



## CITY OF HAYWARD AGENDA REPORT

Meeting Date 05/10/07  
Agenda Item 1

**TO:** Planning Commission

**FROM:** Carl T. Emura, Associate Planner

**SUBJECT:** **Conditional Use Permit Application No. PL-2006-0566 – Mr. Chris Kelly (Applicant) / Catholic Bishop of Oakland (Owner) - Request to Modify Use Permit No. 81-94 to Allow a Second Crematory at the Holy Angels Funeral and Cremation Center**

The Property is Located at 1051 Harder Road, at Mission Boulevard, in the Commercial Office (CO) Zoning District

### **RECOMMENDATION:**

Staff recommends that the Planning Commission:

- Approve the Mitigated Negative Declaration, Initial Study and Mitigation Monitoring Plan; and
- Approve the Conditional Use Permit application, subject to the attached findings and conditions of approval.

### **DISCUSSION:**

#### Background

In 1981, the former owner of Machado's Hillside Mortuary, Charles P. Machado, received approval for a Conditional Use Permit to construct an 11,000-square-foot mortuary with a crematory next to the Holy Sepulchre Cemetery. The residents to the north across Harder Road opposed the project and appealed the Board of Adjustments decision approving the application. However, the City Council denied the appeal and approved the application. Machado's Hillside Mortuary, after several delays, was built in 1988. Neither the Bay Area Air Quality Management District (BAAQMD) nor the City has any record of any complaints against the mortuary or crematory since it began operation.

The mortuary is nestled on a 2.56 acre parcel just off of Mission Boulevard, between Harder Road to the north and Holy Sepulchre Cemetery to the south (*See Attachment A*). Access is from Harder Road. To the west are commercial buildings along both sides of Mission Boulevard, including a K Mart store at the southwest corner of Harder Road and Mission Boulevard. To the east is vacant land owned by CalTrans.

In January 2006, the Catholic Diocese of Oakland purchased the mortuary and renamed it Holy Angels Funeral and Cremation Center. According to applicant, the mortuary currently performs 150 to 200 cremations a year. The Bay Area Air Quality Management District (BAAQMD) limits the existing crematory to 300 cremations a year, the amount the previous owner originally requested. The Catholic Diocese anticipates an increase in demand for cremation services as more and more people find cremations acceptable and the death rate increases due to the passing of the baby boomer generation. In anticipation of this projected increase, they installed a second crematory (Model A-200HT, manufactured by American Crematory Equipment Company) without the benefit of a conditional use permit, assuming it was permitted under the original use permit. A review of the original application did not support this assumption and they are requesting to modify the existing use permit to allow a second crematory.

The second crematory is located next to the existing crematory within the mortuary. It measures 6'-3" (width) x 14'-8" (length) x 8'-4" (height) with a 26-inch-diameter stack that extends through the roof, approximately 6 feet above roof opening and 23 feet above the floor. It is the same height as the existing crematory stack located approximately five feet away. It is currently not in operation. When both crematories are in operation, they would run from 7 am to 7 pm (*maximum of 5 cremations a day*), 7 days a week. Cremation services would be available to all.

The crematories are located within the northwest corner of the mortuary with the loading doors facing Harder Road. Harder Road rises above the mortuary with groves of trees shielding views of the mortuary and crematory stacks from the surrounding neighborhood. The mortuary is visible from the south looking from the cemetery plots, however, the mortuary roof screens views of the crematory stacks from this direction. Distance and topography provide a comfortable separation from other potentially incompatible uses. The crematories are approximately 350 feet from the nearest residential property to the north, and the road bank provides a physical and psychological separation between the two uses. They are also approximately 1,000 feet from the nearest commercial property and 2,480 feet from the nearest school (Moreau Catholic High School).

The property is zoned Commercial Office (CO) District. The CO District allows a mortuary, which may include a crematory with the approval of a Conditional Use Permit.

#### Bay Area Air Quality Management District Requirements

The Bay Area Air Quality Management District (BAAQMD) requires issuance of an Air Permit (Permit to Operate) for any equipment that emits pollutants into the atmosphere unless the equipment qualifies for a permit exemption. Once an application is filed, BAAQMD conducts an Engineering Evaluation, which may include a Toxic Risk Assessment, review of the New Source Review requirements and evaluation of emissions including Particulate Matter and Visible Emissions. The evaluation for this facility is

based on the maximum number of cremations that the applicant requests for each crematory. Holy Angels has proposed a maximum of 1,650 cremations a year, 300 for the existing crematory which BAAQMD has already approved and 1350 for the second one which BAAQMD is currently reviewing. These numbers would result in an average of 4.5 cremation a day.

Issuance of an Air Permit requires the Toxic Risk Assessment show an increased cancer risk to a maximally exposed individual is less than one in a million or less than ten in a million if Toxic Best Available Control Technology (TBACT) is applied. Based on the proposed 1,650 total maximum cremations a year, the Toxic Risk Assessment determined the cumulative cancer health risk from the two crematories is 6.75 in a million (1.5 for the existing crematory and 5.25 for the second crematory). Since the cancer risk for the proposed second unit is above 1 in a million, but less than 10 in a million, BAAQMD requires the use of the TBACT to control emissions. The use of natural gas and maintenance of a minimum firing temperature of 1,650 degrees Fahrenheit has most recently been determined as the TBACT to effectively control emissions from crematories.

In addition, the Toxic Risk Assessment requires that the chronic (*long-term exposure impacts such as cancer, asthma, and other forms of illness*) and acute (*short term exposure impacts such as coughing and eye and lung irritations*) hazard index be less than 1.0. The test results indicated that the chronic and acute hazard index for the existing crematory is 0.04 and 0.06 respectively, and for the proposed second crematory is 0.3 and 0.08 respectively, both below the 1.0 limit.

The BAAQMD also estimated the PM10 emissions for the second crematory using the source test results from three test runs for the same crematory make and model operated at Nor-Cal Crematory in Sacramento. (*PM10 is particulate matter that is ten micrometers in diameter. Ten micrometers is about one-seventh the width of a strand of human hair. PM10 can be inhaled through the upper respiratory airways and deposited in the lungs causing serious health problems.*) The tests results were higher than the BACT limit of 0.01 grain per dry standard cubic feet (gr/dscf) of PM10 control. Therefore, the installation of a baghouse or other filtration system to abate the emissions is being considered by BAAQMD. However, the BACT may not be required if it is not cost effective or technologically infeasible. The BAAQMD uses \$5,300 per ton as the threshold to determine if the BACT is cost effective for control of PM10. If an add-on control is not required, the BAAQMD expects the use of natural gas and maintenance of a minimum firing temperature of 1,650 degrees Fahrenheit will be required as has been the determination in the most recent BACT reviews for other crematories. Both crematories met the visible particulate emission standards, which limits visible emissions to no more than 0.15 gr/dscf exhaust gas volume and 1.8 lbs/hour respectively. Though the Air Permit has not been finalized, the BAAQMD indicated the resulting maximum cancer risk, chronic and acute hazard indexes, and monthly ambient air concentration of lead are well within the approvable levels for cancer and non-cancer impacts. As a typical condition of approval of the Air Permit, the BAAQMD requires the owner to keep daily records of the operating hours, number of cremations and processing rate.

BAAQMD periodically reviews these records to determine if the crematory is in compliance with the conditions of the Air Permit. The Engineering Evaluation will be completed after the CEQA documents are approved and determination filed. When the evaluation is completed the BAAQMD would release it for public review. A condition of approval for the use permit from the City requires compliance with the BAAQMD's permit.

The Planning Commission could attach a condition independent of the BAAQMD's conditions requiring a baghouse, but the BAAQMD cautions staff that the feasibility and safety of the control device should be reviewed. As an example, the baghouse alone is not a good solution since hot gases venting directly to a baghouse could be a fire hazard.

#### **ENVIRONMENTAL REVIEW:**

An Initial Study Checklist was prepared and a Mitigated Negative Declaration issued on April 17, 2007. The Initial Study determined that the proposed project as conditioned would not have a significant effect on the environment as prescribed by the California Environmental Quality Act. As a mitigation measure, an Air Permit must be obtained from the Bay Area Air Quality Management District prior to operating the crematory. The issuance of an Air Permit will insure reduction of any potential impacts to a less-than-significant level.

