
FINAL ENVIRONMENTAL IMPACT REPORT

**SOUTH HAYWARD BART/MISSION BOULEVARD
CONCEPT DESIGN PLAN PROJECT**

SCH No. 2005092093

Lead Agency
City of Hayward

Prepared by City of Hayward

June 9, 2006

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Introduction

A Draft Program Environmental Impact Report (DEIR) for the proposed project was prepared and distributed in April, 2006. The proposed project involves consideration of amendments to the City of Hayward General Plan text and Land Use Map within the project planning area, consideration of text amendments to the Hayward Zoning Ordinance, including creation of new zoning districts, and rezoning of certain properties within the project area. The project also includes consideration of the South Hayward BART/Mission Boulevard Concept Design Plan to provide a vision for the redevelopment of approximately 240 acres of land generally located east of the BART tracks (excluding the residential neighborhoods along and west of 12th Street and also north of Sorenson Road), north of Industrial Parkway (including the triangular-shaped area at the southeast corner of Industrial Parkway and Mission Boulevard), south of Harder Road and west of Mission Boulevard, including certain properties along the east side of Mission Boulevard between Garin Avenue and Calhoun Street. A full description of the proposed project is contained in the DEIR document.

Under the California Environmental Quality Act (CEQA) and implementing CEQA Guidelines, after completion of the Draft EIR, lead agencies are required to consult with and obtain comments from public agencies and organizations having jurisdiction by law over elements of the project and to provide the general public with an opportunity to comment on the Draft EIR. Lead agencies are also required to respond to substantive comments on environmental issues raised during the EIR review period.

As the lead agency for this project, the City of Hayward held a 45-day public review period between April 17 and June 1, 2006. In addition, the Hayward Planning Commission held a noticed public hearing on the DEIR on May 11, 2006.

This document contains two sections. The first section contains all public comments received during the 45-day public review period regarding the DEIR and responses to those comments. Included within the section is an annotated copy of each comment letter, identifying specific comments, followed by a response to those comments. The second section contains clarifications and minor corrections to information presented in the DEIR, including revisions to language in impact statements and mitigation measures and revised figures.

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List of Comment letters

Comment letters were received by the City of Hayward during the 45-day public comment period on the DEIR from the following agencies, organizations and other interested parties.

Commenter		Date	Page Number
Public Meetings			
1.1	Hayward City Council Work Session	5/09/06	9
1.2	Hayward Planning Commission Public Hearing	5/11/06	15
State Agencies			
2.1	California Regional Water Quality Control Board	5/18/06	27
2.2	California Department of Transportation (Caltrans)	5/31/06	35
2.3	California Public Utilities Commission	4/26/06	41
Regional Agencies			
3.1	AC Transit	6/01/06	43
County Agencies			
4.1	Alameda County Congestion Management Agency	5/31/06	47
Project Area Owners/Representatives			
	None		
Other Parties			
6.1	Charlie Cameron	5/23/06	55
6.2	Brian Stanke	5/31/06	61
6.3	Hayward Area Planning Association	6/1/06	73
6.4	Rob Simpson*	6/02/06	81

*Although this comment letter was submitted after the close of the 45-day comments period, a response has been provided.

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Annotated Comment Letters and Responses to Comments

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Master Response No. 1—Purpose and Intent of this Program EIR

As explained in Section 2.3 of the DEIR (page 2), this EIR is considered a Program EIR, not a Project EIR. As such, it describes and assesses potential significant impacts at a general level, as opposed to a project-specific level. The purpose of including the four land use alternatives as described in pages 9 to 12 and 111 of the DEIR is to provide a range of development scenarios for environmental analysis purposes only, not to select or advocate a particular alternative. The ultimate land use designations will likely involve a “hybrid” of the various alternatives and will be determined by the City Council.

Also, a number of comments include expression of opinion regarding the preference of one alternative or another, or expressing other opinions on the merits of the underlying project and not on an environmental topic. For these comments, the City acknowledges these comments and opinions and decision makers will consider them in reviewing the whole of the project record. However, this Final EIR does not respond to such opinions regarding the project.

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May 9, 2006 Hayward City Council Work Session

**Summary of Comments by
City Council Members on the Draft EIR for the
South Hayward BART/Mission Boulevard Concept Design Plan**

Council Member Bill Ward

- 1.1.1 1. The DEIR should mention the beneficial impacts of placing higher density housing near the BART station, related to the identified significant and unavoidable air quality and traffic impacts.
- 1.1.2 2. The DEIR should address impacts that would occur if Bowman School is not expanded.

Council Member Barbara Halliday

- 1.1.3 3. Transit-oriented development and "walkability" will help reduce air quality impacts related to air pollution from vehicles and traffic, which should be emphasized.
- 1.1.4 4. The impacts on future City budgets related to fire and police service demands should be addressed. What about funding for staffing, especially in the Redevelopment Project Area where General Fund dollars would not be available?
- 1.1.5 5. The zone changes should incorporate requiring mixed use, such as at the BART Station, to ensure sufficient retail opportunities are provided to support the increase in housing.

Council Member Olden Henson

- 1.1.6 6. Photo simulation of potential development around the BART Station from Barbara Court with "stepped back" look does not look desirable.
- 1.1.7 7. Still does not understand how the projected student generation of 182 – 358 students for this much development is possible.

Council Member Kevin Dowling

- 1.1.8 8. Seven stories at BART Station would be too many from a visual standpoint.
- 1.1.9 9. The impacts of prohibiting U-turns at the Mission-Industrial intersection should be re-evaluated.
- 1.1.10 10. Fire trucks may have trouble getting through traffic to serve the developments.
- 1.1.11 11. Dixon Street should be made safer and more attractive for pedestrians.
- 1.1.12 12. How can the City make the BART pedestrian overpass safer?

Council Member Bill Quirk

- 1.1.13 13. The City should not reject seven stories around the BART station, since there are advantages of keeping higher densities (e.g., potential for increased bus service, walkable neighborhoods, sustained retail activity, etc.).
- 1.1.14 14. Please explain more clearly what would be the project's contribution to regional traffic impacts.
- 1.1.15 15. The daylighting of Zeile Creek (south of K Mart) should be considered.
- 1.1.16 16. Do we have an idea of what AC Transit headways are for each scenario?

Comment (Notes) 1.1: Hayward City Council Work Session, May 9, 2006

- Comment 1.1.1: The DEIR should mention the beneficial impacts of placing higher density housing near the BART station, related to significant and unavoidable air quality and traffic impacts.

Response: The project objectives section of the DEIR (pages 12-13) does note that an objective of undertaking this project is to “provide intensified land uses to encourage the development of a transit-friendly, smart-growth area near and existing BART station, consistent with regional planning objectives.” Additionally, the DEIR includes significant and unavoidable impacts based on objective standards of environmental significance.

- Comment 1.1.2: The DEIR should address the impacts that would occur if Bowman School is not expanded.

Response: Chapter 4.9 of the DEIR discusses potential impacts to schools. Table 4.9.1 notes that all of the schools within or adjacent to the project area operate below capacity. If Bowman School is not expanded or closed, which would be a decision of the Hayward Unified School District (HUSD), it is likely that students generated by additional residential development in the project area would be distributed to other schools near the project area. Also, the HUSD recently adopted policies that encourage larger elementary schools in the District.

- Comment 1.1.3: Transit-oriented development will help reduce air quality impacts related to vehicles and traffic which should be emphasized.

Response: The land use strategy to place higher density housing near the BART station would greatly assist in providing alternatives to auto trips; however, the large number of dwellings would still result in an anticipated increase in the number of trips and associated air quality impacts. Also see the response to Comment 1.1.1, above.

- Comment 1.1.4: The impacts on future City budgets related to fire and police service demands should be addressed. What about funding for staffing, especially in the Redevelopment Project Area where General Fund dollars would not be available?

Response: CEQA and CEQA Guidelines generally indicate that EIRs should not deal with economic or budgetary issues, so this specific topic was not analyzed in the DEIR. However, this issue would be addressed in separate analyses as specific projects are proposed, as indicated on page 96 of the DEIR.

- Comment 1.1.5: The zone changes should incorporate requiring mixed use, such as at the BART Station, to ensure sufficient retail opportunities are provided to support the increase in housing.

Response: This issue will be incorporated into the proposed General Plan Amendments and Zoning Ordinance amendments without affecting the analysis of proposed development contained in the DEIR.

- Comment 1.1.6: Photosimulations of potential development around the BART Station from Barbara Court with “stepped back” look does not look desirable.

Response: The commenter’s opinion on the visual simulation is noted. The photo-simulation only represents conceptually what development around the BART station may look like. Development standards will be reviewed by the City’s decision-makers at the time of final adoption of this Project, with the design of individual projects to be reviewed in the future as specific projects are proposed.

- Comment 1.1.7: The commenter does not understand how the projected student generation of 182 – 358 students for this much development is possible.

Response: Student generation factors used to derive the anticipated numbers of students were taken from the document *Student Facilities Needs Analysis for the Hayward Unified School District*, published in 2005. Such factors are based on recent developments in Hayward and reflect the recent trend of reduced numbers of school-aged children in such developments. Also, based on a review of previous transit-oriented developments around the Bay Area, the sizes of dwellings in these types of developments are smaller than single-family dwellings and contain fewer bedrooms. Residences are also typically marketed to younger individuals and families that may not include school-aged children. Families with school-aged children generally choose to rent or buy single-family dwellings with yard areas or larger apartment units.

- Comment 1.1.8: The commenter notes that seven stories at BART Station would be too many from a visual standpoint.

Response: The commenter’s opinion is noted. Also see Master Response 1 and response to comment 1.1.6, above.

- Comment 1.1.9: The commenter asks that impacts of prohibiting U-turns at the Mission-Industrial intersection should be re-evaluated.

Response: This mitigation measure (Mitigation Measure 4.7-2 in the DEIR) would only apply to the most intense development alternative (Urban Scenario) and no other alternatives, and would appropriately be considered during individual site-specific project analysis. It is acknowledged that implementing this mitigation measure may also result in affecting drivers who want or need to make a U-turn at the Mission Boulevard-Industrial Parkway intersection.

- Comment 1.1.10: The commenter notes that fire trucks may have trouble getting through traffic to serve the developments.

Response: Response: Individual, site-specific development projects within the project area will be reviewed by Fire Department staff to ensure that adequate access is provided for emergency equipment. Also, Mitigation Measure 4.8-1(b) on page 96 of the DEIR requires that future developments pay fair share contributions “to finance the acquisition of traffic pre-emption devices along Mission Boulevard, as determined by the Hayward Fire Chief, to ensure emergency equipment can access new construction in the project area.”

- Comment 1.1.11: The commenter asks if Dixon Street should be made safer and more attractive for pedestrians.

Response: Refer to Master Response 1. Also, Section 5.1.1 of the Draft Concept Design Plan encourages wider sidewalks and planter strips along Dixon Street.

- Comment 1.1.12: The commenter asks how the City can make the BART pedestrian overcrossing safer.

Response: Refer to Master Response 1. Also, Section 5.1.2 of the Draft Concept Design Plan encourages examining the feasibility of upgrading such overcrossing.

- Comment 1.1.13: The commenter notes that City should not reject seven stories around the BART station, since there are advantages of keeping higher densities (e.g., potential for increased bus service, walkable neighborhoods, sustained retail activity, etc.).

Response: This comment is noted, but is not a comment on the DEIR so no further response is required. Also refer to Master Response 1.

- Comment 1.1.14: The commenter asks to explain more clearly what would be the project’s contribution to regional traffic impacts.

Response: The DEIR addresses the project’s contribution to traffic congestion on City streets by analyzing levels of service at critical intersections in the project area. Because this analysis makes use of a traffic model, it also includes the projected regional traffic impacts in our area. While the project does implement smart growth principles and therefore, has less traffic impacts than the same amount traditional development would have, there will still be an increase in congestion both from the project and other regional traffic that travels through Hayward. That is why the DEIR notes in Impact 4.7-4 that the proposed project’s contribution to future cumulative traffic impacts on Hayward roads would be significant and unavoidable. This impact is based on previous City-wide traffic modeling performed as part of the General Plan preparation approximately five years ago. The General Plan EIR concluded that cumulative traffic impacts at that time, which included development of all of the land uses anticipated in the General Plan, would be significant and unavoidable. This conclusion was based on local growth in Hayward as well as regional traffic passing through Hayward. Since the South Hayward BART/Mission Boulevard project includes residential development above that included in the current

General Plan and analyzed in the General Plan EIR, the South Hayward BART/Mission Boulevard EIR concludes that traffic associated with this project would also be significant and unavoidable.

- Comment 1.1.15: The commenter notes that daylighting of Zeile Creek south of Kmart should be considered.

Response: This comment is noted and would involve a policy decision on the part of the City of Hayward and is not part of the DEIR. It should be noted that to restore this approximately 1,000 foot long segment of Zeile Creek would entail right-of-way take. Also refer to Master Response 1.

- Comment 1.1.16: The commenter asks if the City has an idea of what AC Transit headways are for each scenario.

Response: All scenarios assumed the same future bus network, although as noted in the Draft EIR, transit mode choice percentages were assumed to increase near the South Hayward BART Station and some of these non-auto trips could also use AC Transit. The existing bus service network is described in Table 4.7.1 on page 67 of the DEIR. It is anticipated that transit service in the corridor may increase as the densities increase, in accordance with AC Transit's Service Deployment Guidelines. However, the availability of funding and future ridership projections are other factors that could influence whether there is an increase in transit service.



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, May 11, 2006, 7:30 p.m.
777 B Street, Hayward, CA 94541**

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chair Thnay followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Lavelle, Sacks, McKillop, Bogue, Peixoto, Zermefio
CHAIRPERSON: Thnay
Absent: COMMISSIONER: None

Staff Members Present: Fakhrai, Hart, Patenaude, Rizk, Lens

General Public Present: Approximately 18

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

1. **General Plan Amendment No. PL-2006-0139 and Zone Change PL-2006-0068 – Hossein Mehrizi (Applicant) – Request to Amend the General Plan From Limited Medium-Density Residential to Medium-Density Residential and Change the Zoning From Medium-Density Residential with 4,000 Square Feet Required Per Unit to Medium-Density Residential – The Project is Located at 24039 Through 24175 Silva Avenue and 568 Through 574 Ramos Avenue (Continued to May 25, 2006)**
2. **Draft Program Environmental Impact Report for the South Hayward BART/Mission Boulevard Concept Design Plan**

Staff report submitted by Senior Planner Rizk, dated May 11, 2006, was filed.

Senior Planner Rizk presented the staff report indicating that the purpose of the hearing was to obtain input from Commissioners as well as from the public regarding the adequacy of the draft BIR. He summarized the report.

1.2.1

Commissioner Sacks, referring to causal probability of increased air quality and transportation, asked if there would be potential for positive impacts with green building requirements that can help with air quality issues. Senior Planner Rizk agreed, adding that the reduction of the reliance on automobiles will also reduce automobile emission and therefore reduce air quality impacts.

- 1.2.2 Commissioner Zermefio inquired about the agency responsible for bicycle storage or racks. Senior Planner Rizk responded that BART would be responsible for such facilities on its property directly by the station and if there is a development on the sites around the station, the City would determine the type of facility and storage. Senior Planner Rizk also added that the Draft Concept Design Plan references the need to provide such facilities.
- 1.2.3 Commissioner Lavelle inquired about the anticipated timeframe for the implementation of the plan. Senior Planner Rizk responded that although it is difficult to estimate, ten to twenty years minimum would be a realistic estimation for an area of this size.
- 1.2.4 Commissioner Peixoto asked for clarification on circulation impacts and mitigation measures for the intersection of Tennyson Road-Dixon Street as well as levels of service. City Engineer Fakhrai indicated that the level of service (LOS) at the Tennyson Road-Dixon Street is currently at LOS "C" and is expected to result in LOS "D" with mitigations. In response to further questions about the EIR preparation, Senior Planner Rizk indicated that consultant Jerry Haag prepared the document.
- 1.2.5 Chair Thnay thanked staff for the report and referred to the Summary of Environmental Impacts and Mitigations, Impact and Mitigation 4.1-2, and inquired about mitigation measures for views and vistas. Senior Planner Rizk indicated that such mitigation could be achieved through design by reducing the height of buildings at certain locations and having variations on the height and mass of buildings to mitigate the visual impacts.
- 1.2.6 Chair Thnay also inquired about the traffic section and the trip generation for the area, as well as the size of the project which was not included in the report. He indicated he favored local transit, similar to the one in Union City, which would be funded through collected impact fees. Senior Planner Rizk mentioned that the EIR does not address economic impacts. Chair Thnay added that the developments on the west side of Mission Boulevard to the north of Tennyson Road seem to be very constrained, without good circulation, parking, or places to walk between developments. He asked that the EIR explore a plan that would address these issues.
- 1.2.7 Chair Thnay opened the public hearing at 8:05 p.m.
- 1.2.8 Mr. Tim Crusen, a resident in the proposed Plan area, requested improvement for the Mission Boulevard area. He mentioned concern for the Haymont Shopping Center, which is proposed to be developed with residences. Senior Planner Rizk mentioned that the site is proposed to have town homes, with retail at the corner and apartments above the retail. Mr. Crusen expressed concern for the pedestrian bicycle overpass due to the closeness to the fault. He asked that it be removed since there is already an underground passageway. In reference to the new car dealership envisioned at Harder Road and Mission Boulevard, he requested that a new soundwall be extended to Sorenson Boulevard. In reference to the BART station, he expressed concern that there will not be enough parking and was in disagreement with the proposed seven-story parking structure. He was in favor of the idea of having people close to the transit. He also added that he would like to see Mission Boulevard extended to three lanes.
- 1.2.9
- 1.2.10
- 1.2.11
- 1.2.12
- 1.2.13 Mr. Brian Stanke, Jane Avenue resident, expressed agreement with the planning process so far, but was concerned about the EIR since it does not address demand management due to lack of analysis



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- 1.2.14 of vehicle miles traveled, nor any analysis of parking. He indicated that the EIR does not address factors that influence air quality and traffic impacts. In reference to pedestrian and bicycle improvements, he mentioned that there is lack of discussion regarding funding information. He also mentioned lack of analysis of the impact of the improvements on travel demand, lack of analysis that bicycles routes will reduce traffic impacts, lack of analysis and mitigation plans regarding parking, and lack of hydrology analysis to restore part of Zeile Creek. He indicated that everything is left to future individual developments and associated analysis and design review. He asked that the EIR be revised to reflect a better analysis.

- 1.2.17 Commissioner Sacks asked Mr. Stanke about his views when the parcels are owned by different individuals. Mr. Stanke responded that no one can do anything without zoning approval. He added that a residential parking permit system has been suggested and might be established for the benefit of neighbors so that those associated with new developments do not park in existing neighborhoods. A small fee would help create a program for all users in the area.

- 1.2.18 Ms. Angela Villasana, Dixon Street resident and Cal State East Bay University employee, inquired about the probability of eminent domain in the area. Senior Planner Rizk indicated that there are no current plans for the use of eminent domain, and that if such proposal were pursued; it would focus on public use facilities, like the expansion of Bowman School.

- 1.2.19 Mr. Howard Beckman, who spoke on behalf of Friends of San Lorenzo Creek, indicated concurrence with Chair Thnay that the City needs to address issues not raised in the EIR, so they will not be forgotten or lost. He expressed concern with the City's attitude towards creeks due to lack of concern for drainage system or creeks, whether they be underground or exposed, engineered or natural. Mr. Beckman indicated there is need for more refined analysis in the EIR, and cumulative impacts analysis, which are not adequately addressed in the EIR. He requested that the EIR address the creeks in the area. He encouraged exposure of creeks, as the County is doing for a creek near the Castro Valley Library and urged the City of Hayward to expose underground channels.

Chair Thnay closed the public hearing at 8:21 p.m.

- 1.2.20 Commissioner Zermefio urged that a small branch library be included within the community center.

- 1.2.21 Commissioner Lavelle thanked staff and the consultant for the report of a complex area. She showed support for the Blended Concept scenario, which is a combination of the Urban and Suburban scenarios. She said she supports the idea of living close to transit and riding more bicycles. In reference to traffic impacts, she mentioned that the Blended scenario does not have traffic levels that go to "E" and "F" at various intersections. She urged the City to work with Caltrans and be proactive in getting property owners of parcels ready for development.

- 1.2.22 Commissioner Sacks spoke about view corridors and the importance to the environment. She urged that the City continue to be sensitive to these corridors. She urged continuing public

participation in the process and mentioned the reality of potential increase for more people in the area and avenues to accommodate them. She also mentioned that parking issues are not so problematic and perhaps the number of allowed cars per household should be examined.

1.2.23 Commissioner Zermefio expressed support for the Blended option presented in the report because the increase in the number of people is a reality and building up seems to be an alternative; however, he mentioned that the massive seven or eight floor buildings or complexes proposed do not look appealing. He also noted the importance of the view corridor. He expressed support for the draft EIR and asked for continued input from the audience as the Plan proceeds forward.

1.2.24 Commissioner McKillop expressed excitement with public participation, which was well appreciated and urged continued monitoring as the EIR is only a draft. She congratulated Mr. Beckman for his efforts and urged him to continue to work with staff regarding the issues he raised. She expressed her pleasure for the draft EIR as well as the public participation.

