PUBLIC REVIEW DRAFT

INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

FOOTHILL TRAIL MASTER PLAN

HAYWARD, CALIFORNIA

LSA

August 2021

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PUBLIC REVIEW DRAFT

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

FOOTHILL TRAIL MASTER PLAN

HAYWARD, CALIFORNIA

Submitted to:

Hayward Area Recreation District
1099 E Street
Hayward, California 94541

Prepared by:

LSA
157 Park Place
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510.236.6810

Project No. WRT2001

LSA

August 2021

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LIST OF ABBREVIATIONS AND ACRONYMS

µg/m^3	micrograms per cubic meter
AB	aggregate base
ABAG	Association of Bay Area Governments
ACCWP	Alameda Countywide Clean Water Program
ACFD	Alameda County Fire Department
ACWD	Alameda County Water District
ALS	advanced life support
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BERD	Built Environment Resources Directory
BMPs	Best Management Practices
CAL FIRE	California Department of Forestry and Fire Protection
California Register	California Register of Historical Resources
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGS	California Geological Survey
CH_4	methane
City	the City of Hayward
Clean Air Plan	BAAQMD 2017 Clean Air Plan

CNDDB	California Natural Diversity Database
CO	carbon monoxide
CO_2	carbon dioxide
CoIWMP	Countywide Integrated Waste Management Plan
Corps	U.S. Army Corps of Engineers
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CSU East Bay	California State University East Bay
Draft Master Plan	Draft Foothill Trail Master Plan
EBCE	East Bay Community Energy
EBDA	East Bay Dischargers Authority
EBMUD	East Bay Municipal Utility District
EFZ	Earthquake Fault Zones
EMS	emergency medical services
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FFPD	Fairview Fire Protection District
FMMP	Farmland Mapping and Monitoring Program
GHG	greenhouse gas
GIS	Geographic Information Systems
GP	NPDES General Permit
GWP	Global Warming Potential
HARD	Hayward Area Recreation and Park District
HFCs	hydrofluorocarbons

HFD	City of Hayward Fire Department
HPD	City of Hayward Police Department
HUSD	Hayward Unified School District
IS/MND	Initial Study/Mitigated Negative Declaration
Land Use Study	Route 238 Bypass Land Use Study
MBTA	Migratory Bird Treaty Act
MCV	Manual of California Vegetation
MLD	Most Likely Descendant
MMI	Modified Mercalli Intensity
MTC	Metropolitan Transportation Commission
N_2O	nitrous oxide
NO_2	nitrogen dioxide
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center
O_3	ozone
OHP	Office of Historic Preservation
OSHA	Occupational Safety and Health Administration
Pb	lead
PFCs	perfluorocarbons
PGE	Pacific Gas and Electric
PM	particulate matter
PRC	Public Resources Code
ROG	reactive organic gases

RWQCB	Regional Water Quality Control Board
SD-7	City of Hayward Foothill Trail Special Design Overlay District
SF6	sulfur hexafluoride
SFDFW	San Francisco dusky-footed woodrat
SFPUC	San Francisco Public Utilities Commission
SO_2	sulfur dioxide
SRA	State Responsibility Area
SWPPP	Storm Water Pollution Prevention Plan
TACs	toxic air contaminants
UCMP	University of California Museum of Paleontology
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
VMT	vehicle miles traveled
WPCF	City of Hayward Water Pollution Control Facility
ZE	zero emission

1.0 PROJECT INFORMATION

1. **Project Title:**

   Foothill Trail Master Plan

2. **Lead Agency Name and Address:**

   Hayward Area Recreation and Park District
   1099 E Street
   Hayward, CA 94541

3. **Contact Person and Phone Number:**

   Michael Williams
   (510) 881-6700

4. **Project Location:**

   The project site consists of a proposed trail alignment (also referred to herein as the "Draft Master Plan area") that extends a total of approximately 8 miles from Grove Way just at Foothill Boulevard to Industrial Parkway and the Mission Hills Golf Course in the City of Hayward (City), Alameda County, California. Figures 1-1 and 1-2 show the regional location and proposed alignment of the trail.

5. **Project Sponsor's Name and Address:**

   Hayward Area Recreation and Park District
   1099 E Street
   Hayward, CA 94541

6. **General Plan Designation:**

   The Draft Master Plan area includes various General Plan land use designations.

7. **Zoning:**

   The Draft Master Plan area includes various zoning designations.

8. **Description of Project:**

   The proposed Draft Foothill Trail Master Plan ("proposed project" or "Draft Master Plan") describes the vision and establishes the important characteristics for a trail to be developed along the Foothill/Mission Boulevard corridor in unincorporated Alameda County and the City of Hayward. The approximately 8-mile trail corridor would provide a route for both travel and recreation, linking open spaces, parks, downtown Hayward, California State University East Bay (CSU East Bay) and the emerging higher-density development along Mission Boulevard. The Draft Master Plan was presented in a study session to the HARD Board of Directors, which recommended completing the Draft Master Plan with environmental review.

   The Draft Master Plan is a comprehensive, long-term planning document that is intended to guide the future development of the trail. Specific trail segments would be constructed

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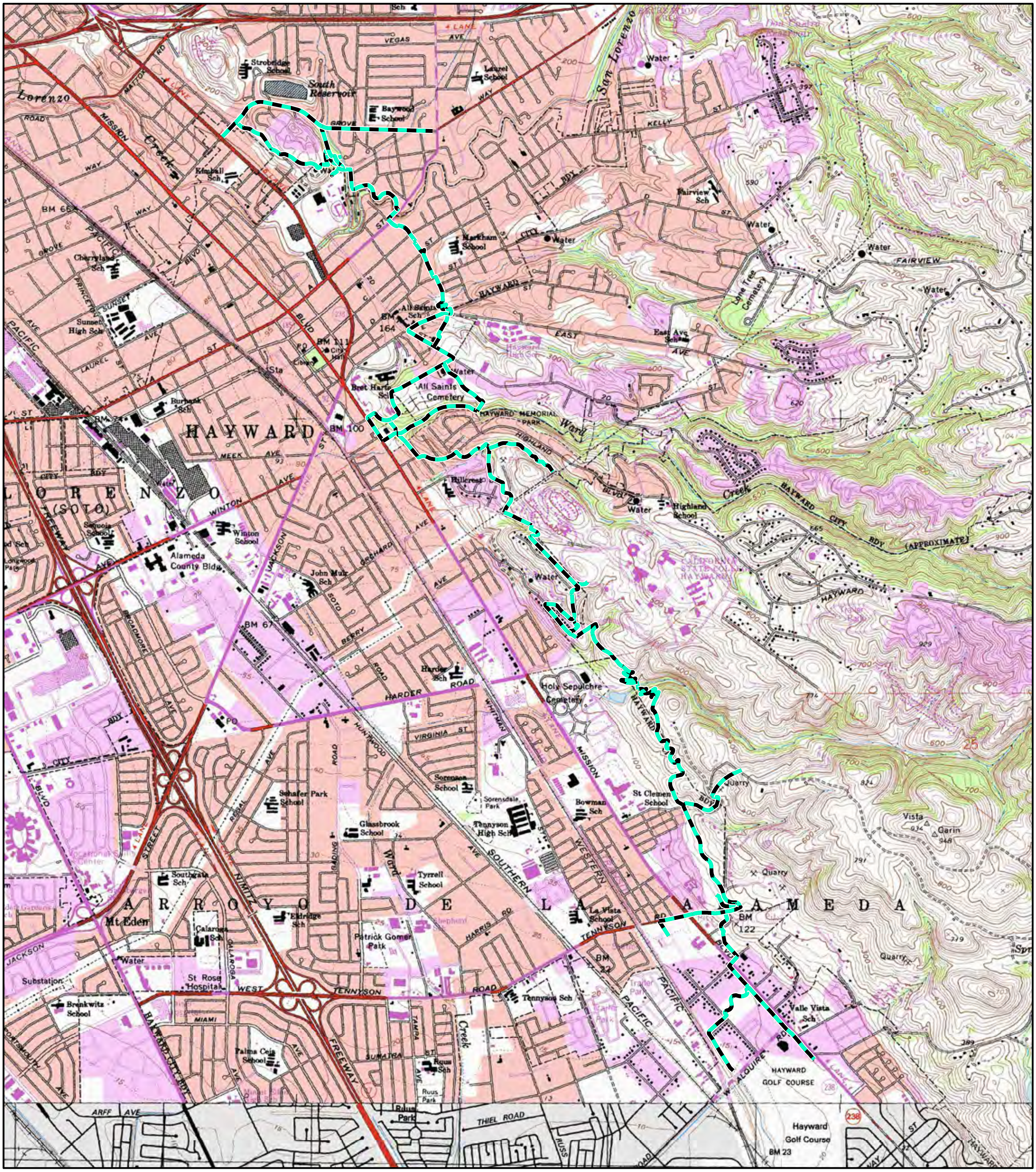
FIGURE 1-1



LEGEND

Foothill Trail

N

0 1500 3000

FEET

Foothill Trail Master Plan

Regional Location

SOURCE: USGS 7.5-minute Topo Quads - *Hayward, Calif.* (1980) and *Newark, Calif.* (1993).

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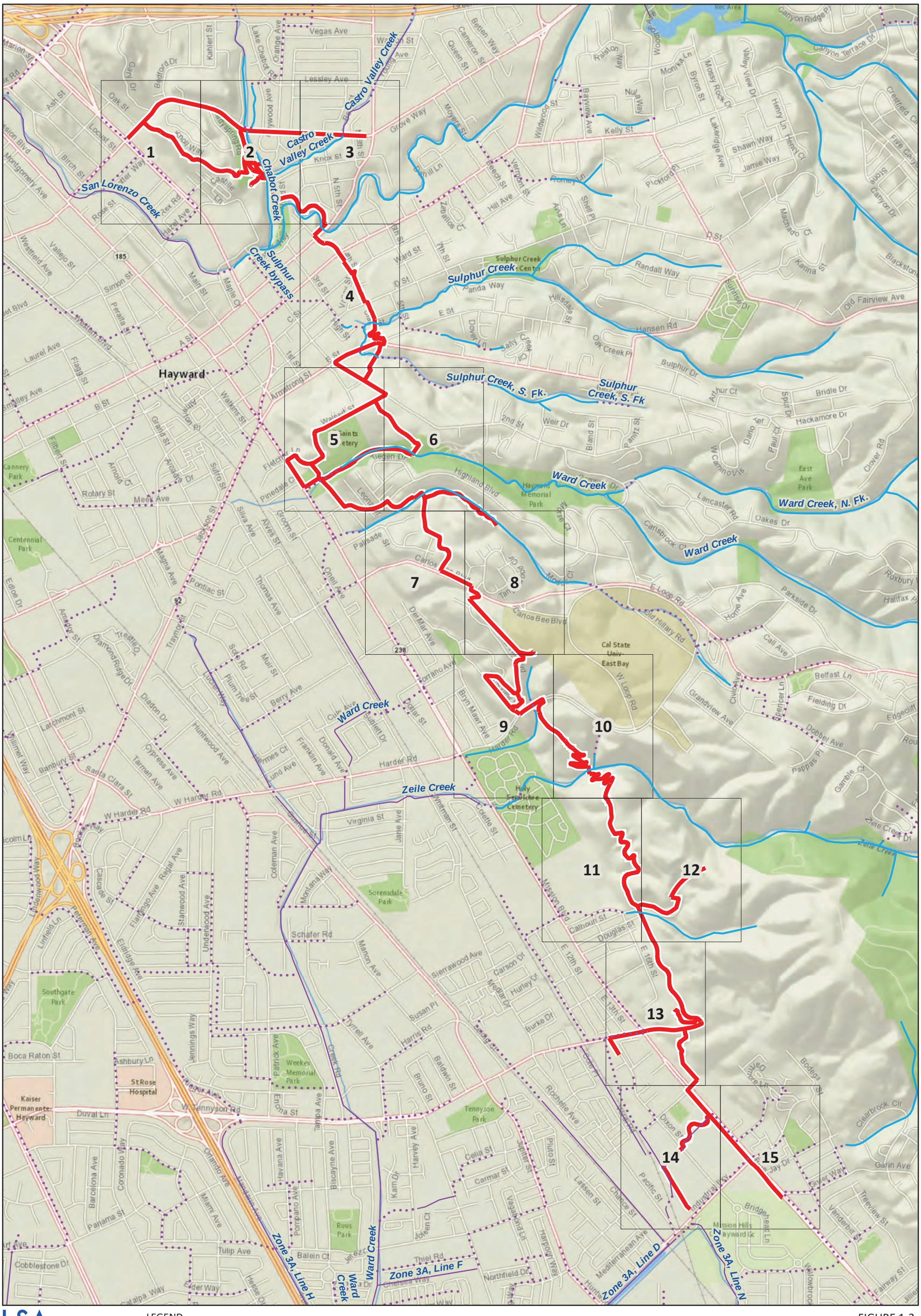

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LEGEND

Foothill Trail

Map Sheet

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

0 875 1750

FEET

FIGURE 1-2
SHEET INDEX

Foothill Trail Master Plan
Proposed Trail Alignment

SOURCE: National Geographic World Map (2021).

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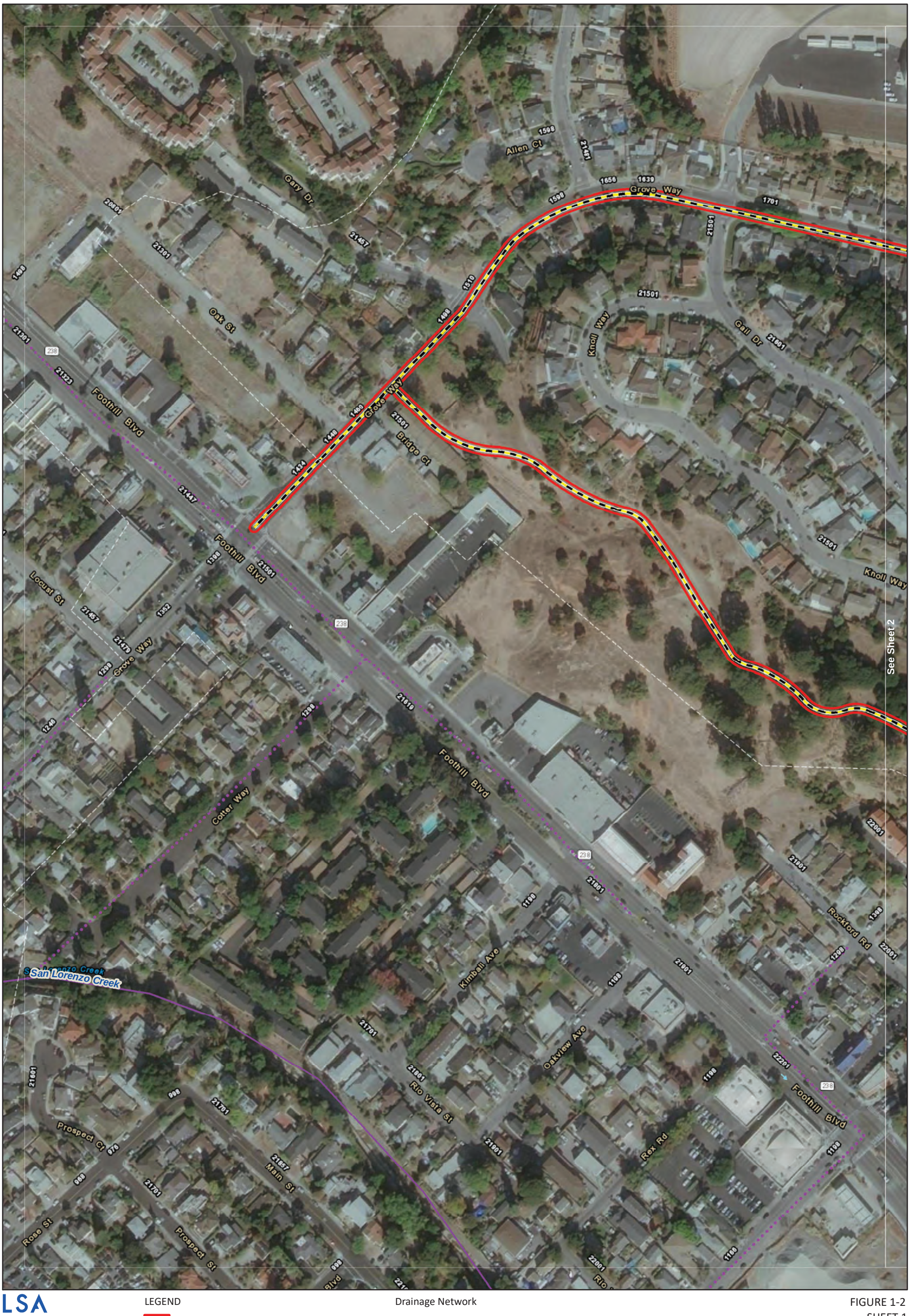