#### **PUBLIC NOTICE:**

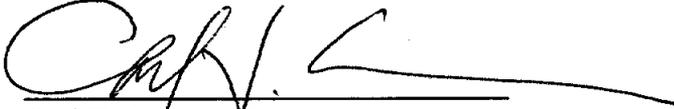
On December 12, 2006, an Official Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. In addition, the Mission-Garin Neighborhood Task Force and Mission-Foothills Neighborhood Task Force received an Official Notice. Staff received no comments from the public. On April 20, 2007 a Notice of Public Hearing for the Planning Commission meeting was mailed.

#### **CONCLUSION:**

More and more people are accepting and turning towards cremations as an alternative to the standard burial. With an aging population and limited land available for traditional burials, the number of cremations is anticipated to grow substantially. Combining the mortuary, crematorium and cemetery on the subject site consolidates all services, reduces cost and makes a difficult process a bit easier. In light of this, staff is supportive of adding a second crematory for the several reasons. First, the crematory is compatible with the mortuary and cemetery. Second, there are buffers to minimize the visual and psychological impacts of the crematory. Third, the existing crematory has not generated complaints from the surrounding neighborhood. Finally, BAAQMD's review determined that the toxic and emissions testing results are within approvable levels. Therefore, staff recommends approval of the conditional use permit and the applicant's request to add a second crematory.

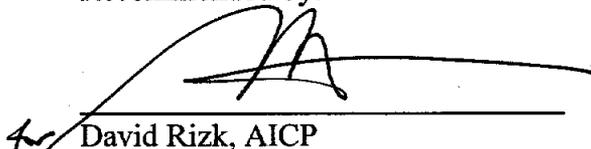
recommends approval of the conditional use permit and the applicant's request to add a second crematory.

Prepared by:



Carl T. Emura, ASLA  
Associate Planner

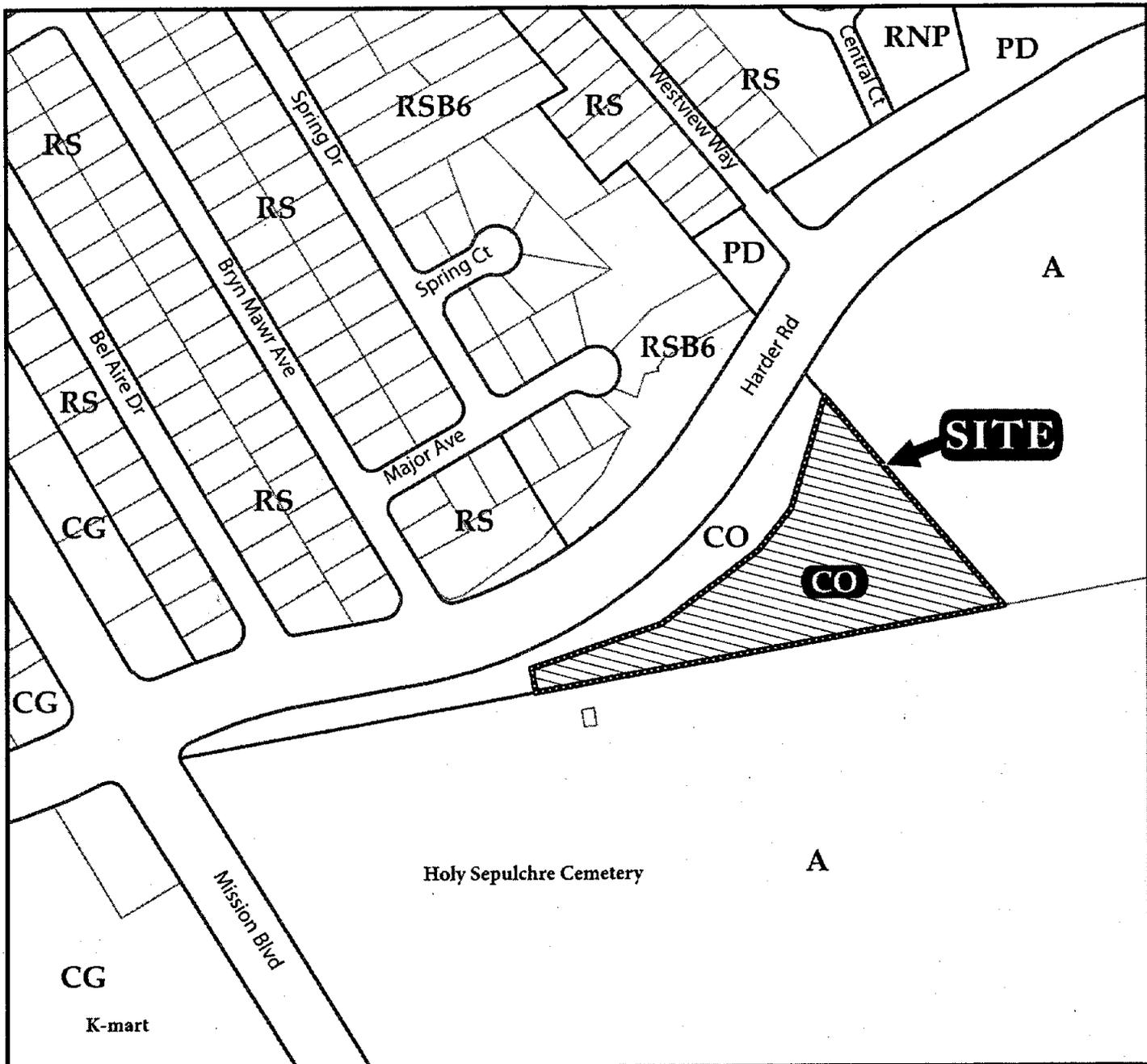
Recommended by:



David Rizk, AICP  
Planning Manager

Attachments:

- A. Area Map
- B. Findings and Conditions for Approval
- C. Letter from Tamiko Endow (BAAQMD Air Quality Engineer) dated February 5, 2007.
- D. Letter from Chris Kelly (Applicant) dated February 1, 2007
- E. Mitigated Negative Declaration, Initial Study Check List & Mitigation Monitoring Plan
- F. Photos  
Plans/Specifications



## Area & Zoning Map

PL-2006-0567 ZC

Address: 1051 Harder Road

Applicant: Chris Kelly

Owner: Roman Catholic Bishop  
of Oakland

### Zoning Classifications

#### RESIDENTIAL

RS Single Family Residential, min lot size 5000 sqft

RSB6 Single Family Residential, min lot size 6000 sqft

#### COMMERCIAL

CG General Commercial

CO Commercial Office

#### OPEN SPACE

A Agricultural

#### OTHER

PD Planned Development

RNP Residential Natural Preservation



**CITY OF HAYWARD  
PLANNING DIVISION  
CONDITIONAL USE PERMIT APPROVAL  
May 10, 2007**

**CONDITIONAL USE PERMIT APPLICATION NO. 2006-0566: Chris Kelly (Applicant)  
/Roman Catholic Bishop of Oakland (Owner) - Request to modify Use Permit 81-94 to allow  
a second crematory within an existing mortuary**

**The property is located at 1051 Harder Road, located at Mission Boulevard in the  
Commercial Office (CO) Zoning District. (APN: 078C-0800-001-02)**

**FINDINGS FOR APPROVAL**

- A. Approval of Conditional Use Permit No. PL 2006-0566, as conditioned, will have no significant impact on the environment, cumulative or otherwise, as prescribed by the California Environmental Quality Act and the project reflects the City's independent judgment.
- B. Adding a second crematory in a mortuary, which is adjacent to a cemetery, is desirable for the public convenience in that it simplifies funeral arrangements, reduces cost and allows for projected demands for cremation services.
- C. Adding another crematory will not impair the character and integrity of the neighborhood in that the crematory stack is well screened from public view and distance and topography provides a buffer from residential, commercial and educational facilities.
- D. The proposed use will not be detrimental to the public health, safety, or general welfare in that the Bay Area Air Quality Management District would have to approve an Air Permit before the crematory could operate and the Bay Area Air Quality Management District periodically monitors the operation of the crematoriums to make sure they are in compliance with the district standards and regulations.
- E. The increase cremation capacity is in harmony with applicable City policies as well as the intent and purpose of the zoning district in that the increase capacity will allow for anticipated future demand for cremation services.