1.2.25 Commissioner Peixoto commended staff for the report and was glad for the participation and coordination between stakeholders, because it provides for good public policy. He mentioned that disagreement is a healthy part of the planning process and reminded citizens that there are different phases before final adoption of the Plan and EIR. He also expressed concern for the aesthetic impact that a five-story building would have on Mission Boulevard, indicating it would be too much building mass for that area. He also expressed concern with safety for children in those buildings. He added that he is in favor of transit-oriented development. Additionally, he expressed concerns regarding the view corridor and flatland views that would be significantly obscured with seven-story buildings. He added that cumulative traffic impacts are also a concern. He urged planners to consider other alternatives and mitigation measures. In regard to the five-story buildings, he would like them decreased in height to two or three-level buildings. He also expressed concern regarding the density for the area. He urged continued public participation.

1.2.26 Commissioner Bogue indicated that many of his concerns were voiced by other commissioners. He indicated disagreement with the photo simulation because of the massive seven-story building and lack of view corridors through the buildings. He added his concern for lack of detail in the buildings in the simulation. He supported a project around the BART station that would be made up of small projects. Commissioner Bogue indicated this program EIR is appreciated and that he also was pleased with the public input and their review of the project.

1.2.27 Chair Thnay thanked staff for a comprehensive report. He mentioned that Hayward has the opportunity to design and enhance this area in order to leave a legacy for future generations. He added that bike paths and walkable designs should be incorporated. He mentioned that with the right design, the Plan should be incorporated and suggested a concept of workers living around the BART station, which could be a center of activity.

Chair Thnay thanked everyone for the input and since the report was informative only, a vote was not required.



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4. Oral Reports on Planning and Zoning Matters

Acting Planning Manager Patenaude indicated that there will be meetings on May 25th, on June 1st and June 15th.

Commissioner Lavelle inquired about a project that was proposed on Dollar Street. Acting Planning Manager Patenaude indicated that it was withdrawn.

5. Commissioners' Announcements, Referrals

Commissioner Lavelle mentioned the election on June 6 and early voting starting on May 30. She also announced that the last day to register for this election is May 22nd and that forms can be obtained from City Hall, the library, and post offices.

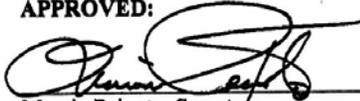
APPROVAL OF MINUTES

Minutes of April 13, 2006 were approved.

ADJOURNMENT

Chair Thnay adjourned the meeting at 8:52 p.m.

APPROVED:



Marvin Peixoto, Secretary
Planning Commission

ATTEST:



Miriam Lens
Commission Secretary

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Comment 1.2 (minutes): May 11, 2006 Hayward Planning Commission Public Hearing

- Comment 1.2.1: Commissioner Sacks asked if there would be a possibility of positive air quality impacts of the project with green building requirements.

Response: As noted by Senior Planner Rizk, use of green building techniques and minimizing use of automobiles would assist in improving local and regional air quality, especially when compared with impacts that would be generated by more traditional development patterns. However, the total number of residences proposed for the project area would continue to result in cumulative air quality impacts that would be significant and unavoidable.

- Comment 1.2.2: Commissioner Zermeno asked which agency is responsible for bicycle storage or racks.

Response: Based on the response provided by Senior Planner Rizk at the meeting, BART would be the agency for providing bicycle storage facilities at the BART station. For private developers outside and adjacent to the BART station, the need for bicycle parking will be reviewed by the City as individual development projects are submitted for approval. As noted by Senior Planner Rizk, the Draft Concept Design Plan includes a guideline (4.2(o)) that requires that bicycle racks be provided for new projects. Additionally, the City's off-street parking regulations require that bicycle and/or motorcycle spaces and related facilities be provided for developments that require more than 50 automobile parking spaces.

- Comment 1.2.3: Commissioner Lavelle asked about the timing for implementation of the proposed plan.

Response: Based on information provided by Senior Planner Rizk, the best estimate for project buildout is between ten to twenty years.

- Comment 1.2.4: Commissioner Peixoto asked for clarification on circulation impacts and mitigation measures for the Tennyson Road/Dixon Street intersection as well as levels of service.

Response: The existing level of service at this intersection is "C" and is expected to be no worse than "D" for all scenarios with implementation of recommended mitigation improvements.

- Comment 1.2.5: Chairperson Thnay asked about mitigation measures for views and vistas.

Response: As noted by Senior Planner Rizk at the meeting, the DEIR includes recommended mitigation measures to reduce the impact of future tall buildings on views of the Hayward Hills and other vistas that could be blocked. The mitigation measures require that all future buildings be subject to design review by the City to

ensure the design of these buildings contain techniques to minimize view impacts, such as stepping back upper stories, establishing view corridors and other techniques. See also response to Comment 1.1.6.

- Comment 1.2.6: Chairperson Thnay also asked about trip generation and about the possibility of levying an impact fee to fund a local transit system, similar to that done in Union City.

Response: Since the future traffic analysis as noted in the DEIR was done using the City of Hayward Traffic Model, trip generation is determined by the model, based on input changes to dwelling units and jobs for each alternative. In addition, the traffic analysis included in the DEIR does include an increased assumption for transit use and corresponding reduction of auto use in calculating traffic forecasts for future development. In terms of funding of local transit system, this is not an EIR issue and would be more appropriately considered separately by the City.

- Comment 1.2.7: Chairperson Thnay noted that developments on the west side of Mission Boulevard appeared to be very constrained in terms of providing for good circulation, parking or places to walk between developments. He asked that the EIR explore a plan that would address these issues.

Response: As noted in the introduction of this item by Senior Planner Rizk at the Planning Commission meeting, the DEIR is considered a Program EIR in that it addresses the impacts of an overall land use program and not an individual development proposal. The Concept Design Plan that is the basis of the DEIR did take into account lot size and configurations in making recommendations regarding future development to ensure that adequate vehicular and pedestrian circulation can be provided. The City will have the opportunity to review future individual development projects, including any project-specific environmental analyses, as they are submitted to the City for review and approval.

- Comment 1.2.8: Tim Crusen requested improvement for the Mission Boulevard area, especially for the Haymont Shopping Center.

Response: This comment is noted. Senior Planner Rizk stated at the meeting that the Haymont Village Shopping Center site is proposed to be redeveloped for residences.

- Comment 1.2.9: Tim Crusen expressed concern for the pedestrian overcrossing due to proximity to the Hayward Fault. He recommended this structure be removed.

Response: This comment is noted. Since it does not raise an environmental issue, no response is required.

- Comment 1.2.10: Mr. Crusen requested that a new soundwall be extended to Sorenson Boulevard near the proposed auto dealership at Harder Road and Mission Boulevard.

Response: Sound mitigation measures for new development projects along Mission Boulevard, including potential for any future soundwalls, will be determined based on site-specific acoustic analyses prepared consistent with DEIR Mitigation Measure 4.5-2.

- Comment 1.2.11: Mr. Crusen stated that there will not be enough parking at the BART station and does not agree with the proposed seven story parking garage.

Response: *Response:* The issue of replacement parking for any development at the BART Station site will be addressed with a project-specific parking analysis, in accordance with DEIR Mitigation Measure 4.7-3.

- Comment 1.2.12: Mr. Crusen stated he was in favor of having people close to transit and he would also like to see Mission Boulevard widened to three lanes.

Response: These opinions regarding the project are noted.

- Comment 1.2.13: Brian Stanke expressed a concern that the EIR does not address demand management due to lack of analysis of vehicle miles traveled nor any analysis of parking.

Response: The traffic section of the DEIR includes a full analysis of traffic and circulation issues as required by CEQA and the CEQA Guidelines. Generally, EIRs do not analyze vehicle miles traveled, but analyze impacts of traffic on local roadways and key intersections. In terms of parking, the DEIR is a Program EIR and does include a general analysis of parking. Since specific development projects have not yet been submitted, a detailed parking analysis cannot be performed. As mitigation for potential future parking impacts, DEIR Mitigation Measure 4.7-3 does require individual parking analyses for individual developments as they may be submitted to the City for approval.

- Comment 1.2.14: Mr. Stanke noted the DEIR does not address factors that influence air quality and traffic impacts.

Response: The intent of the comment is unclear. Typically, factors influencing traffic generation are change of land uses that attract trips by residents or visitors and for non-residential uses, by employees or customers. Vehicle trips in turn generate air emissions. Both of these environmental topics have been addressed in the DEIR.

- Comment 1.2.15: Mr. Stanke noted the DEIR does not address funding information for pedestrian and bicycle improvements.

Response: CEQA and CEQA Guidelines do not require an analysis of funding or other economic impacts of proposed projects, although funding sources do exist at the County and State levels, which are routinely pursued by the City for pedestrian and bicycle improvements.

- Comment 1.2.16: Mr. Stanke noted the DEIR does not address analysis of lack of improvements on travel demand, lack of analysis that bicycle routes will reduce traffic impacts, lack of analysis and mitigation regarding parking and lack of hydrology analysis to restore part of Zeile Creek, that everything is left to future developments and the EIR should be revised to reflect a better analysis.

Response: The traffic analysis of the DEIR does account for travel demand, since the number of anticipated trips from project land uses have been reduced based on the proximity to public transit facilities (see page 80 of the DEIR). Parking impacts of the proposed project is included as Impact 4.7-3 and Mitigation Measure 4.7-3 requires future analyses of parking for individual development projects as they are submitted for City approval. Hydrology and drainage impacts of the proposed project have been included as Impact 4.4-1 of the DEIR, which requires future site-specific hydrology and drainage impacts as individual development projects are submitted to the City for approval. Restoration of a portion of Zeile Creek and other creeks are a policy decision of the City and are not included in the DEIR.

- Comment 1.2.17: Commissioner Sacks questioned Mr. Stanke about his views regarding parcels that are owned by different individuals. His response was that nothing can be done without zoning approval. A residential parking permit system may be appropriate to protect adjacent neighborhoods from potential spill over of project parking on adjacent neighborhoods.

Response: Mitigation Measure 4.7-3 requires completion of parking studies for individual development projects as they are submitted to the City. The findings of such studies may require implementation of a residential parking permit system, as well as other steps to minimize spillover of parking onto adjacent residential streets. Parking solutions would be determined and implemented following completion of individual parking analyses and approval by the City of Hayward.

- Comment 1.2.18: Ms. Villasana inquired about the probability of use of eminent domain for the area.

Response: Based on the response provided by Senior Planner Rizk at the meeting, the City has no current plans to use eminent domain in the area. Eminent domain is only used as a last resort by the City. State law provides a process for acquisition of properties by public redevelopment agencies.

- Comment 1.2.19: Mr. Beckman, on behalf of Friends of San Lorenzo Creek, expressed concern about the City's attitude toward creeks due to lack of concern for drainage systems. There is a need in the EIR for a more refined analysis of drainage, include cumulative impacts. He encouraged exposure of creeks as the County is doing for a creek near the Castro Valley Library.

Response: The DEIR does note a potentially significant impact with regard to drainage and hydrology, Impact 4.4-1, which includes impacts to local and regional drainage facilities. Since the DEIR is a Program EIR and the type and extent of

development is not known at this time, Mitigation Measure 4.4-1 requires site-specific drainage plans to be prepared, and approved by the City and the County Flood Control District. The City of Hayward staff therefore believes this impact has been adequately addressed. In terms of Creek restoration issues raised by the commenter, this is a policy decision for the City of Hayward and is not an impact of the proposed project that is required to be addressed in the DEIR.

- Comment 1.2.20: Commissioner Zermeno urged that a small branch library be included within the community center.

Response: This comment is noted and no further action is required. Also, see Master Response 1.

- Comment 1.2.21: Commissioner Lavelle expressed support for the Blended Concept Alternative and also support for locating residences close to transit and riding more bicycles. The Blended Concept does not result in intersections with Levels of Service E or F.

Response: This comment is noted and no further action is required.

- Comment 1.2.22: Commissioner Sacks spoke about the view corridors and their importance to the environment. The Commissioner urged the City to continue to be sensitive to these corridors. A continuation of public participation was urged, with an observation that there will be more people in these areas. Parking could be an issue and the number of cars per household should be examined.

Response: These comments regarding view corridors, public participation and parking issues are noted and no further action is required in the EIR. The issue of residential parking standards will be addressed by the City decision makers as part of the review of recommended amendments to the Zoning Ordinance. Also, regarding view corridor impacts, see response to Comment 1.1.6.

- Comment 1.2.23: Commissioner Zermeno expressed support for the Blended Concept alternative due to the increased number of people being a reality and building “up” seeming to be an alternative. However, the massive seven and eight floor buildings do not seem appealing. It is important to maintain view corridors.

Response: This comment is noted. Impacts 4.1-1 and 4.1-2 do indicate that potentially significant impacts would result with project approval and implementation. Adherence to Mitigation Measures 4.1-1 and 4.1-2 would maintain view corridors to the hills from flatter portions of the City. Also, see response to Comment 1.1.6.

- Comment 1.2.24: Commissioner McKillop expressed excitement with the amount of public participation and urged continued monitoring of the EIR.

Response: This comment is noted and no further action is required.

- Comment 1.2.25: Commissioner Peixoto expressed concern regarding the aesthetic impacts of a proposed five story building on Mission Boulevard and for the potential of safety for children in those buildings. The height of tall buildings could block views of the hills from flatland sites. Cumulative traffic is also a concern.

Response: This comment is noted. See the response to Comment 1.2.22 regarding aesthetic impacts and mitigation measures. In terms of cumulative traffic, the DEIR notes that cumulative traffic would be a significant and unavoidable impact due to growth in Hayward and regional pass-through traffic. Cumulative traffic was deemed a significant and unavoidable impact in the 2001 General Plan EIR as well and the South Hayward BART project proposes greater density than currently allowed in the General Plan in order to implement smart growth principles.

- Comment 1.2.26: Commissioner Bogue indicated that many of his comments were addressed by earlier Commissioners; however, he expressed disagreement with the seven-story building depicted in the photo simulation, partially because the simulation lacked design detail. The Commissioner also noted the project should be composed of smaller projects around the BART station.

Response: The Commissioners comment is noted, See the response to Comments 1.1.6 and 1.2.22 regarding aesthetic impacts and mitigation measures.

- Comment 1.2.27: Commissioner Thnay noted the City has an opportunity to design and enhance the area in order to leave a legacy for future generations. Bike paths and walkable designs should be included in the project. With the right design, this area could be a center of activity with a large number of workers around the BART station.

Response: This comment is noted. Also, see response to Comment 1.2.2.



Dan Skopec
Acting Agency Secretary

California Regional Water Quality Control Board San Francisco Bay Region

1515 Cliny Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>



Arnold Schwarzenegger
Governor

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Comment Letter 2.1

MAY 10 2006

PLANNING DIVISION

Date: MAY 18 2006
File No. 2198.09 (BKW)

David Rizk
Planning Division
Community and Economic Development Department
City of Hayward
777 B Street
Hayward, CA 94511

**Re: Comments on the Draft Environmental Impact Report for the South Hayward
BART/Mission Boulevard Concept Plan
SCH No.: 2005092093**

Dear Mr. Rizk:

Regional Water Quality Control Board (Water Board) staff have reviewed the April 2006 Draft *Environmental Impact Report for the South Hayward BART/Mission Boulevard Concept Design Plan* (DEIR). The DEIR assesses the expected environmental impacts resulting from the redevelopment of 233 acres under three different design schemes, all of which call for construction of a mix of residential, retail, other commercial and related development. The project is located in the City of Hayward adjacent to the BART tracks on the west, Industrial Parkway on the south, Harder Road on the north, and Mission Boulevard to the east. The project excludes two existing residential neighborhoods on East 12th Street, north of Sorenson Road, but includes a triangular piece of land southwest of the Mission Boulevard-Industrial Parkway intersection. Water Board staff have the following comments on the DEIR.

Comment 1.

Section 4.4 Hydrology, Drainage, and Water Quality (pages 49-53).

- 2.1.1 This section of the DEIR is focused on channel capacity and ignores potential project impacts on receiving water quality. The DEIR must be revised to address potential impacts on receiving water quality, especially impacts related to post-project stormwater runoff.

Comment 2.

Section 4.4 Hydrology, Drainage, and Water Quality, Regulatory Framework (page 50).

- 2.1.2 This portion of the document should explain that the Water Board has authority to regulate activities impacting waters of the State under the State of California's Porter-Cologne Water Quality Control Act (California Water Code, Division 7) and has jurisdiction over activities in the waters of the United States pursuant to the Federal Clean Water Act (CWA). The Water Board issues water quality certifications (certifications) under CWA Section 401, in conjunction with the issuance of CWA

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Section 404 permits by the Army Corps of Engineers (ACOE). When the Water Board issues Section 401 certifications, it simultaneously issues general Waste Discharge Requirements for the project under the Porter-Cologne Water Quality Control Act. Activities in areas that are outside of the jurisdiction of the ACOE (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark) are regulated by the Water Board, under the authority of the Porter-Cologne Water Quality Control Act. Activities that lie outside of ACOE jurisdiction may require the issuance of either individual or general waste discharge requirements (WDRs) from the Water Board. Text in this section of the EIR should be revised to reflect the regulatory role of the Water Board in these areas.

Comment 3

2.1.3 Section 4.4 Hydrology, Drainage, and Water Quality, Environmental Impacts, Local and Regional Drainage (page 51-52).

This section of the DEIR acknowledges that the project would increase the volume of stormwater runoff and that such runoff constitutes a potentially significant impact. However, the discussion of impacts and mitigation is limited to channel conveyance capacity. The DEIR neglects to address the need to treat stormwater runoff from the developed project, in conformance with the February 2003, Alameda County Clean Water Program, National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit (Order R2-2003-0021; NPDES Permit No. CAS0029831). Under the NPDES permit, post-construction stormwater best management practices (BMPs) are required to provide treatment that meets the maximum extent practicable (MEP) treatment standard in the Clean Water Act (CWA). To meet the MEP standard, treatment BMPs are to be constructed that incorporate, at a minimum, the following hydraulic sizing design criteria to treat stormwater runoff. As appropriate for each criterion, local rainfall data are to be used or appropriately analyzed for the design of BMPs.

Volume Hydraulic Design Basis: Treatment BMPs whose primary mode of action depends on volume capacity, such as detention/retention units or infiltration structures, shall be designed to treat stormwater runoff equal to:

1. the maximized stormwater quality capture volume for the area, based on historical rainfall records, determined using the formula and volume capture coefficients set forth in *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998)*, pages 175-178 (e.g., approximately the 85th percentile 24-hour storm runoff event); or
2. the volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology set forth in Appendix D of the *California Stormwater Best Management Practices Handbook, (1993)*, using local rainfall data.

Flow Hydraulic Design Basis: Treatment BMPs whose primary mode of action depends on flow capacity, such as swales, sand filters, or wetlands, shall be sized to treat:

1. 10% of the 50-year peak flow rate;

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2. or the flow of runoff produced by a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depths; or
3. the flow of runoff resulting from a rain event equal to at least 0.2 inches per hour intensity.

Water Board staff strongly encourage the use of landscape-based stormwater treatment measures, such as biofilters and vegetated swales, to manage runoff from project sites. Since landscape-based stormwater treatment measures require that some of the site surface area be set aside for their construction, the proper sizing and placement of these features should be evaluated early in the design process to facilitate incorporation of the features into the site landscaping. Water Board staff discourage the use of inlet filter devices for stormwater management. Filtration systems require a maintenance program that is adequate to maintain the functional integrity of the systems and to ensure that improperly maintained filtration devices do not themselves become sources of stormwater contaminants or fail to function. Water Board staff have observed problems with the use of inlet filter inserts, since these devices require high levels of maintenance and are easily clogged by leaves or other commonly occurring debris, rendering them ineffective. Research conducted by the California Department of Transportation has demonstrated that inlet filters can be clogged by a single storm event. The study found that these devices required maintenance before and after storm events as small as 0.1 inch of rain.¹ In addition, trash, debris, and sediment in the catchment had a significant impact on the frequency of maintenance. Therefore, adequate maintenance of inlet filters to provide MEP water quality treatment would be prohibitively expensive and impractically time consuming.

Water Board staff recommend that the project proponents refer to *Start at the Source*, a design guidance manual for storm water quality protection, for a fuller discussion of the selection of stormwater management practices. This manual provides innovative procedures for designing structures, parking lots, drainage systems, and landscaping to mitigate the impacts of stormwater runoff on receiving waters. This manual may be obtained from the Santa Clara Valley Urban Runoff Pollution Prevention Program's website (www.scvrppp.org) or by e-mailing a request to the e-mail address in the last paragraph of this letter. Additional innovative techniques for incorporating structural stormwater best management practices (BMPs) into urban design, such as infiltration planter boxes, can be found in Portland, Oregon's *2002 Stormwater Management Manual*, which can be obtained at www.cleanrivers-pdx.org/tech_resources/2002_swmm.htm.

¹ Othmer, Friedman, Borroum and Currier, November 2001, *Performance Evaluation of Structural BMPs: Drain Inlet Inserts (Fossil Filter™ and StreamGuard™) and Oil/Water Separator*, Sacramento, Caltrans.