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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2
SHEET 1

Foothill Trail Master Plan
Proposed Trail Alignment

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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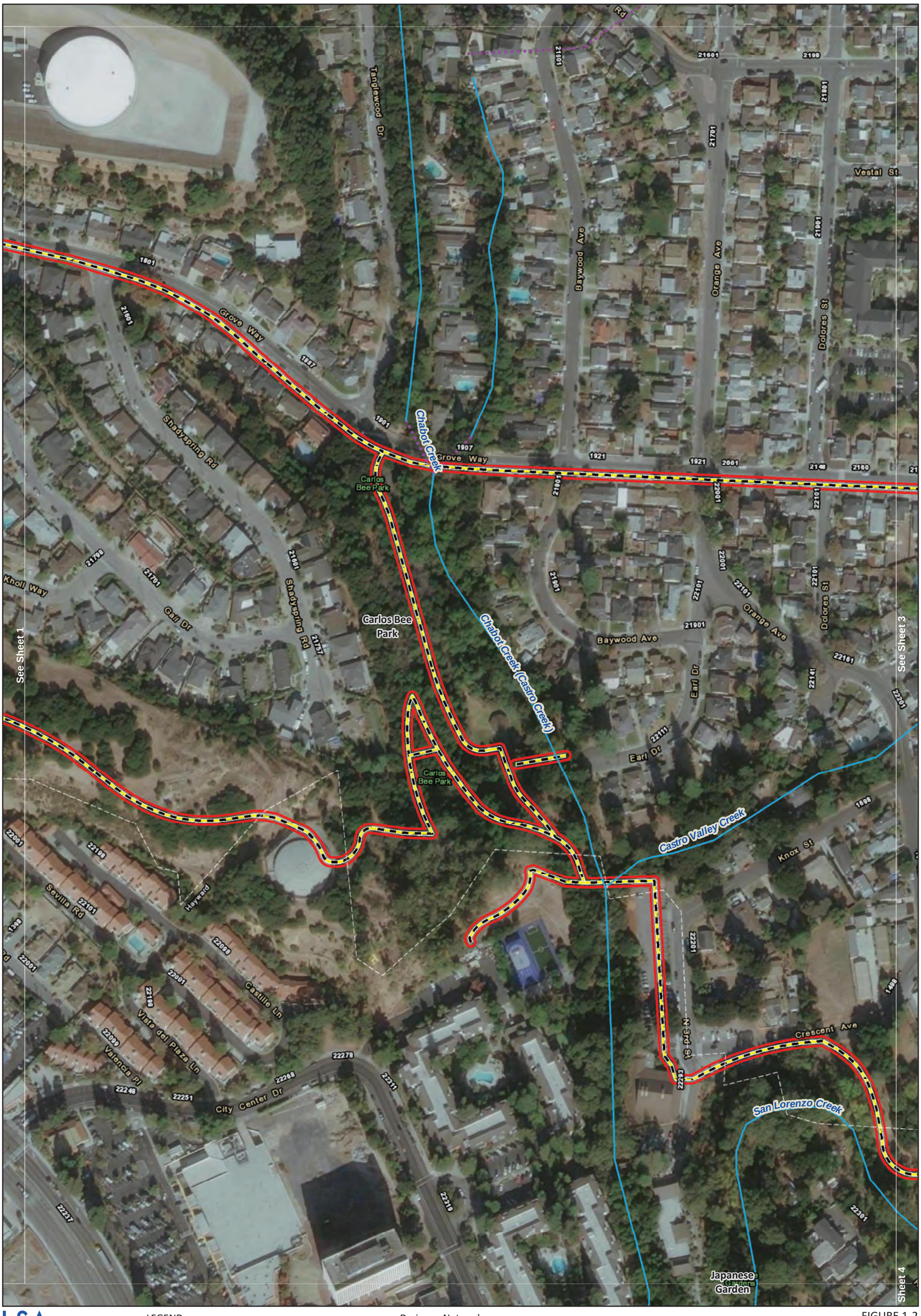

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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2

SHEET 2

Foothill Trail Master Plan

Proposed Trail Alignment

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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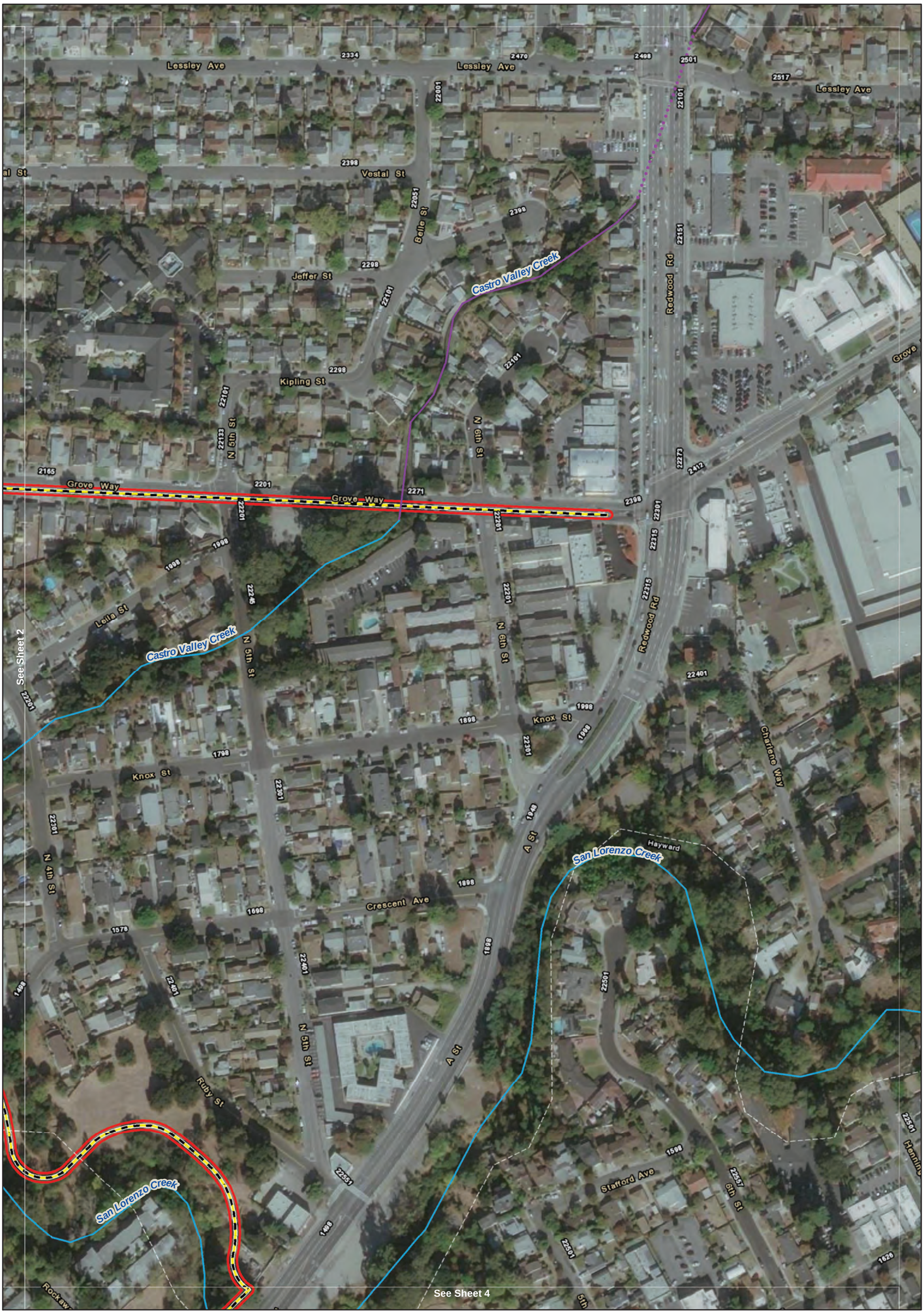


LSA

LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

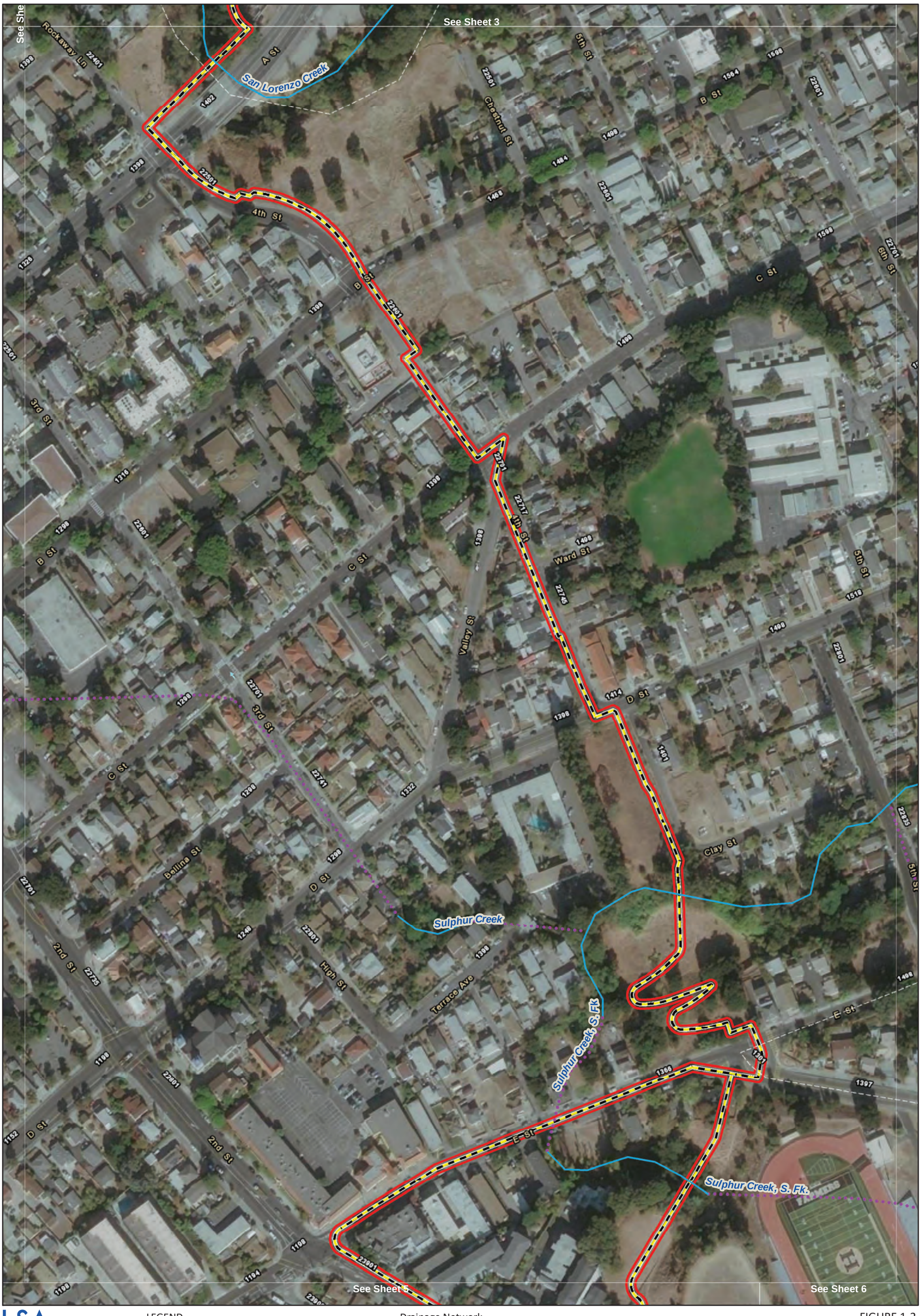
FIGURE 1-2
SHEET 3

0 100 200
FEET

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

I:\WRT2001\GIS\Maps\Biology\Figure 2_Trail Alignment on Aerial Base.mxd (2/11/2021)

Foothill Trail Master Plan
Proposed Trail Alignment



LSA

LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

0 100 200

FEET

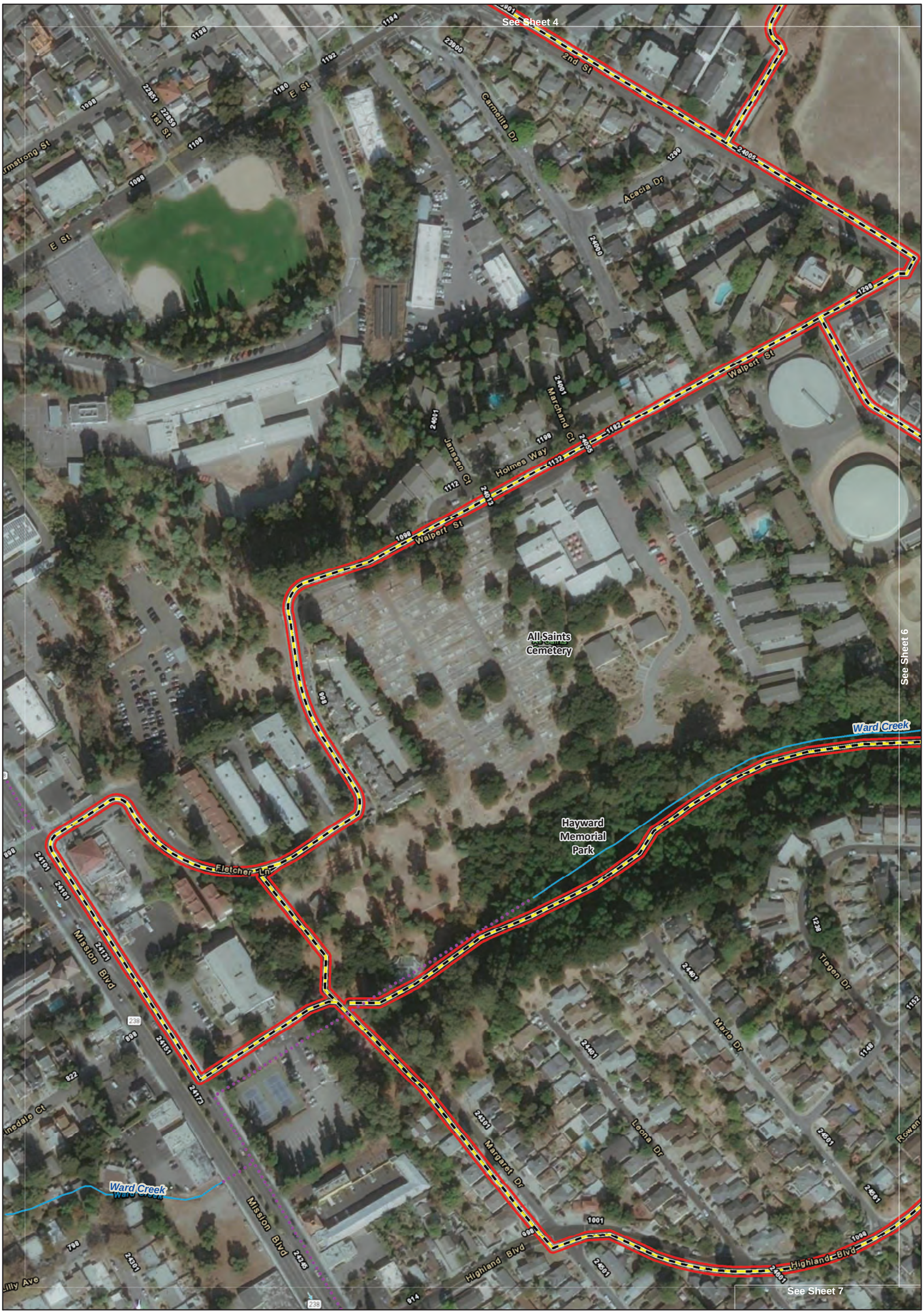
FIGURE 1-2
SHEET 4

Foothill Trail Project
City of Hayward, Alameda County, California
Trail Alignment on Aerial Base

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

I:\WRT2001\GIS\Maps\Biology\Figure 2_Trail Alignment on Aerial Base.mxd (2/11/2021)

See Sheet 4



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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