**CITY OF HAYWARD  
PLANNING DIVISION  
CONDITIONAL USE PERMIT APPROVAL  
May 10, 2007**

**CONDITIONAL USE PERMIT APPLICATION NO. 2006-0566: Chris Kelly (Applicant) /Roman Catholic Bishop of Oakland (Owner) - Request to modify Use Permit 81-94 to allow a second crematory within an existing mortuary is approved subject to these conditions of approval and the plans, labeled Exhibit "A"**

**The property is located at 1051 Harder Road, located at Mission Boulevard in the Commercial Office (CO) Zoning District. (APN: 078C-0800-001-02)**

**CONDITIONS OF APPROVAL**

1. This permit becomes void one year after the effective date of approval unless prior to that time a building permit has been authorized for the installation of the crematory. Any modification to this permit shall require review and approval by the Planning Director.
2. The applicant shall obtain a permit from the Bay Area Air Quality Management District (BAAQMD) prior to operating the crematory.
3. The existing crematory shall be limited to 300 cremations a year and the second crematory shall be limited to 1350 cremations year. An increase in the number of cremations shall require a modification of the use permit and approval by the Bay Area Air Quality Management District.
4. The second crematory heat stack shall be painted to match the building and existing crematory heat stack.
5. Any increase in the heat stack height shall be approved by the Planning Director.
6. The crematory shall be operated per the final conditions of the Bay Area Air Quality Management's Engineering Evaluation report. A building/mechanical permit shall be obtained to install the crematory. The Bay Area Air Quality Management's Engineering Evaluation report shall be submitted with the building/mechanical permit application.
7. The crematory shall not be operated by anyone who has not obtained the required training and license from the State of California for the operation of the crematorium.
8. The property owner/applicant shall maintain in good repair all building exteriors, walls, lighting, trash enclosure, drainage facilities, driveways, parking areas and landscaping. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within 72 hours of occurrence.

9. Additional trees, planted in an informal pattern, shall be provided as necessary to fill any gaps that expose the crematory stack from Mission Boulevard and Harder Road. Species, quantity and location of trees shall be approved by the City Landscape Architect. Trees shall be 15 gallon size or larger.
10. Maintain a 3-foot perimeter clearance around the equipment. No combustible storage shall be allowed within 3 feet of the equipment.
11. Maintain a clear and unobstructed access to all controls to the equipment. All controls shall be labeled and identified, including the main shut-off.
12. All natural gas piping supplying the equipment shall be properly labeled and identified.
13. A portable fire extinguisher with a minimum 2A:20BC rating shall be installed within the room.
14. If it comes to the attention of the Planning Director that the use is not consistent with the findings, the Director may call the conditional use permit application up to the Planning Commission for consideration of imposing additional conditions or restrictions.
15. Violation of these conditions is cause for revocation of the conditional use permit after public hearing before the duly authorized review body.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT  
SINCE 1955

RECEIVED

FEB 07 2007

February 5, 2007

PLANNING DIVISION

City of Hayward  
Planning Division, 1<sup>st</sup> Floor  
777 B Street  
Hayward, CA 94541  
Attention: Mr. Carl Emura

Application Number: 14562  
Plant Number: 3576  
Plant Name: Bay Area Crematory  
Equipment Location: 1051 Harder Road  
Hayward

ALAMEDA COUNTY  
Tom Bates  
Scott Haggerty  
Janet Lockhart  
Nate Miley

**Dear Mr. Emura:**

Per your request, the District has completed a health risk screening analysis for the existing crematory retort, S-1, located at Bay Area Crematory, 1051 Harder Road in Hayward.

CONTRA COSTA COUNTY  
John Gioia  
Mark Ross  
(Vice-Chair)  
Michael Shimansky  
Gayle B. Uilkema  
(Chair)

**S-1, Cremation Chamber, American Crematory Equipment Co. Model  
A-101-G, with a primary burner and an afterburner 1.6 MMBtu/hr,  
natural gas fired**

This analysis was not performed under Application 1514 in 1988 when the source was originally permitted, as there were no available emission estimates for toxic air contaminants emissions from crematories at that time. The health risk screening analysis for S-1 has been based on the emissions from 300 cremations per year; this level of operation was presented by the facility as the maximum number of cremations to be performed at this source under Application 1514.

MARIN COUNTY  
Harold C. Brown, Jr.

NAPA COUNTY  
Brad Wagenknecht

In addition to the inhalation exposure pathway, exposure to several of the TACs emitted was evaluated for soil ingestion, dermal exposure, and breast-milk consumption pathways. The estimated residential risk is based on the assumption that exposure to the annual average TAC concentrations occurs 50 weeks per year over a 70-year lifetime. Risk estimates for offsite workers are based upon exposure for 40 years. Student risk was not calculated as there are no K-12 schools within 1,000 feet of the source. At this rate, the corresponding maximum cancer risk from S-1 is 1.5 in a million, the chronic hazard index is 0.04, the acute hazard index is 0.06, and the monthly averaged ambient air concentrations of lead is 0.010 micrograms per cubic meter.

SAN FRANCISCO COUNTY  
Chris Daly  
Jake McGoldrick  
Gavin Newsom

SAN MATEO COUNTY  
Jerry Hill  
(Secretary)  
Carol Klatt

As relayed to you previously, the health risk screening analysis of the incremental health risk resulting from the TAC emissions from the proposed second source, S-2, was completed last month.

**S-2, Cremation Chamber, American Crematory Equipment Co. Model  
A-200Ht, with a primary burner and an afterburner 1.5 MMBtu/hr,  
natural gas fired**

Based upon a maximum of 1,825 cremations per year and the same parameters described above, the maximum incremental cancer risk from the proposed S-2 is 7.1 in a million, the chronic hazard index is 0.3, the acute hazard index is 0.08, and the monthly averaged ambient air concentration of lead is 0.010 micrograms/cubic meter.

SANTA CLARA COUNTY  
Erin Garner  
Yoriko Kishimoto  
Liz Kniss  
Patrick Kwok

SOLANO COUNTY  
John F. Silva

SONOMA COUNTY  
Tim Smith  
Pamela Torliatt

Jack P. Broadbent  
EXECUTIVE OFFICER/APCO

*Spare the Air*

ATTACHMENT C

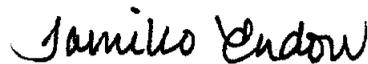
Application #14562  
Plant #3576, Bay Area Crematory  
2/5/2007  
Page 2 of 2

The District has been notified that the Bay Area Crematory will accept a lower operating limit of 1,350 cremations per year, maximum, for the proposed unit, S-2. The estimated risk is directly proportional to emissions, which is also directly proportional to the number of cremations performed. Therefore, the incremental cancer risk associated with 1,350 cremations per year at S-2 is 5.25 in a million. The risk from S-2 would be in addition to the risk evaluated for the existing unit, so with both retorts operating, the cumulative incremental cancer health risk would be 6.75 in a million.

The resulting maximum cancer risk, chronic and acute hazard indexes, and monthly averaged ambient air concentration of lead are well within the approvable levels for cancer and non-cancer impacts. Therefore, in accordance with District Regulation 2, Rule 5, these risk levels are considered acceptable if the proposed crematory retort meets Toxics Best Available Control Technology (TBACT) requirements. TBACT is defined in Section 2-5-301 as the most effective emission control device or the most stringent emission limitation achieved by an emission control device or technique, which has been successfully utilized for the type of equipment. The District has required use of natural gas and maintenance of a minimum firing temperature of 1650 degreesF as TBACT control for the most recent crematory installations in the Bay Area. TBACT review for this installation will consider these most recent determinations as well as any additional information available at the time the evaluation is finalized.

If you have any further questions, please call me at (415) 749-4939 (fax 415-749-4949).

Very truly yours,



**Tamiko Endow**  
**Air Quality Engineer**

**CHRIS KELLY ARCHITECTS**  
ARCHITECTURE • PLANNING • CONSULTING

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February 1, 2007

Mr. Carl T. Emura, ASLA  
City of Hayward  
Department of Community and Economic Development  
777 B Street  
Hayward, CA 94541

Re: Holy Angels Funeral & Cremation Center  
1051 Harder Road  
Hayward, CA 94544  
APN 81-157-217

Dear Carl,

Per our conversation you have requested a maximum number of cases for the new crematory at Holy Angels. We are requesting a maximum of 1,350 cases per year for the new crematory. With the existing crematory currently permitted for a maximum of 300 cases per year, the maximum total for the site would be 1,650 cases per year. As mentioned in the project description the site is only actually performing 150-200 cases currently.

There are two key points I would like to make about the possible number of cases performed today and in the future. Currently the cremation rate in California is 54% of all deaths and is expected to grow to 65% in the next 10 years. This is well documented and we can provide articles and statistic of the mortality data upon request. The second key point is that the death rate will increase by 50% in the next 25 years due to the passing of the baby boomer generation.

Attached is a chart showing the progression of total possible cases per year. If you take these two points and apply to Holy Sepulchre Cemetery, which serves Holy Angels, the total interments is multiplied by the cremation percentage, plus adding a factor of 25% for additional cases that would not choose this cemetery; you arrive at a potential scenario for number of cases needed per year. We would like the City to understand that while the current number of cases is low, if the current trend applies, the number of cases will only increase in the near future, thus the requested for a higher number of cases.