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Comment 4.**2.1.4 Appendix 8.1 Notice of Preparation and Appendix 8.2. Responses to Notice of Preparation, Comment by County of Alameda Public Works Agency**

The Biological Resources section of the Initial Study Checklist (IS) (page 7) notes, under part b) that there is the potential for less than significant impacts to riparian habitat or other sensitive natural communities. Under the discussion of this item, the IS notes that the project area contains an open drainage channel. It goes on to state that, "Potential effects of future development on any riparian habitat will be evaluated as part of the City's development review process..." The IS further notes that the General Plan EIR contains mitigation measures that adequately address this problem. However, the text of the IS does not provide sufficient information to evaluate the significance of potential impacts, nor the adequacy of proposed mitigation.

In a September 29, 2005, comment letter on the Notice of Preparation and the IS, the County of Alameda Public Works Agency noted the existence of an open channel and riparian corridors in the proposed study area and further noted that the proposed project would be likely to substantially modify the channels and riparian corridors. The DEIR contains no information on these potential impacts to open channels and riparian corridors.

Project impacts on open channels and riparian corridors will be subject to the regulatory authority of the Water Board, ACOE, and the California Department of Fish and Game. Even channels that have been modified for flood conveyance remain waters of the U.S. and waters of the State. In addition, where riparian corridors are present, the CDFG has jurisdiction to the outer drip line of the current or historical riparian vegetation.

As currently written, there is insufficient information contained in the DEIR to evaluate project impacts on channels and riparian zones. The DEIR should be revised to clearly state reasonably anticipated potential impacts to channels and riparian zones, and to provide mitigation for such impacts. Proposed mitigation measures should be presented in sufficient detail for readers of the CEQA document to evaluate the likelihood that the proposed remedy will actually reduce impacts to a less than significant level. CEQA requires that mitigation measures for each significant environmental effect be adequate, timely, and resolved by the lead agency. In an adequate CEQA document, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines Section 15126.4). Mitigation measures to be identified at some future time are not acceptable. It has been determined by court ruling that such mitigation measures would be improperly exempted from the process of public and governmental scrutiny which is required under the California Environmental Quality Act.

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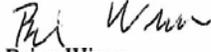
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Mr. Rizk

- 5 - DEIR South Hayward BART/Mission Blvd. Concept

If you have questions, please contact me at (510) 622- 5680 or by email at bwines@waterboards.ca.gov.

Sincerely,



Brian Wines
Water Resources Control Engineer
South/East Bay Section

cc: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044

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Letter 2.1: California Regional Water Quality Control Board

- Comment 2.1.1: Section 4.4, Hydrology, Drainage and Water Quality, focuses on channel capacity and ignores potential impacts on receiving water quality into regional drainage channels. The DEIR must be revised to address potential impacts on receiving water quality, especially impacts related to post-project stormwater runoff.

Response: This comment is noted. Although not identified in the DEIR, the City of Hayward is a participant in the Alameda County Clean Water Program and all development proposals are required to adhere to City of Hayward and Regional Water Quality Control Board's construction and post-construction stormwater quality standards. Since this is an existing City development requirement, there will be less-than-significant impacts regarding receiving stormwater quality. However, in response to the comment, language reflecting such practice has been added to the "Local and regional drainage" discussion related to environmental impacts on page 51 of the DEIR, as reflected in the "Clarifications and Modifications to the DEIR" section of this document, which starts on page 85. It should also be noted that page 50 of the DEIR includes a relevant General Plan policy that encourages protection of existing water courses and enhancement of water quality.

Comment 2.1.2: This section of the DEIR should explain that the Water Board has the authority to regulate activities impacting waters of the State under the Porter-Cologne Water Quality Control Act.

Response: Comment acknowledged; language has been added regarding such authority, as reflected in the "Clarifications and Modifications" section of this document, which starts on page 85.

Response: Comment acknowledged; language has been added regarding such authority, as reflected in the "Clarifications and Modifications" section of this document, which starts on page 85.

- Comment 2.1.3: Although the DEIR acknowledges an increase in the amount of stormwater runoff, it neglects to address the need to treat stormwater runoff from the developed project.

Response: Refer to the Response to Comment 2.1.1. Also, the comment provides details that would be more appropriately incorporated at the project-specific level.

- Comment 2.1.4: Page 7 of the Biological Resources section of the Initial Study checklist notes less-than-significant impacts to riparian habitat or other sensitive natural communities. The Initial Study notes that the project area contains a natural channel and that potential effects of future development will be evaluated as part of the City's development review process. The Initial Study further notes that the General Plan EIR contains mitigation measures that adequately address this problem. The DEIR contains insufficient information to evaluate project impacts on channels

and riparian zones, The DEIR should be revised to state reasonable impacts to channels and riparian zones and to provide mitigation for such impacts.

Response: The impact of the damage to riparian habitat was addressed as Impact 11.2 of the Certified General Plan EIR (Hayward General Plan Update, November 2001, SCH #2001072069). Mitigation Measure 11.2 in the 2001 General Plan Update EIR requires individual development projects adjacent to natural creeks and the potential effects of proposed development on riparian habitat be evaluated as part of the development review process and to enter into Streambed Alteration Agreements with the California department of Fish and Game, if needed.

Also refer to the Response to Comment 2.1.1, above, which indicates that the City of Hayward requires all individual development projects to comply with the most current stormwater quality standards to ensure that impacts of stormwater pollution on creeks and streams in the City of Hayward, including the project area, are reduced to a less-than-significant level. Such fact is reflected in revisions to the EIR text, as indicated in the “Clarifications and Modifications to the DEIR” section, which starts on page 85.

DEPARTMENT OF TRANSPORTATION
 111 GRAND AVENUE
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 OAKLAND, CA 94623-0660
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PLANNING DIVISION
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Comment Letter 2.2

May 31, 2006

ALA238302
 SCH#2005092093

Mr. David Rizk
 Planning Division
 City of Hayward
 777 B Street
 Hayward, CA 94541

Dear Mr. Rizk:

South Hayward BART/Mission Boulevard Concept Design Plan – Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the review process for the proposed South Hayward BART/Mission Boulevard Concept Design Plan. The following comments are based on the DEIR. As lead agency, the City of Hayward is responsible for all project mitigation, including any needed improvements to state highways. Any required roadway improvements should be completed prior to issuance of project occupancy permits. An encroachment permit is required for work in the State right-of-way (ROW), and the Department will not issue an encroachment permit until our concerns are adequately addressed. Therefore, we strongly recommend that the lead agency work with the applicant and the Department to resolve project issues prior to submittal of the encroachment permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding the encroachment permit process.

- 2.2.1** The Department acknowledges that the South Hayward BART/Mission Boulevard Concept Plan is consistent with established state planning priorities that:
- Promote infill development and the appropriate reuse and redevelopment of previously developed land,
 - Encourage efficient development patterns by ensuring that infrastructure supports compact development adjacent to existing developed areas that are appropriately planned for growth and served by adequate transportation and other essential utilities and services.

In order to reduce the number of recreational trips by automobile that would be generated by the new development in the Concept Plan, we suggest that pocket parks be spread at intervals accessible by foot and bicycle throughout the development area, rather than the plan relying

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solely on the development of a single 30-acre park for the provision of open space, as described on page 103 of the DEIR. These pocket parks could be funded through park dedication in-lieu fees, as pointed out on page 104. This would also afford the opportunity to provide for recreational uses that need more space than could be accommodated on the planned linear bike and pedestrian path, thereby supporting the public health of a wider variety of community members.

- 2.2.2** The DEIR states on page 70 that "many of Mission Boulevard's sidewalks are discontinuous, poorly maintained, and are not wheelchair accessible." It also states that marked crosswalks and pedestrian signalheads are only available on selected legs of signalized intersections, and that raised medians are not designed to serve as pedestrian refuges at intersections. We suggest that the "street frontage character" recommendations from the Mission Boulevard Concept Plan (beginning on page 66) be described in the Bicycle and Pedestrian Systems section on page 87 of the DEIR in order to convey a more complete picture of the effects of the proposed project on pedestrians.

Table 4.7.6 – 2025 Future Intersection Level of Service Summary

- 2.2.3** • Why aren't mitigation measures shown for the Urban Scenario intersection #1 (Mission Boulevard & Harder Road) for the AM peak hour and intersection #5 (Mission Boulevard & Tennyson Road) for the PM peak hour?
- 2.2.4** • Notes (3), "Traffic signal is assumed to be installed by 2025" at intersection #6 (Mission Boulevard & Valle Vista Avenue) is not a clear statement for this intersection improvement. An analysis of Existing and Existing + Project is necessary to determine the timing of the mitigation improvement.

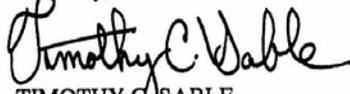
Encroachment Permit

- 2.2.5** Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information. <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Should you require further information or have any questions regarding this letter, please call Lisa Carboni of my staff at (510) 622-5491.

Sincerely,



TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

"Caltrans improves mobility across California"

c: State Clearinghouse

"Caltrans improves mobility across California"

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Letter 2.2: California Department of Transportation (Caltrans)

- Comment 2.2.1: The Department acknowledges that the proposed project is consistent with planning priorities in that it promotes infill development and appropriate reuse of previously developed land and encourages efficient development patterns by ensuring infrastructure supports compact development. The Department recommends placement of pocket parks rather than the development of a single 30-acre park in the project area.

Response: The Department's comments on the merits of the proposed project are noted. Also, page 104 of the DEIR makes reference to the potential in some development scenarios for new public park area associated with a new community center on an approximately four-acre site at the southwest corner of Mission Boulevard and Valle Vista Avenue, as well as at an expanded Bowman School site.

- Comment 2.2.2: The DEIR notes on page 70 that many of the sidewalks along Mission Boulevard are discontinuous, poorly maintained and not wheelchair accessible. The commenter suggests the street frontage character from the Mission Boulevard be described in the Bicycle and Pedestrian section of the DEIR to convey a more complete picture of the effects of the proposed project on pedestrians.

Response: Comments on the condition of project sidewalks and the need to include additional information in the DEIR on the street frontage character of Mission Boulevard are acknowledged. The City notes information regarding streetscapes is available in the Concept Plan document and there is no need to repeat this information in the DEIR. The City will require that poorly maintained sidewalks in the project area be upgraded and new sidewalks meeting ADA standards be installed as part of future development projects in the project area and as part of the Route 238 Corridor Improvement Project.

- Comment 2.2.3: The commenter asks, regarding Table 4.7.6, why aren't mitigation measures shown for the Urban Scenario intersection #1 (Mission Boulevard/Harder Road) for the PM peak hour condition and for intersection 35 (Mission Boulevard/Tennyson Road) for the AM peak hour.

Response: As noted in the traffic analysis and consistent with the significance criteria stated in the City's General Plan, mitigations for these two intersections to achieve levels of service (LOS) D would result in significant, unacceptable right-of-way take impacts and thus LOS E was deemed acceptable. It should also be noted that the levels of service would only occur under the most intense development scenario (Urban Scenario), which will be considered by the City Council as it determines what will be the final development plan.

- Comment 2.2.4: Regarding DEIR Table 4.7.6, Note 3 states that a traffic signal is assumed to be installed by the year 2025 at intersection #6 (Mission Boulevard/Valle Vista Avenue), which is not a clear statement for this intersection improvement. An

analysis of Existing and Existing + Project is necessary to determine the timing of the mitigation improvement.

Response: Since installation of this signal is proposed as part of the Route 238 Corridor Improvement Project, which is also an essential assumption of the future traffic analysis, it will either be constructed prior to implementation of any significant expanded development in the Plan area, or will need to be analyzed as part of a specific project development proposal affecting that intersection.

- Comment 2.2.5: The commenter notes that work that encroaches into a state right-of-way requires the issuance of an encroachment permit from Caltrans.

Response: This comment is noted and an encroachment permit will be requested for any work in a state right-of-way.

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

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APR 28 2006

Comment Letter 2.3

PLANNING DIVISION

April 26, 2006

David Rizk
City of Hayward
777 "B" Street
Hayward, CA 94541

Dear Mr. Rizk:

Re: SCH# 2005092093; South Hayward BART/Mission Blvd. Concept Plan

2.3.1 As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kevin Boles".

Kevin Boles
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Pat Kerr, UP
Carol Harris, UP

Letter 2.3: State of California Public Utilities Commission

- Comment 2.3.1: The PUC recommends that any development projects planned adjacent to or near rail corridors be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes at streets and intersections and also at at-grade highway-rail crossings. This includes considering pedestrian patterns with respect to railroad rights of way. Safety factors include planning for grade separation, improvements for existing crossings and appropriate fencing. These safety improvements should be considered when individual project approvals are sought.

Response: This comment is noted and the request by the PUC will be addressed in the review of individual specific development applications within the project area. Grade separations exist at Harder Road, Tennyson Road and Industrial Parkway.



1600 Franklin Street, Oakland, CA 94612 - Ph. 510/891-4716 - Fax. 510/891-7157

Nancy Skowbo
Deputy General Manager - Service Development

June 1, 2006

David Rizk
Planning Division
Community and Economic Development Department
City of Hayward
777 B Street
Hayward, CA 94541

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JUN 03 2006

PLANNING DIVISION

**Re: Draft Environmental Impact Report, South Hayward BART/Mission Boulevard
Concept Design Plan**

Dear Mr. Rizk:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the South Hayward BART/Mission Boulevard Concept Design Plan. We have appreciated the opportunity to participate in this planning process. We also commented on the Notice of Preparation for this EIR.

Project Description

The EIR analyzes the impact of potential changes to General Plan designations and zoning in the Mission Boulevard/South Hayward BART station area. The plan covers some 240 acres along an approximately two mile segment of Mission Boulevard from Harder Road to Industrial Parkway. The Plan area is on the east side of the BART tracks and both sides of Mission Boulevard. The EIR is a "Program EIR" and does not provide details on potential buildings, which would have to undergo their own environmental review. Nor does the EIR address building design or streetscape guidelines that would be needed to create a pedestrian-friendly environment along Mission Boulevard. The City will need to address these issues and others--such as specific bus stop locations--in further documents.

The EIR considers three land use alternatives: a "Suburban" Concept, which would add 1,200-2,600 housing units to the area; a "Blended" Concept, which would add 1,600-3,200 units; and an "Urban" Concept, which would add between 2,400 and 5,000 units. The proposed project would allow the addition of some 2,800 units, compared to the existing General Plan provision, which would only allow some 1,300 units.

Overall Comment

- 3.1.1 As AC Transit has noted throughout the process, we support Hayward's effort to increase housing and improve the urban environment in this area. Hayward appears to be ready to move proactively to use the asset that the BART station and transit hub provide. It will also be important to stimulate housing development at various locations along Mission Boulevard, to help support bus service on the corridor.

3.1.2 South Hayward BART

AC Transit remains concerned about the proposed two way loop road configuration for circulation within South Hayward BART. As we have noted previously, we are concerned that this loop road design is potentially dangerous and could also result in traffic congestion at the vehicle entrance to the BART station. We are aware that roadway design within the BART station is not the subject of this EIR, but it remains a concern as long as the proposed circulation remains as is. While the EIR recognizes the potential for congestion at Dixon Street & Tennyson Road near the BART station, it does not discuss potential congestion on Dixon at the BART station entrance. These issues will have to be addressed as planning goes forward for the BART station, and as projects are proposed on the station site.

Transit Impacts and Services

3.1.3 The EIR concludes (page 87) that "...the overall impact on public transit will be positive." We concur. The EIR also notes that "...since AC Transit's Service Deployment Plan relates service improvements, such as increased headways to increases in densities, the implementation of the South Hayward BART Concept Plan will provide greater opportunities to provide for additional AC Transit capacity"

3.1.4 To realize those opportunities, increased transit operating funds will need to be identified. On projects elsewhere in the AC Transit District, we are working with developers to create Ecompass programs for their projects. AC Transit would be pleased to discuss this and other funding mechanisms with the City of Hayward and with developers in the area.

3.1.5 We also have a correction and a comment concerning Table 4.7.1—AC Transit buses serving South Hayward BART. The table lists Line 92 as providing both weekday and weekend service to South Hayward BART. However, Line 92 actually operates to South Hayward on weekends only. The table also lists Line 99 as operating to Fremont BART. At present, Line 99 operates to Fremont BART only in the late night "owl" period. However, this will change in August 2006, when Line 99 will operate to Fremont BART all day.

AC Transit looks forward to working with the City of Hayward to increase transit use and improve transit-friendliness on the Mission Boulevard/South Hayward BART corridor... If you have any questions about this letter, please contact Nathan Landau, Senior Transportation Planner, at 891-4792.

Sincerely,



Nancy Skowbo
Deputy General Manager for Service Development

cc: AC Transit Board of Directors
Tony Bruzzone, AC Transit, Service Planning Manager
Tina Spencer, AC Transit, Long Range Planning Manager
Tony Divito, AC Transit, Senior Transportation Planner
Nathan Landau, AC Transit, Senior Transportation Planner

Letter 3.1: AC Transit District

- Comment 3.1.1: AC Transit notes support of the project throughout the process, including City efforts to increase housing and improve the urban environment. Hayward appears ready to move proactively to use BART and the transit hub it provides. It is also important to stimulate housing development at various locations along Mission Boulevard.

Response: The commenter's opinion on the direction of the project is noted and no further response is required.

- Comment 3.1.2: The commenter remains concerned about the proposed two-way loop road configuration within the South Hayward BART transfer area. The loop road design is potentially dangerous and could lead to traffic congestion as long as the road remains as it is. It is recognized this issue is not subject to the DEIR. Also, the DEIR does not discuss potential congestion on Dixon at the BART station entrance. These issues must be addressed as planning goes forward

Response: The commenter's opinion regarding potential traffic safety and congestion issues are noted. As identified in the comment, these issues must be resolved with the City of Hayward as individual project proposals for development around the BART station are submitted to implement the overall project

- Comment 3.1.3: The DEIR concludes that project impacts on transit will be positive. AC Transit concurs.

Response: The commenter's opinion regarding impacts to transit service is noted and no further response is required.

- Comment 3.1.4: Increased transit operating funds will need to be identified. The AC Transit is working with developers in other areas to create an "Ecopass" program for their projects. AC Transit is willing to work with the City of Hayward and developers in this area as well.

Response: The commenter's opinion regarding funding of transit improvements is noted and no further response is required.

- Comment 3.1.5: AC Transit also has a correction and comment regarding Table 4.7.1. The table lists Line 92 as providing both weekday and weekend service to South Hayward BART. However, Line 92 actually currently operates to South Hayward on weekends only. The table also lists Line 99 as operating to Fremont BART. At present, this line operates in the late evening period; however, this will change in August 2006.

Response: The comments are noted and corrections are included in the "Clarifications and Modifications to the DEIR" section of this FEIR, which starts on page 85

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ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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PLANNING DIVISION

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

Comment Letter 4.1

AC Transit
Director
Dolores Jaquez

Alameda County
Supervisors
Nata Milley
Scott Haggerty
Vice Chairperson

City of Alameda
Mayor
Beverly Johnson

City of Albany
Mayor
Alan Maris

BART
Director
Thomas Blalock

City of Berkeley
Councilmember
Kris Worthington

City of Dublin
Mayor
Janet Lockhart

City of Emeryville
Mayor
Ruth Alkin

City of Fremont
Mayor
Robert Wasserman

City of Hayward
Mayor
Roberla Cooper

City of Livermore
Mayor
Marshall Kamena

City of Newark
Councilmember
Lula Freitas

City of Oakland
Councilmember
Larry Field
Chairperson

City of Piedmont
Councilmember
John Chiang

City of Pleasanton
Mayor
Jennifer Hosterman

City of San Leandro
Mayor
Shelia Young

City of Union City
Mayor
Mark Green

Executive Director
Dennis R. Fay

May 31, 2006

Mr. David Rizk
Senior Planner
Planning Division
City of Hayward
777 b Street
Hayward, CA 94541

SUBJECT: Comments on the Draft Program Environmental Impact Report (DEIR) for the South Hayward BART/Mission Boulevard Concept Plan

Dear Mr. Rizk:

Thank you for the opportunity to comment on the City of Hayward's Draft Program Environmental Impact Report (DEIR) for the South Hayward BART/Mission Boulevard Concept Plan. The study area comprises approximately 240 acres in the southeastern portion of the City of Hayward, and is bordered by the BART tracks on the west (excluding the residential neighborhoods west of East 12th and north of Sorenson Road), Industrial Parkway on the south (including the triangular area on the south side), Harder Road on the north, and Mission Boulevard on the east (including properties along the east side of Mission Boulevard). The Concept Plan DEIR analyses potential future redevelopment of the project area under four alternative land use concepts: 1) Suburban Concept with a development of 1,886 dwelling units and 362,746 sqft. non-residential including retail, commercial etc.; 2) Blended Concept with a development of 2,427 dwelling units and 386,922 sqft. non-residential use; 3) Urban Concept with a development of 3,707 dwelling units and 520,106 sqft. of non-residential use; and 4) draft concept design plan alternative with 2,814 dwelling units and 367,755 sqft. non-residential land uses. The above developments will be at the mid-point of applicable General Plan density ranges

The ACCMA respectfully submits the following comments. Wherever possible, DEIR page numbers are referenced:

- While the Draft EIR document was circulated on April 19, 2006, the Congestion Management Program (CMP) analysis was provided to the CMA separately on May 9, 2006, subsequently, and it was not generally circulated to the recipients of the DEIR document.