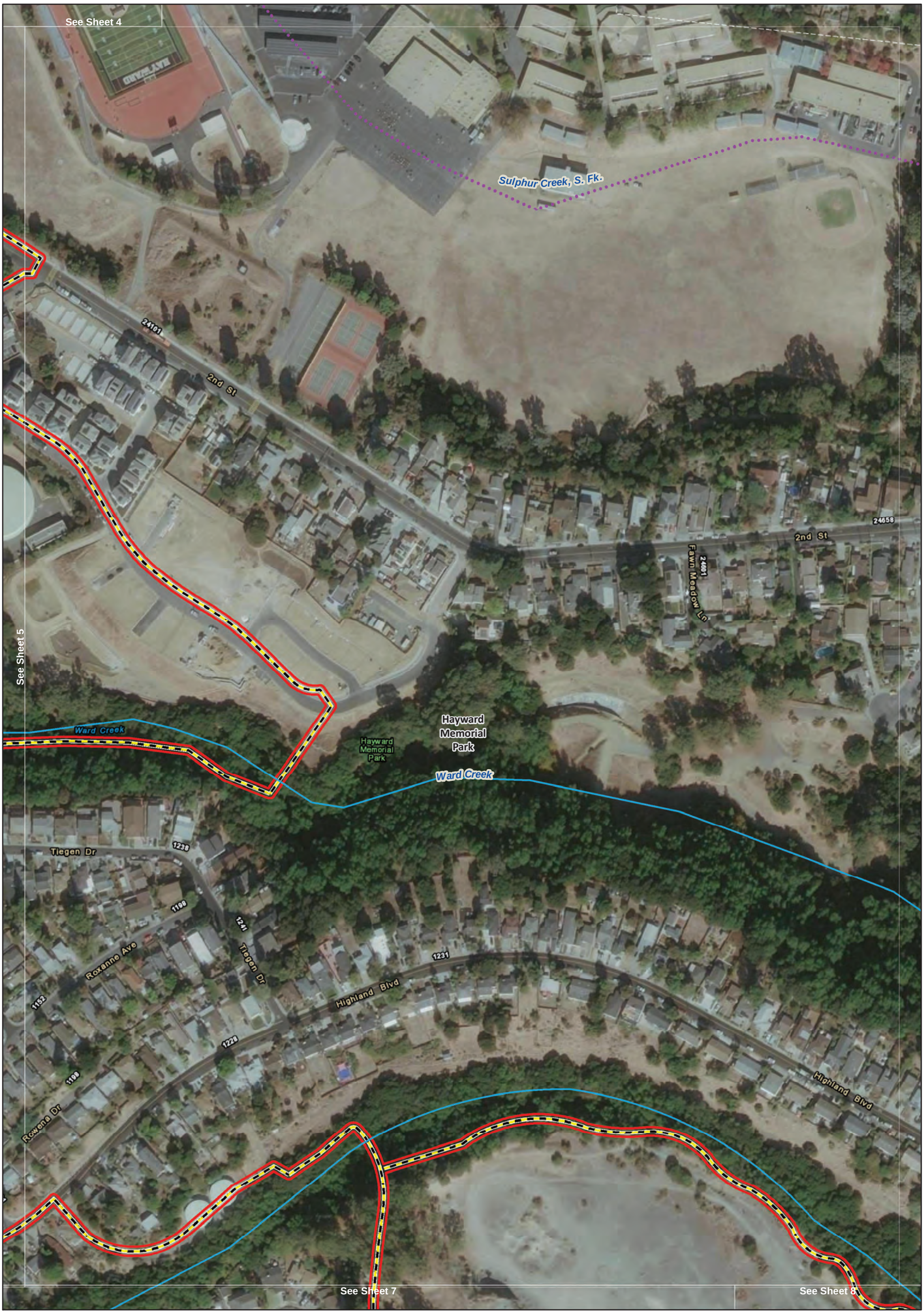
FEET

FIGURE 1-2
SHEET 5

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

I:\WRT2001\GIS\Maps\Biology\Figure 2_Trail Alignment on Aerial Base.mxd (2/11/2021)

Foothill Trail Master Plan
Proposed Trail Alignment



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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

FIGURE 1-2
SHEET 6

N

0 100 200
FEET

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

I:\WRT2001\GIS\Maps\Biology\Figure 2_Trail Alignment on Aerial Base.mxd (2/11/2021)

Foothill Trail Master Plan
Proposed Trail Alignment

See Sheet 5
See Sheet 6
See Sheet 8
See Sheet 9

LSA

LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2
SHEET 7

Foothill Trail Master Plan
Proposed Trail Alignment

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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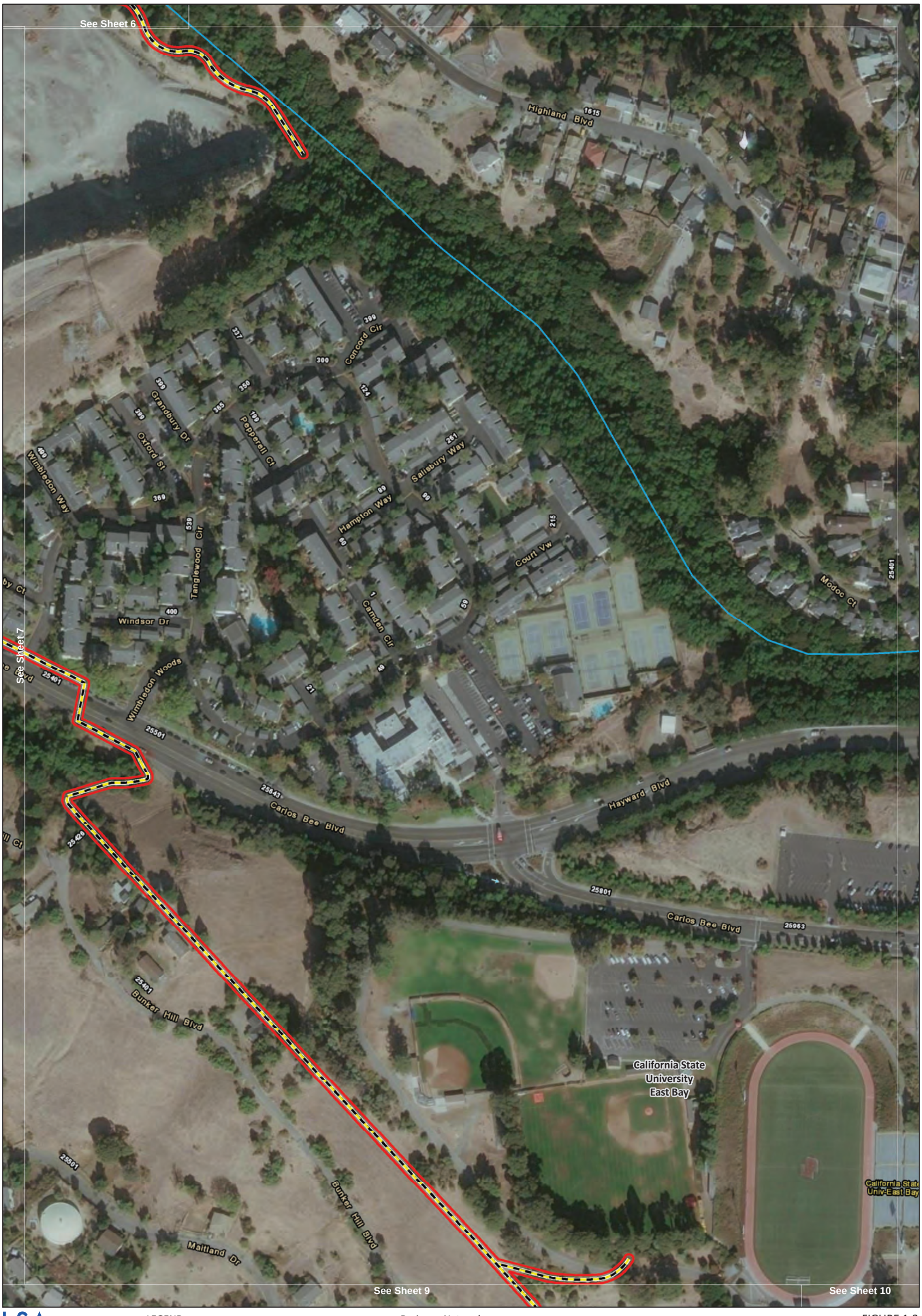

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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2
SHEET 8

Foothill Trail Project
City of Hayward, Alameda County, California
Trail Alignment on Aerial Base

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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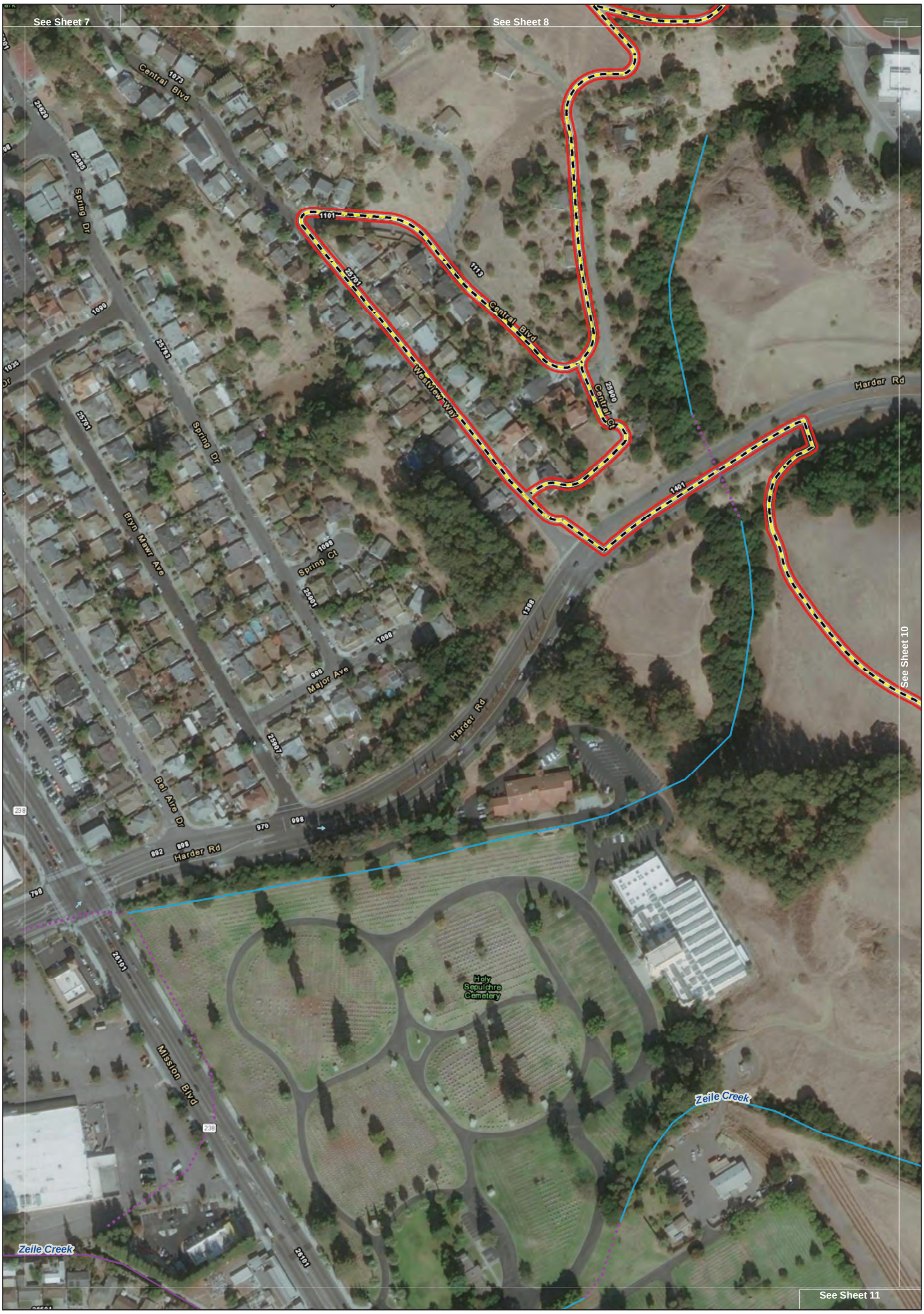

LSA

LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2

SHEET 9

Foothill Trail Master Plan

Proposed Trail Alignment

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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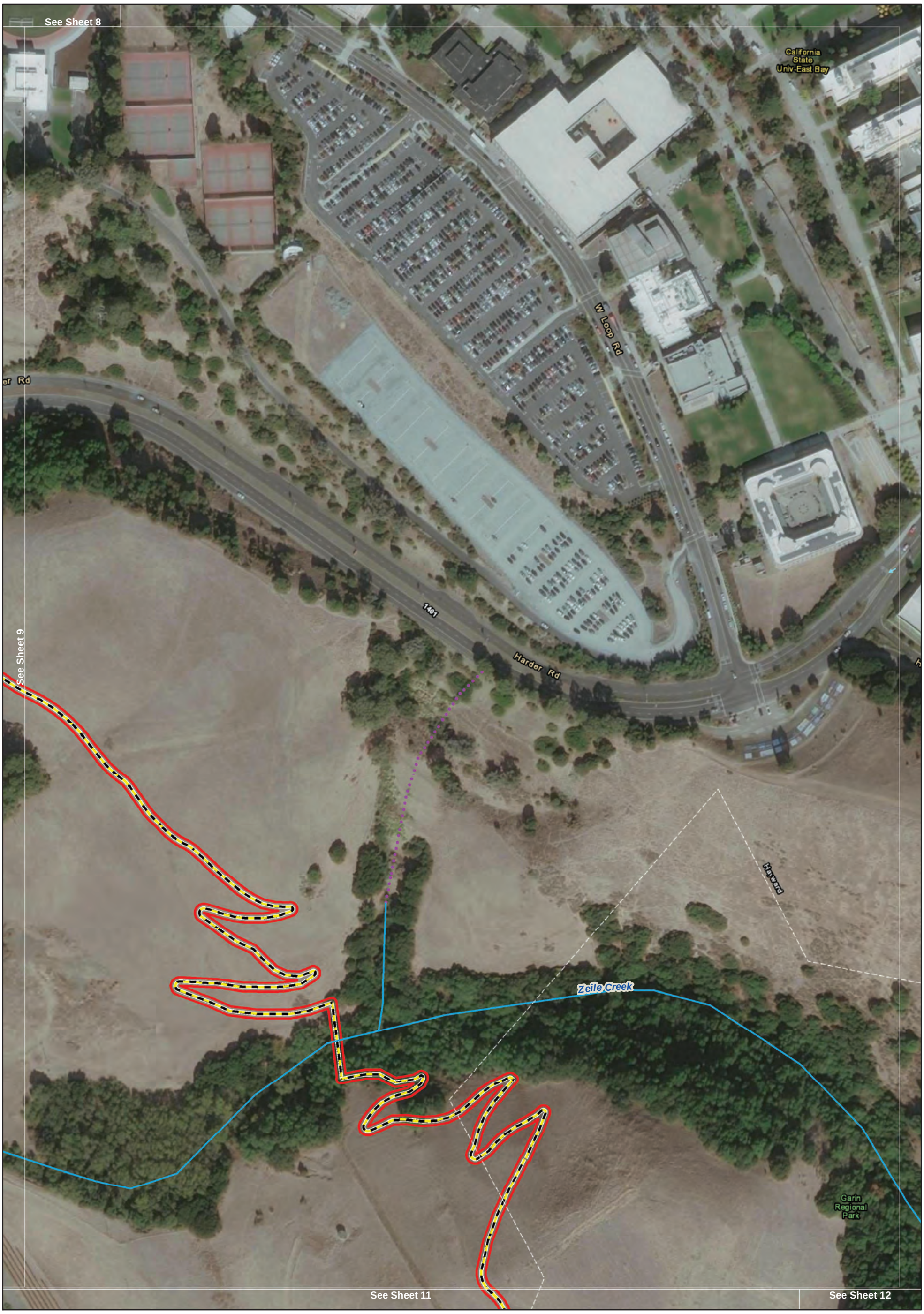

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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2
SHEET 10

Foothill Trail Project
City of Hayward, Alameda County, California
Trail Alignment on Aerial Base

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

I:\WRT2001\GIS\Maps\Biology\Figure 2_Trail Alignment on Aerial Base.mxd (2/11/2021)

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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2
SHEET 11

Foothill Trail Project
City of Hayward, Alameda County, California
Trail Alignment on Aerial Base

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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See Sheet 10