The Bay Air Quality Board (BAQB) calculates a health risk factor which is based on a maximum number of cases permitted, not the actually number of cases per year. The chart also lists the accumulative health risk factor if based on the potential scenario of cases per

year. As you can see on the chart, it would take more than 23 years to get to the health risk factor stated in the BAQB permit application report. Note that if you calculate the risk factor for the number of case actually performed today, it would be less than 1. The point of this chart is to show that there is a gradual growth towards the maximum number of cases permitted per year.

I think we would all agree that we need to reduce the amount of particulate emissions into the air; I would have to say that cremation contributes very little to over all emissions that are out there today. Cigarette smoking, residential fireplaces, diesel engines, and many others sources are by far the biggest negative health contributors to air quality. We see cremation only becoming more popular due to the limited number of ground burial spaces available, as well as the fact that the population is rapidly growing resulting in a higher density of land use throughout the Bay Area.

I would encourage the City to look at the need the public is requesting for cremation services. We feel that our request for the total number of case per year is commensurate with other crematories in the Bay Area.

We look forward to proceeding towards approval for this much needed project.

Should you have any questions, please do not hesitate to give me a call.

Regards,

Chris Kelly AIA

Holy Angels Funeral & Cremation Center  
 1051 Harder Road  
 Hayward, CA 94544

<u>Holy Angels/Holy Sepulchre</u> <u>Data/Year</u>	Holy Sepulchre Cemetery Interments	Estimated % Not Coming to Cemetery	Number of interments Not Coming to Cemetery	Total Interments	Cremation % in California	Total Possible	Risk factor
Actual - 2006	1197	25%	299	1496	54%	808	3.1
Estimated - 2007	1200	25%	300	1500	55%	825	3.2
2008	1200	25%	300	1500	56%	840	3.3
2009	1200	25%	300	1500	57%	855	3.3
2010	1224	25%	306	1530	58%	887	3.5
2011	1248	25%	312	1561	59%	921	3.6
2012	1273	25%	318	1592	60%	955	3.7
2013	1299	25%	325	1624	61%	990	3.9
2014	1325	25%	331	1656	62%	1027	4.0
2015	1351	25%	338	1689	63%	1064	4.1
2016	1378	25%	345	1723	64%	1103	4.3
2017	1406	25%	351	1757	65%	1142	4.4
2018	1434	25%	359	1793	65%	1165	4.5
2019	1463	25%	366	1828	65%	1189	4.6
2020	1492	25%	373	1865	65%	1212	4.7
2021	1522	25%	380	1902	65%	1237	4.8
2022	1552	25%	388	1940	65%	1261	4.9
2023	1583	25%	396	1979	65%	1286	5.0
2024	1615	25%	404	2019	65%	1312	5.1
2025	1647	25%	412	2059	65%	1338	5.2
2026	1680	25%	420	2100	65%	1365	5.3
2027	1714	25%	428	2142	65%	1393	5.4
2028	1748	25%	437	2185	65%	1420	5.5
2029	1783	25%	446	2229	65%	1449	5.6
2030	1819	25%	455	2273	65%	1478	5.8



**CITY OF HAYWARD  
MITIGATED NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

***I. PROJECT DESCRIPTION:***

**Administrative Use Permit No. PL-2006-0566** – Chris Kelly (Applicant)/Roman Catholic Bishop of Oakland (Owner) – Request to modify Use Permit No. 81-94 to allow a second crematory to an existing funeral home. The property is located at 1051 Harder Road at Mission Boulevard in Hayward.

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

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

***FINDINGS SUPPORTING DECLARATION:***

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources. The crematory stack is screened by a road bank, grove of trees and mortuary roof.
3. The project will not have an adverse effect on agricultural land since the property is surrounded adjacent to a cemetery and the Bay Area Air Quality Management District has not received any complaints about the existing crematory and mortuary. The addition of a second crematory is not expected to have an adverse effect on the agriculturally zoned vacant land east of the property.
4. The project will not result in significant impacts related to changes into air quality. An Air permit would have to be issued by the Bay Area Air Quality Management District prior to installing the crematory. The permit would insure that crematory operates within State and Federal standards. Testing results indicate that the crematories would be well within the approvable levels for cancer and non-cancer impacts.

5. The project will not result in significant impacts to biological resources such as wildlife and wetlands since the site is not located in a wetland and the site is fully developed.
6. The project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.
7. The project site is located within a "State of California Earthquake Fault Zone", however, construction will be required to comply with the Uniform Building Code standards to minimize seismic risk due to ground shaking.
8. The project will not lead to the exposure of people to hazardous materials. The Bay Area Air Quality Management District will insure that the crematory operates within permissible emission levels of hazardous materials.
9. The project will meet all water quality standards. Drainage improvements, if any will be made to accommodate storm water runoff.
10. The project is consistent with the policies of the City General Policies Plan, the Downtown Design Plan, the City of Hayward Design Guidelines and the Zoning Ordinance.
11. The project could not result in a significant impact to mineral resources since the site is too small to be developed to extract mineral resources.
12. The project will not result in significant impacts related to noise. The crematory is enclosed in a building and is not expected to generate noise levels in excess of standards established in the General Plan.
13. The project will not result in a significant impact to public services.
14. The project will not result in a significant impact to recreation facilities.
15. The project will not result in significant impacts to traffic or result in changes to traffic patterns or emergency vehicle access.
16. The project will not result in a significant impact to utilities and service systems.

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

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Carl T. Emura, ASLA Associate Planner  
Dated: April 17, 2007

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

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For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4209, or e-mail [carl.emura@hayward-ca.gov](mailto:carl.emura@hayward-ca.gov) .

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### **DISTRIBUTION/POSTING**

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



**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
Development Review Services Division**

**INITIAL STUDY CHECKLIST FORM**

**Project title:** Conditional Use Permit No. PL-2006-0566 - Modification of Use Permit No. 81-94 - Request to Allow a Second Crematory to an Existing Funeral Home

**Lead agency name and address:** City of Hayward, 777 "B" Street, Hayward, CA 94541-5007

**Contact persons and phone numbers:** Carl T. Emura, Associate Planner (510) 583-4209

**Project location:** The property is located at 1051 Harder Road at Mission Boulevard

**Project sponsor's name and address:**  
Mr. Chris Kelly  
% Chris Kelly Architects  
55 Galli Drive, Suite B  
Novato, Ca. 94949

**General Plan:** Medium Density Residential

**Zoning:** Commercial Office (CO)

**Description of project:** Proposal to add a second crematory to an existing funeral home.

**Surrounding land uses and setting:** To the north, across Harder Road are single-family dwellings; to the south, is Holy Sepulchre Cemetery; to the west, are commercial buildings along both sides of Mission Boulevard and a K Mart store at the southwest corner of Harder Road and Mission Boulevard; and to the east is vacant land owned by CalTrans.

**Other public agencies whose approval is required:** Bay Area Air Quality Management District

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:** (To be completed by the Lead Agency)  
 On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	April 17, 2007
Signature	Date
<u>Carl T. Emura, ALSA Associate Planner</u>	<u>City of Hayward</u>

**ENVIRONMENTAL ISSUES:**

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

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| <p>a) Have a substantial adverse effect on a scenic vista?<br/><i><b>Comment:</b> The project would not have a substantial adverse effect on a scenic vista. The crematory metal heat stack is located on the north side of the building. The road bank, the grove of trees along Harder Road and the roof screen views of the stack from Mission Boulevard and Harder Road.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?<br/><i><b>Comment:</b> The project will not damage any scenic resources</i></p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p>c) Substantially degrade the existing visual character or quality of the site and its surroundings?<br/><i><b>Comment:</b> The project will not degrade the existing visual character and quality of the site and its surroundings in that the metal heat stack can not be seen from Mission Boulevard and Harder Road. The raised roadway and trees obscure views of the crematory stack as viewed from Mission Boulevard south of Harder Road. The mortuary roof obscures views of the crematory stack as viewed from Mission Boulevard, north of Harder Road.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?<br/><i><b>Comment:</b> The project will not create a new source of light or glare that will adversely affect day or nighttime views in the area.</i></p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <b>Comment:</b> <i>The project site does not contain farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <b>Comment:</b> <i>The project is not located in an agricultural district or an area used for agricultural purposes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <b>Comment:</b> <i>The project area does not contain agricultural uses or farmland, See II b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a) Conflict with or obstruct implementation of the applicable air quality plan? <b>Comment:</b> <i>The project will not conflict with the Bay Area 2000 Clean Air Plan or the City of Hayward General Plan policies relating to Air Quality, if the Bay Area Air Quality Management District (BAAQMD) issues an Air Permit for the operation of the crematory. An Air Permit is required from BAAQMD to insure compliance with the Bay Area 2000 Clean Air Plan and other State and Federal regulations. It is a document that states the requirements for equipment to comply with air pollution laws and regulations.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Prior to issuing an Air Permit, the BAAQMD would prepare an Engineering Evaluation report that would include:

- a) Toxic Risk Assessment
- b) New Source Review
- d) Particulate Matter and Visible Emission Evaluation

The Toxic Risk Assessment would have to show that the increased cancer risk to a maximally exposed individual is less than one in a million or less than ten in a million using Best Available Control Technology (BACT) to reduce the cancer risk. The Toxic Risk Assessment would have to also show that both the chronic and acute hazard index is less than 1.0

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III a) Air Quality Continued

*The New Source Review requires Best Available Control Technology (BACT) for any new or modified source which results in emissions from a new source or an increase in emissions from a modified source and which has the potential to emit 10.0 pounds or more per highest day of precursor organic compounds (POC), non precursor organic compounds NPOC, nitrogen oxide (NOx), sulfur dioxide (SO2), particulate matter (PM10), or carbon monoxide (CO). However the Best Available Control Technology may not be required if it is not cost effective or technologically infeasible. The BAAQMD uses \$5,300 per ton as the threshold to determine if the BACT is cost effective.*

*The Particulate Matter and Visible Emission Evaluation limits particulate matter grain loading of 0.15 grains/dscf (dry standard cubic feet) in exhaust gas volume.*

*The applicant applied for an Air Permit and an Engineering Evaluation was conducted. Testing information was obtained from Tamiko Endo, BAAQMD Air Quality Engineer, who processed the Air Permit application.*

*The existing crematory would perform a maximum of 300 cremations a year and the proposed second crematory would perform a maximum of 1350 cremations a year. The Toxic Risk Assessment determined that the chronic and acute hazard index for the existing crematory is 0.04 and 0.06 respectively and for the proposed second crematory is 0.3 and 0.08 respectively, both within the 1.0 limit. It also determined, based on the total maximum cremations a year, that the cumulative cancer health risk for the two crematories is 6.75 in a million. Because the cancer risk exceed 1 in a million, the BAAQMD requires the use of natural gas and maintenance of a minimum firing temperature of 1650 degrees Fahrenheit as the most effective emission control device to comply with the Best Available Control Technology.*

*BAAQMD used the source test results from three test runs for the same crematory chamber operated in Sacramento at Nor-Cal Crematory for the New Source Evaluation. The test results were 0.0116, 0.0246, and 0.0572 gr/dscf (dry standard cubic feet). Since these results were higher than the limit of 0.01 gr/dscf, the applicant was asked to determine the cost of installing a baghouse (a filtration system that catches toxic emissions) to reduce the emissions. It was determined that the cost to install a baghouse would be \$180,000 per ton, far exceeding the \$5,300 per ton threshold. Therefore BAAQMD did not require a baghouse. Since the test results were under 0.15 grains/dscf, it complied with particulate matter and visible emission threshold*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III a) Air Quality Continued

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Mitigation Measure:** An Air permit from the Bay Area Air Quality Management District (BAAQMD) is required to install and operate a crematory. The issuance of an Air Permit will insure reduction of any potential impact to a less-than-significant level.

**Implementation Responsibility:** City of Hayward

**Verification Responsibility:** City Planning Division

**Monitoring Schedule During Plan Review:** Condition of Approval – Staff will verify that an Air Permit is obtained prior to issuance of Building Permit.

**Monitoring Schedule During Construction/Implementation:** Condition of Approval - Air Permit must be maintained throughout the life of its use. (BAAQMD requires that the owner keep the date and detailed description of the type of maintenance, monitoring and source test done on cremator. In addition the owner is required to keep daily records of the operating hours, number of cremations and processing rate. BAAQMD periodically reviews these documents to determine if the crematory is in compliance with the conditions of the Air Permit.)

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Comment:** See IIIa

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Comment:** See IIIa

- d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Comment:** See IIIa

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III Air Quality Continued

- e) Create objectionable odors affecting a substantial number of people?
- Comment:** *The crematory can create objectionable odors. A poorly designed retort with inadequate turbulence, temperature and residence time can result in objectionable odors. The BAAQMD limits the discharge of odorous substances and recommends providing an afterburner in the secondary chamber of the retort. This compensates for deficiencies, if any in the design of the primary chamber and minimizes the discharge of odorous substances. The crematories are equipped with a secondary chamber with an afterburner.*
- Mitigation Measure:** *An Air permit from the Bay Area Air Quality Management District (BAAQMD) is required to install and operate a crematory. The issuance of an Air Permit will insure reduction of any potential impact to a less-than-significant level.*
- Implementation Responsibility:** *City of Hayward*
- Verification Responsibility:** *City Planning Division*
- Monitoring Schedule During Plan Review:** *Condition of Approval – Staff will verify that an Air Permit is obtained prior to issuance of Building Permit.*
- Monitoring Schedule During Construction/Implementation:** *Condition of Approval - Air Permit must be maintained throughout the life of its use.*

IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- Comment:** *The property is currently uses as a funeral home and is surrounded by vacant land and a cemetery. There is no evidence of any candidate, sensitive, or special status species.*
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- Comment:** *The site contains no riparian or sensitive habitat.*

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?<br><i><b>Comment:</b> The site contains no wetlands.</i>  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?<br><i><b>Comment:</b> The site does not contain habitat used by migratory fish or wildlife nor is it a migratory wildlife corridor.</i> | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?<br><i><b>Comment:</b> The project is in conformance with the General Policies Plan and will conform to the requirements of the Tree Preservation Ordinance.</i>  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?<br><i><b>Comment:</b> There are no habitat conservation plans affecting the property.</i>  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

V. CULTURAL RESOURCES -- Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?<br><i><b>Comment:</b> No known historical resources exist on-site.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?<br><i><b>Comment:</b> There would be no ground disturbances. No known archaeological resources exist in on-site.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?<br><i><b>Comment:</b> No known paleontological resources exist on-site.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?<br><i><b>Comments:</b> The site is an existing funeral home adjacent to a cemetery, however no known human burials are located on-site and the addition of a second crematory would be located in the existing funeral home.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comment:** *The project is located within the Hayward Fault Zone.*

ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comment:** *The site is located within a "State of California Earthquake Fault Zone" and the second crematory would be located in the existing mortuary. The installation of the second crematory would be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking.*

**Impacts:** *Ground shaking can be expected at the site during a moderate to severe earthquake, which is common to virtually all development in the general region. This impact is considered less than significant.*

iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** *Liquefaction and differential compaction is not considered to be likely on this site.*

iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** *The project is not located within an area subject to landslides.*

b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** *The site is fully developed and the installation of the crematorium does not entail any site grading.*

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** *The crematory will be located in an existing building. No known seismic liquefaction or landslide area exist on the site.*

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** *The Funeral Home is existing and the crematorium would be installed inside an existing building.*

- |  | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The Funeral Home is connected to the City of Hayward sewer system.</i>  |                                |   |                              |                                     |

**VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:**

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

***Comment:** There is no evidence of hazardous materials at the site nor will hazardous materials be used or transported at or near the site. However, mercury resulting from the thermal instability of mercury alloys of amalgam tooth fillings during cremation of human bodies may potentially be a source of mercury and other hazardous air emissions. The Bay Area Air Quality Management District (BAAQMD) conducted a Toxic Risk Assessment and the mercury level as well as other toxic substances are well within the approvable levels for mercury and other toxic emissions. BAAQMD also determined that cumulative cancer risk was within acceptable levels. See IIIa.*

***Mitigation Measure:** A Bay Area Air Management District Air Permit is required prior to installation and operation of the crematory. The issuance of an Air Permit will insure reduction of any potential impact to a less-than-significant level.*

***Implementation Responsibility:** City Of Hayward*

***Verification Responsibility:** City Planning Division*

***Monitoring Schedule During Plan Review:** Staff will verify Air Permit is obtained prior to issuance of Building Permit.*

***Monitoring Schedule During Construction /Implementation:***

*Condition of Approval – The Air Permit must be maintained throughout the life of its use.*