4.1.1

Issues regarding the CMP analysis:

- 4.1.2** • Although the draft environmental document analyzes all of the four alternatives, only one option has been analyzed for the CMP analysis. In addition, it is not clear which alternative was used for the CMP analysis purposes. It is often standard practice to analyze the worst case scenario with the most intense land use option that would generate the maximum peak period trips. Out of the four alternatives considered for the project, the urban concept is the most intense land use alternative with a proposed development of 3,707 dwelling units and 520,106 sqft. of non-residential use. However, Table 2 on Page 2 of the CMP analysis shows a comparison of land use change due to the proposed project as only an increase of 2,652 dwelling units in 2010 and 2,779 dwelling units in 2025. This would mean that the worst case scenario has not been analyzed for the CMP purposes. Please clarify and revise the CMP analysis accordingly by analyzing the worst case scenario.
- 4.1.3** • The CMP analysis includes only p.m. peak period analysis and does not include analysis for the a.m. peak period. The CMA's response to the NOP of the DEIR dated October 13, 2005 states that "potential impacts of the project must be addressed for 2010 and 2025 conditions". It does not specify or exclude a particular peak period. For the purpose of the Land Use Analysis Program of the CMP, the CMA reviews the overall impact of the proposed project on the MTS roadway and transit network, and does not specify a particular peak period analysis, and therefore it is expected that both a.m. and p.m. peak period be analyzed for project impacts. Further, the draft environmental document includes analysis for both a.m. and p.m. peak periods; impacts at two locations in the 2025 a.m. peak period were identified as significant. Therefore, for the CMP analysis purposes, a.m. peak period must be analyzed and included in the final environmental document.
- Other technical comments:**
- 4.1.4** • Neither the draft EIR document nor the CMP analysis include trip generation and proposed trip distribution or assignment details for the project. Since these details are important to verify the trip generation rate assumed for each land use and how the project trips are distributed, in the absence of these details validity or accuracy of the numbers presented in the impact analysis tables and figures could not be checked. Please provide these details in the final environmental document.
- 4.1.5** • Page 79, Standards of Significance, 3rd paragraph: Please delete the sentence that says ~~"the CMA's arterial level of service standard is LOS F.~~ It is an incorrect statement. As the DEIR states in the following sentence, the CMA does not have a separate Level of Service (LOS) standard for the Land Use Analysis Program purposes. For the Level of Service Monitoring Program of the CMA, the standard is LOS E for all CMP roadways.
- 4.1.6** • Page 80, Environmental Impacts, Methodology: Please delete the following sentence in the first paragraph- ~~This model (City of Hayward Model) is consistent with the~~

Mr. David Rizk
May 31, 2006
Page 3

~~ACCMA model~~ This statement is incorrect as the City model has not been validated or certified as consistent with the ACCMA model.

- 4.1.7 • Page 80, Environmental Impacts, Methodology, 2nd paragraph: The report states that transit usage assumption in two traffic zones next to the Hayward BART station was increased from 17% to 35% and 7% to 15% compared to what was originally assumed in the City of Hayward model. The report further states that these adjusted mode splits are consistent with the splits assumed in similar smart growth developments in proximity to transit centers. Please list these similar projects along with the respective mode choice percentage in the final environmental document.
- 4.1.8 • What was the model choice assumed for the CMP analysis purposes in comparison to the assumptions in the CMA model?
- 4.1.9 • Page 10-14, Tables 1-4 of the CMP Analysis: These tables show that 2,100 vphpl was used as the freeway capacity standard for the CMP analysis purposes. The 2003 CMP requires using freeway capacity standards from the 1985 Highway Capacity Manual, which is 2,000 vphpl. This was identified in the CMA's response to the Notice of Preparation of a DEIR for this project dated October 13, 2005, on page 2 under the second bullet. Therefore, it is requested that the CMP LOS Analysis be revised by using the freeway capacity standards from the 1985 Highway Capacity Manual.

Thank you for the opportunity to comment on this Draft Environmental Impact Report. Please do not hesitate to contact me at 510/836-2560 ext. 24 if you require additional information.

Sincerely,



Saravana Suthanthira
Associate Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2006

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Letter 4.1: Alameda County Congestion Management Agency (ACCMA)

Comment 4.1.1: The CMA notes that the DEIR was circulated on April 19, 2006, and the Congestion Management Program (CMP) analysis was provided to CMA on May 9, 2006 and not generally circulated to recipients of the DEIR.

Response: Comment noted. Page 88 of the DEIR indicated that preliminary CMP Analysis showed that even under the “No Project” Alternative, many of the major arterial links in the area would operate at unacceptable levels of service in 2025. The completed CMP Analysis, included as an appendix to this document, does not change the conclusions stated in the DEIR that “due to physical constraints, funding limitations and regional growth patterns, cumulative traffic impacts anticipated by the South Hayward BART project are expected to be significant and unavoidable.”

- Comment 4.1.2: The CMA indicates it is not clear which project alternative was used in the CMP analysis, and that the worst-case scenario (Urban Scenario) was not used. The CMA further requests that the worst-case scenario be analyzed in the CMP analysis.

Response: For the CMP, only the Recommended Project Alternative was analyzed. This alternative has a higher intensity of development than any of the other alternatives, except the Urban Alternative, and reflects a scenario that is likely to be implemented.

- Comment 4.1.3: The CMA indicates that the CMP analysis only includes the PM peak hour period and that the CMP analysis should also include the AM peak hour period.

Response: For the CMP, only the p.m. peak hour was analyzed because in the past, CMA staff has given direction to only consider the p.m. peak as it represents the worst case in terms of traffic.

- Comment 4.1.4: The CMA indicates that neither the DEIR nor the CMP analysis include trip generation and proposed trip distribution, or assignment details for the project, which should be included in the FEIR.

Response: For the CMP analysis, the official Countywide Model was used to generate the trip generation, trip distribution, mode choice and trip assignment. No changes were made to these processes. Trips were generated for the new land uses using the official trip generation program. Trips were then distributed using the model based on the official trip distribution processes built into the model. Trips were then split by mode based on the official mode choice program, and finally, trips were assigned to the highway and transit networks based on the built in assignment processes.

- Comment 4.1.5: The CMA requests that the following sentence be deleted from page 79, 3rd paragraph of the DEIR, “The CMA’s arterial level of service standard is LOS F.” The CMA indicates this is not a correct statement.

Response: Comment noted; the sentence will be deleted as reflected in the “Clarifications and Modifications to the DEIR” section, which starts on page 85.

- Comment 4.1.6: The CMA requests that the following statement be deleted from page 80, 1st paragraph of the DEIR, “This model (City of Hayward Model) is consistent with the Alameda County Congestion Management Agency (ACCMA) model...” The CMA indicates this is not a correct statement as the City model has not been validated or certified as consistent with the ACCMA model.

Response: Comment noted; the statement will be deleted as reflected in the “Clarifications and Modifications to the DEIR” section, starting on page 85.

- Comment 4.1.7: Concerning the second paragraph on page 80 of the DEIR, the CMA requests that referenced similar smart growth projects along with the respective mode choice percentages be identified in the FEIR.

Response: The model splits assumed in the DEIR were partially based on the study of transit-oriented development (TOD) transit travel entitled, “*Travel Characteristics of Transit-Oriented Development in California*,” by Lund et al, published in January 2004. This study looked at several TODs in the Bay Area, including those in Fruitvale, Pleasant Hill, Union City and Fremont, among others. In addition, the City of Hayward conducted a survey in 2004 of travel characteristics of the residents in downtown Hayward near the BART Station. After reviewing the results of each of these studies, it was concluded that the modal splits used in the DEIR were consistent with previous analyses of TOD.

- Comment 4.1.8: The CMA asks that the EIR clarify what was the model choice assumed for the CMP analysis purposes, in comparison to the assumptions in the CMA model?

Response: To be conservative, and to comply with the CMP requirement that requires no changes be made to the Countywide model, no additional transit usage adjustment was assumed in the CMP analysis, i.e. the Countywide model assumptions were unchanged from the No-project to the Project runs.

- Comment 4.1.9: Regarding Page 10-14, Tables 1-4 of the CMP analysis, the CMA questions the assumptions uses in the analysis, related to assumed freeway capacities and the 1985 Highway Capacity Manual.

Response: In order to account for an auxiliary lane, the City’s traffic consultant recommended the addition of 100 vph per lane. Therefore, for an 8-lane cross section (4 northbound and 4 southbound lanes) this sums up to 800 vph of additional capacity. However, this is conservative because in the model an auxiliary lane is

assumed to add one half (0.5) of the capacity of a single lane (which is 1,000 vph). In addition, the Highway Capacity Manual (HCM) does not have a provision for treating auxiliary lanes as partial lanes. HCM would assume a full lane of capacity, which is not accurate. (Note that the CMP Analysis is included as an appendix to this document.)

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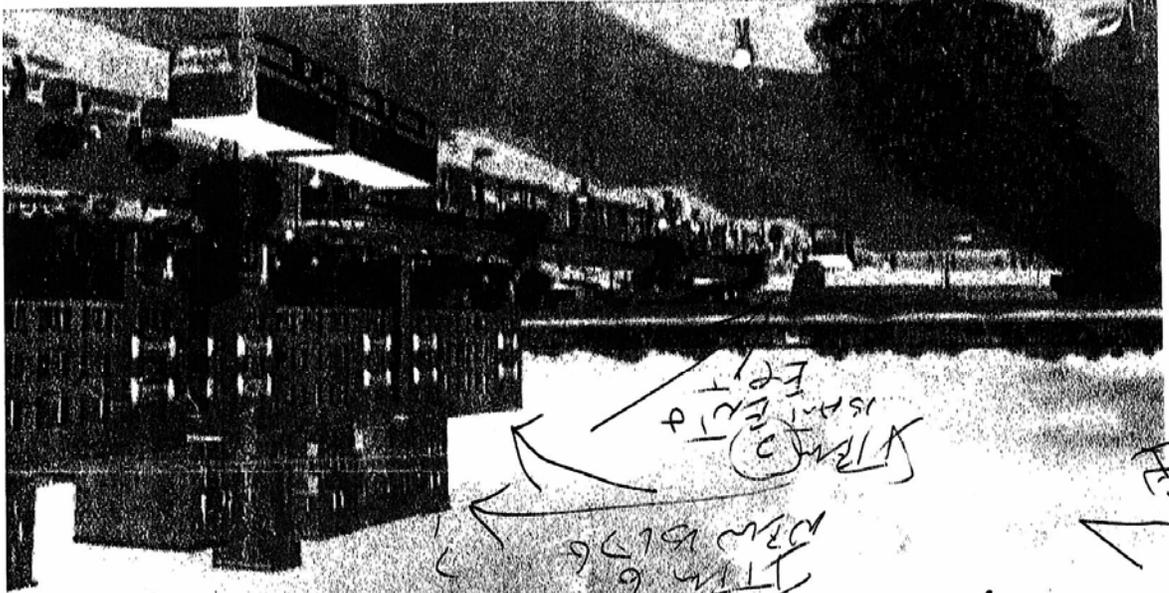
6.1.6
 THINGS FAIL OR GET CHANGED AROUND FOR VARIOUS REASONS OR LOCATION/LOCATIONS MAY I SUGGEST YOU BUILD UP TO A FIVE STORY BLDG ON THE EAST SIDE OF THE NOW SOUTH HAYWARD BART STATION A BUILDING THAT WOULD HOLD FORMER SEX FELLOWS EARLY REL. FOR THE STATE OF & OTHER STATES???? THIS BLDG. WOULD BE BUILT & PAID FOR BY THE DEPT. OF CORRECTIONS & HAVE A VERY MINIMUM SECURITY & THREAT AS THE FORMER SEX FELLOWS & OTHERS WOULD HAVE ONLY ACCESS VIA ASWIPE THE WOULD HAVE THEIR OWN VERY SMALL ROOM TO COME & GO AS THEY PLEASE & ONLY FOR A FEW WEEKS TO A FEW MONTHS TILL THEY MOVE AWAY GET JOBS & TAKE MASS TRANSIT TOGETHER TO THEIR NEW FOUND LIFE & GAIN FULL EMPLOYMENT & LIFE TO INCLUDE GOING TO SOME TYPE OF CHURCH LIKE MISSION MINI TRIES ON 12 St. & off of Tenn. Prd. & MISSION BLVD. IF ANY OF THESE NOW & FORMER STATE PRISON PEOPLE (SCREW UP) & OR DO NOT COME IN A FEW DAYS TO ONE & HALF WEEKS THE ROOM IS CLEARED OUT & CLEANED & THE NEW RESIDENT TAKES OVER MEALS COULD COME MON-FRI & EXTRA MEAL FOR THE WEEKEND VIA SPECTRUM OR SOME OTHER AGENCY AS THEY WOULD HAVE A SMALL MICRO WAVE & REF. & SHOWER TO TAKE A SHOWER OR TURN THE LIGHT BULB ON & OFF AS THEY WISH/WISHED

6.1.7 THE ABOVE BLDG, COULD BE SHARED WITH OTHERS SR. CITIZ (LOW INCOME) OR THE MENTALLY OR VISUALLY CHALLENGED OR RESTRICTED I WOULD THINK THIS WOULD BE A COOEAS NO BODY REALLY LIKE LIVING JUST FROM A BART RAIL LINE & A BUS TRANSIT AREA 477, & ALICE ST 50'

6.1.8 TRUSTING YOU WILL HAVE LEARNED OF THE LONG & MISTAKES NOW AS PER THE CURRENT B ST. REDEVELOPMENT PROBLEMS TO INCLUDE PUTTING IN BENCHES THAT HOLD THE WATER WHEN IT RAINS & NO ONE WOULD CLEAN OR OFF & OR DIRTY FROM SPILLED SODA, CASH OR OTHER EATS TO INCLUDE BETTER TRASH RECEPTACLES THAT CAN HANDLE THE ITS WORK LOAD & HAVE LIDS THAT SOME HOW STAY ON THEM & NOW BE PLACED ON THE GROUND OR GO THROUGH A NEW STORE OWNER PLATE GLASS WINDOW, THE ABOVE COMMENT I DO FEEL AS TO ALL OF THE STORE FRONT VACCENCY RATES BY MS SLLIV ENTHRAL & MS MARRET MARET I DID WRITE IN WHEN THEY WANTED SUG. BUT THEY DID NOW LISTED TO ME THUS YOU NOW HAVE ALL OF THE PROBLEM AT PROBLEMS ON THE B ST. FOOTHILL & MISSION BLVD. & DOWNTOWN AREA

6.1.9 PLEASE GET GRAD WAYS & STREETS & BART BUSWAYS WAYS & MAIN BUS TEMPLATES DONE THAT IT WORKS IN AND NO BUILD UP SIDE TRASH THAT TAKES SPACES, WILD CANS, HIGH STATION FACILITY PROBLEMS VERY HIGH LOSSES FOR WANT 3/04 AM, ON 3/4 AM SAT SUN & HOLIDAY

6.1.10 REMOVE SIDEWALKS AND NOT EXPOSED BREAK IN & TRASS THAT ARE NOT BRITLING OIL DRAIN DRAIN TONGS & DIAMETER TO OTHER PNL. NR



City of Hayward Information Newsletter
 South Hayward BART/Mission Boulevard Concept Design Plan



City of Hayward
 Planning Division
 777 B St
 Hayward, CA 94541

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Handwritten note: 10/24/2006
 Charlie Cameron

6.1.11

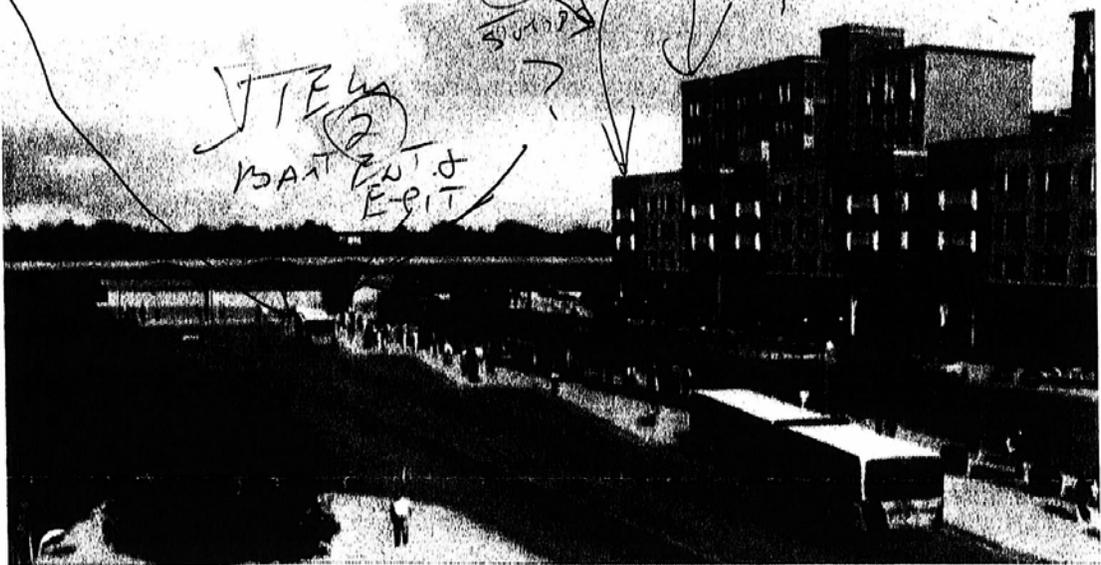
Charlie Cameron
 P.O. Box 55
 Hayward, CA 94543

Handwritten notes:
 WHAT DO THE PEOPLE NEED? →
 ZIGZAG PEOPLE →
 10) on 17 68 existing & PLANNED BICYCLES LANE
 NOW IS ONE WAY ON ANY DIRECTION
 BUT ALL THIS WILL TAKE WITH NEW DESIGN
 WILL BIKER PEOPLE WALK OR RIDE THEIR BIKES
 IN THE DIRT AREAS WHICH ARE
 BIKER BREAKS & NOT JOK'S →
 WITH HOUSES ON A SIDE THEIR BIKES WILL BE GOING
 ENFORCED →

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South Hayward BART/Mission Boulevard Concept Design Plan

Draft
Program Environmental Impact Report



Nov 21

SCH# 2005092093

Lead Agency: City of Hayward
Prepared By: Jerry Haag, Urban Planner
& the City of Hayward

April 2006

Letter 6.1: Charles Cameron

- Comment 6.1.1: There may not be enough turning radii for the busses coming into the station. One-way traffic may generate significantly heavy traffic.

Response: The comment on providing sufficient turning radii for future busses is noted. Turning radii associated with a reconfigured bus transfer area in front of the BART station will be reviewed by the City of Hayward and AC Transit District staff to ensure that all sizes of busses can safely enter and exit the area. Also, see response to Comment 4.2.2.

- Comment 6.1.2: There could be issues between pedestrian and bus conflicts.

Response: This comment is noted and will be addressed should the project be approved and individual development projects are proposed for the South Hayward BART Station area.

- Comment 6.1.3: The commenter concurs with AC Transit's previous letter on this project, but the commenter has a question about the asphalt that will be used for the project. The pavement at the San Leandro BART station is very smooth.

Response: The comment about the type of asphalt used in the project area is noted. Since this is not an environmental topic, no further response is required.

- Comment 6.1.4: The commenter asks how the Hayward Fire Department will respond to a generator fire at the South Hayward BART station.

Response: The DEIR notes that the project area is serviced by two nearby stations manned by the Hayward Fire Department. Any calls for service would be handled by fire companies from one or both stations. Mitigation Measure 4.8-1 included in the DEIR would require future developers to pay for upgraded fire equipment for the project area.

- Comment 6.1.5: The City must get bus transit right or the project will fail or BART and AC Transit ridership will stay the same.

Response: This comment is noted. Since it does not address an environmental topic, no further response is required. Also, it should be noted that BART conducted a detailed analysis of South Hayward BART ridership, including in the context of AC Transit ridership, in a document entitled, "South Hayward BART Development, Design and Access Plan," dated April, 2006. Such plan will be referenced by the City and BART as future development projects are proposed. A copy of this document is available for public review at the Hayward Planning Division in Hayward City Hall during normal business hours.

- Comment 6.1.6: The commenter suggests that a five-story building be built on the east side of the Hayward BART station to house former sex offenders, early release prisoners, etc.

Response: This comment is noted. Since it does not address an environmental topic, no further response is required.

- Comment 6.1.7: The building identified in the above comment could be shared with others, such as senior citizens.
- Comment 6.1.8: The commenter trusts the City has learned lessons from current redevelopment projects.

Response: This comment is noted. Since it does not address an environmental topic, no further response is required.

- Comment 6.1.9: This comment is not readable.

Response: No response is possible.

- Comment 6.1.10: This comment is not readable.

Response: No response is possible.

Comment 6.1.11: This comment is not readable.

Response: No response is possible.