Zeile Creek

Garin Regional Park

See Sheet 11

1498

Calhoun St

See Sheet 13

LSA

LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2
SHEET 12

Foothill Trail Master Plan
Proposed Trail Alignment

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

FIGURE 1-2
SHEET 13

0 100 200
FEET

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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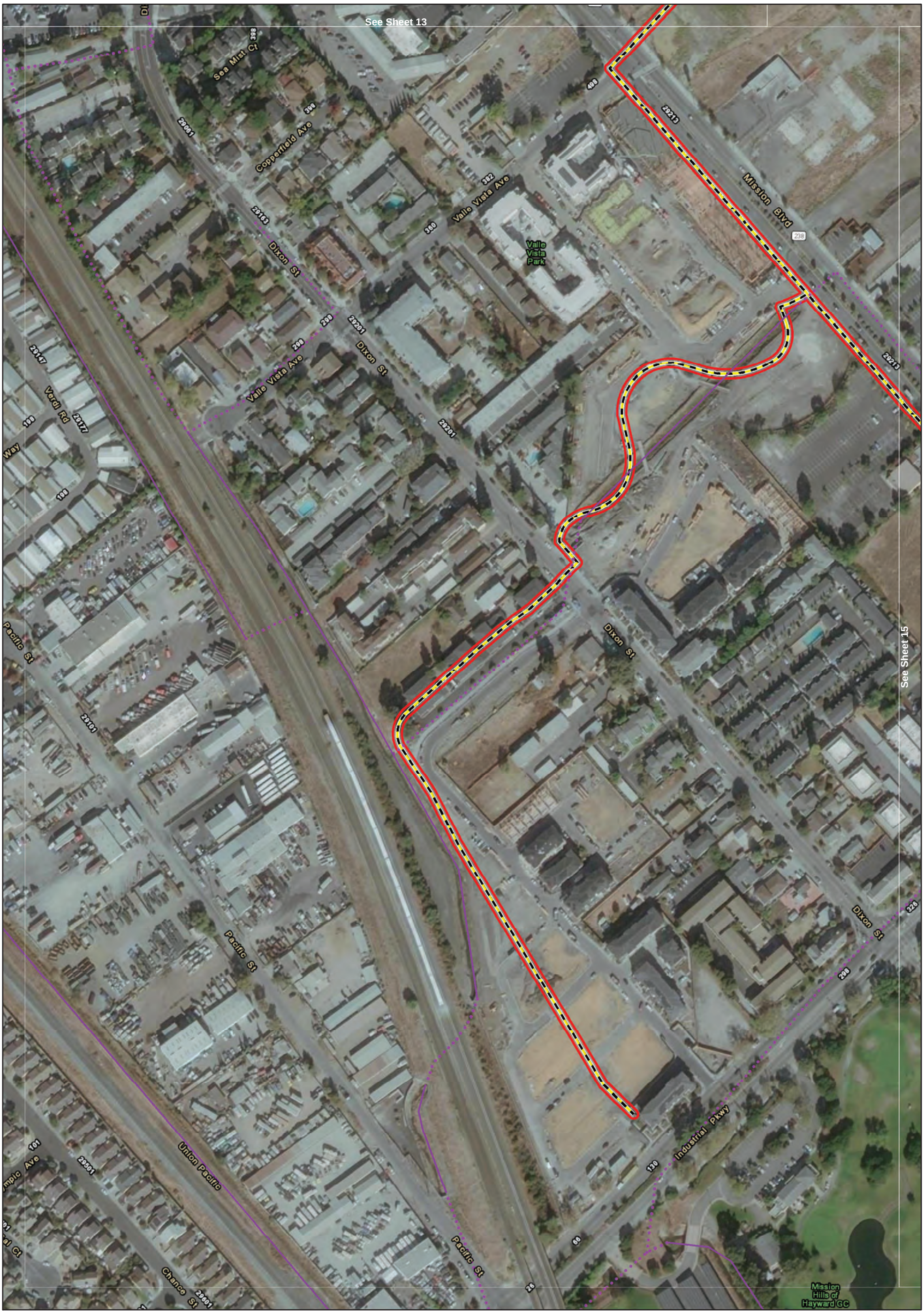
Foothill Trail Master Plan
Proposed Trail Alignment



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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

N

0 100 200

FEET

FIGURE 1-2
SHEET 14

Foothill Trail Master Plan
Proposed Trail Alignment

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

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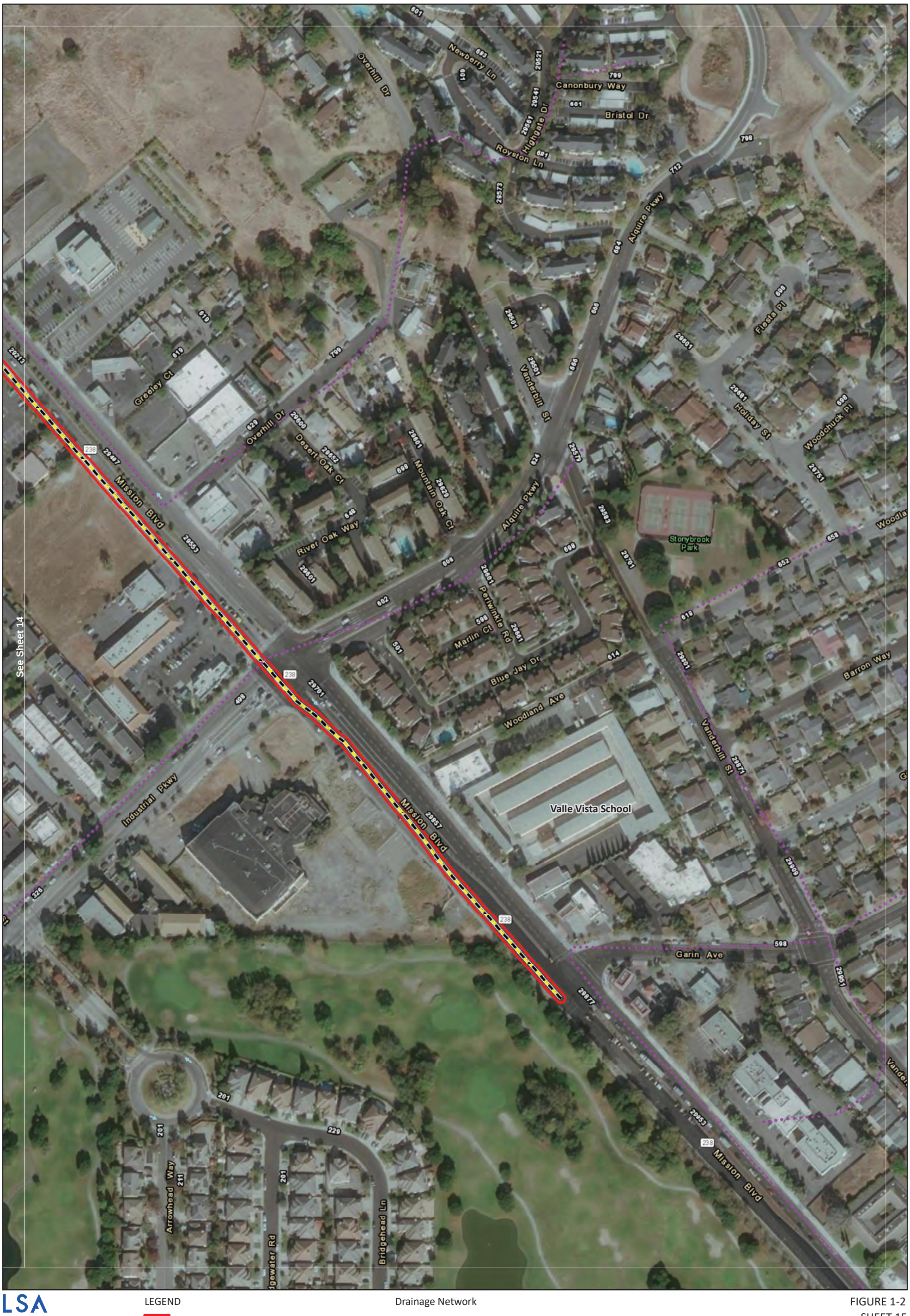

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LEGEND

Project Area

Foothill Trail

Drainage Network

Creek

Engineered channel

Underground culvert or storm drain

FIGURE 1-2
SHEET 15

0 100 200
FEET

SOURCE: Drainage Network Adapted from Sowers (1997); Maxar Metro Aerial Imagery (11/2019).

I:\WRT2001\GIS\Maps\Biology\Figure 2_Trail Alignment on Aerial Base.mxd (2/11/2021)

Foothill Trail Master Plan
Proposed Trail Alignment

incrementally and by various entities (e.g., private developers, Hayward Area Recreation and Park District (HARD), Alameda County, and the City of Hayward) throughout implementation of the Master Plan. This Initial Study evaluates the potential environmental effects of implementing the Draft Master Plan. Given that detailed design and alignment information for individual trail segments are not known at this time, this Initial Study evaluates the conceptual elements of the Draft Master Plan at a programmatic level and identifies the potential environmental impacts and mitigation measures that could be required for development of these improvements by HARD when funding becomes available.

Potential environmental impacts associated with implementation of the Draft Master Plan are analyzed at a "program" level in this Initial Study. HARD intends that future project-specific actions pursuant to the Draft Master Plan that would implement improvements beyond those considered in the programmatic analysis in this Initial Study/Mitigated Negative Declaration (IS/MND) would be subject to project-level CEQA analysis and compliance. Prior to implementation of specific improvements, Lead Agency staff will review recommended projects within the Draft Master Plan on a case-by-case basis to determine if any supplemental review under CEQA would be required to address potentially adverse project-specific impacts that are not mitigated through the recommended design guidelines and mitigation measures identified in this Initial Study.

The following sections describe the planning context and components of the Draft Master Plan.

Planning Context. HARD encompasses 104 square miles in Alameda County, with a mix of urbanized areas and protected regional open space, stretching from the San Francisco Bay shoreline to the East Bay Hills. HARD's park system includes approximately 1,359 acres of local and community parks, aquatic centers, golf courses, and other special facilities, along with greenbelts, open spaces and trails. HARD provides park and recreation services to nearly 300,000 residents in the City of Hayward, as well as the neighboring unincorporated areas of San Lorenzo, Ashland, Cherryland, Castro Valley and Fairview.

The HARD Parks Master Plan, adopted in 2019, recommends the development of a master plan for trails. HARD has followed that recommendation with concurrent master planning efforts for an overall trails and open space system, and for two key trails: San Lorenzo Creekway and the Foothill Trail. In addition, both the City of Hayward and Alameda County are in the process of updating their Bicycle and Pedestrian Master Plans. HARD has sought to be consistent with these plans in order to align the goals and actions of the many jurisdictions that have a role in developing bicycle, pedestrian, and trail facilities in the community.

Project Background. In the 1960s, the California Department of Transportation (Caltrans) purchased over 400 parcels in the Hayward foothills, east of Foothill and Mission Boulevards, for the construction of the Route 238 Bypass Freeway project. However, due to a variety of factors, the project was eventually abandoned in 1971.

In 2009, the City of Hayward completed its Route 238 Bypass Land Use Study (Land Use Study) and adopted General Plan amendments and zoning changes to implement the findings from the Land Use Study. The Land Use Study called for higher-density and mixed-use development near

transit, sensitively designed development in hillside areas, and a continuous trail through the properties. This concept was codified in the City of Hayward Zoning Code as the Hayward Foothills Trail Special Design Overlay District (SD-7), which defines a conceptual trail alignment, trail standards (e.g., right-of-way, width, setbacks and relationship to adjacent development), and coordination with HARD on trail standards.

The SD-7 establishes the following development standards and design guidelines that relate to general trail alignment and users:

- The trail is envisioned to be a 16-foot-wide trail within a 20-foot-wide area where possible, to accommodate multiple users.
- The trail is envisioned to be established generally in the locations as shown on the maps include in the Municipal Code.
- Where the trail traverses' individual properties, it is envisioned to be developed in a location which will maximize the future development potential of the property.
- The trail shall be developed in coordination and approved by the HARD and in accordance with the District's trail standards.
- The trail shall be developed in areas where the natural slope is less than 25 percent, if possible.
- The trail shall be a multi-use trail for pedestrian and bicycles and shall be available to the entire Hayward community as well as visitors to the Hayward community.
- Residential or non-residential development adjacent to the trail shall maintain at least a 10-foot setback from the edge of the trail, where feasible.
- Where the trail traverses' individual properties, if possible, the trail shall be located in front of structures to accommodate greater visibility and easier access, for the safety of all trail users and the occupants of future developments.

In January 2016, the City negotiated a purchase and sale agreement with Caltrans to acquire several remaining parcel groups along the former freeway alignment up to January 2022. The City's goal is to develop these properties with uses that would be consistent with the comprehensive vision of the City's General Plan and to integrate these properties with the rest of the community. Currently, two of the parcel groups have been sold, four parcel groups are under contract, and four parcel groups will undergo further planning. These latter eight parcel groups are the subject of a City of Hayward planning effort taking place concurrently with the Draft Master Plan. These parcel groups are shown on Figure 1-3.

Proposed Trail. The Draft Master Plan refines and adjusts the Foothill Trail corridor, as defined in the City of Hayward Zoning Code and identifies recommended trail standards including trail

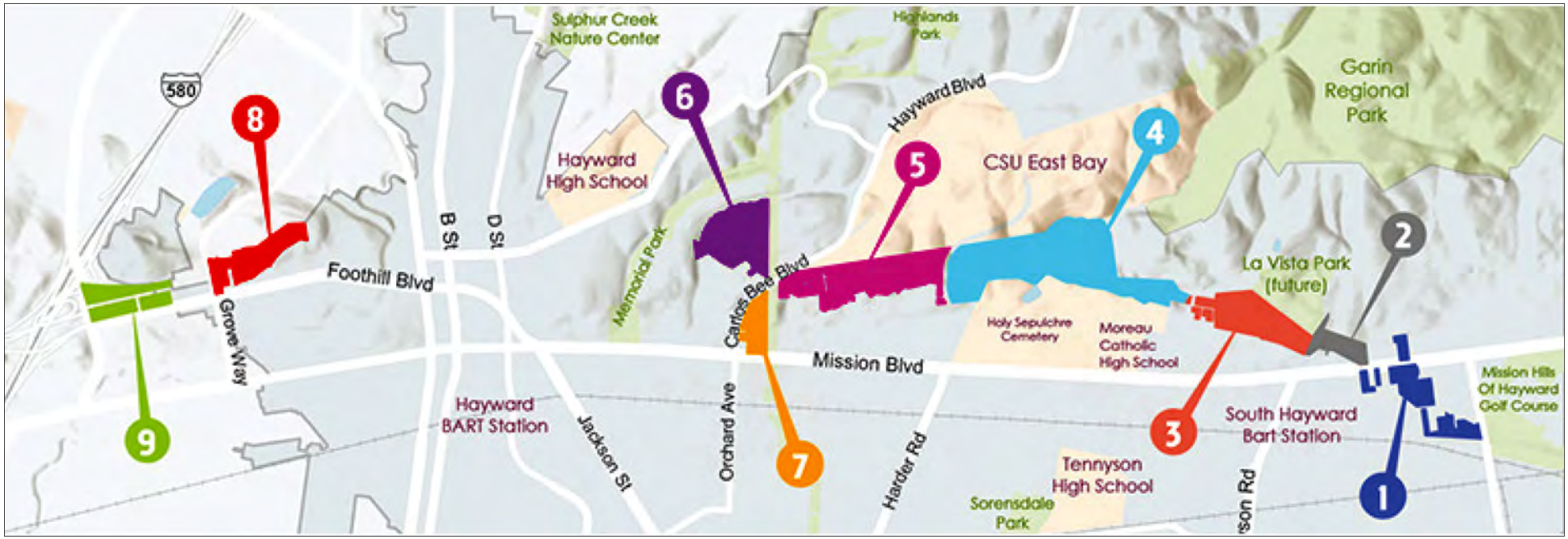

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FIGURE 1-3

NOT TO SCALE

SOURCE: WRT, November 2020

P:\WRT2001 HARD Foothill Trail\PRODUCTS\Graphics\Figure 1-3.ai (8/20/2021)

Foothill Trail Master Plan
Route 238 Parcel Groups

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design typologies, trail surfaces, street crossings, seating, lighting, fencing, wayfinding, and public art.