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

***Comment:** See VII a.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

***Comment:** There are no schools within one-quarter mile of the funeral home.*

- |   | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?<br><i>Comment: The site is not included on a list of hazardous materials sites and would not create a significant hazard to the public or the environment.</i> | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?<br><i>Comment: The project is not located within an airport zone.</i>  | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?<br><i>Comment: See VII e.</i>   | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?<br><i>Comment: The project will not interfere with any known emergency response plan or emergency evacuation plan. The Hayward Fire Department serves the area. Emergency response times will be maintained.</i>  | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?<br><i>Comment: The project is not located in an area of wildlands and is not adjacent to wildlands.</i>  | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**VIII. HYDROLOGY AND WATER QUALITY -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?<br><i>Comment: The project will meet all water quality standards and waste discharge requirements.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?<br><i>Comment: The site will be served with water by the City of Hayward and the crematorium would not significantly increase water usage. Therefore, water quality standards will not be violated and groundwater supplies will not be depleted</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? <b><i>Comment:</i></b> The site is fully developed and the addition of another crematorium would not alter the existing drainage pattern.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <b><i>Comment:</i></b> See VIII c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <b><i>Comment:</i></b> The site is fully developed and the addition of another crematorium would not increase runoff water.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? <b><i>Comment:</i></b> See VIII a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <b><i>Comment:</i></b> According to FEMA Flood Insurance Rate Maps (panel # 065033-0012 Zone C dated Sept. 16, 1981); this site is not within the 100-year flood hazard area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <b><i>Comment:</i></b> See VIII g.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? <b><i>Comment:</i></b> The site is not within the 100-year flood zone, is not near any levees and is not located downstream of a dam.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? <b><i>Comment:</i></b> The project is not in a location that would allow these phenomena to affect the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- a) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *The project will not physically divide an established community. The funeral home has an existing crematorium. The BAAQMD and the City of Hayward have not received any complaints regarding the existing crematorium. The crematorium stacks would be screened from the street and the Harder Road bank provides a physical and visual separation of the crematorium from the nearest residential neighborhood.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *The crematory does not conflict with any applicable land use plan, policy or regulation as conditioned.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *See IV f.*

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *The project will not result in a significant impact to mineral resources since the subject site is located in an urbanized area that does not contain mineral resources that could be feasibly removed.*

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *See X a*

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *The Funeral Home is located off of Harder Road, below the road bank and surrounded by vacant land and a cemetery. Any noise generated would be dampened by the building walls and the traffic noise off of Harder Road.*

- b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *See XI a.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *See XI a.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *See XI a.*

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *See XI a.*

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** *See XI a.*

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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**XII. POPULATION AND HOUSING -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?<br><u>Comment:</u> <i>The additional crematorium would not induce population growth.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?<br><u>Comment:</u> <i>No housing will be removed.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?<br><u>Comment:</u> <i>See XII b.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XIII. PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection?<br><u>Comment:</u> <i>The proposed project would have no effect upon, or result in only a minimal need for new or altered government services in fire and police protection, schools, maintenance of public facilities, including roads, and in other government services.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection?<br><u>Comment:</u> <i>See XIII a.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools?<br><u>Comment:</u> <i>See XIII a.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks?<br><u>Comment:</u> <i>See XIII a.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities?<br><u>Comment:</u> <i>See XIII a.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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**XIV. RECREATION –**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** *The additional crematorium would not increase the use of existing neighborhood and regional parks and their facilities.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** *The project would not include recreational facilities that might have an adverse physical effect on the environment.*

**XV. TRANSPORTATION/TRAFFIC -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** *The addition of a crematorium would not cause an increase in traffic.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** *See XV a.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** *The project will not affect air traffic patterns.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** *The additional crematorium will not substantially increase hazards.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** *The Hayward Fire Department has reviewed the project and finds the project acceptable to Hayward Fire Department requirements and standards.*

- |   | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| f) Result in inadequate parking capacity?<br><i><b>Comment:</b> The funeral home is not being expanded. The crematorium will be added to the existing facility; therefore, no additional parking is required.</i>                                     | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?<br><i><b>Comment:</b> The project does not conflict with adopted policies supporting alternative transportation.</i> | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

- |   |                                     |                          |                          |                                     |
|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?<br><i><b>Comment:</b> The additional crematorium will not exceed wastewater treatment requirements.</i>   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?<br><i><b>Comment:</b> The funeral home is existing and the additional crematorium will not result in construction or expansion of wastewater treatment facilities.</i>   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?<br><i><b>Comment:</b> The funeral home is existing and the additional crematorium will not result in construction or expansion of storm water drainage facilities.</i>  | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?<br><i><b>Comment:</b> The additional crematorium will not have an impact on the water supply; therefore, it can be served by existing entitlements and resources.</i>  | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?<br><i><b>Comment:</b> The City of Hayward operates its own wastewater facility. This facility has the capacity to accommodate the amount of wastewater that will be generated by the crematoriums.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i><b>Comment:</b> The additional crematorium will not exceed wastewater treatment requirements.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i><b>Comment:</b> The funeral home is existing and the additional crematorium will not result in construction or expansion of wastewater treatment facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i><b>Comment:</b> The funeral home is existing and the addition of a crematorium will not result in construction or expansion of storm water drainage facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i><b>Comment:</b> The additional crematorium will not have an impact on the water supply; therefore, it can be served by existing entitlements and resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i><b>Comment:</b> The City of Hayward operates its own wastewater facility. This facility has the capacity to accommodate the amount of wastewater that will be generated by the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i><b>Comment:</b> Waste Management of Alameda County will dispose the solid waste. The Altamont landfill is available to the City of Hayward until 2009 and has sufficient capacity to handle the amount of solid waste generated by the project. The landfill recently received an approval that increases the capacity and adds 25 years to the life of the landfill to the year 2034.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- |  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Potentially<br/>Significant<br/>Unless<br/>Mitigation<br/>Incorporation</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>                |
|--|---|--|---|-------------------------------------|
| l) Comply with federal, state, and local statutes and regulations related to solid waste?  | <input type="checkbox"/>                      | <input type="checkbox"/>   | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The project study area participates in the Waste Management of Alameda County recycling program. Construction and operation of the project will comply with all federal, state and local statutes and regulations related to solid waste.</i> |   |  |   |                                     |

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE --**

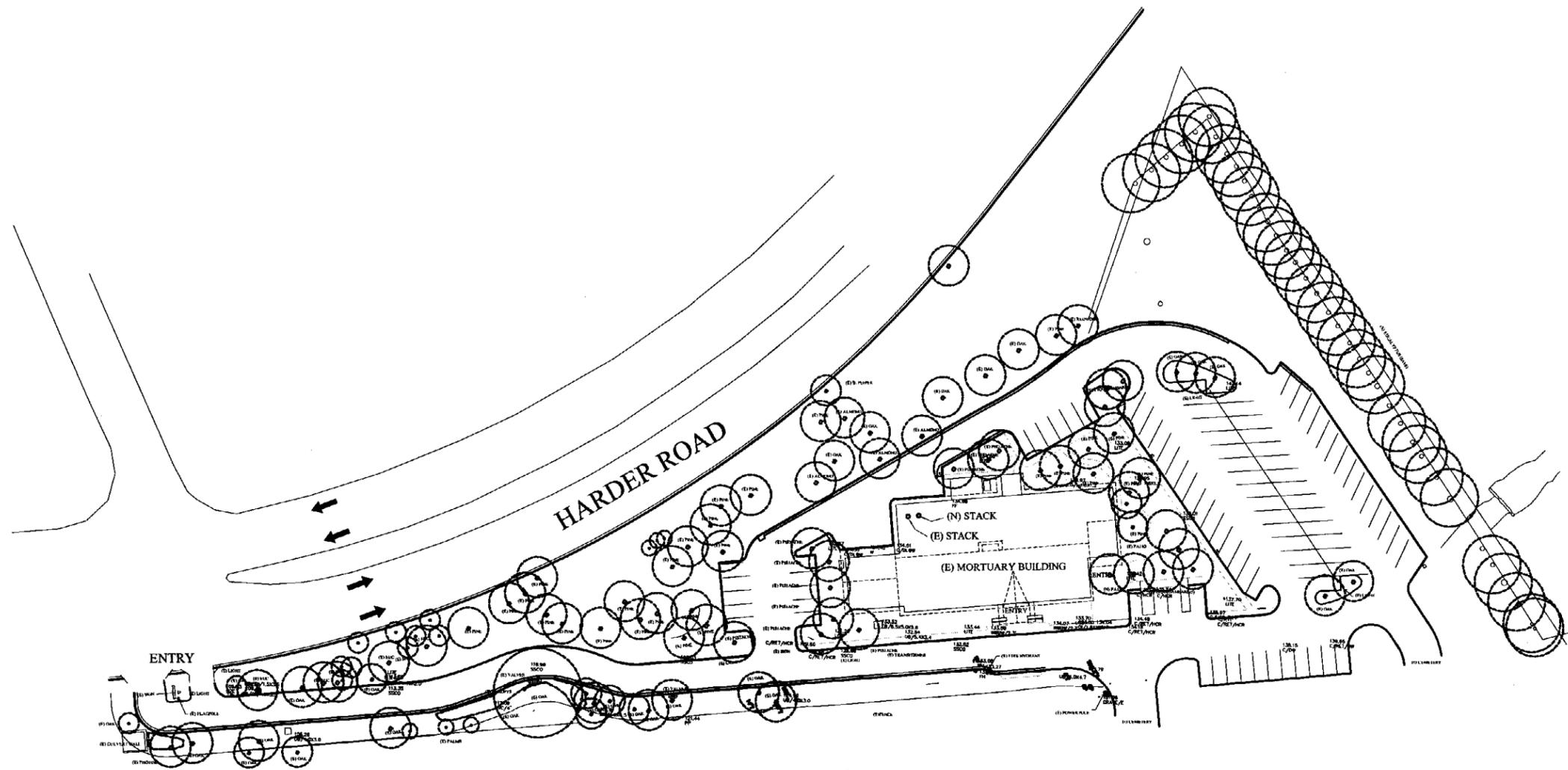
- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**MITIGATION MONITORING PROGRAM**  
**Holy Angels Mortuary and Cremation Center**  
**1051 Harder Road**