South Hayward / Mission Boulevard Getting It Right

By Brian Stanke

Introduction

6.2.1 The City Council has wisely recognized the tremendous opportunity for transit-oriented development around the South Hayward BART station. South Hayward offers a rare opportunity for the of creation truly walkable and high quality urban neighborhoods around an existing BART station in the inner Bay Area. Unfortunately, the current Draft Environmental Impact Report (DEIR) is both incomplete in its analysis and wrong in its conclusions. By failing to properly address issues brought up by South Hayward community members in their "Walkable Neighborhood Concept" proposal, the EIR consultant and city staff failed to provide the Council with the full range of policy options and an accurate accounting of their possible impacts. The current DEIR is 100% upside down in calling the best alternative the worst and the worst alternative the "environmentally superior" one. This memo details the areas where the DEIR fails to consider policies options and mishandles important environmental impacts, and how to correct those problems in the final EIR.

Problems with the Draft Environmental Impact Report

6.2.2 The DEIR views more intense transit-oriented infill as negative, because it will create more traffic. In short, the DEIR confuses the number of people with the amount of traffic and claims dense Transit-Oriented Development (TOD) is bad for the environment, because it brings more people to South Hayward. It does this without offering the City Council any policy options, or analysis for reducing traffic through demand management, which is a major feature of dense TOD. In fact, as shown in ABAG/MTC regional studies, more housing focused around transit is better for the environment.¹ There are three reasons for this discrepancy in the DEIR:

- 6.2.3 1. The DEIR ignores the suggestion in "Walkable Neighborhood" concept to look at the effect that demand management strategies, such as reduced parking ratios, would have on reducing vehicle trips, congestion and air pollution.
- 6.2.4 2. Auto LOS was the only traffic measure instead of more environmental meaningful measures.
- 6.2.5 3. The DEIR assumed that less housing in Hayward would mean that people would disappear instead of living further out and driving even more.

6.2.6 By ignoring the tools that the city has to reduce vehicle trips, the DEIR robs the city of making an informed decision on how to reduce congestion impacts and better meet housing needs. Instead, parking is evaluated separately from traffic and is labeled as a public good resource rather than as a cause of traffic, vehicle miles traveled (VMT), and congestion. Population is wrongly blamed for traffic, while the number of vehicles owned and parking availability (far more important factors) are ignored. No evaluation was undertaken of how reduced parking levels would improve traffic. The availability of safe and direct walking paths and bicycle lanes was also ignored. Instead, traffic generation was assigned fixed numbers, regardless of density, parking, or walking/biking accessibility.

¹ Association of Bay Area Governments, *Smart Growth Strategy Regional Livability Footprint Project* (2002) <<http://www.abag.ca.gov/planning/smartgrowth/index.html>> [15 May 2006]

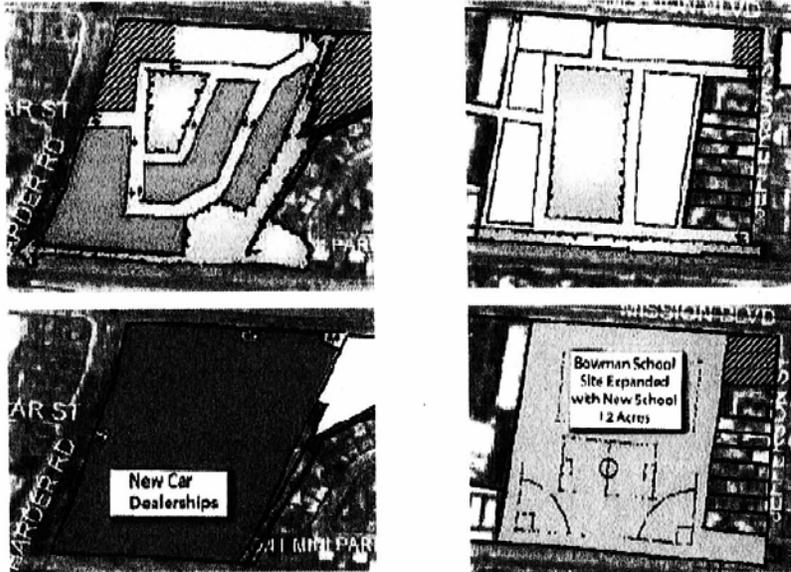
- 6.2.7** Another problem with the DEIR is that it focuses solely on automobile Level of Service (LOS), which views free-flowing autos as the most important transportation goal instead of evaluating policies for demand management. In fact, LOS is now being criticized as the wrong measure for the environmental impact of traffic:
Though widely used as a metric in Transportation Planning and Environmental Impact Assessment (EIA), automobile LOS does not capture known adverse environmental consequences of transportation. Instead, automobile LOS measures and values the convenience of motor vehicle travel, effectively promoting motor vehicle use. Better LOS thus increases vehicle trips and driving distances and consequently increases injuries, noise, air pollution, and greenhouse gases.²
- 6.2.8** Transit LOS is similarly flawed when it judges that overcrowded buses are bad, while half empty ones are good, because they are not crowded! Instead of relying on the flawed LOS measure the EIR needs to look at alternative measures:
LOS should be replaced in practice of EIA with measures that capture changes in vehicle use and volume. Three such transportation performance metrics are Vehicle Miles Traveled, Mode Split, and Vehicle Trips. Methods to estimate vehicle trips and vehicle miles exist but need to better distinguish projects that reduce motor vehicle use (e.g., locally-oriented retail, infill housing) and those that increase it (e.g., a regional shopping mall, low density housing). Transportation analysis in EIA can further improved by adding metrics for the quality of the pedestrian and bicycle environments.³
- 6.2.9** The DEIR contains no proposals for how to raise additional funds to improve local transit service. The "Walkable Neighborhood Concept" proposed that a transportation impact fee be included in the homeowners fees for each new unit and that it be used to fund transit improvements. This is not even discussed by the DEIR as a possible source of funds.
- 6.2.10** The DEIR does not evaluate how the scenarios improve walkability, nor is credit given to various parts of the "Urban Concept" for more walkability. For example, the Urban scenario includes a complete walking/bicycle path from Harder Road to Tennyson Road providing a low traffic alternative from the north end of the site to the BART station. The DEIR never mentions this fact, nor that other scenarios break this path by blocking it in two places. Nor were any efforts undertaken to preserve this feature.

Pedestrian Hostile Land Uses

- 6.2.11** Both the General Plan and the South Hayward planning process call for the creation of a pedestrian-friendly corridor along Mission with more high density housing to enable high frequency transit service. Sub area 1 is currently flanked on two sides by residential neighborhoods and is kitty corner to a school and another neighborhood. The area is proposed to contain either a dense new neighborhood with mixed-use retail, possible commercial space, and a restored Ziele Creek or an Auto dealership and concrete channel. The DEIR does not discuss this very different treatments of the area. Nor does it address the impacts on the surrounding neighborhoods. Furthermore it mentions the auto dealership as a "gateway" but never addresses the adverse impacts such a development would have on the pedestrian environment along Mission Blvd., in direct violation of the General Plan and planning process aims.

² Rajiv Bhatia, MD, MPH, San Francisco Department of Public Health, *Automobile Level of Service: A Liability for Health and Environmental Quality* (September 23, 2005) 1 >http://www.sf-now.com/sf-bike/SFDPH_LOS_review.pdf [15 May 2006]

³ *ibid.*



The bike and walking corridors (green areas and lines) in the "Urban" concept (top left and right) are dropped in the "Draft" concept (bottom left and right). The DEIR does not say one word about these differences, as if ease of bicycle and walking and mode share are irrelevant to environmental impacts.⁴

- 6.2.12 From a reading of the DEIR section 5.3 "Environmentally Superior Alternative", it is obvious that the DEIR is wrong. The draft Environmental Impact Report picks no build as "the environmentally superior alternative". It judges "Suburban" as the next best alternative for the environment.⁵ The ABAG Regional Smart Growth study found high density near transit the superior alternative for regional population growth.⁶ The fact that the local draft is 100% in opposition to what the regional study found reveals some major procedural or conceptual errors. The results of the EIR are so far from reality that it puts the validity of much of the analysis in question. If we cannot trust a 145-page report put together by professionals, where else should we look?

The Walkable Neighborhood Perspective

- 6.2.13 The criteria put forth in "Walkable Neighborhood Concept" provide a much better set for evaluating the alternatives and the policies needed to create a truly livable new urban neighborhood that adds to our city. The Walkable Neighborhood Concept lays out four principles for judging the performance of alternatives:

⁴ Community Design + Architecture, *South Hayward BART/Mission Boulevard Concept Plan*, City of Hayward, 2005, 2-13 <<http://www.ci.hayward.ca.us/citygov/meetings/cca/ws/2006/ws012406-02-ExhibitB.pdf>> [15 May 2006]
⁵ Jerry Haag, and City of Hayward, *South Hayward BART/Mission Boulevard Concept Design Plan* (April 2006) <<http://www.ci.hayward.ca.us/forums/SHBART/shbartforumed.shtml>> [15 May 2006]
⁶ Association of Bay Area Governments, *Smart Growth Strategy Regional Livability Footprint Project* (2002) <<http://www.abag.ca.gov/planning/smartgrowth/index.html>> [15 May 2006]

- Maximize the BART ridership;
- Maximize viability of neighborhood serving retail;
- Maximize pedestrian access to the BART station from the neighborhood between Tennyson Rd. and Industrial Parkway east of the BART tracks
- Minimize traffic impacts the neighborhood⁷.

The Walkable Neighborhood Concept focuses on promoting transit, walkability, and minimizing the external impact of drivers on the neighborhood, rather than shaping the neighborhood to best convenience drivers. The city has a range of policy options available to reduce drivers' external impact. One is to minimize traffic generation per new resident. A series of interlocking policies accomplish this without any direct costs to the city:

- A parking maximum of 0.5 to 1 space per unit for homes in the Station Area Residential (SAR) zoning.
- A maximum of 1 to 1.5 spaces per unit for Mission Blvd. Residential (MBR) zoning.
- Maximize the viability of pedestrian oriented retail by maximizing the number of parcels that can have the density to support it (SAR, MBR, & Mixed-Use).
- All new developments in the neighborhood would be required to separate their parking charges from their home prices/rent. People and families could choose live car-free without being forced to pay for parking that they don't use. Others could rent the unused parking spaces for a second vehicle.
- Reserved spaces for a pool of car sharing vehicles (on or off street) to provide car-free families occasional access to a car as needed.
- A neighborhood permit system (financed by a small fee on new developments) would insure that current residents could continue to use on-street parking.⁸

Conclusion

Building in a way that invites residents to walk and take transit, instead of driving, increases livability and reduces traffic at *less* cost than conventional development. The final EIR needs to be revised to look at policies reducing VMT per person and traffic generation, and shift travel to walking, biking, and transit. Once that is done, the city can choose which policies to pursue to create an environmentally superior final plan.

⁷ City of Hayward, *Appendix 8.2 Responses to Notice of Preparation* (April 2006)
 <<http://www.ci.hayward.ca.us/forums/SHBART/pdf/ed2006/DEIR/4%20-%20Appendix%208.2%20-%20Responses%20to%20Notice%20of%20Preparation.pdf>> [10 May 2006]

⁸ *ibid.*

Bibliography

Community Design + Architecture. *South Hayward BART/Mission Boulevard Concept Plan. 2-13*. City of Hayward. 2005, <<http://www.ci.hayward.ca.us/citygov/meetings/cca/ws/2006/ws012406-02-ExhibitB.pdf>> [15 May 2006]

Association of Bay Area Governments. *Smart Growth Strategy Regional Livability Footprint Project*. (, 2002) <<http://www.abag.ca.gov/planning/smartgrowth/index.html>> [15 May 2006]

Rajiv Bhatia, MD, MPH. *Automobile Level of Service: A Liability for Health and Environmental Quality*. San Francisco Department of Public Health, September 23, 2005 <http://www.sfnow.com/sf-bike/SFDPH_LOS_review.pdf> [15 May 2006]

Jerry Haag, and City of Hayward. *South Hayward BART/Mission Boulevard Concept Design Plan*. City of Hayward, 2006 <<http://www.ci.hayward.ca.us/forums/SHBART/shbartforumed.shtm>> [15 May 2006]

Association of Bay Area Governments. *Smart Growth Strategy Regional Livability Footprint Project*. 2002. <<http://www.abag.ca.gov/planning/smartgrowth/index.html>> [15 May 2006]

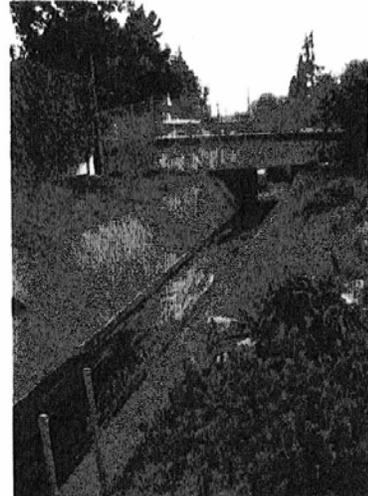
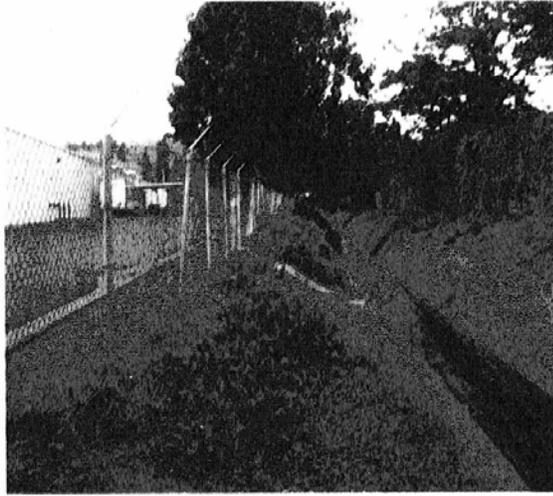
City of Hayward. *Appendix 8.2 Responses to Notice of Preparation*. April 2006. <<http://www.ci.hayward.ca.us/forums/SHBART/pdf/ed2006/DEIR/4%20-%20Appendix%208.2%20-%20Responses%20to%20Notice%20of%20Preparation.pdf>> [15 May 2006]

6.2.14

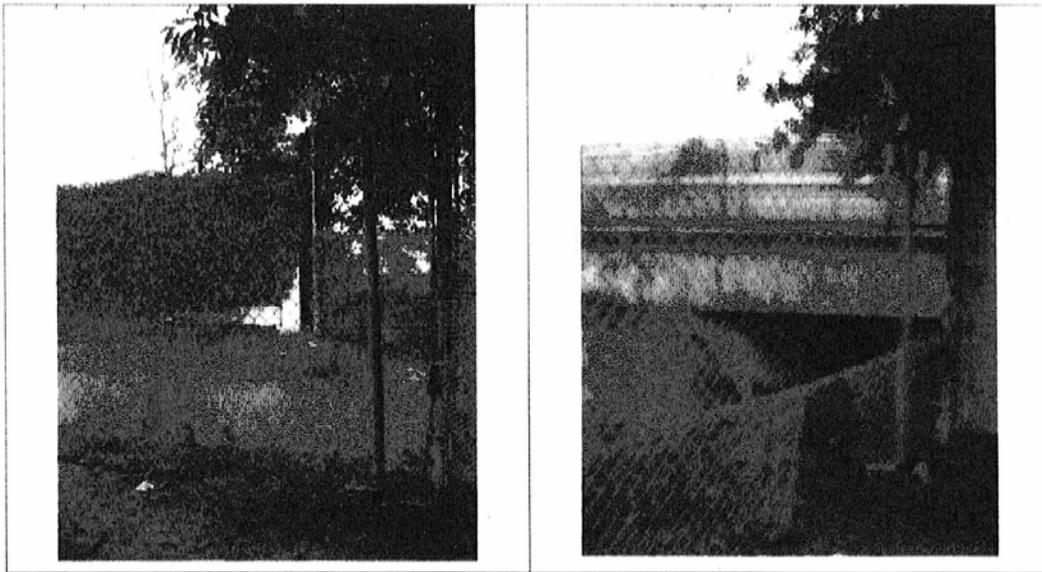
Ziele Creek

by Brian Stanke

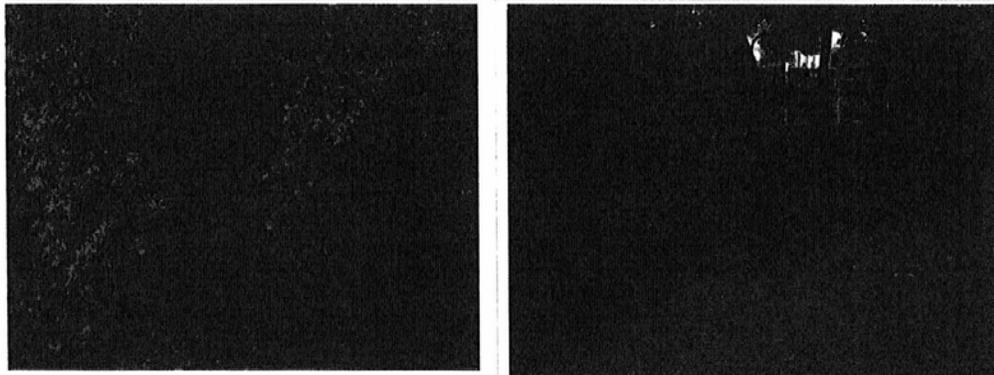
Currently Ziele Creek and its tributary branch along and under Kmart and McDonald's are concreted in and fenced off. The possible restoration of Ziele creek in Sub area 1 is never mentioned or discussed in the Draft EIR despite the fact that the creek is restored under one alternative but not others and it is part of the 100-year flood plain.



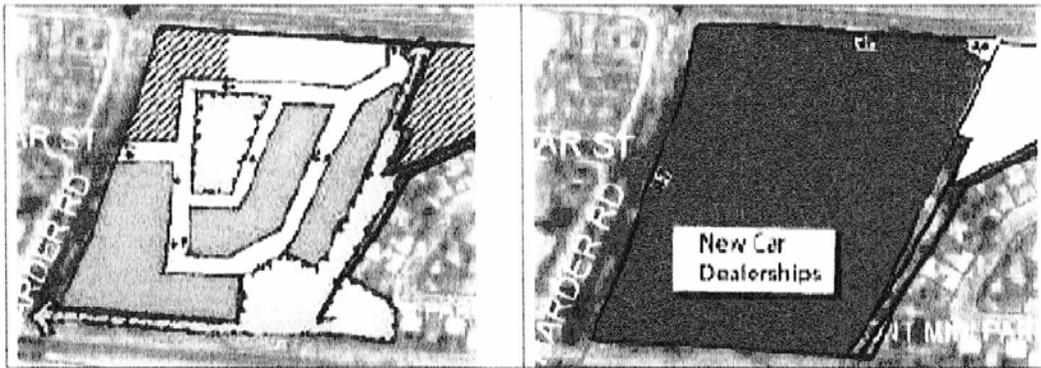
The creek is current completely inaccessible. What should be an amenity to the area, as a linear park and point of visual interest, has been transformed into an eyesore. It attracts dumping instead of walkers and joggers from nearby neighborhoods.



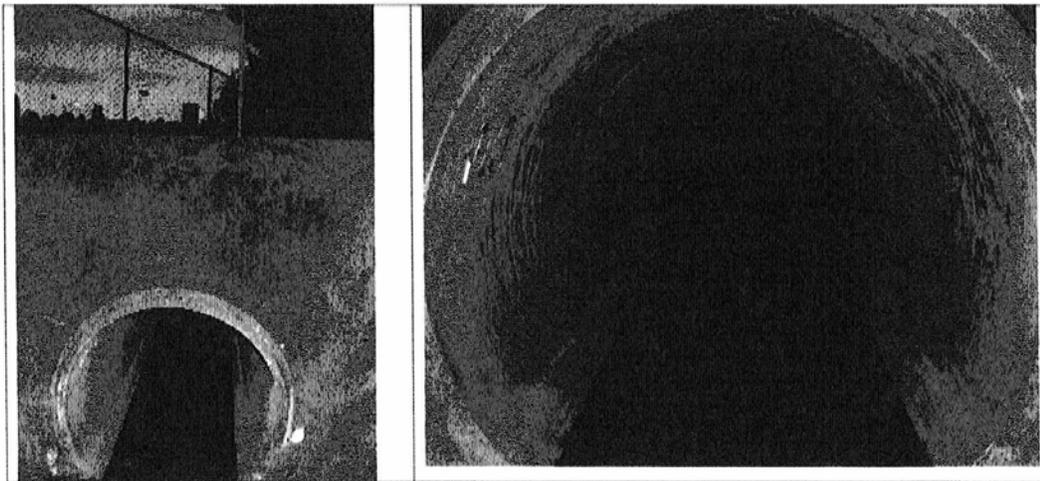
Children already illegally cross the creek at the site of the proposed walk/bike path. I observed one go through a hole in the fence, cross the creek on the BART bridge and climb over the ivy-covered wall. This unofficial crossing is somewhat dangerous and the proposed walk/bike path would be far safer and for the children who currently cross.



Crossing Mission Blvd. into Holy Sepulture Cemetery the creek is very different. Here instead of being concreted in it was preserved. It creates an oasis of green and shade. A viewing platform allows cemetery visitors to stop and appreciate the creek. With the proper daylighting and restoration work the rest of Ziele Creek, and its tributary, can be restored between Mission Blvd. and the BART tracks.