Trail Alignment. As shown on Figure 1-4, the northern end of the proposed trail corridor would begin at Grove Way and Foothill Boulevard. The route would traverse an undeveloped hillside with scattered trees and open meadows, rising to a water tank at the crest of the hill. The corridor would continue down the steeply wooded eastern slope into Carlos Bee Park. The route would descend to the confluence of Chabot and San Lorenzo creeks between Carlos Bee Park and the Hayward Japanese Gardens and then follow San Lorenzo Creek around a bend and along the undeveloped property known as Ruby Meadows.[1]

The corridor would traverse through existing neighborhoods just east and south of downtown Hayward. The corridor would follow 4th Street between A and D Streets. Then, it would cross undeveloped property along Sulphur Creek, cross E Street, and pass by Hayward High School. The route would follow 2nd Street and then descend across an undeveloped property down to the Ward Creek canyon and the Hayward Plunge Trail. It would then ascend the other side of the canyon, through a neighborhood along Highland Boulevard, and across another drainage to the site of the Carlos Bee Quarry (also known as Parcel Group 6).

From the Carlos Bee Quarry, the proposed trail alignment would cross Carlos Bee Boulevard into Parcel Group 5, which is proposed for residential development along Bunker Hill Boulevard. California State University East Bay (CSU East Bay) is located directly east of and upslope from Parcel Group 5.

The proposed trail alignment would cross Harder Road and traverse Parcel Group 4, skirting above the top of Holy Sepulchre Cemetery and crossing Ziele Creek. The route would cross Calhoun Street into Parcel Group 3, a mostly undeveloped property adjacent to the former quarry currently under development (La Vista[2]).

The trail would then descend down through Parcel Group 2, where development has been approved, and cross Mission Boulevard into the SoHay development, ending at Industrial Parkway and the Mission Hills Golf Course.

Trail Typology. Trail typologies would include three primary categories: off-street trails (Type A), on-street trails (Type B), and crossings (Type C). Within each of these categories, typologies that are more specific have been defined in the Master Plan. As described in the Master Plan, the design of the trail and amenities would comply with City and County ordinances to provide a sufficient setback from the creek and conservation easement areas. The three primary categories are shown on Figure 1-5 and further described as follows:

---

1 In October 2020, the Alameda County Community Development Agency approved a proposal to develop this property with 72 multi-family residential units, 71 of which would be permanently affordable.

2 The proposed La Vista development would include development of 179 single-family residential lots and related streets on 29.4 acres, a 16-acre neighborhood park with stormwater detention basins, a community center or additional park area on 14.6 acres and open space and trails on the remaining 102 acres.

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FIGURE 1-4

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MILES

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Foothill Trail Master Plan
Conceptual Trail Plan

SOURCE: WRT, 2021

P:\WRT2001 HARD Foothill Trail\PRODUCTS\Graphics\Figure 1-4.ai (8/20/2021)

LSA

FIGURE 1-5

0 .5 1
MILES

N

SOURCE: WRT, 2021

P:\WRT2001 HARD Foothill Trail\PRODUCTS\Graphics\Figure 1-5.ai (8/20/2021)

Foothill Trail Master Plan
Proposed Trail Typologies

- Type A trail segments would include unpaved shared use trails (Type A-1) and paved shared use trails (Type A-2). Type A-1 trail segments would consist of pedestrian-oriented, soft surface paths with variable width (4 to 12 feet). Type A-2 trail segments would consist of 12-foot-wide, asphalt or compacted aggregate base (AB) trails with 2-foot-wide decomposed granite shoulders where sufficient right-of-way exists. Where context requires, a narrower trail, approximately 10 to 12 feet wide in total may be implemented.

- Type B trail segments would include enhanced sidewalks with Class III bike boulevards (Type B-1), enhanced sidewalks with Class II bike lanes (Type B-2), and enhanced sidewalks with Class IV separated bikeways (Type B-3). For all Type B trail segments, minimum 10-foot-wide sidewalks are recommended, as well as trail identity and wayfinding signage, trees/plantings, and furnishings, if sufficient right-of-way is available. For streets with low vehicle traffic volumes and speeds, center of pavement markings ("sharrows") would be installed at least 4 feet from curb (11 feet if parallel parking is present). For streets with moderate vehicle traffic volumes and speeds, bike lanes would be installed approximately 6 feet from the curb (5 feet minimum). For streets with high vehicle traffic volumes and speeds, approximately 5 to 7-foot separated bikeways would be provided in each direction. Alternatively, a single, two-lane 10-foot bikeway could be installed. A 2- to 3-foot buffer would be provided between the bikeway and the vehicle travel lanes.

- Type C trail segments/crossings would include roadway intersections (Type C-1), midblock street crossings (Type C-2) and boardwalks/creek crossings (Type C-3). Where the trail crosses streets at intersections, the following improvements are proposed: bike boxes with sensors, two-stage turn queue boxes, intersection crossing markings, protected intersections, and crosswalk marketing and devices for pedestrians. Mid-block crossings are proposed where the trail would cross lower-traffic streets or where crossing at an intersection would require significant out-of-direction travel. At these locations, proposed improvements would depend on traffic volume, but could include installation of a HAWK signal, high-visibility markings, and/or raised crosswalks. Several creek crossings would be required to accommodate the proposed trail alignment. In these locations, the trail would be elevated above creeks and sensitive vegetation to minimize impact and maintain accessibility. Railings (at minimum 42 inches high) would be provided.

Trail Access. The Foothill Trail would cross many public streets and intersect or connect to other trails in the HARD system. Key trailheads and junctions should feature amenities like picnic tables, water fountains, and bike racks and wayfinding signage. Parking for the proposed trail would be provided at existing parking facilities along the route, including at the Douglas Morrison Theater/Hayward Japanese Gardens, Memorial Park, La Vista Park, the South Hayward Bay Area Rapid Transit (BART) station, and at Mission Hills Golf Course.

Trail Elements. The Draft Master Plan also includes recommendations for various trail elements including furnishings, barriers/fences, lighting, signage and art. Potential locations for these trail elements are shown on Figure 1-6. Lighting would be placed at trail entrances and along trail segments where significant early morning and late evening use is anticipated. Lighting would be down shielded and focused to minimize spillover into sensitive areas. Barrier and fencing would be placed between the trail and steep slopes or creeks and between the trail and residential yards.

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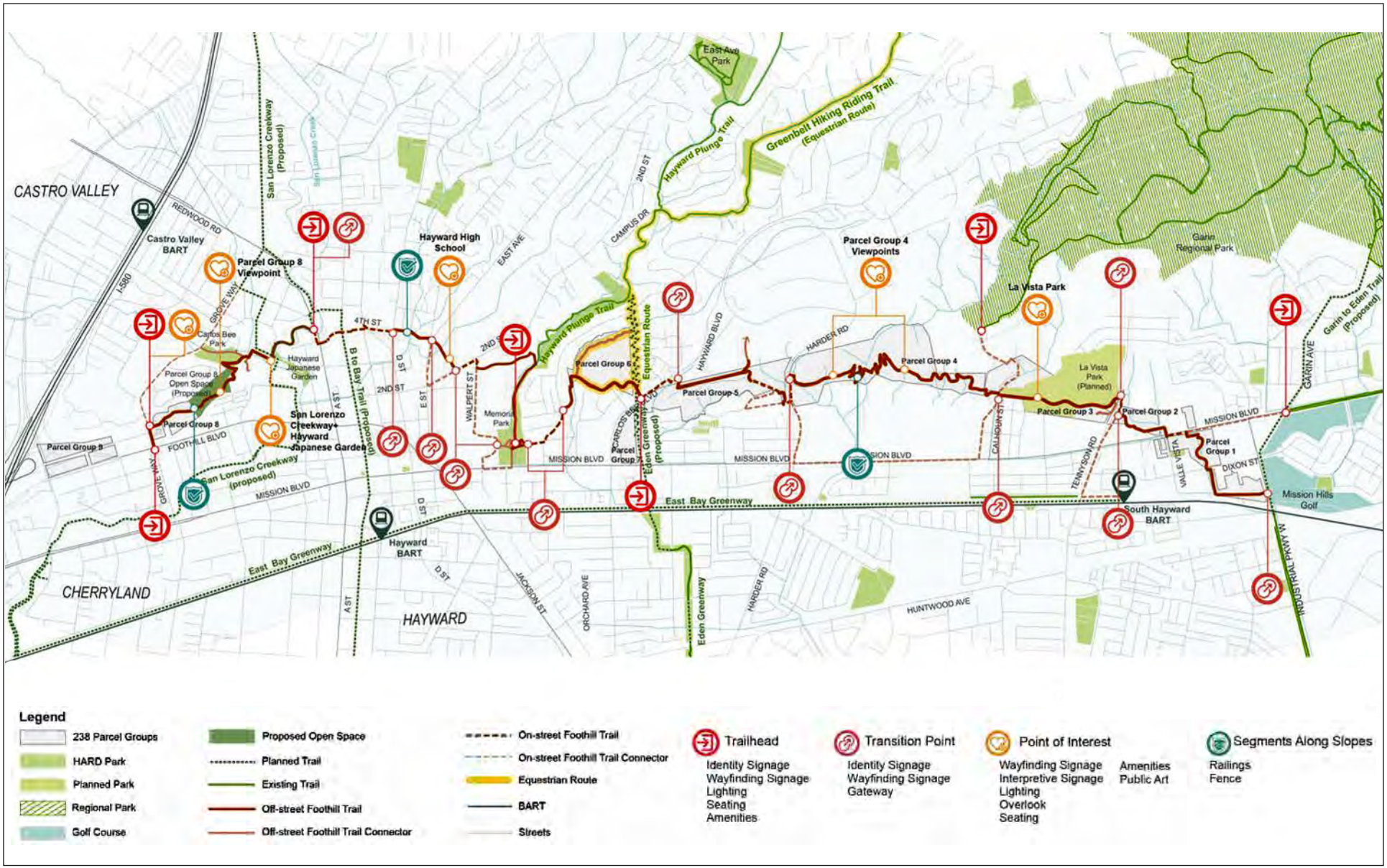

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FIGURE 1-6

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Foothill Trail Master Plan
Proposed Trail Elements

SOURCE: WRT, November 2020

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Wayfinding and interpretive signage would be provided at trailheads and junctions, intersections, where on-street segments turn, and at places that shed light on facets of the community's history, culture, or environment.

Implementation. The Foothill Trail would be primarily managed by HARD. However, the majority of the trail alignment is located within the City of Hayward; therefore, trail implementation would require coordination with the City, as well as Alameda County. Private developers would build many of the trail segments and may assist in maintaining certain trail segments, as determined by specific development agreements. HARD expects that local jurisdictions with land use authority will incorporate the Draft Master Plan into the development approval process.

As described above, detailed design for these individual trail segments are not known at this time and many proposed trail segments would be constructed by other entities. However, for the purposes of this Initial Study, the environmental analysis assumes that all of these recommended facilities would be constructed with implementation of the Draft Master Plan.

9. Surrounding Land Uses and Setting:

The proposed trail corridor would begin at Foothill Boulevard and Grove Way and extend south to terminate at the Mission Hills Golf Course, connecting here to the future Garin to Eden Trail. The trail alignment would traverse several currently undeveloped parcels along the upland slopes above Mission Boulevard, as well as, several existing parks, including Carlos Bee Park, Memorial Park, and the proposed La Vista Park. Trail connections would be provided by on-street segments supported by pedestrian and bicycle improvements and identity signage. A variety of land uses, including commercial, residential, public facilities, parks, and open space are located along the proposed trail alignment.

10. Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements):

As trail segments are implemented, there may be a need to obtain permits from individual agencies such as:

- Regional Water Quality Control Board
- California Department of Fish and Wildlife
- U.S. Army Corps of Engineers
- City of Hayward
- Alameda County
- California Air Resources Board
- California Department of Transportation
- California Department of Water Resources

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resource Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In May 2021, HARD provided formal notification to those California Native American tribes that are traditionally and culturally affiliated with the geographic area within which the proposed project is located pursuant to the consultation requirements of Assembly Bill 52. Letters were sent to all tribal representatives identified by the Native American Heritage Commission. To date, one tribe has requested consultation pursuant to Public Resources Code section 21080.3.1.

Ms. Corrina Gould, Tribal Chair of the Confederated Villages of Lisjan Tribe, responded via email on July 2, 2021, requesting additional information related to the project design and the results of the Sacred Lands File search at the Native American Heritage Commission. After the requested information was provided, Ms. Gould and HARD agreed to an August 18, 2021 phone call to discuss the proposed trail. During the August 18, 2021 consultation phone conversation, HARD staff and Ms. Gould discussed the planning intent for the buildout of the proposed trail and the cultural sensitivity of creek areas/creek banks. In general, Ms. Gould expressed no specific concerns regarding the proposed trail at this time. However, HARD will continue to coordinate with Ms. Gould as the trail design progresses.

2.0 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 in Chapter 3.0.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

2.1 DETERMINATION

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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Michael C. Williams — Signature

8/19/21 — Date

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3.0 CEQA ENVIRONMENTAL CHECKLIST

3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☒	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a. Would the project have a substantial effect on a scenic vista? ***(Less-Than-Significant Impact)***

A scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. According to the City of Hayward 2040 General Plan,[3] views of natural topography, open grassland vegetation, rolling hills, and the Bay shoreline make up the prominent elements of Hayward's scenic landscape. The City's General Plan includes policies to protect these natural scenic resources, including the City's Design Guidelines and the City's Hillside Design and Urban/Wildland Interface Guidelines. Portions of the proposed trail alignment would be located within the hillside areas of the City, which provide expansive views of the San Francisco Bay. Overall, the trail would largely be surrounded by existing and proposed residential and commercial development, park and open space lands, and public facilities (e.g., schools).

Visible elements of the project would include the proposed trail (unpaved and paved), wayfinding signage, lighting, creek crossings, art, seating, and other trail infrastructure. Trail design would not include tall structures or landscaping that might obscure views of the surrounding hillsides or views of the San Francisco Bay from hillside trail locations. The proposed trail would be designed to follow the existing topography in order to minimize grading, to the extent feasible. The proposed trail would increase public access to currently inaccessible hillside areas, affording trail users scenic views from the proposed trail alignment. Due to their relatively small scale, proposed trail improvements would not result in substantial adverse effects to scenic vistas. Therefore, this impact would be less than significant.

[3] Hayward, City of, 2014a. *Hayward 2040 General Plan.* Available online at: www.hayward2040generalplan.com/ (accessed August 12, 2021).

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ***(Less-Than-Significant Impact)***

California's Scenic Highway Program was created by the Legislature in 1963 to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq. A highway may be designated as "scenic" based on the expanse of the natural landscape that can be seen by travelers, the scenic quality of that landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. A Scenic Corridor is described as the land generally adjacent to and visible from such a highway and is usually limited by topography and/or jurisdictional boundaries. In addition to State Highways, County roads are also eligible for scenic designation.

County designated-scenic highways within the City include I-580, I-880, and SR-92.[4] In addition, I-580, located just north of Hayward, is also eligible for State Scenic Highway designation.[5] None of these routes is located within proximity of the project site and the site is not visible from these roadways. No substantial damage to scenic resources within a State scenic highway would occur as a result of implementation of the proposed project. Impacts related to scenic resources would be less than significant.

c. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? ***(Less-Than-Significant Impact)***

Implementation of the Draft Master Plan would result in the development of approximately 8 miles of multi-use trail along the Foothill/Mission Boulevard corridor. The proposed trail would be visible from multiple publicly-accessible vantage points, including local roadways, and existing parks and schools. As described above, portions of the trail would be located within the hillside areas of the City, which provide expansive views of the San Francisco Bay.

During development of proposed trail segments, construction activities and associated equipment could be visible from public roadways and/or adjacent residential and open space areas, resulting in temporary visual impacts. Equipment required for trail construction would be removed following completion of the trail segment; therefore, these impacts would be temporary.

The proposed Draft Master Plan includes goals and policies to guide the development of the proposed trail to ensure that the trail and associated trail infrastructure preserve existing scenic resources (e.g., limit impacts to riparian vegetation, follow existing topography) and enhance

[4] Hayward, City of. 2014b. *Hayward 2040 General Plan Background Report.*

[5] California Department of Transportation (Caltrans). 2018. California State Scenic Highway System Map. Available online at: www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983 (accessed February 9, 2021).

aesthetic appeal (i.e., provision of art and interpretive signage). Although implementation of the Draft Master Plan could alter the visual character of the project site through the provision of the trail and associated trail facilities, implementation of the proposed Draft Master Plan would overall have a beneficial effect on the visual character in these areas by incorporating design features that would enhance and blend with the existing visual character and preserve natural scenic resources. In addition, lands along the trail alignment are developed (or proposed for development) with residential, commercial, park and open space and public facilities (e.g., schools); therefore, construction of a trail within this landscape would not adversely change its visual character or quality. As such, implementation of the proposed Draft Master Plan would not substantially degrade the existing visual character or quality of the site and its surroundings and this impact would be less than significant.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ***(Less-Than-Significant Impact)***

Surrounding land uses consist primarily of undeveloped open space, residential and commercial development, and public facilities (e.g., schools). Light sources in the project vicinity include lights associated with nearby residences and commercial development, existing streetlights on local roadways, and vehicle headlights/taillights. Daytime sources of glare include reflections off light-colored surfaces and windows.

