jurisdiction of the U.S. Army Corps of Engineers.
- Hydrology:** The EIR will set forth the current federal, state and local regulations designed to prevent construction period and operational period pollutants from entering downstream water bodies and to protect against downstream flooding effects. These are issues of broad concern to residents in the Fairview area. The Project's proposed stormwater management plan will be reviewed against applicable regulatory requirements in assessing for potentially significant hydrological or water quality impacts.
- Land Use:** The focus of the land use chapter will be an evaluation of the proposed physical aspects of the Project against applicable policies and guidelines of the *Fairview Area Specific Plan*.
- Traffic:** TJKM Transportation Consultants will conduct an updated analysis of local traffic conditions and an evaluation of how the project would affect local conditions. The following scenarios will be analyzed for a.m. and p.m. peak hour conditions:
1. Existing (2016)
 2. Existing (2016) plus Project
 3. Future Baseline Conditions (existing plus cumulative future development) without Project
 4. Future Baseline plus Project conditions
- The impacts of the revised and expanded project on traffic operations (both existing and cumulative) will be presented. Alameda County Transportation Commission (ACTC) Congestion Management Plan (CMP) Compliance analysis is *not* proposed, as the Project

is expected to generate fewer than 100 p.m. peak hour trips. The following seven intersections will be analyzed based on existing vicinity conditions, anticipated trip distribution, and coordination with County staff:

- Project Entry and Fairview Avenue (existing Levine Drive T-intersection)
- D Street and Maud Avenue
- Fairview Avenue and 'D' Street
- Fairview Avenue and Jelincic Drive
- Maud Avenue and Kelly Street
- Fairview Avenue / Five Canyons Parkway / Star Ridge Road
- Fairview Avenue / Hansen Road
- B Street/Kelley St./Center St.
- D St./Foothill Blvd.
- 2nd St./D St.
- Hanson Rd./East Ave.

The results of the TJKM study will be presented in the EIR along with a thorough evaluation of safety concerns and engineering standards regarding sight distance for cars entering and exiting the Project at the proposed entry from Fairview Avenue.

Exhibits:

Figure 1. Regional Location and Project Site

Figure 2. Parcels Comprising the Project Site

Figure 3. Preliminary Site Plan

Notice of Public Scoping Meeting

Figure 1. Regional Location and Project Site

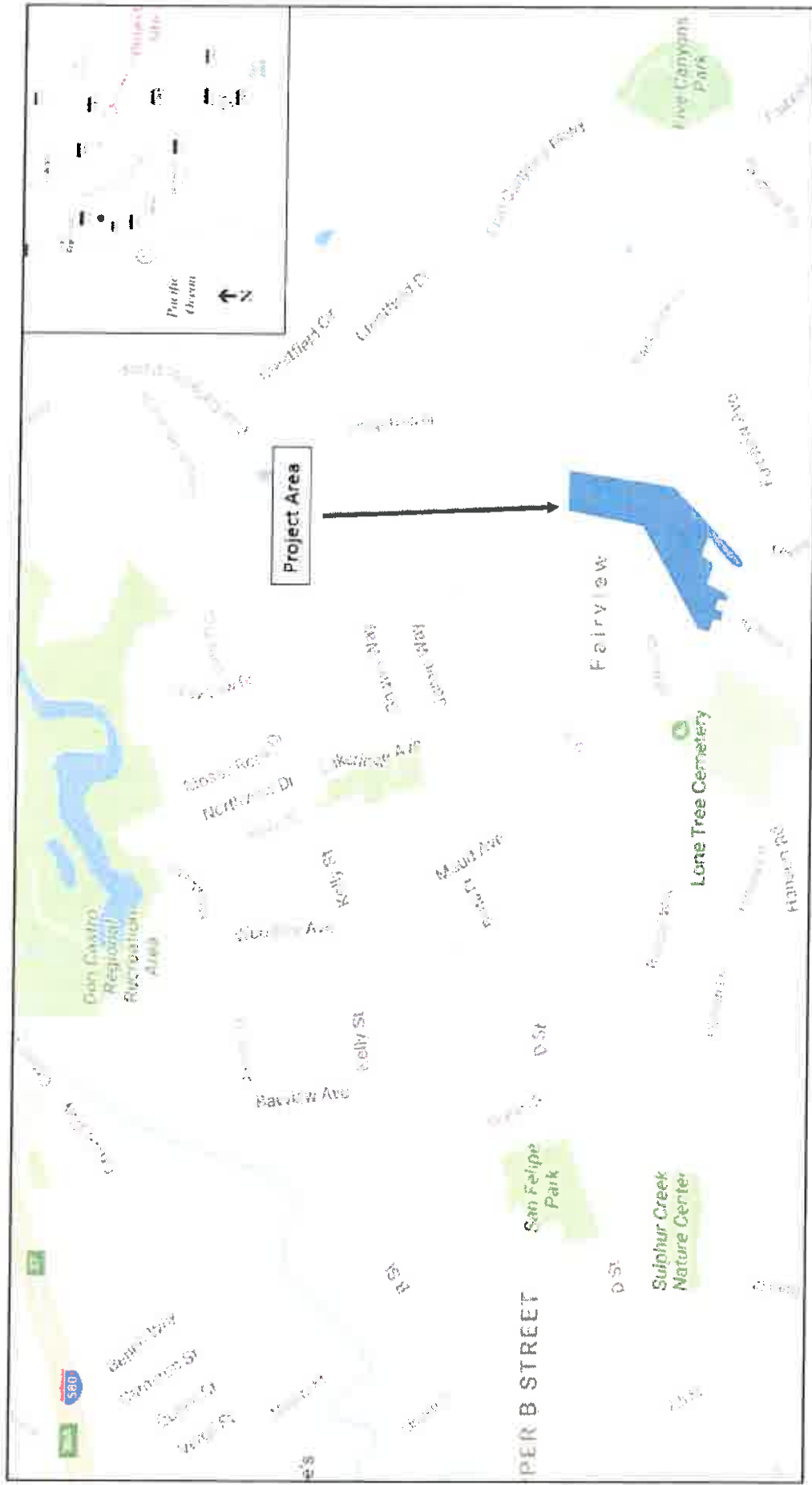
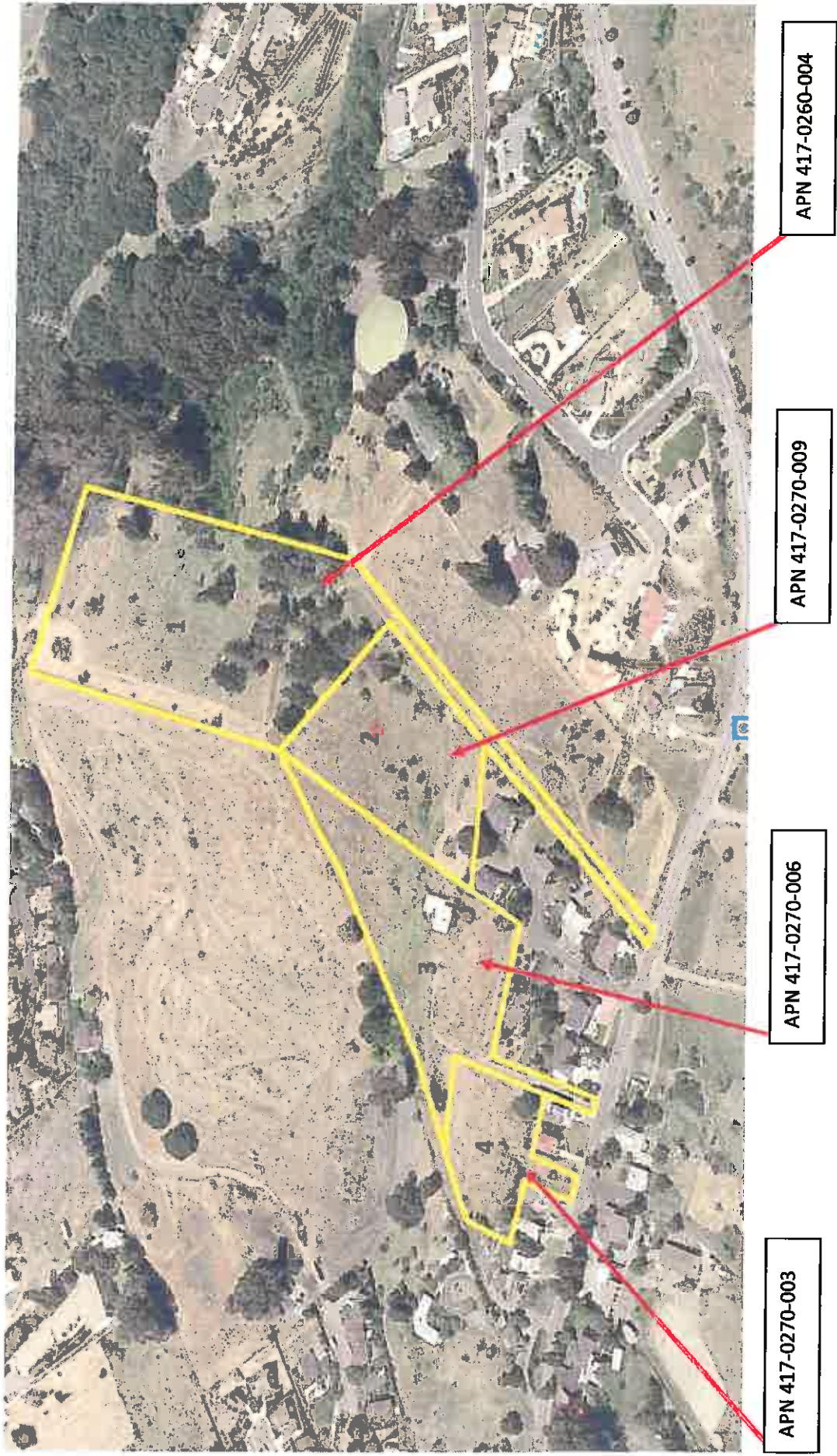