The creek is restored as part of a larger park and walkway system under the Urban concept alternative (left picture). Under the other alternatives the entire site is devoted to car dealerships with no habitat restoration or walking paths between the adjacent neighborhoods (right picture). This is not addressed at all in the text of the DEIR. None of the alternatives propose restoring the creek from the Kmart property line to Mission Blvd leaving that section between the cemetery and the Kmart site in concrete even if the rest is restored.



Finally, the tributary of Ziele Creek that runs from the back end of the McDonald's property under the Kmart parking lot to the intersection of Harder and Mission is never mentioned. Daylighting and restoring this creek section would provide an excellent greenway from the intersection through the proposed mixed-use development to the Ziele Creek greenway. It would also provide a green focal point for the creation of a new mixed-use neighborhood on the old Kmart/Payless site.

Letter 6.2: Brian Stanke

- Comment 6.2.1: The City Council has recognized the opportunity for transit-oriented development around the South Hayward BART station. Unfortunately, the DEIR is incomplete in its analysis and wrong in its conclusions. By failing to address issues raised in the Walkable Neighborhood Concept, the DEIR and staff have failed to present the City Council with the full range of policy options and an accurate accounting of possible impacts. The DEIR is upside down in calling the best alternative the worst and the worst alternative the environmentally superior alternative.

Response: The commenter's opinions are noted. The purpose of the DEIR is to examine the various land use Concept Alternatives in light of standards of significance mandated by CEQA and historically used in other EIRs in the City of Hayward. City of Hayward staff is satisfied that the DEIR has identified and analyzed all potentially significant impacts of the project as required by CEQA.

- Comment 6.2.2: The DEIR views more intense development as negative, since it will create more traffic. It confuses the number of people with the amount of traffic and claims dense TOD projects are bad for the environment because they would bring more people to South Hayward. It does this without offering the City any policy options or analysis for reducing traffic through demand management.

Response: The DEIR used standard models incorporating trip generation per dwelling unit and square feet of commercial development as the starting point of the traffic analysis. A deduction in trips was incorporated to account for proximity to BART, bus use and the possibility of future travel demand management techniques. However, even with the assumption of increased transit mode share used in the DEIR, the increased development in the project area would result in more vehicle use and would therefore result in more traffic congestion.

- Comment 6.2.3: The DEIR ignores the suggestion in the Walkable Neighborhood concept to look at the effect that traffic demand management strategies would have on reducing vehicle trips.

Response: The comment is noted.

- Comment 6.2.4: Automobile Level of Service (LOS) has been used as the only measure of traffic analysis instead of more meaningful measures.

Response: Level of Service analysis was used in the DEIR based on City of Hayward's General Plan LOS standards for major streets.

- Comment 6.2.5: The DEIR assumes that less housing in Hayward would mean people would disappear instead of living further out and driving more.

Response: The commenter's opinion is noted and no further response is required.

- Comment 6.2.6: The DEIR robs the City of making an informed decision on how to reduce congestion impacts and better meet housing needs. Instead, parking is evaluated separately from traffic and is labeled as a resource rather than a cause of traffic. Population is wrongly blamed for traffic while the number of vehicles owned and parking availability are ignored. No evaluation was undertaken as to how reduced parking would reduce traffic. The availability of safe and direct walking paths and bicycle trails was also ignored. Instead, traffic generation was assigned fixed numbers, regardless of density, parking or other transit modes.

Response: The commenter's opinion is noted, but is not entirely correct. The number of dwelling units and the amount of non-residential space was used as the starting point to analyze anticipated traffic impacts. The trip generation used is based on accepted modeling techniques and the model used has been validated with the Metropolitan Transportation Commission model. Further reductions in trips per household were manually made by the consulting traffic engineer based on the proximity of BART and bus service.

- Comment 6.2.7: Another problem with the DEIR is that it focuses solely on what it views as free-flowing autos as the most important transportation goal instead of evaluating policies for demand management. LOS is criticized as the wrong measure for traffic impacts.

Response: The commenter's opinion is noted; however, the LOS concept has been used for this DEIR since it reflects Policy 11.1 of the City of Hayward's Circulation Element of the General Plan. This policy establishes a minimum LOS D during peak commute periods except where LOS E may be acceptable due to costs of mitigation or when there would be other unacceptable impacts.

- Comment 6.2.8: Transit LOS is similarly flawed when it judges that overcrowded busses are bad while half-empty busses are good because they are not crowded.

Response: The commenter's opinion is noted, however, the DEIR does not use transit LOS in the analysis nor makes the conclusion stated by the commenter. Pages 86 and 87 of the DEIR note that the project would have a positive impact on AC Transit service since additional population would live near a transit hub. The DEIR states that busses in the area are currently operating below capacity and the project would increase ridership. Also see Comment letter 4.1 from AC Transit, which concurs with the DEIR that the proposed project would have a positive impact on AC Transit bus service.

- Comment 6.2.9: The DEIR contains no proposals on how to raise funds to improve local transit service. The Walkable Neighborhood Concept proposed a transportation impact fee to be included on all new dwellings to fund transit improvements.

Response: The commenter's opinion is noted; however, the DEIR is not required to address economic issues.

- Comment 6.2.10: The DEIR does not evaluate how the scenarios improve walkability, nor is credit given to part of the Urban Concept Plan for more walkability. The DEIR does not mention a complete bicycle/walking path from Harder Road to Tennyson Road providing a low traffic alternative from the north end of the project area to the BART station. The DEIR does not mention this fact, nor that other scenarios break this path by blocking it in two places.

Response: The proposed pedestrian/bicycle path shown in the Urban Concept alternative, as well as the paths shown in all other alternatives, are conceptual only. The City of Hayward may require continuous pathways as the project area builds out. However, the provision of such paths will be considered by decision makers in the context of other issues, such as security concerns with such a path along the rear of Bowman School. The Urban Concept contemplates new development in place of the existing school.

The Draft Concept Plan Alternative does include provisions for path connectivity in a north-south direction through the project area, as well as a proposed path adjacent to the existing railroad tracks parallel to the BART tracks.

Comment 6.2.11: The DEIR does not address the treatment of Subarea 1, which is intended to be a gateway into the project area. The area is proposed to contain either a dense new neighborhood with mixed use retail, possible commercial space and a restored Zeile Creek, or an auto dealership with concrete channel. The DEIR does not discuss the various treatments of this area. The DEIR does not address the proposed gateway location of an auto dealership and the adverse impacts on pedestrian traffic along Mission Boulevard in direct violation of the General Plan and planning process aims.

Response: The DEIR includes a range of alternatives so that the public, Planning Commission and City Council can examine various types, densities and locations of land uses. The commenter's opinion on the arrangement of land uses at the entrance of the project area is noted.

- Comment 6.2.12: The DEIR is wrong in that it identifies the No Project Alternative as the Environmentally Superior Alternative followed by the Suburban Concept Alternative. This is inconsistent with the ABAG Regional Smart Growth Study that found high density housing near transit as the environmentally superior alternative. The results of the DEIR are so far from reality that it puts the validity of much of the analysis in question.

Response: The selection of the No Project Alternative as the environmentally superior alternative is based on an evaluation of the various alternatives against standards of significance historically used in all other EIRs by the City of Hayward.

- Comment 6.2.13: The Walkable Neighborhood Concept provides a much better set for evaluating the alternatives and policies needed to create a truly livable new urban neighborhood.

Response: The commenter's opinions are noted. Note that recommendations for amendments to the Zoning Ordinance will include new parking ratios for certain areas within the Concept Design Plan area. Also refer to similar comments and responses to Comment Letter 6.3.

- Comment 6.2.14: Annotated photographs of Zeile Creek have been submitted as part of the comment letter. The comment notes that Zeile Creek passes through Subarea 1 and this creek could be restored, but this is never mentioned or discussed in the DEIR despite the fact that this creek is restored under one alternative but not others. It is also noted that the creek is currently completely inaccessible. It should be an amenity to the area as a linear park but has been transformed into an eyesore that attracts dumping rather than walkers or joggers. The commenter noted that children illegally cross the creek, which is very dangerous and would be improved with a proposed pedestrian/bicycle path. The creek crossing of Mission Boulevard into Holy Sepulcher Cemetery has preserved the creek. A viewing platform allows cemetery visitors to view the creek. With proper daylighting and restoration, the rest of Zeile Creek can be restored between Mission Boulevard and the railroad tracks.

The Creek is restored as part of a larger park and walkway system under the Urban concept alternative. Under the other alternatives, this area is devoted to car dealerships with no habitat restoration or paths. This is not addressed in the text of the DEIR. None of the alternatives propose restoration of the creek from the Kmart site line to Mission Boulevard, leaving the portion between the cemetery and the Kmart site in concrete.

Finally, the tributary of Zeile Creek that runs from the back of the McDonald's under the Kmart parking lot is never mentioned. Daylighting and restoring this creek section would provide an excellent greenway from the intersection through the proposed mixed-use development to the Zeile Creek greenway. It would also provide a green focal point for the creation of a new mixed-use neighborhood on the old Kmart/Payless site.

Response: The DEIR includes a range of alternatives, including alternative open space configurations, so that the public, Planning Commission and City Council can examine various types, densities and locations of land uses. The decision regarding the restoration and daylighting of Zeile Creek is a policy decision that must be made by the City of Hayward and is not an environmental impact of the proposed project.

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June 1, 2006

David Rizk, Planning Division
City of Hayward
777 B St.
Hayward CA 94542

Comments on South Hayward Concept Design Plan DEIR

Dear Mr. Rizk:

The Hayward Area Planning Association drafted some ideas for the South Hayward area within a quarter mile of the BART station (sub-areas 4 and 5), met with neighbors in South Hayward, and sent revised comments to you for scoping the EIR. Thank you for including them in Appendix 8.2.

6.3.1

HAPA proposed an alternative for the station area, the Walkable Neighborhood Concept. HAPA made 31 suggestions. The following analysis looks at the responsiveness of the DEIR in terms of discussion, evaluation, and recommendation. The DEIR only evaluates impacts of alternatives, and if an alternative is not being considered, its impacts also cannot be considered. An EIR can be adequate in evaluation of alternatives while being inadequate because the best alternative has been excluded from consideration. While impact evaluation is mandatory, definition of alternatives is political. A city is under no obligation to consider an excellent alternative proposed by local citizens.

Walkable Neighborhood Concept Suggestion	DEIR discussion	DEIR evaluation	DEIR recommendation
1. maximize BART ridership (1)	none	none	none
2. maximize local retail viability (2)	none	none	none
3. maximize local pedestrian access to BART (3)	some	none	none
4. minimize traffic impacts on neighborhood	none	none	none
5. walkable neighborhood concept	none	none	none
6. Dixon pedestrian promenade or mall	none	none	none
7. North placement of BART parking	none	none	none
8. limited vehicle access to Dixon	none	none	none
9. development vehicle access from 3 arterials	none	none	none
10. BART to 10 th St. pedestrian overpass	none	none	none
11. reduced parking, car sharing	none	none	none
12. relate reduced car to mode split	none	none	none

13. parking rent separate from other rent	none	none	none
14. one space and half space parking ratios	none	none	none
15. access and parking management on Dixon St.	none	none	none
16. retail to Dixon near BART	none	none	none
17. minimum density requirement	some	none	none
18. BART area from parking to housing and retail	some	none	none
19. relate unit density and area to retail area	none	none	none
20. impact of reduced car and density on retail	none	none	none
21. BART retail location and tie to Dixon	none	none	none
22. mitigation fees & rapid bus BART to F. Park	none	none	none
23. frequency and route for rapid bus	none	none	none
24. important destinations on route	none	none	none
25. frequency and equipment required	none	none	none
26. eco-pass support for bus; parking mitigation	none	none	none
27. funding for capital costs of rapid bus	none	none	none
28. BART parking charges, market concept, as funding for parking structure	none	none	none
29. assess BART ridership trade-offs from reduced, charged parking and reduced parking, dense development	none	none	none
30. neighborhood parking management on Dixon	none	none	none
31. assessment of market demand for reduced parking, lower housing costs, and walk/transit support for household trips	none	none	none

6.3.2

(1) As a result, terms like “transit village:” and “transit-oriented development” are assumed to have some meaning without knowing if they actually support transit. The DEIR assumes some density-ridership relationship, a simplistic approach. As is typical, modeling is done for vehicles at intersections, not for other modes, and streets are assumed to serve vehicles, not other modes. DEIR p. 80 uses exogenous ad hoc assumptions, and only for the work trip. It is not clear, for the taz on the north and south sides, if the original model rate was 7% or 17%, nor if this rate is estimated based on a large area or reflects measurement for each taz. Evidently, the old model rate was 17% for two BART taz and 7% elsewhere. Modeling for transit is less developed and more difficult than for vehicles, but this DEIR does not make an effort. Intersection vehicle movements are reported in mind-numbing detail, while ridership differences among the alternatives are not even reported. With no assessment of ridership for alternatives, they cannot be evaluated on one their most important aspects. Also, by ignoring HAPA suggestions, there is no alternative really oriented to supporting transit. Thus, the DEIR fails at one of its most important tasks.

6.3.3 (2) The DEIR makes unsubstantiated assumptions about the amount of retail space with no assessment as to its viability and no discussion of measures that might contribute to retail vitality. As we have seen in the Burbank area in Hayward and at Fruitvale in Oakland, cities wanting sales tax revenues are not as astute as investors who risk losing their money. EIR consultants have little quantitative economic knowledge of retail, most are planners prone to please their clients. EIR writers evaluate impacts; they don't inform clients that the preferred plan is not viable. Economic analyses are not required by law but would be prudent. A skeptical inquiring member of a City Council would have to ask, what is the basis for all this retail, and would look in the EIR for some evidence. Not there. The Draft Concept Plan has a mixed message: occupancy rates are high, but rents outside Mission Plaza are low; Mission Plaza rents are average. Property owners are not reinvesting, and this somehow supports a conclusion that "there is a very strong market potential for neighborhood-serving retail space..." [p. 5 Agenda Report, 3/15/05] The DEIR has no information; it assumes designation and indication of reasonable uses is enough to make them happen. They could happen. There is just no evidence.

6.3.4 (3) The Concept Plan has a worthy goal for pedestrians [2.1.2], and trails are conceptually workable, but building new roads using Dixon St. and using Dixon for access to development creates unnecessary conflicts with pedestrians and undermines the purpose. Putting BART parking south of residential on Tennyson creates conflict when the parking could be accessed from Tennyson and the residential placed south closer to the grocery store and in the process remove some pedestrian-car conflicts. The DEIR describes facilities but does not discuss whether they would work. There is no map of pedestrian flow, no discussion of conflicts with vehicles, no information on walking patterns and walking distances in the TOD area, or other information that would indicate if the pedestrian could actually use the sidewalks. Useful observations about how pedestrian walk through the BART parking lot, about informal paths, and other comments [pp. 68-70] are not followed up by evaluation of the trails in the Concept Plan.

Other comments:

6.3.5 The population sections claim that the plan would exceed populations in the CAP, which presumably means ABAG projections used in the CAP. The conclusion of inconsistency is a result of an unstated assumption that extreme car dependency will continue despite global warming, peak oil, and increasing prices, and land use that could sustain alternative modes. If a better approach had been considered and compared to the likely alternative growth, the reduced air pollution would be obvious. Contrary to the DEIR, regional policy is to emphasize smart growth as opposed to sprawl, for land saving and pollution reduction benefits. The DEIR, by looking only at Hayward, misses how the regional agencies frame the question. They are looking at regional totals, and trying to move predicted growth from sprawl to smart growth/network of neighborhoods. The question would be if Hayward took a little more growth in this location, how growth in the Greenbelt would be reduced, and thus impacts also reduced. Finally, the numbers seems very small, about 1,400 on a base 164,200, which is less than 1%. This amount is well within the range of error of the estimates. To talk narrowly about the CAP and ignore the real policy debate results in an inadequate evaluation of impacts. The DEIR seems out of touch.

6.3.6 The DEIR does not cover pedestrian and transit level of service. The Concept plan artificially creates pedestrian-car conflicts, then fails to evaluate or mitigate them, as if they did

not exist.

6.3.7 Concerning vehicles, to say that the ACCMA does not have a standard may be true technically but omits relevant information, i.e., that ACCMA has for over ten years collected LOS information based on travel duration during peak hour in relation to design speed of road, and has never found any congestion on Mission in this corridor. The exclusive focus on intersection turning movements ignores most of what we know about traffic and indirect pricing. The vehicle LOS mitigations emphasize capacity increases which create adverse impacts of their own, rather than demand management, which does not. Parking is called a resource when it is in fact a cause of negative impacts.

6.3.8 The demand for parking is discussed without revealing that the discussion assumes that expensive parking will be free to users, resulting in a heavily subsidized demand (See *The High Cost of Free Parking* by Don Shoup). Given the expense of parking structures and the traffic they induce, the DEIR is especially inadequate. The term "demand" is used the planners do and has nothing to do with economic demand. The DEIR calls for putting the burden for parking studies on future developers; it should list specific measures developers could propose to mitigate, e.g., parking charges, separate parking rentals, reduced amount of parking, placing parking toward streets and away from Dixon St.

6.3.9 Building height and density issues are not much discussed. Seven stories seems very high for this area, significantly higher than around Hayward BART, which is in a downtown location. Five stories would be a reasonable maximum. The Mission densities seem OK but then the densities drop by Industrial, when it has ideal walking access up Dixon to BART. However, the viability of high density, walkability, and retail depend largely on parking and travel demand management. The lack of any discussion of the elements of the Walkable Concept makes it impossible to evaluate the impacts of the Concept Plan. Given a plan that apparently requires developers to increase the amount of parking and puts unneeded traffic on Dixon, the densities should be lower, as the potential for smart growth is overbalanced by an emphasis on cars. The city should not pursue dumb smart growth.

6.3.10 The Concept Plan and DEIR seem to be written by two different people. One makes useful observations of reality; the other issues bland, vague boilerplate to meet minimal CEQA requirements, devoid of specifics, insight, or useful analysis.

You told us a better approach would not be considered, and it wasn't.

Sincerely,



Sherman Lewis
Chair, Hayward Area Planning Association
Commenter, Sierra Club

Note: With these comments, the Sierra Club goes on the record as having concerns about this project and its CEQA evaluation.

Letter 6.3: Hayward Area Planning Association (HAPA)

- Comment 6.3.1: HAPA proposed an alternative for the station area, the Walkable Neighborhood Concept. The comment letter looks at responsiveness of the DEIR in terms of addressing the issues raised by HAPA. The commenter states that the DEIR only evaluates impacts of alternatives and that if an alternative is not being considered, its impacts cannot be considered. An EIR can be adequate in evaluation of alternatives while being inadequate because the best alternative has been excluded from consideration. While impact evaluation is mandatory, definition of alternatives is political.

The comment letter then lists 31 items and notes they have not been addressed in the DEIR.

Response: The HAPA-proposed alternative is actually a number of land use, circulation, parking and related policy recommendations and not a complete alternative in the sense of proposing specific land uses on properties included in the project area. Since the DEIR is a Program EIR (see Master Response No. 1), development of the Project area would occur via site-specific, individual development projects. The City of Hayward may consider some or all of the walkable neighborhood elements proposed by the commenter. It should be noted that some of the recommendations relate to development standards, which will be considered by the City decision-makers in the context of recommended amendments to the Zoning Ordinance.

In terms of meeting CEQA requirements for analysis of alternatives, CEQA Guidelines Section 15126.6 requires lead agencies to describe a range of reasonable alternatives to the project which would feasibly attain most of the project objectives. An EIR need not consider every conceivable alternative to a project. In this instance, City of Hayward staff is satisfied that the DEIR does include a range of land uses, land use locations, and densities to allow for a full discussion of the development and redevelopment of the South Hayward project area. As indicated above, many of the items noted by the commenter are not precluded from being incorporated into the final design and development standards of the project area.

- Comment 6.3.2: The commenter notes that terms like “transit village” and “transit-oriented development” are assumed to have some meaning without knowing if they actually support transit. Modeling was done for vehicles at intersections and not for other modes, and streets are assumed to serve vehicles, not other modes. Modeling for transit is more difficult than for vehicles, but no effort is made in the DEIR to do this. Intersection analysis is made in mind-numbing detail while ridership differences are not reported. With no assessment of ridership for alternatives, they cannot be evaluated on one of their most important aspects. Thus, the DEIR fails at one of its most important tasks.

Response: The DEIR uses standard CEQA and CEQA Guideline methodologies to analyze worst-case impacts. In this instance, impacts of additional vehicle trips associated with proposed land uses in the project area were analyzed in detail. Since the proposed project does include a significant increase in the number of dwellings near the South Hayward BART station, it is assumed that ridership on both BART and AC Transit modes will increase, as is stated in the DEIR. Also, it should be noted that a more detailed analysis of ridership and mode choice associated with the South Hayward BART Station is included in BART's, "South Hayward BART Development, Design and Access Plan," dated April, 2006.

- Comment 6.3.3: The DEIR makes unsubstantiated assumptions about the amount of retail space with no assessment as to its viability and no discussion of measures that might contribute to its retail vitality. EIR consultants have little quantitative economic knowledge of retail and only evaluate impacts; they don't inform clients of the viability of the preferred plan.