Lighting would be installed along the proposed trail alignment to provide safety and security for trail users, but would not create a new source of substantial light in the project area. At night these new sources of light would be visible; however, the addition of new light sources associated with the proposed trail would generally blend in with surrounding development and would represent a continuation of existing urban development within this area of the City. No other permanent sources of lighting or glare would be installed as part of the proposed project.

During daylight hours, trail users could experience some glare due to light reflecting off vehicles parked or traveling on local roadways; however, the glare would be limited and would not substantially impact the visual experience of trail users. Furthermore, these existing sources of glare would not increase with development of the proposed project. Any minimal glare from trail facilities would be limited to certain times of day during certain times of year and would be consistent with existing conditions in the project area. Therefore, the proposed project would not affect day or nighttime views in the area. This impact would be less than significant.

3.2 AGRICULTURE AND FORESTRY 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

*a. Would the project 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? **(No Impact)***

The majority of the proposed trail alignment is located within land classified as "Urban and Built-Up Land" by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP).[6] Urban and Built-Up land is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. A small portion of the trail alignment, south of Garin Regional Park, is located within land classified as "Other Land" by the

[6] California Department of Conservation. 2016. Division of Land Resource Protection. California Important Farmland Finder (map). Website: maps.conservation.ca.gov/dlrp/ciff (accessed January 21, 2021).

State Department of Conservation, Farmland Mapping and Monitoring Program (FMMP).[7] Other Land includes land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land. Therefore, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, and there would be no impact.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? ***(No Impact)***

The California Land Conservation Act of 1965, also referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or open space use. The California Department of Conservation maps the project site as "Urban and Built-Up Land" and "Other Land." No portion of the proposed trail would cross a parcel under a Williamson Act contract. The trail alignment is proposed on lands zoned for a variety of uses, including residential and commercial uses, planned development, civic space, and open space. However, none of these areas is zoned for agricultural use. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract and there would be no impact.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? ***(No Impact)***

The proposed trail alignment is located within a largely developed urban area. The project site is not used for timberland production, nor is it zoned for forest land or timberland. No forest lands or timberland are located on the project site. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland and there would be no impact.

d. Would the project result in the loss of forest land or conversion of forestland to non-forest use? ***(No Impact)***

The proposed project would not result in the loss of any forest land or convert forestland to non-forest use. Refer to Response 3.2.c above.

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? ***(No Impact)***

Please refer to Sections 3.2.a and 3.2.d. Implementation of the proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in

[7] California Department of Conservation. 2016, op. cit.

conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, the proposed project would not adversely affect agricultural or forestry resources, and no impact would occur.

3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. 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?	☐	☒	☐	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The proposed project is located in Alameda County, and is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which regulates air quality in the San Francisco Bay Area. Air quality conditions in the San Francisco Bay Area have improved significantly since the BAAQMD was created in 1955. Ambient concentrations of air pollutants and the number of days during which the region exceeds air quality standards have fallen substantially. In Alameda County, and the rest of the air basin, exceedances of air quality standards occur primarily during meteorological conditions conducive to high pollution levels, such as cold, windless winter nights or hot, sunny summer afternoons.

Within the BAAQMD, ambient air quality standards for ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter (PM_{10}, $PM_{2.5}$), and lead (Pb) have been set by both the State of California and the federal government. The State has also set standards for sulfate and visibility. The BAAQMD is under State non-attainment status for ozone and particulate matter standards. The BAAQMD is classified as non-attainment for the federal ozone 8-hour standard and non-attainment for the federal $PM_{2.5}$ 24-hour standard.

*a. Would the project conflict with or obstruct implementation of the applicable air quality plan? **(Less-Than-Significant Impact)***

The applicable air quality plan is the BAAQMD 2017 Clean Air Plan (Clean Air Plan),[8] which was adopted on April 19, 2017. The Clean Air Plan is a comprehensive plan to improve Bay Area air quality and protect public health. The Clean Air Plan defines control strategies to reduce emissions and ambient concentrations of air pollutants; safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily affected by air pollution; and reduce greenhouse gas (GHG) emissions to protect the climate.

[8] Bay Area Air Quality Management District. 2017. *Clean Air Plan*. April 19.

Consistency with the Clean Air Plan can be determined if the project: (1) supports the goals of the Clean Air Plan; (2) includes applicable control measures from the Clean Air Plan; and (3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

Clean Air Plan Goals. The primary goals of the Bay Area Clean Air Plan are to: attain air quality standards; reduce population exposure and protect public health in the Bay Area; and reduce GHG emissions and protect climate.

The BAAQMD has established significance thresholds for project construction and operational impacts at a level at which the cumulative impact of exceeding these thresholds would have an adverse impact on the region's attainment of air quality standards. The health and hazards thresholds were established to help protect public health. As discussed below, with implementation of Mitigation Measure AIR-1, the proposed project would result in less-than-significant construction- and operation-period emissions. Therefore, the project would not conflict with the Clean Air Plan goals.

Clean Air Plan Control Measures. The control strategies of the Clean Air Plan include measures in the following categories: Stationary Source Measures, Transportation Measures, Energy Measures, Building Measures, Agriculture Measures, Natural and Working Lands Measures, Waste Management Measures, Water Measures, and Super-GHG Pollutants Measures. The project would result in the construction of approximately 8 miles of new non-motorized multi-use recreational trail, linking open spaces, parks, downtown Hayward, CSU East Bay, and the Mission Boulevard corridor. The Stationary Source, Energy Control, Building Control, Agricultural Control, Natural and Working Lands Control, Water Control, and Super GHG Control Measures are not applicable to the proposed project.

The proposed project would not hinder BAAQMD initiatives to reduce vehicle trips and vehicle miles traveled and would in fact support such initiatives by providing a new trail alignment and alternative mode of transportation through portions of the City. Therefore, the proposed project would not conflict with the Transportation Control Measures, which are intended to decrease emissions of criteria pollutants, toxic air contaminants (TACs), and GHGs by reducing demand for motor vehicle travel, promoting efficient vehicles and transit service, decarbonizing transportation fuels, and electrifying motor vehicles and equipment. Furthermore, the proposed project would comply with local requirements for waste management (e.g., recycling and composting services), as applicable, and would therefore be consistent with the Waste Management Control Measures, which focus on reducing or capturing methane emissions from landfills and composting facilities, diverting organic materials away from landfills, and increasing waste diversion rates through efforts to reduce, reuse, and recycle.

Clean Air Plan Implementation. As discussed above, the proposed project would generally implement the applicable measures outlined in the Clean Air Plan, including Transportation Control Measures. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan. This impact would be less than significant.

b. Would the project 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? ***(Less Than Significant with Mitigation Incorporated)***

Both State and federal governments have established health-based Ambient Air Quality Standards for six criteria air pollutants: CO, ozone (O_3), NO_2, SO_2, Pb, and suspended particulate matter (PM). These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. As identified above, the BAAQMD is under State non-attainment status for ozone, PM_{10}, and $PM_{2.5}$ standards. The air basin is also classified as non-attainment for both the federal ozone 8-hour standard and the federal $PM_{2.5}$ 24-hour standard.

Air quality standards for the proposed project are regulated by the BAAQMD California Environmental Quality Act (CEQA) Air Quality Guidelines. According to the BAAQMD CEQA Air Quality Guidelines, to meet air quality standards for operational-related criteria air pollutant and air precursor impacts, the project must not:

- Contribute to CO concentrations exceeding the State ambient air quality standards;
- Generate average daily construction emissions of reactive organic gases (ROG), nitrogen oxides (NO_x) or $PM_{2.5}$ greater than 54 pounds per day or PM_{10} exhaust emissions greater than 82 pounds per day; or
- Generate average operational emissions of ROG, NO_x or $PM_{2.5}$ of greater than 10 tons per year or 54 pounds per day or PM_{10} emissions greater than 15 tons per year or 82 pounds per day.

The following describes the proposed project's construction- and operation-related air quality impacts and CO impacts.

Construction Emissions. Construction activities for proposed improvements could generate exhaust emissions from utility engines, on-site heavy duty construction vehicles, equipment hauling materials to and from each trail segment, and motor vehicles transporting construction crews. Exhaust emissions during construction activities would vary daily based on the type of construction activity and as construction activity levels change. The use of construction equipment would result in localized exhaust emissions. Future construction activities that may result from the implementation of the proposed Draft Master Plan would be subject to project-specific review to determine if the project would exceed BAAQMD daily emission thresholds.

Fugitive dust emissions are associated with excavation, land clearing, exposure, and cut-and-fill operations. Dust generated daily during construction of each trail segment would vary substantially, depending on the level of activity, the specific operations, and weather conditions. On a limited basis, sensitive receptors in the vicinity and on-site workers may be exposed to blowing dust, depending on the prevailing wind. BAAQMD specifies mitigation measures for dust control related to construction projects. These mitigation measures are intended to reduce PM_{10} emissions to less-than-significant levels during the construction period. Implementation of Mitigation Measure AIR-1, described below would reduce this short-term construction period air quality impact to a less-than-significant level.

Mitigation Measure AIR-1: **BAAQMD Basic Construction Mitigation Measures.** In order to meet the BAAQMD fugitive dust threshold, the following BAAQMD Basic Construction Mitigation Measures shall be implemented for construction of each trail segment and shall be implemented by individual project proponents and their construction contractors:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day or a soil stabilizer shall be applied.
- All haul trucks transporting soil, sand, or other loose material off site shall be covered.
- All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations.
- The project proponent and/or the project contractor shall require all off-road diesel-powered construction equipment of greater than 50 horsepower used for the project meet the California Air Resources Board Tier 4 emissions standards.

Operational Emissions. Long-term air emission impacts are associated with stationary sources and mobile sources. Stationary source emissions result from the consumption of natural gas and

electricity. Mobile source emissions result from vehicle trips and result in air pollutant emissions affecting the entire air basin. As discussed above, the proposed project would result in the construction of approximately 8 miles of trail to improve access and safety for bicyclists and pedestrians in the City of Hayward and to create better access and a more pedestrian-friendly environment. Some trips may be generated due to the users of the trail driving to the site; however, these trips are expected to be minimal and would typically not occur during peak traffic hours. The project would not result in a significant increase in the generation of vehicle trips that would increase air pollutant emissions. Therefore, the proposed project would not be a significant source of operational emissions and this impact would be less than significant.

Localized CO Impacts. Emissions and ambient concentrations of CO have decreased dramatically in the Bay Area with the introduction of the catalytic converter in 1975. No exceedances of the State or federal CO standards have been recorded at Bay Area monitoring stations since 1991. The BAAQMD 2017 CEQA Guidelines include recommended methodologies for quantifying concentrations of localized CO levels for proposed transportation projects. A screening level analysis using guidance from the BAAQMD CEQA Guidelines was performed to determine the impacts of the project. The screening methodology provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to BAAQMD CEQA Guidelines, a proposed project would result in a less-than-significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans;

- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and

- The project would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway).

Implementation of the proposed project would not conflict with the Alameda Countywide Transportation Plan, a regional transportation plan, or other agency plans. The project site is not located in an area where vertical or horizontal mixing of air is substantially limited. The project would not increase traffic volumes at intersections to more than 44,000 vehicles per hour and intersection level of service associated with the project would not decline with the project. Therefore, implementation of the proposed project would not result in localized CO concentrations that exceed State or federal standards, and this impact would be less than significant.

c. Would the project expose sensitive receptors to substantial pollutant concentrations? ***(Less Than Significant with Mitigation Incorporated)***

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be

aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient $PM_{2.5}$ increase greater than 0.3 micrograms per cubic meter ($\mu g/m^3$). A significant cumulative impact would occur if the project in combination with other projects located within a 1,000-foot radius of the project site would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient $PM_{2.5}$ increase greater than 0.8 $\mu g/m^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

Construction of specific trail segments may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement BAAQMD Basic Construction Mitigation Measures, as required by Mitigation Measure AIR-1 above. With implementation of Mitigation Measure AIR-1, project construction emissions would be below BAAQMD significance thresholds. Additionally, due to the linear nature of the project, construction activities at any one receptor location would occur for a limited duration. Once the project is constructed, the project would not be a source of substantial emissions. Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction or operation, and potential impacts would be considered less than significant.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? ***(Less-Than-Significant Impact)***

During construction of specific trail segments, the various diesel powered vehicles and equipment in use on the site would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the project site. The potential for diesel odor impacts is therefore considered to be less than significant. In addition, once the project is operational, it would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and potential impacts would be considered less than significant.

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
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?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☐	☒

The following discussion of biological resources within the trail alignment and vicinity is based on a reconnaissance-level field survey conducted at the trail alignment, review of relevant documents prepared for the project, and review of on-line biological resources databases. The reconnaissance-level survey was conducted on January 29, 2021. The survey involved assessing the habitats within trail segments that are situated within or immediately adjacent to open space areas. All biological resources, such as creeks, grasslands, and woodlands, were mapped and evaluated.

Overview. The trail alignment is situated within urban, rural, and park settings and passes through several habitats within and adjacent to open space areas. The elevation along the alignment ranges from approximately 15 to 465 feet (4.5 to 142 meters) above sea level. Portions of the trail alignment are situated adjacent to open space areas and associated sensitive biological resources. The project area provides suitable habitat for several special-status species, including the federally listed California red-legged frog (*Rana draytonii*), San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), Alameda coachwhip (*Masticophis lateralis euryxanthus*), and numerous special-status plant, bird, and bat species. Several observations of potentially jurisdictional wetlands and other waters occur along the trail alignment.

Plant Communities. The plant communities identified at and within the vicinity of the trail alignment are discussed below.

Ruderal/Non-Native Annual Grassland. Ruderal/non-native annual grassland occurs along portions of the trail alignment that occur near open space areas. Non-native grassland (a combination of wild oats grassland [*Avena* sp. Herbaceous Semi-Natural Alliance] and annual brome grasslands [*Bromus* sp. Herbaceous Semi-Natural Alliance]) appears to be the most prevalent vegetation type in the grasslands. Species indicative of the non-native grasslands include wild oats (*Avena* spp.), ripgut brome (*Bromus diandrus*), and Italian thistle (*Carduus pycnocephalus*). Plant species observed consist of mostly non-native plant species, such as wild oats, Bermuda grass (*Cynodon dactylon*), Smilo grass (*Stipa miliacea*), mustard (*Brassica* sp.), Italian thistle (*Carduus pycnocephalus*), bristly ox-tongue (*Helminthotheca echioides*), prickly lettuce (*Lactuca serriola*), stinkwort (*Dittrichia graveolens*), field bindweed (*Convolvulus arvensis*), nasturtium (*Trophaeastrum* sp.), poison hemlock (*Conium maculatum*), and bull thistle (*Cirsium vulgare*). A few native species are found in the non-native grasslands, such as Canada horseweed (*Erigeron canadensis*), California poppy (*Eschscholzia californica*), gray mule ears (*Wyethia helenioides*), soap plant (*Chlorogalum pomeridianum*), western blue-eyed grass (*Sisyrinchium bellum*), and lupine (*Lupinus* spp.). Due to the timing of the January field survey, the plants within the grasslands were not in flower or seeding and therefore, were not always identifiable to species.

Purple Needle Grass Grassland. A small patch of native purple needle grass (*Nassella pulchra*) grassland (*Stipa* [*Nassella*] *pulchra* Herbaceous Alliance) was observed along the grassy hillside south of Harder Road next to an unofficial dirt trail (Figure 1-2, Sheet 9). Purple needle grass grassland is considered a sensitive natural community by the California Department of Fish and Wildlife (CDFW) if purple needle grass occurs with at least 10 percent relative cover. It has a provisional State ranking of S3 (plant community is likely rare and threatened throughout its range within the State with 100 viable occurrences statewide and/or more than 2,590-12,950 hectares). Associated plants observed near the patch of purple needle grass include non-native grass species, such as bromes (*Bromus* spp.) and wild oats. Other patches of purple needle grass grassland may also be present along the trail alignment, but were not identifiable or accessible during the field survey.