Figure 2. Parcels Comprising the Project Site



NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC SCOPING MEETING for a PROJECT EIR

HL FAIRVIEW GARDEN TENTATIVE TRACT MAP TR-8057, PLN2016-00210

Notice is hereby given that the Alameda County Planning Department, acting as the lead agency, will prepare an Environmental Impact Report (EIR) for the proposed Tract 8057 Residential Subdivision Project ("Project"), pursuant to the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines. The Project is the proposal to subdivide four existing lots totaling 14.3 acres by Vesting Tentative Tract Map 8057 into 27 single family lots and five common lots for open space and stormwater treatment, with access from a new private roadway from Fairview Avenue, unincorporated Fairview area of Alameda County, Assessor's Parcel Numbers: 417-0260-004-00, 417-0270-003-00, 417-0270-006-00 and 417-0270-009-00, with access approximately 300 feet west of Walter Dinos Court.

Additional information and the Notice of Preparation (NOP) for the EIR are available for review at the Planning Department, 224 W. Winton Avenue, Room 111, Hayward, CA and on the County's website:

<http://www.acgov.org/cda/planning/landuseprojects/currentprojects.htm>

Any questions or comments should be directed in writing to: Christina Horrisberger, Senior Planner, County of Alameda Planning Department, 224 W. Winton Avenue, Room 111, Hayward, CA 94544; (510) 670-5400; or e-mailed to christina.horrisberger@acgov.org. Comments on the NOP must be received at the above mailing or e-mail address by 5:00 p.m. Wednesday, March 8, 2017. Comments should focus on discussion of possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the Project in light of the EIR's purpose to provide useful and accurate information about such factors. In addition, comments may be provided at the meeting indicated below.

<p>SCOPING MEETING Monday, February 6, 2017 6:00 p.m. The Alameda County Planning Commission Hearing Room, 224 W. Winton Avenue, Hayward, CA.</p>

All persons interested in the matter may appear and be heard at this meeting.

ALBERT LOPEZ - PLANNING DIRECTOR & SECRETARY
PLANNING COMMISSION OF ALAMEDA COUNTY