Response: Pursuant to CEQA Guidelines, EIRs are not intended to evaluate economic or social impacts of a proposed project. Therefore, an economic analysis of the retail component of the proposed alternatives was not undertaken as part of the DEIR.

- Comment 6.3.4: The Concept Plan has a worthy goal for pedestrians, and trails are conceptually workable, but building new roads using Dixon Street and using Dixon Street for access to development creates unnecessary conflicts with pedestrians. The DEIR describes facilities, but does not discuss pedestrian flow or whether they would work, conflicts with vehicles, walking patterns or other information that would indicate if the pedestrians could use sidewalks.

Response: As stated early in the DEIR, the DEIR is intended as a Program EIR (see Master Response No. 1). Since specific development in the project area has not been proposed, it is not possible at the Program level to analyze detailed pedestrian flow and site-specific conflicts between vehicles and pedestrians. These issues will be carefully reviewed by the City of Hayward if the Concept Design Plan and implementing actions are approved by the City and as site-specific development proposals submitted. Also, BART's "South Hayward BART Development, Design and Access Plan" (April, 2006) addresses some of the issues raised by the commenter at a more specific level.

- Comment 6.3.5: The commenter notes that the DEIR population section claims the plan would exceed population projections in the Clean Air Plan (CAP). The conclusion of inconsistency is a result of an unstated assumption that extreme car dependency will continue despite global warming, peak oil and other factors, if a better approach had been considered and compared to likely alternative growth, the reduced air pollution would be obvious. Contrary to the DEIR, regional policy is to emphasize smart growth as opposed to sprawl. The DEIR misses how the regional agencies frame the question. To talk narrowly about the CAP and ignore the real policy debate results in an inadequate evaluation of impacts.

Response: The finding of inconsistency identified as Impact 4.2-1 is based on a CEQA criterion included in the Initial Study, which is if a proposed project would conflict with a regional air quality plan. Since the population projections used to prepare the current Clean Air Plan does not include the amount of population included in the proposed project, an inconsistency would be created if the Concept Design Plan and other implementing actions were to be approved by the City. Therefore, the commenter is incorrect. Further, the text of the DEIR, page 43, does recognize the intent of the City to promote smart growth strategies.

- Comment 6.3.6: The DEIR does not cover pedestrian and transit level of service. The Concept Plan artificially creates pedestrian-car conflicts then fails to mitigate them.

Response: See the response to Comment 6.3.4.

- Comment 6.3.7: The commenter notes that for the DEIR to say that the Alameda County Congestion Management Agency (ACCMA) does not have a standard may be true technically, but omits relevant information. The ACCMA has never found any congestion on Mission Boulevard. The exclusive focus of intersection turning movements ignores most of what we know about traffic and indirect pricing. The vehicle LOS mitigations emphasize capacity increases which create adverse impacts of their own, rather than demand management. Parking is called a resource when it is a cause of negative impacts.

Response: The Traffic and Circulation section of the DEIR employs standard CEQA methodologies to analyze the worst-case impacts of the proposed project. In this instance, these include the effects of additional vehicle trips on roads in this portion of Hayward. The comments on indirect traffic pricing and parking impacts are noted, but are not comments on specific impacts of the proposed project. See also response to Comment 6.2.7. In addition, the ACCMA uses a completely separate methodology to measure congestion, which is not comparable to the method used in the DEIR.

Comment 6.3.8: The DEIR includes a discussion of parking without revealing that the discussion assumes that expensive parking will be free to users, resulting in heavily subsidized demand. This is an inadequacy of the DEIR. The term “demand” is used by planners and has nothing to do with economic demand. The DEIR calls for putting the burden for parking studies on future developers and should list specific measures that developers could propose to mitigate parking, such as parking charges, separate parking rentals, reduced amount of parking, placing parking toward streets and away from Dixon Street.

Response: The economic impacts of parking are beyond the scope of this DEIR, since economic and social impacts are not analyzed in CEQA documents. The commenter’s opinion regarding items to minimize parking demand are noted and some measures listed to mitigate parking impacts are added as possible solutions under Mitigation Measure 4.7-3 as reflected in the “Clarifications and Modifications to the DEIR” section of this FEIR, which starts on page 85.

- Comment 6.3.9: The DEIR does not include much discussion of building height and density. Seven stories seems very high for this area. Five stories seems a reasonable maximum. The variability of high density, walkability and retail depend largely on parking and travel demand management. The lack of any discussion of the elements of the Walkable Concept makes it impossible to evaluate the impacts of the Concept Design Plan. The plan apparently requires developers to increase the amount of parking and puts unneeded traffic on Dixon Street, the densities are lower and the potential for smart growth is overbalanced by an emphasis on cars. The City should not pursue dumb smart growth.

Response: The commenter's opinions on building height, density and parking are noted. The elements of the Walkable Concept are not included in the CEQA Guidelines as EIR standards of significance, so all of these items may not have been addressed in the DEIR as requested by the commenter

- Comment 6.3.10: The Concept Plan and the DEIR seem to be written by two different people. One makes useful observations in reality, the other issues bland vague boiler plate to meet minimum CEQA requirements and is devoid of specifics and useful analysis. You told us a better approach would not be considered and it wasn't.

Response: The commenter is correct that the DEIR and Concept Plan were prepared by two different groups. The intent of the DEIR is to offer an independent analysis of the potential impacts of the Concept Plan on the physical environment, as required by CEQA, and not to provide additional insight into the elements of a walkable community.

The comment on offering a better approach is noted and no further response is required.

RECEIVED

Comment Letter 6.4

JUN 05 2006

June 1, 2006

To: David Rizk
RE (DEIR) South Hayward Bart

PLANNING DIVISION

- I am a Hayward resident and the owner of Grandview Realty on Hayward Blvd.
- 6.4.1 I am concerned about the void of mitigation for pollution, traffic, adverse aesthetics, and the loss of local jobs.
- 6.4.2 Much of the pollution and adverse aesthetics can be mitigated by growing a significant number of trees. The City can enhance its street tree program through outreach in the affected neighborhoods.
- I have personally given away over 25,000 trees to individuals, schools and parks. I will personally donate 10 trees per new resident.
- 6.4.3 There are large Hillside areas that due to the topography and government ownership will not likely be developed in the foreseeable future. Reforestation of these areas will mitigate many of the negative affects of development.
- 6.4.4 While thought has been given to increasing densities near transportation for commuting to work, another option is to increase local work opportunities to reduce commuting and enhance quality of life.
- 6.4.5 Mission Blvd should be primarily ground floor commercial. Contiguous ground floor commercial from the Bart station to mission Blvd, with a grade separation for Dixon Street, to allow better pedestrian and vehicle flow, would enhance the area.
- 6.4.6 Mission Blvd traffic is already excessive. Methods of alleviating traffic should be developed.
- 6.4.7 While I agree that Hayward needs a Hotel and conference facility I believe that there are more advisable locations and that the proposed site would be better used with commercial frontage and medium density housing above and behind.
- 6.4.8 Prior efforts at redevelopment have led to economic loss and extended periods of blighted property in the city of Hayward the old City Center building is an example. Care should be given to insure that the city is justly compensated in the sale of assets and that the buyers have a viable plan and are kept on a reasonable schedule for redevelopment
- 6.4.9 I applaud the efforts to enhance our community and hope that working together we can improve our community and the environment.


Rob Simpson
27126 Grandview Ave
Hayward, Ca 94542-2324
(510) 583-3200

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Letter 6.4: Rob Simpson

- Comment 6.4.1: The commenter is concerned about the void of information for pollution, traffic, adverse aesthetics and the loss of local jobs.

Response: The commenter's opinions regarding lack of mitigation are noted; however, the DEIR does contain mitigation measures for aesthetics and impacts to views and vistas (Mitigation Measures 4.1-1 and 4.1-2) and for pollution (Mitigation Measure 4.3-1 for hazardous air emissions and Mitigation Measure 4.3-2 for soil and water pollution). The Transportation and Circulation section notes that mitigation measures to accommodate increased traffic related to the proposed project are not feasible. Finally, loss of local jobs was not addressed in the DEIR since this would be an economic impact and CEQA does not require economic issues to be addressed in EIRs.

- Comment 6.4.2: The commenter notes that much of the pollution can be mitigated by growing a significant number of trees. The City can enhance its street tree program through outreach to affected neighborhoods. The commenter has personally given away more than 25,000 trees to individuals, schools and parks and will personally donate 10 trees per new resident.

Response: The commenter's opinions regarding a street tree program are noted. As required by the City's standards and regulations, Hayward typically requires individual projects to include planting of street trees as a condition of approval.

- Comment 6.4.3: There are large hillside areas that due to topography and government ownership, will not likely be developed in the near future. Reforestation of these areas will mitigate many effects of development.

Response: The commenter's opinion regarding reforestation of adjacent hillsides is noted; however, these area are outside of the project area and are not addressed in this DEIR.

- Comment 6.4.4: While thought has been given to increasing densities near transportation for commuting to work, another option is to increase local work opportunities to reduce commuting and to enhancing the quality of life.

Response: This comment is noted but is not an environmental topic, since it relates to the Concept Design Plan alternatives (see Master Response No. 1). No further response is required.

- Comment 6.4.6: Mission Boulevard traffic is already excessive and methods of alleviating traffic should be developed.

Response: The DEIR notes that traffic congestion along Mission Boulevard will increase in the future, caused by both project traffic (should the Concept Design Plan be approved by the City) and by Citywide and regional pass-through traffic. The DEIR also notes that analyses in the DEIR assumed implementation of the Route 238 Corridor Improvement Project, which would provide for an additional commute lane in each direction along Mission Boulevard during peak commute hours, resulting in three travel lanes in each direction during those times. Such project would provide for additional travel lanes during peak commute hours without acquisition of additional right-of-way.

- Comment 6.4.7: The commenter agrees that Hayward needs a hotel and conference facility, but there may be more advisable locations and the site proposed for the hotel would be better suited for commercial frontage with medium density housing above and behind.

Response: This comment is noted, but is not an environmental topic, since it relates to the Concept Design Plan alternatives (see Master Response No. 1). No further response is required.

- Comment 6.4.8: The commenter notes that previous efforts at redevelopment have led to economic loss and extended periods of blighted property in Hayward. Care should be given to ensure that the City is justly compensated in the sale of assets and that buyers have a viable plan and are kept to a reasonable schedule for redevelopment.

Response: This comment is noted, but is not an environmental topic, since it relates to City redevelopment efforts. No further response is required.

- Comment 6.4.9: The commenter applauds the effort to enhance the City.

Response: This comment is noted and no further response is required.

Clarifications and Modifications to the DEIR

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The following minor corrections are made below and included by reference into the DEIR. The changes are minor in nature and do not result in new or more significant impacts than identified in the DEIR, so no recirculation is required.

Air Quality

- 1) Under Bay Area Air Quality CEQA Guidelines, if a project is deemed to result in a cumulatively significant air quality impact, it is also considered a project impact. The wording of Impact 4.2-2 is hereby changed as follows. Changed wording is shown as underlined, bolded and italicized text.

Impact 4.2-2 (project and cumulative air quality impacts). Each of the three proposed Concept Plans would result in the generation of significant quantities of ozone precursors which are a constituent of regional air pollution. *This would be a significant project and cumulative impact (significant impact and mitigation required).*

- 2) Changes to the above impact are also made by reference to Table 1.1, Summary of Environmental Impacts and Mitigation Measures.

Hydrology, Drainage and Water Quality

- 3) In response to comment 2 from the Regional Water Quality Control Board (FEIR Comment 2.1.2), the text of the DEIR at the end of page 50 in the Hydrology, Drainage and Water Quality Section (Section 4.4) is hereby amended to include the following underlined text:

The Regional Water Quality Control Board has the authority to regulate activities impacting waters of the State under the State of California Porter-Cologne Water Quality Control Act and has jurisdiction over activities in the waters of the United States pursuant to the Federal Clean Water Act. The Water Board issues water quality certifications under the Clean Water Quality Section 401 in conjunction with the issuance of CWA Section 404 permits by the U.S. Army Corps of Engineers. When the Water Board issues Section 401 certifications, it simultaneously issues general Waste Discharge Requirements for the project under the Porter-Cologne Water Quality Control Act. Activities in areas that are outside of the Corps are regulated by the Water Board under the authority of the Porter-Cologne Water Quality Control Act. Activities that lie outside of Corps jurisdiction may require the issuance of either individual or general waste discharge permits from the Water Board.

- 4) In response to comment 3 from the Regional Water Quality Control Board (FEIR Comment 2.1.3), the following underlined wording is added to page 51 of the Hydrology, Drainage and Water Quality Section (Section 4.4) of the DEIR under the heading of *Local and regional drainage*:

The City of Hayward is a participant in the Alameda County Clean Water Program and all development proposals are required to adhere to City of Hayward and Regional Water Quality Control Board's construction and post-construction stormwater quality standards. Since this is an existing City development requirement, there will be less-than-significant impacts regarding receiving stormwater quality.

Transportation and Circulation

- 5) In response to comment 5 from AC Transit (FEIR Comment 3.1.5), Table 4.7.1 on page 67 in the Transportation and Circulation Section (Section 4.7) of the DEIR is amended to reflect that AC Transit Line 92 shown as providing both weekday and weekend service to South Hayward BART provides such service on weekends only. The table is also amended to show that Line 99 operates to Fremont BART in the late night "owl" period only; however, this will change in August 2006. Such revisions to Table 4.7.1 are incorporated herein by reference.
- 6) In response to comment 5 from the Alameda County Congestion Management Agency (ACCMA) (FEIR Comment 4.1.5), the following sentence is hereby deleted from page 79, 3rd paragraph of the DEIR, "The CMA's arterial level of service standard is LOS F." The resulting paragraph reads as follows:

In addition, the Alameda County Congestion Management Agency (CMA) requires a separate analysis of the potential impacts of the project on the metropolitan transportation system. The routes to be studied include, but may not be limited to, I-880, Foothill Boulevard, Mission Boulevard, Harder Road, Tennyson Road, Industrial Parkway and Whipple Road, as well as BART and AC Transit. ~~The CMA's arterial level of service standard is LOS F.~~ The CMA does not have a separate standard to determine a threshold of significance for the level of service, and such threshold is left to local jurisdictions' judgment.

- 7) Also, in response to comment 6 from the Alameda County Congestion Management Agency (ACCMA) (FEIR Comment 4.1.6), the following statement is deleted from page 80, 1st paragraph in the DEIR, "This model is consistent with the Alameda County Congestion Management Agency (ACCMA) model..." The revised paragraph reads as follows, with new text underlined and deleted text stricken:

The City of Hayward traffic model was used to perform the traffic forecasts needed to determine the AM and PM intersection levels of service under each of the land use scenarios. The resulting AM and PM peak hour turning volumes for each of the 10 study intersection for the Suburban, Blended and Urban Alternatives are shown in Figures 4.7.7, 4.7.8 and 4.7.9. ~~This model is consistent with the Alameda County Congestion Management Agency (ACCMA) model, with the exception that t~~ The Route 238 (Hayward) Bypass was removed from the network in the model run and was replaced with the Route 238 Corridor Improvement Project, which is currently undergoing environmental analysis and which has been amended into the 1986 Alameda County Transportation Authority Expenditure Plan. This substitution was made with the concurrence of ACCMA staff. The Route 238 Corridor Improvement Project is included

as a baseline assumption in each of the land use scenarios studied in this EIR, and is, in fact, integral to the implementation of the South Hayward BART project. In the project area, this means that Mission Boulevard was analyzed with three travel lanes in each direction during the AM and PM peak commute hours.

- 8) In response to comment 8 from the Hayward Area Planning Association (FEIR Comment 6.3.8), Mitigation Measure 4.7-3 is hereby amended to read as follows and is hereby incorporated by reference into the EIR. Changed wording is shown as underlined, bolded text.

“Mitigation Measure 4.7-3: Detailed parking studies will be required of future developments in the project area to ensure impacts of development on parking resources will be less-than-significant. If determined to be necessary as a result if such studies, mitigation measures will be required to be implemented. Examples of such measures could include parking charges and separate parking space rentals.”

- 9) Changes to the above impact are also made by reference to Table 1.1, Summary of Environmental Impacts and Mitigation Measures.

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Appendix

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CMP Analysis for South Hayward BART EIR

Alameda County Congestion Management Agency Analysis Significance Criteria

The proposed project consists of four alternatives, with the Draft Concept Plan Alternative, hereafter referred to as the Project, analyzed for the CMP.

For the purposes of CMP analysis for this project, changes to the baseline model included the replacement of the Hayward Bypass project in the Countywide Model with the 238 Corridor Improvement Project, consistent with the 2004 Countywide Transportation Plan and Regional Transportation Plan. These changes were made in collaboration with the Alameda County Congestion Management Agency.

The roadway impacts of the project were considered significant if the addition of project-related traffic would result in a level of service (LOS) value worse than LOS E, except where the roadway link was already at LOS F under no project conditions. For those locations where this Baseline condition is LOS F, the impacts of the project were considered significant if the contribution of project-related traffic is at least three percent (3%) of the total traffic. This criterion has been included to address impacts along roadway segments currently operating under unacceptable levels and was developed based on professional judgment using a “reasonableness test” of daily fluctuations of traffic. Also a change of “volume to capacity” (V/C) ratio of 3% has been found to be the threshold for which a perceived change in congestion is observed (the V/C ratio is calculated by comparing the peak hour link volume to the peak hour capacity of the road link). This change is equivalent to about one-half of the change from one level of service to the next.

Level of service (LOS) is a measure of the traffic characteristics of a road segment under different traffic conditions, and is assigned a letter from “A” to “F”, with LOS A representing uncongested, high speed and minimum delay, conditions, while LOS F represents highly unstable congested conditions with low speeds and high delay.

This CMP analysis focuses on roadway links on MTS and CMP highway segments and transit corridors, and does not extend to intersections. This is consistent with the guidelines of the 2003 Congestion Management Program.

Congestion Management Program Land Use Analysis

Since the proposed project, as defined above, would generate more than 100 peak hour trips, the impacts of the project on the regional transportation system were assessed using the Alameda County Congestion Management Agency (ACCMA) Countywide Travel Demand Model. The impact analysis for roadways includes all MTS roadways and CMP-designated roadways, plus several local MTS roadways in the vicinity of the project area.

The traffic forecasts were based on the most recent version (during the period when the comments on the NOP were issued) of the Countywide Model, which uses Association of Bay Area Government’s (ABAG) *Projections 2002* (P’02) socio-economic forecasts. The full impact of the proposed land use changes were conservatively assumed to have occurred in 2010 and the

network included the Rt 238 Corridor Improvement Project for consistency. The resulting socio-economic data for the project area was added into the model for the 2010 and 2025 forecasts for all traffic analysis zones within the project area. The tables below summarize the changes in land use for the project, and because of the assumption above, the amount of change compared to the no-project condition is greater in 2010.

Year 2010	No Project		Project Alternative		Change	
	Household	Jobs	Household	Jobs	Household	Jobs
194	744	833	1930	1103	1186	270
205	2912	383	4605	680	1693	92
208	2092	869	2092	869	0	0

Year 2025	No Project		Project Alternative		Change	
	Household	Jobs	Household	Jobs	Household	Jobs
194	826	950	1930	1103	1104	153
205	3446	426	4605	719	1159	49
208	2097	957	2097	957	0	0

For the CMP analysis, traffic estimates were calculated for the proposed project using the model and then compared against 2010 and 2025 baseline volumes. The model was used to calculate trip generation, trip distribution, mode choice, and trip assignment of project trips from/to the South Hayward BART study area. The results were summarized for both highway and transit impacts. Highway impacts were summarized at the designated link locations identified based on discussions with ACCMA staff (these link locations are generally similar to those identified in the Notice of Preparation letter). Transit impacts were addressed for AC Transit and BART.

CMP and MTS Highway Segments

The levels of service (LOS) for the designated links were analyzed in a spreadsheet using the Florida Department of Transportation LOS methodology,¹ which provides a planning level analysis based on *Highway Capacity Manual 1985* methods. As a planning level analysis, the level of service is based on forecasts of traffic and assumptions for roadway and signalization control conditions, such as facility type (freeway, expressway, and arterial classification), speeds, capacity and number of lanes. The assumption for the number of lanes at each link location was extracted from the model and confirmed through field observations.

¹ Florida Department of Transportation. Level of Service Standards and Guidelines Manual for Planning, 1995.

The traffic baseline forecasts for 2010 & 2025 were extracted at the required CMP and MTS highway segments from the ACCMA Countywide Travel Model, for the PM peak hour. The PM peak hour was evaluated in compliance with ACCMA requirements. The tables compare the Baseline results to the With-Project results for each model horizon year. The PM peak hour volumes, V/C ratios and the LOS for Baseline and With-Project conditions represent both directions of flow. Detailed tables are provided at the end of the analysis and include all data for 2010 and 2025 forecast years.

2010 Cumulative Impacts on the Regional and Local Roadways

The project would contribute to the 2010 cumulative impacts on the regional and local roadways. Under the Project alternative, no MTS roadway segments are expected to result in significant impact: i.e., cause any link to become LOS F and or if already LOS F project trips do not result in more than 3% in V/C increase.