California Bay/Coast Live Oak Woodland.A California bay/coast live oak woodland (a combination of nearly equal parts of *Umbellularia californica* Forest Alliance and *Quercus agrifolia* Woodland Alliance) was observed along the trail alignment southwest of Carlos Bee Park (Figure 1-2, Sheet 2). This community has a ranking of S3 in the State, which is considered a sensitive natural community by CDFW. This community is dominated by native coast live oak (*Quercus agrifolia*) and California bay (*Umbellularia californica*) trees. Plants in the understory often include poison oak (*Toxicodendron diversilobum*), common snowberry (*Symphoricarpos albus*), and ferns, such as California polypody (*Polypodium californicum*) and western sword fern (*Polystichum munitum*).

Trees and Shrubs. Various native, non-native, and ornamental trees and shrubs are growing along or adjacent to the trail alignment. Native species observed include coast live oak, California bay, big leaf maple (*Acer macrophyllum*), California buckeye (*Aesculus californica*), box

elder (*Acer negundo*), arroyo willow (*Salix lasiolepis*), Fremont's cottonwood (*Populus fremontii*), black sage (*Salvia mellifera*), and coyote brush (*Baccharis pilularis*). Non-native trees and shrubs observed include fan palm (*Washingtonia* sp.), palm (*Phoenix* sp.), walnut (*Juglans* sp.), eucalyptus (*Eucalyptus* sp.), Brazilian pepper (*Schinus terebinthifolius*), Monterey pine (*Pinus radiata*), deodar cedar (*Cedrus deodara*), privet (*Ligustrum* sp.), plum (*Prunus* sp.), blackwood acacia (*Acacia melanoxylon*), pear (*Pyrus* sp.), lemon (*Citrus limon*), cottonwood (*Populus* sp.), mulberry (*Morus alba*), honeylocust (*Gleditsia triacanthos*), chinquapin (*Chrysolepis* sp.), English ivy (*Hedera helix*), tree tobacco (*Nicotiana glauca*), pampas grass (*Cortaderia* sp.), French broom (*Genista monspessulana*), cotoneaster (*Cotoneaster franchetii*), English ivy (*Hedera helix*), and various other ornamental trees and plants. A stand of planted coast redwood (*Sequoia sempervirens*) trees are growing south of Fletcher Road in Hayward Memorial Park. Coast redwood and Northern California black walnut (*Juglans hindsii*) are also near the trail alignment south of Crescent Avenue (Figure 1-2, Sheets 2 and 3).

Riparian Woodland and Creek Tributaries. San Lorenzo Creek, Chabot Creek, Zeile Creek, Sulphur Creek, Castro Valley Creek, Ward Creek, and several unnamed stream and drainage channels occur near the trail alignment (Figure 1-2). Most of these creeks and drainages support riparian woodland habitat. Plant species observed along the creeks include blue wild rye (*Elymus glaucus*), California mugwort (*Artemisia douglasiana*), cocklebur (*Xanthium strumarium*), tall flatsedge (*Cyperus eragrostis*), deergrass (*Muhlenbergia rigens*), stinging nettle (*Urtica dioica*), Bigelow's sneezeweed (*Helenium bigelovii*), sedge (*Carex* sp.), California bay, big leaf maple, arroyo willow, cottonwood, eucalyptus, fan palm, box elder, black walnut, pampas grass, palm, Italian rye grass, Himalayan blackberry, English ivy, and ferns.

Portions of the riparian corridor associated with San Lorenzo Creek near the proposed trail alignment south of Crescent Avenue (Figure 1-2, Sheets 2 and 3) have been restored with native riparian plantings that were planted and maintained by Caltrans. Plantings observed include California sagebrush (*Artemisia californica*), coffeeberry (*Frangula californica*), California rose (*Rosa californica*), coyote brush, and mugwort.

An approximate 700-foot-long stream channel flows between Mission Boulevard and Dixon Street near the southern end of the trail alignment (Figure 1-2, Sheet 14). This channel supports wetland vegetation, such as cattail (*Typha* sp.), bulrush (*Scirpus* sp.), watercress (*Nasturtium officinale*), and Italian rye grass. Two existing pedestrian bridges cross this channel.

Seasonal Wetlands. Seasonal wetlands could be present within the grasslands along or adjacent to the trail alignment, but none were observed during the field survey. Surveys conducted in the late winter or spring would likely detect the presence of seasonal wetlands.

Developed/Landscaping. Much of the proposed trail alignment occurs within developed areas that contain landscaping consisting of planted ornamental trees, shrubs, forbs, and grasses.

Wildlife Habitat. Wildlife that could occur along the trail alignment include species that occur in grassland, woodland, riparian woodland, and urban habitat. Wildlife observed or detected during the January 2021 field survey consist of Pacific tree frog (*Hyliola regilla*), Botta's pocket gopher (*Thomomys bottae*) burrows, fox squirrel (*Sciurus niger*), black-tailed deer (*Odocoileus hemionus*),

and numerous bird species. A list of species observed during the January 2021 reconnaissance-level survey is provided in Appendix A. Additional bird and wildlife species are expected to be present during different times of the year.

a. Would the project 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? ***(Less Than Significant with Mitigation Incorporated)***

For the purposes of this analysis, special-status species are defined as follows:

1. Species that are listed, formally proposed, or designated as candidates for listing as threatened or endangered under the federal Endangered Species Act (ESA);

2. Species that are listed, or designated as candidates for listing, as rare, threatened, or endangered under the California Endangered Species Act (CESA);

3. Plant species that are on the California Rare Plant Rank (CRPR) Lists 1A, 1B, 2, 3, and 4;

4. Plant species that are locally rare in Alameda and Contra Costa counties according to the Rare, Unusual and Significant Plants of Alameda and Contra Costa counties.[9]

5. Animal species that are designated as Species of Special Concern or Fully Protected by the CDFW; or

6. Species that meet the definition of rare, threatened, or endangered under Section 15380 of the CEQA Guidelines.

The scientific nomenclature and vernacular nomenclature for the plant and wildlife species used in this analysis are from the following standard sources: plants, Baldwin et al.[10] and updates listed on the Jepson Herbarium website;[11] amphibians and reptiles, Crother[12] and/or AmphibiaWeb;[13] birds, American Ornithologists' Union and supplements through 2021;[14] and mammals, Bradley et al.[15]

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9 Lake, Dianne. 2010. Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties. Published by East Bay Chapter of the California Native Plant Society (EB-CNPS).

10 Baldwin, B.G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California, Second Edition. University of California Press, Berkeley.

11 University of California, Berkeley. 2019. The Jepson Herbarium. Website: http://ucjeps.berkeley.edu/eflora.

12 Crother, B.I. (ed.). 2017. Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, with Comments Regarding Confidence in Our Understanding, pp. 1-102. SSAR Herpetological Circular No. 43.

13 AmphibiaWeb. 2021. Website: www.amphibiaweb.org. University of California, Berkeley.

14 American Ornithologists' Union. 1998. Check-list of North American birds. 7th Edition. American Ornithologists' Union, Washington, D.C.

Available documents and on-line databases were reviewed to identify potential biological resources along the trail alignment, including the following:

- California Department of Fish and Wildlife's California Natural Diversity Database (CNDDB)[16]
- California Native Plant Society's Inventory of Rare and Endangered Plants[17]
- California Native Plant Society's Rare, Unusual, and Significant Plants of Alameda and Contra Costa Counties[18]
- U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation[19]
- eBird's online database of bird distribution and abundance[20]
- Ruby Street Apartments Project Environmental Checklist for Community Plan Exemption[21]
- Natural Environment Study: Minimal Impacts (No Effect), Hayward Riparian Mitigation Project.[22]

A reconnaissance-level survey was conducted at the site on January 29, 2021. The survey area focused on segments of the proposed trail alignment that are situated within or adjacent to potentially sensitive biological resources or open space habitat, such as creeks, riparian woodland, oak woodland, and grasslands. Where segments of the alignment were not accessible, conditions were assessed by scanning habitat from adjacent roads with binoculars and by reviewing aerial imagery.

Special-Status Plant Species. Based on the results of the database review, a total of 25 special-status plant species with the potential to occur in the project area was prepared (Table 3.4.A). Of these species, three were determined to have no potential to occur on the project site due to a total

15 Bradley, R.D., L.K. Ammerman, R.J. Baker, L.C. Bradley, J.A. Cook, R.C. Dowler, D.J. Schmidly, F.B. Stangl, Jr., R.A. Van Den Bussche, and B. Würsig. 2014. Revised Checklist of North American Mammals North of Mexico, 2014. Occasional Papers, Museum of Texas Tech University No. 237.

16 California Department of Fish and Wildlife (CDFW). 2021. Query of the California Natural Diversity Database for special-status species occurrences within 5 miles of the project site. Biogeographic Data Branch, California Department of Fish and Wildlife, Sacramento. December.

17 California Native Plant Society (CNPS). 2021. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). California Native Plant Society, Rare Plant Program, Sacramento, CA. Website: www.cnps.org/rare-plants/cnps-inventory-of-rare-plants. January 26.

18 Lake, Dianne. 2010, op. cit.

19 U.S. Fish and Wildlife Service (USFWS). 2021. IPaC Information for Planning and Consultation. List of federally listed species known to occur in the project area. January 22.

20 eBird. 2021. eBird: An Online Database of Bird Distribution and Abundance [web application], Ithaca, New York. Website http://www.ebird.org. Accessed: January 22.

21 Urban Planning Partners Inc. 2019. Ruby Street Apartments Project Environmental Checklist for Community Plan Exemption. Prepared for Alameda County Community Development Agency Planning Department. September.

22 California Department of Transportation (Caltrans). 2014. Natural Environment Study: Minimal Impacts (No Effect), Hayward Riparian Mitigation Project. EA 04-172450. Caltrans District 4. Hayward, Alameda County, California. May.

Table 3.4.A: Special-Status Species Evaluated for the Project

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Plants			
Bent-flowered fiddleneck *Amsinckia lunaris*	–/1B.2/A2	Gravelly slopes, grassland, openings in woodland, often serpentine. Elevation: 5-800 m. Blooms: March-June	May occur due to the presence of potentially suitable habitat. Closest CNDDB record is approximately 4.5 miles from the site.
Alkali milk-vetch *Astragalus tener* var. *tener*	–/1B/A1	Alkaline soils in grasslands usually associated with vernal pools. Elevation: 0-170 m. Blooms March-June.	May occur due to the presence of potentially suitable habitat. However, the potential is low. The three CNDDB records within 5 miles of the site are extirpated or possibly extirpated occurrences that are over 60 years old.
Big-scale balsamroot *Balsamorhiza macrolepis*	–/1B/A1	Open grassy or rocky slopes, valleys, sometimes serpentinite in chaparral, cismontane woodland, and valley and foothill grassland. Elevation: 35-1,465 m. Blooms: March-June	May occur due to the presence of potentially suitable habitat. Closest CNDDB record is approximately 2 miles from the site.
Oakland star-tulip *Calochortus umbellatus*	–/4.2/A2	Open chaparral or woodland, generally on serpentine. Elevation: 100-700 m. Blooms: March-May	May occur due to the presence of potentially suitable habitat. Cismontane woodland, and valley and foothill grassland occurs on the project site.
Congdon's tarplant *Centromadia parryi* ssp. *congdonii*	–/1B/A2	Grassland; in alkaline soils. Elevation: 1-230 m. Blooms: June-November	May occur due to the presence of potentially suitable habitat. Closest CNDDB occurrence is approximately 0.9 mile from the site.
Santa Clara red ribbons *Clarkia concinna* subsp. *automixa*	–/4.3/A1	Chaparral and cismontane woodland. Elevation: < 1500 m. Blooms: April-June	May occur due to the presence of potentially suitable habitat. Suitable cismontane woodland occurs on the project site
Western leatherwood *Dirca occidentalis*	–/1B.2/A2	Generally north or northeast facing slopes, mixed-evergreen forest, cismontane woodland, riparian woodland, chaparral, in fog belt; mesic. Elevation: 50-400 m. Blooms: November-March	May occur due to the presence of potentially suitable habitat. Suitable cismontane woodland habitat occurs on the project site.
Jepson's coyote-thistle *Eryngium jepsonii*	–/1B/–	Clay soils in vernal pools and valley and foothill grassland. Elevation: 3-305 m. Blooms: April-August	May occur due to the presence of potentially suitable habitat. Closest CNDDB occurrence is approximately 2.1 miles from the site.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Fragrant fritillary *Fritillaria liliacea*	–/1B/A1	Often on serpentine; various soils reported though usually clay, in grassland in coastal scrub, valley and foothill grassland, coastal prairie, and cismontane woodland. Elevation: 5-230 m. Blooms: February-April	May occur due to the presence of potentially suitable habitat. Closest CNDDB record is approximately 2 miles from the site.
Diablo helianthella *Helianthella castanea*	–/1B.2/A2	Open, grassy sites, usually rocky, axonal soils in partial shade in broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, and valley and foothill grassland. Elevation: 200-1300 m. Blooms: April-June	May occur due to the presence of potentially suitable habitat. However, the potential is low because this species is not known to occur within the elevation range within the alignment. Closest CNDDB occurrence is a 2002 record at an unknown location in the Garin Woods, approximately 0.1 mile from the site.
Loma Prieta hoita *Hoita strobilina*	–/1B/A1x	Serpentine and mesic sites in chaparral, cismontane woodland, riparian woodland. Elevation: 90-1,170 m. Blooms: May-July	May occur due to the presence of potentially suitable habitat. However, the potential is low because this species is presumed to be extirpated in the County.[23] Closest CNDDB occurrence is approximately 1.8 miles from the site.
Santa Cruz tarplant *Holocarpha macradenia*	FT/CE/1B/ A1	Sandy-clay soil in coastal prairie, coastal scrub, and in valley and foothill grassland. Elevation: 10-220 m. Blooms: June-October.	May occur due to the presence of potentially suitable habitat. Closest CNDDB record is a possibly extirpated record from 1915 at an unknown location near Hayward.
Contra Costa goldfields *Lasthenia conjugens*	FE/1B/A1	Cismontane woodland, playas (alkaline), valley and foothill grassland, vernal pools/mesic. Elevation: 0-470 m. Blooms: March-June	No potential to occur. Suitable habitat is not present. Closest CNDDB occurrence is approximately 3.4 miles from the site.
Bristly leptosiphon *Leptosiphon acicularis*	–/4.2/A1	Grasslands, woodland, chaparral. Elevation: < 700 m. Blooms: April-May	May occur due to the presence of potentially suitable habitat. Woodland and grassland occurs on the project site.
San Antonio Hills monardella *Monardella antonina* subsp. *antonina*	–/3.0/A1	Rocky slopes, ephemeral drainages, oak woodland, chaparral, montane forest. Elevation: < 1300 m. Blooms: May-August	May occur due to the presence of potentially suitable habitat. Cismontane woodland occurs on the project site.