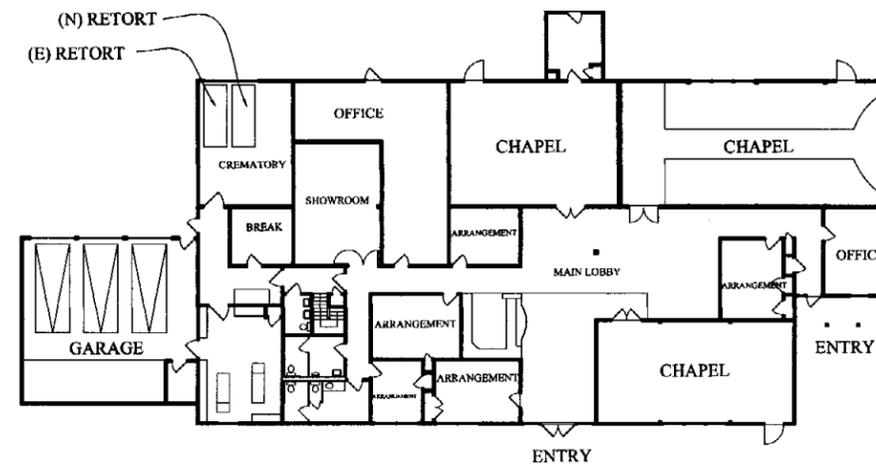
1. ***AESTHETICS*** – No mitigation required
2. ***AGRICULTURE RESOURCES*** – No mitigation required
3. ***AIR QUALITY***  
**Mitigation Measure:** An Air permit from the Bay Area Air Quality Management District (BAAQMD) is required to install and operate a crematory. The issuance of an Air Permit will insure reduction of any potential impact to a less-than-significant level.  
**Implementation Responsibility:** City Of Hayward  
**Verification Responsibility:** City Planning Division  
**Monitoring Schedule During Plan Review:** Condition of Approval – Staff will verify that an Air Permit is obtained prior to issuance of Building Permit.  
**Monitoring Schedule During Construction/Implementation:** Condition of Approval - Air Permit must be maintained throughout the life of its use.
4. ***BIOLOGICAL RESOURCES*** - No mitigation required
5. ***CULTURAL RESOURCES*** – No mitigation required
6. ***GEOLOGY AND SOILS*** – No mitigation required
7. ***HAZARDS AND HAZARDOUS MATERIALS***  
**Mitigation Measure:** A Bay Area Air Management District Air Permit is required prior to installation and operation of the crematory. The issuance of an Air Permit will insure reduction of any potential impact to a less-than-significant level.  
**Implementation Responsibility:** City Of Hayward  
**Verification Responsibility:** City Planning Division  
**Monitoring Schedule During Plan Review:** Staff will verify Air Permit is obtained prior to issuance of Building Permit.  
**Monitoring Schedule During Construction /Implementation:**  
Condition of Approval – The Air Permit must be maintained throughout the life of its use.
8. ***HYDROLOGY AND WATER QUALITY*** – No mitigation required
9. ***LAND USE & PLANNING*** – No mitigation required

10. ***MINERAL RESOURCES*** – No mitigation required
11. ***NOISE*** – No mitigation required
12. ***POPULATION AND HOUSING*** – No mitigation required
13. ***PUBLIC SERVICES*** – No mitigation required
14. ***RECREATION*** – No mitigation required
15. ***TRANSPORTATION/TRAFFIC*** – No mitigation required
16. ***UTILITIES AND SERVICES SYSTEMS*** – No mitigation required

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



1 SITE PLAN  
1"=40'



2 FLOOR PLAN  
1/16"=1'-0"

CHRIS KELLY ARCHITECTS  
ARCHITECTURE • PLANNING • CONSULTING  
415.884.9636 55 GALLI DRIVE, SUITE B, NOVATO, CA 94949 FAX 415.884.9656

PROJECT:  
HOLY ANGELS FUNERAL HOME  
1051 HARDER ROAD  
HAYWARD, CA 94544

DATE:	11/15/06
JOB NO.:	
REV.:	
TITLE:	SITE PLAN, FLOOR PLAN
SHEET:	A1

# American

## CREMATORY EQUIPMENT CO.

### *Specifications*

## **MODEL A-200 HT "Hot Hearth" CREMATION CHAMBER**

#### **DESIGN:**

The American A-200 HT is a multi-chamber, "Hot Hearth" design unit. Constructed with several chambers to ensure maximum efficiency and pollution control by re-burning the smoke and orders created during cremation.

#### **STEEL EXTERIOR WALLS:**

The exterior walls of the unit are constructed of double wall steel plate, properly reinforced with structural tubing, built on 8" channels. The exterior dimensions are 6.3 ft wide, 8.4 ft high and 14.8 ft. in length. Shipping weight is approximately 24,000 lbs.

#### **INSULATION:**

The interior insulation lining consist of 8" of 1900°F. block insulation next to casing and 4.5" thick of "Super Duty Fire Brick" w/ 1/8" butted joints installed between the steel casing and the interior brick lining. This insulation shall have 12.5" in total thickness.

#### **INTERIOR WALLS:**

Walls shall be of the highest quality of fire brick with a temperature grade of 2800-3200°F. and shall be laid with high temperature cement and bricks anchored to casings. The arch (roof) is "Cast" with high temp. castable. Both the main chamber and after chambers shall be of "Super Duty Fire Brick" construction.

#### **"HOT HEARTH" FLOOR:**

The unique dish shaped "Hot Hearth" "Cast Floor" with a 3000°F. high strength refractory castable is five (5) inches thick, designed to control fluids. This providing easy cremains removal and positive fluid control for all size cases.

2

**MAIN CHAMBER:**

The main chamber is designed to create turbulence to ensure the proper mixing of oxygen, the products of combustion and to radiate heat to the entire area of the hearth. Secondary air is introduced into this chamber.

**AFTERBURNER CHAMBER:**

The afterburner chamber is located under the hearth floor of the main chamber. Secondary air is introduced to complete combustion and gases are then heated by the flame of the afterburner and burned. The opening and turns between these chambers slows the gases to provide maximum retention time and further ensure complete combustion.

**AUTOMATIC CONTROL PANEL:**

The control panel is fully automatic and easy to operate. Each unit comes with two (2) temperature controllers, air delay timers and easy to operate push buttons with color coded lights to allow the operator to monitor each cremation. Each unit has all the Underwriters Laboratories (UL) approval for your safety.

**LOADING DOOR:**

The charging door is hydraulically operated. The door opening is 27" high x 39" wide. The door is refractory lined and is designed with ceramic fiber self-sealing door. An automatic charge door switch will turn off the primary burner whenever the door is opened and will reactivate burner when door is closed.