The addition of project-generated traffic to the regional and local roadways would also result in a change in LOS for some other roadway segments which do not result in significant impacts because they would operate within acceptable LOS E or better. Summary of the LOS analysis is shown in Table 1 for 2010.

2025 Cumulative Impacts on the Regional and Local Roadways

The project would contribute to the 2025 cumulative impacts on the regional and local roadways; however, this results in a less than significant impact.

Under the Project alternative, no MTS roadway segments are expected to result in significant impact: i.e., cause any link to become LOS F and or if already LOS F project trips do not result in more than 3% in V/C increase.

The addition of project-generated traffic to the regional and local roadways would also result in a change in LOS for some other roadway segments which do not result in significant impacts because they would operate within acceptable LOS E or better. Summary of the LOS analysis is shown in Table 2 for 2025.

MTS Transit Corridors

The impact of the proposed project on the transit system was assessed using the latest version of the ACCMA Countywide Model. The transit trips generated by baseline and the project condition have been forecast using the ACCMA Countywide Model and are compared in **Table 3**. The model generates daily home-based work and non-work trips, but does not generate peak hour transit trips. Therefore to estimate the number of transit trips occurring during the peak period, it is conservatively assumed that half of the daily home based work trips occur during the PM peak hour. So Table 3 summarizes all home-based work auto and transit trips from/to project TAZs 194, 205 & 208. The ACCMA Countywide model predicts transit ridership for all operators, including AC Transit and BART. It should be noted that the total transit trips from Table 3 may not sum up to the total transit trips summarized below in Table 4 (AC Transit) and Table 5 (BART). This is primarily due to linked trips among transit operators. For the purposes

of the CMP analysis, the proposed South Hayward BART project area is located within the service area of AC Transit and BART. The frequency of transit service in the project area vicinity meets or exceeds the performance measures proposed in Table 8 of the 2001 *Congestion Management Program*. The project area is located within an area well served by BART trains and reasonably well served by AC Transit. The site is located very close to BART, generally within a quarter mile to a mile of the South Hayward BART station.

Ridership on AC Transit Buses

Future growth and development within the project area would provide a nominal increase in ridership on AC Transit buses; however, this would be a less than significant impact. The AC Transit ridership is compared in **Table 4**. Due to the difficulty of splitting out individual project specific AC Transit trips by route, for the purpose of this analysis, project attributed trips are estimated as the difference in overall total AC Transit ridership in Alameda County. The impacts of the Project on the baseline AC Transit bus system were assessed based on the ridership derived from the Countywide Model. For analysis purposes, a conservative assumption has been made that half of all daily Home-based work project-related trips would occur during the peak hour. Based on this conservative assumption, the Project alternative has the potential to generate 65 new AC Transit peak hour bus trips by Year 2010, and 56 new AC Transit peak hour bus trips by Year 2025, and it is not expected to require the need for any additional AC Transit service.

Today there is a limited utilization of service provided by AC Transit in the project area, and buses during the peak hour have sufficient capacity to accommodate this nominal increase in bus trips. Therefore, the project is not expected to require a change of the transit service standard of 15-30 minute bus frequencies.

Ridership on BART

The project would significantly increase ridership on BART; however, this would be a less than significant impact. The BART ridership is compared in **Table 5**. For the purpose of this analysis, all BART project trips are assumed to access the South Hayward BART station. In fact, there may be some project trips that access the Hayward BART station, but the assumption is this is minimal.

The impacts of the project on the baseline BART system were assessed based on the ridership derived from the Countywide Model at the South Hayward BART station. For analysis purposes, a conservative assumption was made that half of all daily home-based work project-related trips would occur during the peak hour.

The original TAZs for the no project conditions contains a lower density levels of housing so as a result, the Project alternative with its more concentrated housing levels is expected to generate a larger amount of new BART trips using the South Hayward BART station to and from the project site. According to the forecast model, the Project alternative is expected to increase peak hour BART trips by 344 trips in Year 2010, and by 342 trips by Year 2025.

BART operates two major rail lines that access the South Hayward BART station, from Fremont to San Francisco and from Fremont to Richmond. Passengers can then also transfer at BayFair station to travel to San Francisco Airport or Pleasanton destinations. Furthermore, the Countywide Model includes future BART service to San Jose that further increases service and will result in more trains operating through the South Hayward BART station.

According to the Countywide Model, the BART trains operate every 4.5 minutes during the peak hours and 7.5 minutes during off-peak times. This represents a total of 13 trains per hour in the peak and 8 trains per hour during the off-peak. With an approximate capacity of 1,000 seated and standing passengers per 10-car train, this amounts to a maximum of 13,000 passengers per hour during the peak and 8,000 passengers during the off-peak. Since the project alternative results in a 4.3% increase in ridership during the PM Peak period for both 2010 and 2025, there would be no impact to the BART operations at the South Hayward BART station. Therefore, the project is not expected to require a change of the BART transit service standard of 3.75-15-minute headways for BART during peak hours.

Table 1: CMP Year 2010 LOS Analysis Summary – Comparison of No-Project and Project

Link Location	Northbound/ Eastbound								Southbound/ Westbound					
	No-Project	Project			No-Project	Project			No-Project	Project			No-Project	Project
	2010 PM Vol	2010 PM Vol	% Vol Diff	Vol Diff	2010 PM LOS	2010 PM LOS	Change in V/C > 3%	Change in LOS	2010 PM Vol	2010 PM Vol	% Vol Diff	Vol Diff	2010 PM LOS	2010 PM LOS
<i>Interstate/State Highways</i>														
I-880 - north of A St	8,200	8,170	-0.4%	-30	E	E	no	no change	8,542	8,731	2.2%	189	F	F
I-880 - north of Tennyson	6,826	6,968	2.0%	142	F	F	no	no change	6,374	6,498	1.9%	124	F	F
I-880 - north of Whipple	6,812	7,004	2.7%	192	F	F	yes	no change	7,372	7,565	2.6%	193	F	F
I-238 - east of I-880	3,580	3,450	-3.8%	-130	C	B	no	change	5,483	5,543	1.1%	60	D	D
I-580 - east of I-238	5,979	6,034	0.9%	55	C	C	no	no change	9,934	9,962	0.3%	28	E	E
I-580 - East of Grove Way	5,771	5,825	0.9%	54	C	C	no	no change	9,817	9,848	0.3%	31	F	F
Foothill Blvd (238) - north of A St	3,921	3,948	0.7%	27	F	F	no	no change	2,566	2,633	2.5%	67	B	B
Foothill Blvd (238) - south of A St	4,207	4,231	0.6%	24	F	F	no	no change	3,284	3,335	1.5%	51	B	B
Mission Blvd (238) - north of Harder Rd	2,581	2,540	-1.6%	-41	C	C	no	no change	2,284	2,333	2.1%	49	C	C
Mission Blvd (238) - north of Tennyson Rd	2,658	2,663	0.2%	5	C	D	no	change	2,298	2,345	2.0%	47	C	C
Mission Blvd (238) - north of Industrial	2,618	2,541	-3.0%	-77	C	C	no	no change	2,273	2,220	-2.4%	-53	B	B
<i>Arterials</i>														
Harder Rd - west of Mission Bl	1,090	1,137	4.1%	47	D	D	no	no change	605	719	15.9%	114	C	C
Tennyson Rd- west of Mission Bl	1,316	1,580	16.7%	264	D	D	yes	no change	908	997	8.9%	89	C	C
Industrial Pkway - west of Dixon Rd	993	1,182	16.0%	189	C	D	yes	change	532	658	19.1%	126	C	C
Whipple Rd- west of Mission Bl	661	682	3.1%	21	E	E	no	no change	616	620	0.6%	4	D	E
	57,213	57,955	1.3%	742					62,888	64,007	1.7%	1,119		
Note: Impacted locations are shown in bold														
Number of Impacted Locations: None														

Table 2: CMP Year 2025 LOS Analysis Summary – Comparison of No-Project and Project

Link Location	Northbound/ Eastbound								Southbound/ Westbound					
	No-Project	Project			No-Project	Project			No-Project	Project			No-Project	Project
	2025 PM Vol	2025 PM Vol	% Vol Diff	Vol Diff	2025 PM LOS	2025 PM LOS	Change in V/C > 3%	Change in LOS	2025 PM Vol	2025 PM Vol	% Vol Diff	Vol Diff	2025 PM LOS	2025 PM LOS
<i>Interstate/State Highways</i>														
I-880 - north of A St	9,017	9,007	-0.1%	-10	F	F	no	no change	8,939	8,859	-0.9%	-80	F	F
I-880 - north of Tennyson	7,142	7,187	0.6%	45	F	F	no	no change	6,676	6,671	-0.1%	-5	F	F
I-880 - north of Whipple	7,016	7,046	0.4%	30	F	F	no	no change	7,556	7,644	1.2%	88	F	F
I-238 - east of I-880	3,609	3,521	-2.5%	-88	C	C	no	no change	5,805	5,772	-0.6%	-33	E	E
I-580 - east of I-238	5,457	5,451	-0.1%	-6	B	B	no	no change	9,804	9,805	0.0%	1	E	E
I-580 - East of Grove Way	5,913	5,967	0.9%	54	C	C	no	no change	10,308	10,277	-0.3%	-31	F	F
Foothill Blvd (238) - north of A St	4,236	4,239	0.1%	3	F	F	no	no change	2,719	2,780	2.2%	61	B	B
Foothill Blvd (238) - south of A St	4,563	4,565	0.0%	2	F	F	no	no change	3,673	3,568	-2.9%	-105	C	C
Mission Blvd (238) - north of Harder Rd	2,870	2,810	-2.1%	-60	F	D	no	change	2,253	2,369	4.9%	116	B	C
Mission Blvd (238) - north of Tennyson Rd	3,042	3,079	1.2%	37	F	F	no	no change	2,398	2,474	3.1%	76	C	C
Mission Blvd (238) - north of Industrial	2,974	2,934	-1.4%	-40	F	F	no	no change	2,304	2,301	-0.1%	-3	C	C
<i>Arterials</i>														
Harder Rd - west of Mission Bl	1,274	1,372	7.1%	98	D	D	yes	no change	729	749	2.7%	20	C	C
Tennyson Rd- west of Mission Bl	1,515	1,643	7.8%	128	D	E	yes	change	973	1,017	4.3%	44	C	C
Industrial Pkwy - west of Dixon Rd	1,343	1,397	3.9%	54	D	D	no	no change	650	713	8.8%	63	C	C
Whipple Rd- west of Mission Bl	737	741	0.5%	4	E	E	no	no change	665	674	1.3%	9	E	E
	60,708	60,959	0.4%	251					65,452	65,673	0.3%	221		
Note: Impacted locations are shown in bold														
Number of Impacted Locations: None														

Table 3: Comparison of Mode Choice Trips for South Hayward BART Project

Daily Home-Based Work Trips

Mode	NO-PROJECT		PROJECT		Increase between No-project and Project		Percent Growth between No-project and Project	
	2010	2025	2010	2025	2010	2025	2010	2025
Transit	713	1,023	1,067	1,258	354	235	49.6%	23.0%
Auto	13,786	16,385	19,470	20,269	5,684	3,884	41.2%	23.7%
Total	14,499	17,408	20,537	21,527	6,038	4,119	41.6%	23.7%

Note: Differences between No-Project and Project are attributed to increased travel due to Project

Table 4: Comparison of AC Transit Ridership for South Hayward BART Project

Daily Home-Based Work Trips

Operator	NO-PROJECT		PROJECT		Increase between No-project and Project		Percent Growth between No-project and Project	
	2010	2025	2010	2025	2010	2025	2010	2025
AC Transit	56,514	76,193	56,579	76,249	65	56	0.1%	0.1%

Note: Differences between No-Project and Project are attributed to increased travel due to Project

Table 5: Comparison of BART Boardings and Alightings for South Hayward BART Project

Daily Home-Based Work Trips

BART Station	NO-PROJECT		PROJECT		Increase between No-project and Project		Percent Growth between No-project and Project	
	2010	2025	2010	2025	2010	2025	2010	2025
South Hayward	3,146	4,541	3,490	4,883	344	342	10.9%	7.5%

Note: Differences between No-Project and Project are attributed to increased travel due to Project

Table A1:
Project: South Hayward BART EIR - MTS Segment Evaluation for CMP Analysis
2010 PM Peak Hour
No-Project

Link Location	NB/EB Volume	Capacity	V/C	Lanes	LOS	SB/WB Volume	Capacity	V/C	Lanes	LOS	Facility Type
Interstate/State Highways											
I-880 - north of A St	8,200	8400	0.98	4	E	8,542	8400	1.02	4	F	FWY
I-880 - north of Tennyson	6,826	6300	1.08	3	F	6,374	6300	1.01	3	F	FWY
I-880 - north of Whipple	6,812	6300	1.08	3	F	7,372	6300	1.17	3	F	FWY
I-238 - east of I-880	3,580	6300	0.57	3	C	5,483	6300	0.87	3	D	FWY
I-580 - east of I-238	5,979	10500	0.57	5	C	9,934	10500	0.95	5	E	FWY
I-580 - East of Grove Way	5,771	8400	0.69	4	C	9,817	8400	1.17	4	F	FWY
Foothill Blvd (238) - north of A St	3,921	3481	1.13	4	F	2,566	3481	0.74	4	B	Class 1A
Foothill Blvd (238) - south of A St	4,207	4121	1.02	5	F	3,284	4121	0.80	5	B	Class 1A
Mission Blvd (238) - north of Harder Rd	2,581	2841	0.91	3	C	2,284	2841	0.80	3	C	Class 1A
Mission Blvd (238) - north of Tennyson Rd	2,658	2841	0.94	3	C	2,298	2841	0.81	3	C	Class 1A
Mission Blvd (238) - north of Industrial	2,618	2841	0.92	3	C	2,273	2841	0.80	3	B	Class 1A
Arterials											
Harder Rd - west of Mission Bl	1,090	1800	0.61	2	D	605	1800	0.34	2	C	Class 1B
Tennyson Rd- west of Mission Bl	1,316	1800	0.73	2	D	908	1800	0.50	2	C	Class 1B
Industrial Pkway - west of Dixon Rd	993	1800	0.55	2	C	532	1800	0.30	2	C	Class 1B
Whipple Rd- west of Mission Bl	661	840	0.79	1	E	616	840	0.73	1	D	Class 2
Sum	57,213					62,888					

* Freeway segment includes only mixed-flow lane travel

Table A2:
Project: South Hayward BART EIR - MTS Segment Evaluation for CMP Analysis
2010 PM Peak Hour
Project

Link Location	NB/EB Volume	Capacity	V/C	Lanes	LOS	SB/WB Volume	Capacity	V/C	Lanes	LOS	Facility Type
Interstate/State Highways											
I-880 - north of A St	8,170	8400	0.97	4	E	8,731	8400	1.04	4	F	FWY
I-880 - north of Tennyson	6,968	6300	1.11	3	F	6,498	6300	1.03	3	F	FWY
I-880 - north of Whipple	7,004	6300	1.11	3	F	7,565	6300	1.20	3	F	FWY
I-238 - east of I-880	3,450	6300	0.55	3	B	5,543	6300	0.88	3	D	FWY
I-580 - east of I-238	6,034	10500	0.57	5	C	9,962	10500	0.95	5	E	FWY
I-580 - East of Grove Way	5,825	8400	0.69	4	C	9,848	8400	1.17	4	F	FWY
Foothill Blvd (238) - north of A St	3,948	3481	1.13	4	F	2,633	3481	0.76	4	B	Class 1A
Foothill Blvd (238) - south of A St	4,231	4121	1.03	5	F	3,335	4121	0.81	5	B	Class 1A
Mission Blvd (238) - north of Harder Rd	2,540	2841	0.89	3	C	2,333	2841	0.82	3	C	Class 1A
Mission Blvd (238) - north of Tennyson Rd	2,663	2841	0.94	3	D	2,345	2841	0.83	3	C	Class 1A
Mission Blvd (238) - north of Industrial	2,541	2841	0.89	3	C	2,220	2841	0.78	3	B	Class 1A
Arterials											
Harder Rd - west of Mission Bl	1,137	1800	0.63	2	D	719	1800	0.40	2	C	Class 1B
Tennyson Rd- west of Mission Bl	1,580	1800	0.88	2	D	997	1800	0.55	2	C	Class 1B
Industrial Pkway - west of Dixon Rd	1,182	1800	0.66	2	D	658	1800	0.37	2	C	Class 1B
Whipple Rd- west of Mission Bl	682	840	0.81	1	E	620	840	0.74	1	E	Class 2
Sum	57,955					64,007					

* Freeway segment includes only mixed-flow lane travel

Table A3:
Project: South Hayward BART EIR - MTS Segment Evaluation for CMP Analysis
2025 PM Peak Hour
No-Project

Link Location	NB/EB Volume	Capacity	V/C	Lanes	LOS	SB/WB Volume	Capacity	V/C	Lanes	LOS	Facility Type
<i>Interstate/State Highways</i>											
I-880 - north of A St	9,017	8400	1.07	4	F	8,939	8400	1.06	4	F	FWY
I-880 - north of Tennyson	7,142	6300	1.13	3	F	6,676	6300	1.06	3	F	FWY
I-880 - north of Whipple	7,016	6300	1.11	3	F	7,556	6300	1.20	3	F	FWY
I-238 - east of I-880	3,609	6300	0.57	3	C	5,805	6300	0.92	3	E	FWY
I-580 - east of I-238	5,457	10500	0.52	5	B	9,804	10500	0.93	5	E	FWY
I-580 - East of Grove Way	5,913	8400	0.70	4	C	10,308	8400	1.23	4	F	FWY
Foothill Blvd (238) - north of A St	4,236	3481	1.22	4	F	2,719	3481	0.78	4	B	Class 1A
Foothill Blvd (238) - south of A St	4,563	4121	1.11	5	F	3,673	4121	0.89	5	C	Class 1A
Mission Blvd (238) - north of Harder Rd	2,870	2841	1.01	3	F	2,253	2841	0.79	3	B	Class 1A
Mission Blvd (238) - north of Tennyson Rd	3,042	2841	1.07	3	F	2,398	2841	0.84	3	C	Class 1A
Mission Blvd (238) - north of Industrial	2,974	2841	1.05	3	F	2,304	2841	0.81	3	C	Class 1A
<i>Arterials</i>											
Harder Rd - west of Mission Bl	1,274	1800	0.71	2	D	729	1800	0.41	2	C	Class 1B
Tennyson Rd- west of Mission Bl	1,515	1800	0.84	2	D	973	1800	0.54	2	C	Class 1B
Industrial Pkway - west of Dixon Rd	1,343	1800	0.75	2	D	650	1800	0.36	2	C	Class 1B
Whipple Rd- west of Mission Bl	737	840	0.88	1	E	665	840	0.79	1	E	Class 2
Sum	60,708					65,452					

* Freeway segment includes only mixed-flow lane travel

Table A4:
Project: South Hayward BART EIR - MTS Segment Evaluation for CMP Analysis
2025 PM Peak Hour
Project

Link Location	NB/EB Volume	Capacity	V/C	Lanes	LOS	SB/WB Volume	Capacity	V/C	Lanes	LOS	Facility Type
Interstate/State Highways											
I-880 - north of A St	9,007	8400	1.07	4	F	8,859	8400	1.05	4	F	FWY
I-880 - north of Tennyson	7,187	6300	1.14	3	F	6,671	6300	1.06	3	F	FWY
I-880 - north of Whipple	7,046	6300	1.12	3	F	7,644	6300	1.21	3	F	FWY
I-238 - east of I-880	3,521	6300	0.56	3	C	5,772	6300	0.92	3	E	FWY
I-580 - east of I-238	5,451	10500	0.52	5	B	9,805	10500	0.93	5	E	FWY
I-580 - East of Grove Way	5,967	8400	0.71	4	C	10,277	8400	1.22	4	F	FWY
Foothill Blvd (238) - north of A St	4,239	3481	1.22	4	F	2,780	3481	0.80	4	B	Class 1A
Foothill Blvd (238) - south of A St	4,565	4121	1.11	5	F	3,568	4121	0.87	5	C	Class 1A
Mission Blvd (238) - north of Harder Rd	2,810	2841	0.99	3	D	2,369	2841	0.83	3	C	Class 1A
Mission Blvd (238) - north of Tennyson Rd	3,079	2841	1.08	3	F	2,474	2841	0.87	3	C	Class 1A
Mission Blvd (238) - north of Industrial	2,934	2841	1.03	3	F	2,301	2841	0.81	3	C	Class 1A
Arterials											
Harder Rd - west of Mission Bl	1,372	1800	0.76	2	D	749	1800	0.42	2	C	Class 1B
Tennyson Rd- west of Mission Bl	1,643	1800	0.91	2	E	1,017	1800	0.57	2	C	Class 1B
Industrial Pkway - west of Dixon Rd	1,397	1800	0.78	2	D	713	1800	0.40	2	C	Class 1B
Whipple Rd- west of Mission Bl	741	840	0.88	1	E	674	840	0.80	1	E	Class 2
Sum	60,959					65,673					

* Freeway segment includes only mixed-flow lane travel