**BURNERS:**

Standard equipment includes two nozzles mixing tempered air burners. The primary burner (Top) fires down into the ignition chamber and the after-burner (Top) fires down into the combustion chamber. This top fired control component design allows built-in safety features on all burners, Spark ignited automatic gas burners with controls is in accordance with the latest safety requirements. Incorporated are double block gas safety solenoid valves to fail safe in the event of flame failure. Also, interlock pressure switches on gas and air. All electrical components and combustion equipment are approved by the Underwriter's Laboratory, (UL), F.M., S.A., and F.I.A.

**FORCED DRAFT FAN:**

One turbo blower is provided to furnish a constant supply of over-fire and secondary air for complete combustion of fuel gases. The capacities and pressure of the blower will change depending on the type of fuel selected.

**AUTOMATIC CYCLE AND TEMPERATURES CONTROLS:**

Burners are cycled by an automatic timer control. Temperature measurement and control is provided by a solid state indicating pyrometer, which automatically adjust the main burners and afterburner from high to low fire as necessary to maintain correct set temperature.

**EASY LOADING & FRONT SIMPLE ASH RECOVERY:**

A removable ash receptor area is provided at the front of the cremator to receive the cremains. A stationary chrome roller makes front loading easy.

**STACKS:**

Constructed of heavy duty 14 gauge steel, rolled to 26" diameter and lined with 3" 2500°F. refractory castable material. Each section of stack is flanged and bolted in five (5) foot sections. Two (2) five ft. sections of stack are provided as standard equipment with each "Hot Hearth" cremation chamber.

**FINISH:**

Exterior coated with heat and weather resistant exterior grade enamel paints. Front panels are made of Brushed Stainless Steel and easy to keep clean.

**ELECTRICAL OPTIONS:**

230/380/415/460 Volts.      50 or 60 Hertz      Single or Three Phase

**CLEAN OUT TOOLS:**

One (1) Repositioning tool, Clean-Out Brush and two (2) Stainless Steel Ash pans shall be provided with each unit.

**OPERATING INSTRUCTIONS:**

Our factor trained field engineer will start-up, cure out unit and provide complete training on the proper operation of all the equipment.

**24-HOUR SERVICE HOT LINE:**

We offer to our customer the convenience of 24 Hrs/ 7 Days a week to call our 1-800-396-2254 for any problems you may be having with your unit. We can talk you through the problem or make arrangements to service your equipment.

*We thank you for choosing American Crematory for your Cremation needs*

# American

## CREMATORY EQUIPMENT CO.

### General Information Summary

#### Equipment Process Location Drawing:

See Drawings

#### Equipment Description:

American Cremation Chamber, Model A-200 HT for Type IV waste cremations only, equipped with a primary burner and a afterburner with a combined maximum rated input of 1.5 MNBTU/HR natural gas fired only.

#### Process Description:

Set timer for 180 minutes, start blower, turn secondary / air switch to OFF, damper motors will close secondary air off and air to main burner, start afterburner and preheat secondary chamber to 1500°F. When the temperature exceeds 1500°F. turn the secondary air switch to ON. Open door, place remains into the primary chamber, close door and start cremation burner, the cremation is now in progress and will take approximately two hours to complete, depending on the weight of the decedent and casket. After the cremation is complete, the burners are turned off, the combustion blower will remain on to cool down the primary chamber for one hour. After the cool down, the door may be opened and the cremains can be removed from the primary chamber.

Discharge of emission are mainly caused be operator error, due to inserting a decedent into the primary chamber on the second or third cremation of the day when the primary chamber is to hot, not allowing enough time for cool down between cremations. Also by opening the door and repositioning the remains too soon into the cremation, and cremating over the maximum allowable weight of 500 lbs. per batch load.

#### Pollution Control Equipment:

The afterburner is controlled by a temperature controller, set at 1500°F. If the temperature exceeds 1500°F. in the afterburner, the burner will automatically adjust to low fire at 25, 000 BTU/HR input. The primary burner is controlled by a temperature controller and is set at 1600°F., a thermocouple is probed into the primary chamber, if the temperature exceeds 1600°F. the burner will automatically adjust to low fire with 15, 000 BTU/HR input. There is also a 60-minute timer to manually keep the primary burner in low fire for up to 60 minutes, this will slow down the cremation process. The primary burner can not be fired unless the afterburner is on.

# American CREMATORY EQUIPMENT CO.

**Operating Schedule:**

Hrs. / Day..... 24 Hrs.  
Day / Week..... 7  
Week / Yr..... 52

**Process Rate:**

Model A-200 HT, 100-150 lbs/Hr  
Average time per Cremation....2 Hrs. or less

**Fuel and Burners:**

Natural Gas 0.6 SP. GR. Pressure Required = 1600 CFH - 14" - 20" WC  
1 each Eclipse Combustion Thermjet Medium Velocity Burner, Model TJ50  
500, 000 BTU/HR for primary burner, adjusted 500.00 BTU/HR high fire with  
15% excess air.  
1 each Eclipse Combustion Thermjet Medium Velocity Burner, Model TJ100  
1, 000.000 BTU/HR at high fire with 10% excess air in afterburner.

**Flow Diagram:** See Drawings

**Stack/Exhaust Emissions:**

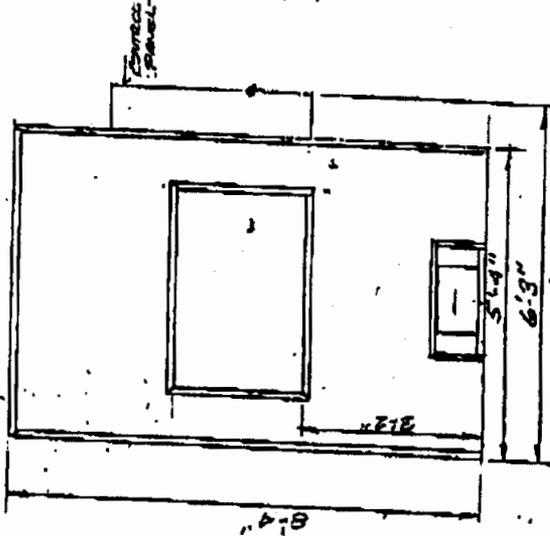
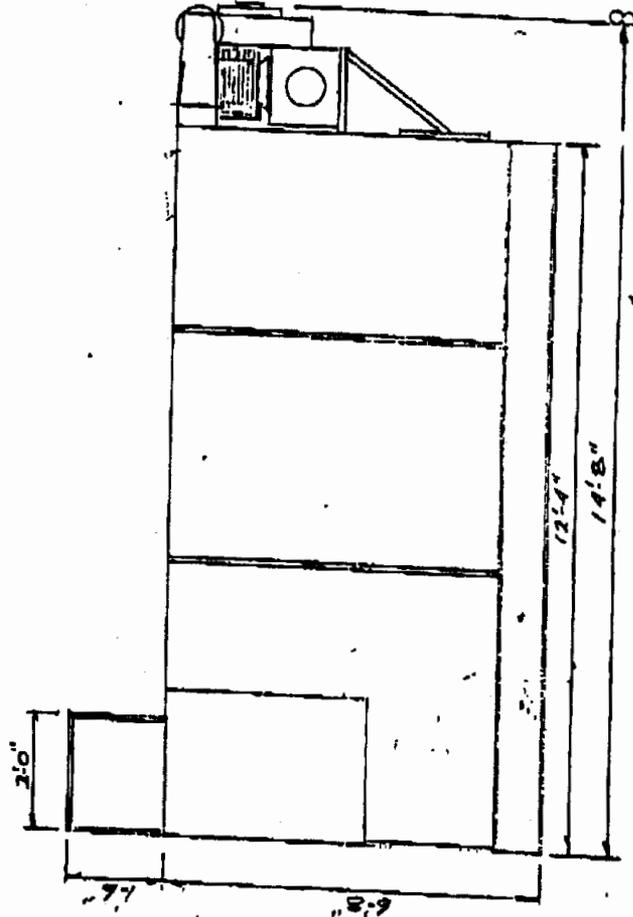
See Enclosed Source Test Report on the "American" Model A-200HT

**Stack Data:**

Height..... 18 Feet  
Diameter ID..... 20 Inches  
Velocity..... 19.4 ft / sec  
Temperature..... 900°F. to 1000°F.

**Air Quality Impact:**

This unit is smokeless and odorless when operated correctly by trained personnel. All crematory personnel will be fully trained and certified on the proper operation of this cremation chamber to prevent any problems with the correct operation of equipment.



CONTROL PANEL MAY BE MOUNTED ON RIGHT OR LEFT SIDE OF UNIT

AMERICAN CREMATORY A-200 AT

1.5 MILLION BTU/HR  
1600 CFM / 10" WC