[23] Lake, Dianne. 2010, op. cit.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Woodland woollythreads *Monolopia gracilens*	–/1B/A1	Grassy sites, in openings; sandy to rocky soils, often seen on serpentine after burns but may have only weak affinity to burns; chaparral, valley and foothill grasslands (serpentine), cismontane woodland, broadleafed upland forests, north coast coniferous forest. Elevation: 60-1,360 m. Blooms: March-July	May occur due to the presence of potentially suitable habitat. Closest CNDDB occurrence is approximately 1.8 miles from the site.
Michael's rein orchid *Piperia michaelii*	–/4.2/A2	Generally dry sites, coastal scrub, woodland, mixed-evergreen or closed-cone-pine forest. Elevation: < 700 m. Blooms: April-August	May occur due to the presence of potentially suitable habitat. Cismontane woodland occurs on the project site.
Hairless popcornflower *Plagiobothrys glaber*	–/1A/A1	Coastal salt marshes and alkaline meadows. Elevation: 5-125 m. Blooms: March-May	No potential to occur. Suitable habitat is not present. Closest CNDDB occurrence is approximately 1.6 miles from the site.
Oregon Polemonium *Polemonium carneum*	–/2B/A1	Coastal prairie, coastal scrub, lower montane coniferous forest. Elevation: 15-1525 m. Blooms: April-September	May occur due to the presence of potentially suitable habitat. Closest CNDDB occurrence is approximately 4 miles from the site.
Lobb's aquatic buttercup *Ranunculus lobbii*	–/4.2/A2	Ponds and vernal pools, mesic in cismontane woodland, North Coast coniferous forest, valley and foothill grassland. Elevation: 15-470 m. Blooms: February-May	May occur due to the presence of potentially suitable habitat. Ponds occur near the project site.
Chaparral ragwort *Senecio aphanactis*	–/2B/A1	Chaparral, cismontane woodland, coastal scrub in drying alkaline flats; Elevation: 20-855 m. Blooms: January-April	May occur due to the presence of potentially suitable habitat. Closest CNDDB occurrence is an 1892 record approximately 4.7 miles from the project site.
Long-styled sand-spurrey *Spergularia macrotheca* var. *longistyla*	–/1B/A2	Wetlands and riparian habitat; Elevation: 6-170 m. Blooms: February-May	May occur due to the presence of potentially suitable habitat. Closest CNDDB occurrence is a 1934 record from an unknown location in Niles approximately 4.1 miles from the site.
Most beautiful jewel flower *Streptanthus albidus ssp. peramoenus (= S. glandulosus* subsp. *glandulosus)*	–/1B/B	Serpentine outcrops, on ridges and slopes in chaparral, valley and foothill grassland, and cismontane woodland. Elevation: 95-1000 m. Blooms: April-September	May occur due to the presence of potentially suitable habitat. Closest CNDDB occurrence is a 2003 record at an unknown location in Oak Hill Canyon in Garin Regional Park, approximately 0.1 mile from the site.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Slender-leaved pondweed *Stuckenia filiformis* subsp. *alpina*	–/2B/A1	Shallow, clear water of lakes, drainage channels. Marshes and swamps (assorted shallow freshwater). Elevation: 300-2150 m. Blooms: May-July	May occur due to the presence of potentially suitable habitat. However, the potential is low because the project site's creeks and channels are not within the known elevation range for this species. Closest CNDDB occurrence is approximately 3.8 miles from the site.
California seablite *Suaeda californica*	FE/1B/A1x	Margins of coastal salt marshes. Elevation: 0-160 m. Blooms: July-October	No potential to occur. No suitable habitat is present. Species presumed extirpated. Closest CNDDB occurrence is approximately 3.6 miles from the site.
Invertebrates			
San Bruno elfin butterfly *Callophrys mossii bayensis*	FE/–	Known to occur only on slopes of the coastal mountains in San Mateo County. Lays eggs on the larval host plant stonecrop (*Sedum spathulifolium*).	No Potential to occur. The project site is outside the known range of the species. No CNDDB records within 5 miles of the site.
Monarch butterfly *Danaus plexippus*	FC/Sensitive Winter Roosting Sites	Winter roosts along the coast from northern Mendocino to Baja California, Mexico in wind-protected tree groves (eucalyptus, Monterey pine, cypress) with nectar and water sources nearby.	Low Potential to occur. Suitable roost trees may be present, but project site is over 2 miles from the shoreline of the Bay and therefore, species unlikely to roost in trees on the site. Closest CNDDB occurrence is in a eucalyptus grove in the Skywest Golf Course in Hayward, approximately 2.1 miles from the site (Xerces Site #2837).
Vernal pool fairy shrimp *Branchinecta lynchi*	FT/–	Inhabits vernal pools and swales during all stages of its life cycle.	No potential to occur. Project site is outside the known range of the species. No CNDDB records within 5 miles of the site.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Fish			
Steelhead (central California coast Distinct Population Segment) *Oncorhynchus mykiss*	FT/CSC	Coastal streams from Russian River south to Aptos Creek (Santa Cruz Co.), including streams tributary to San Francisco and San Pablo Bays.	Moderate potential to occur. This species occurs downstream in several creeks along or adjacent to the trail alignment. These creeks include San Lorenzo Creek,[24] Castro Valley Creek, Sulphur Creek, and Ward Creek.[25] These creeks may support suitable spawning, rearing, and/or migration habitat, but most of these creeks have segments downstream of the alignment that support poor quality habitat with potential barriers to migration.[26] Closest CNDDB occurrence is approximately 2.7 miles from the site in Alameda Creek. Closest Critical Habitat is designated in the San Francisco Bay, approximately 4.1 miles from the site. The trail alignment lies within excluded watersheds (East Bay Cities, 220420); therefore, no drainages along the trail alignment are designated as Critical Habitat.
Coho salmon (Central California Coast Evolutionary Significant Unit) *Oncoryhchus kisutch*	FE/CE	Coastal streams from Punta Gorda in northern California down to and including the San Lorenzo River in central California, as well as tributaries to San Francisco Bay.	Low potential to occur. Although potentially suitable habitat is present in the creeks, this species is not known to occur near the site. No CNDDB records within 5 miles of the site.
Delta smelt *Hypomesus transpacificus*	FT/CE/–	Only found in estuarine waters from the Sacramento-San Joaquin confluence to San Pablo Bay. Usually found in water with an average salinity concentration of 2 parts per thousand for much of its life cycle, but can tolerate a wide range of salinities and moves into river channels and tidally influenced backwater sloughs.	No potential to occur. No suitable habitat is present. No CNDDB records within 5 miles of the site.
Longfin smelt *Spirinchus thaleichthys*	FC/ST, CSC	Open waters of estuaries, mostly in the middle or bottom water column. Prefers salinities of 15-30 ppt, but can be found in completely freshwater to almost pure seawater.	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 4 miles from the site in South San Francisco Bay.

[24] Leidy, R.A., G.S. Becker, B.N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (*Oncorhynchus mykiss*) in streams of the San Francisco Estuary, California. Center for Ecosystem Management and Restoration, Oakland, California.

[25] NOAA Fisheries. 2005. National Marine Fisheries Service CCC Steelhead Distribution Vector Digital Data. August.

[26] Ibid.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Amphibians			
California tiger salamander *Ambystoma californiense*	FT/CT	Breeds in vernal pools, ponds, and stock ponds. Spends summer and early fall in uplands surrounding breeding sites, taking refuge in small mammal burrows or other underground cover.	No potential to occur. Suitable upland habitat is present in grasslands but no breeding pools are known to occur near the site. Closest CNDDB occurrence is approximately 4.7 miles from the site.
Foothill yellow-legged frog (Central Coast Population) *Rana boylii*	–/CE	Partly shaded streams with rocky or cobbly substrate that flow at least to May.	No potential to occur. Project site is outside the current range of the species. Closest CNDDB occurrence is a possibly extirpated 1960 record in an unknown location in Hayward.
California red-legged frog *Rana draytonii*	FT/CSC	Found in lowlands and foothills in or near permanent ponds and streams with dense, shrubby, or emergent riparian vegetation.	Low potential to occur. Suitable habitat may be present in San Lorenzo Creek and other streams adjacent to the site, but this species is not likely to be present due to its urban setting and the likely presence of introduced predators. Closest CNDDB occurrence is approximately 1.5 miles from the site in Garin Regional Park. Critical Habitat Unit ALA-1B is designated approximately 0.7 mile east of the site.
Reptiles			
Western pond turtle *Emys marmorata*	–/CSC	Found in ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Requires basking sites and adjacent grasslands or other open habitat for egg-laying.	Moderate potential to occur. Suitable habitat present in creeks and drainage channels adjacent to site. No CNDDB occurrences within 5 miles of the project site.
Blainville's horned lizard *Phrynosoma blainvillii*	–/CSC	Found in open sunny habitats including grasslands, scrub, and open woodlands that support native ant populations.	Low potential to occur. Suitable habitat may be present in grasslands. No CNDDB occurrences within 5 miles of the project site.
Alameda coachwhip (=whipsnake) *Masticophis lateralis euryxanthus*	FT/CT	Chaparral and sage scrub with rock outcrops and an abundance of prey species such as western fence lizard (*Sceloporus occidentalis*).	Low potential to occur. Suitable habitat present in scrub, grasslands, and woodlands in areas adjacent to large tracts of open space. Closest CNDDB occurrences are at an unknown location along Calhoun Road in Hayward and along Zeile Creek, approximately 0.8 mile from the site. Critical Habitat Unit 3 is designated approximately 0.9 mile east of the site.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Birds			
Redhead *Aytha americana*	–/CSC	Occurs in large, deep bodies of water; nests in freshwater emergent wetlands.	No potential to occur. No suitable habitat is present. Known to occur in the Don Castro Regional Recreation Area.[27] No CNDDB occurrences within 5 miles.
American white pelican *Pelecanus erythrorhynchos*	–/CSC	Occurs in shallow inland and coastal marine habitats, marshes, lakes, rivers.	No potential to occur. No suitable habitat is present. This species is known to occur in Garin Regional Park and Don Castro Regional Recreation Area.[28] No CNDDB occurrences within 5 miles.
Long-eared owl *Asio otus*	–/CSC	Woodlands and forests that are open or adjacent to grasslands, meadows, or shrublands.	Low potential to occur. Suitable nesting habitat present in woodlands, but species is rare in the region.[29] No CNDDB occurrences within 5 miles.
Short-eared owl *Asio flammeus*	–/CSC	Open grasslands, meadows, and marshes with few trees. Requires dense ground vegetation for both roosting and nesting.	Low potential to occur. Suitable habitat present in grasslands. May roost in grasslands during the winter. No CNDDB occurrences within 5 miles.
Burrowing owl *Athene cunicularia*	–/CSC	Nests in burrows in grasslands and woodlands; often associated with ground squirrels. Will also nest in artificial structures (culverts, concrete debris piles, etc.).	Moderate potential to occur. Suitable habitat is present in grasslands. Known to occur in Garin Regional Park.[30] Closest CNDDB occurrence is approximately 2.3 miles from the site.
White-tailed kite *Elanus leucurus*	–/CFP	Nests in shrubs and trees in open areas and forages in adjacent grasslands and agricultural land.	Moderate potential to occur. Suitable nesting habitat is present in the trees and large shrubs and suitable foraging habitat present in grasslands. Known to occur in the Garin Regional Park.[31] Closest CNDDB occurrence is approximately 4 miles from the site.
Northern harrier *Circus hudsonius*	–/CSC	Nests and forages in meadows, grasslands, open rangeland, and fresh or saltwater marshes.	Moderate potential to occur. No suitable nesting or foraging habitat is present. However, this species could forage and nest in grasslands in the vicinity. Known to occur in Garin Regional Park and Don Castro Regional Recreation Area.[32] Closest CNDDB occurrence is approximately 4 miles from the site.

27 eBird. 2021. eBird: An online database of bird distribution and abundance [web application]. Ithaca, New York. Accessed at www.ebird.org. January 22.

28 Ibid.

29 Golden Gate and Ohlone Audubon Society. 2011. Alameda County Breeding Bird Atlas. Berkeley and Hayward, California.

30 eBird. 2021, op. cit.

31 Ibid.

32 Ibid.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Golden eagle *Aquila chrysaetos*	–/CFP	Forages in rolling foothill or coast-range terrain, with open grassland and scattered large trees. Nests in large trees, on cliffs, and occasionally on power line poles.	Moderate potential to occur. Suitable nesting trees may be present near the project site and suitable foraging habitat is present in larger grasslands. Known to occur in the Don Castro Regional Recreation Area.[33] Closest CNDDB occurrence is approximately 2 miles from the site.
Bald eagle *Haliaeetus leucocephalus*	Delisted/CE; CFP	Winters at lakes, reservoirs, river systems, and some rangelands and coastal wetlands throughout most of California. Breeds in mountainous habitats near reservoirs, lakes and rivers, mainly in the northern two-thirds of the State, in the Central Coast Range, and on Santa Catalina Island. Nests generally built in the upper canopy of large trees.	Low potential to occur. This species may fly over site, but suitable foraging habitat not present. Known to occur in Garin Regional Park.[34] No CNDDB occurrences within 5 miles.
American peregrine falcon *Falco peregrinus anatum*	Delisted/ Delisted/ CFP	Forages in open country, mountains, and sea coasts. Nests on high cliffs, bridges, and buildings.	Moderate potential to occur. No suitable nesting habitat is present; however, the project site provides suitable foraging habitat. Known to occur in Garin Regional Park.[35] CNDDB occurrence information is suppressed by CDFW for this species.
California black rail *Laterallus jamaicensis coturniculus*	–/CT, CFP	Freshwater marshes, wet meadows, and shallow margins of saltwater marshes bordering larger bays, frequents marshes dominated by pickleweed (*Salicornia* sp.).	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 3 miles from the site.
Yellow rail *Coturnicops noveboracensis*	–/CSC	Freshwater marshlands. Summer resident in eastern Sierra Nevada in Mono County	No potential to occur. No suitable habitat is present. This species is rare in County.[36] Closest CNDDB occurrence is approximately 1.7 miles from the site.
California Ridgway's rail *Rallus longirostris obsoletus*	FE/–	Occurs in salt marshes and tidal sloughs. Requires tidal mudflats for foraging habitat. Prefers cordgrass (*Spartina* sp.) for cover and nesting, but can be occasionally found in bulrush and cattails.	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 3.7 miles from the site.

33 eBird. 2021, op. cit.
34 Ibid.
35 Ibid.
36 Golden Gate and Ohlone Audubon Society. 2011, op. cit.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Western snowy plover *Charadrius nivosus nivosus*	FT/–	Nests in riparian systems along the broad lower flood-bottoms of larger river systems; requires dense riparian vegetation.	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 2.6 miles from the site. Critical Habitat Unit CA13 is designated approximately 2.6 miles southwest of the site.
California least tern *Sterna antillarum browni*	FE/SE/CFP	Nest on the ground on sandy beaches, alkali flats, hard-pan surfaces (salt ponds).	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 4.3 miles from the site.
Black skimmer *Rynchops niger*	–/CSC	Nests on bare ground, isolated from predators, such as constructed islands and levees.	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 4.6 miles from the site.
Loggerhead shrike *Lanius ludovicianus*	–/CSC	Found in grasslands and open shrub or woodland communities. Nests in dense shrubs or trees and forages in scrub, open woodlands, grasslands, and croplands. Frequently uses fences, posts, and utility lines as hunting perches.	Moderate potential to occur. Suitable habitat is present in trees and large shrubs and suitable foraging habitat is present in grasslands. Known to occur in Garin Regional Park.[37] No CNDDB occurrences recorded within 5 miles of the project site.
Vaux's swift *Chaetura vauxi*	–/CSC	Grasslands and agricultural fields; nests in dense vegetation in large hollow trees near open water; forages in most habitats but prefers rivers and lakes.	Moderate potential to occur. Suitable foraging habitat present and suitable nesting habitat may be present within trees near the trail alignment. Known to occur in Garin Regional Park.[38] No CNDDB occurrences recorded within 5 miles of the project site.
Bank swallow *Riparia riparia*	–/CT	Occurs in riparian habitat; nests in banks associated with streams, rivers, and lakes.	Low potential to occur. Suitable habitat may be present along creeks, but species is rare in this part of the County.[39] Closest CNDDB occurrence is approximately 4.2 miles from the site.
Olive-sided flycatcher *Contopus cooperi*	–/CSC	Coniferous forests with open canopies.	Moderate potential to occur. Suitable nesting and foraging habitat is present where trail alignment occurs near conifers. Known to occur in Garin Regional Park and Don Castro Regional Recreation Area.[40] No CNDDB occurrences recorded within 5 miles of the project site.

37 eBird. 2021, op. cit.
38 Ibid.
39 Golden Gate and Ohlone Audubon Society. 2011, op. cit.
40 eBird. 2021, op. cit.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Purple martin *Progne subis*	–/CSC	Occurs in woodlands; nests in tree snags and abandoned woodpecker cavities and human-made structures.	Low potential to occur. Suitable nesting habitat may be present, but this species is rare in the County.[41] No CNDDB occurrences within 5 miles.
Alameda song sparrow *Melospiza melodia pusillula*	–/CSC	Salt marshes bordering south arm of San Francisco Bay; inhabits pickleweed marshes; nests low in gumplant (*Grindelia* sp.) bushes (high enough to escape high tides) and in pickleweed.	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 3 miles from the site
Bryant's savannah sparrow *Passerculus sandwichensis alaudinus*	–/CSC	Tidal marshes and grasslands in the coastal fog belt.	No potential to occur. No suitable habitat is present. No CNDDB occurrences recorded within 5 miles of the site.
Grasshopper sparrow *Ammodramus savannarum*	–/CSC	Occurs in grasslands with coyote brush and other shrubs.	Moderate potential to occur. Suitable nesting and foraging habitat is present in areas with large tracts of grasslands. Known to occur in Garin Regional Park.[42] No CNDDB occurrences recorded within 5 miles of the site.
Tricolored blackbird *Agelaius tricolor*	–/CT, CSC	Breeds in large colonies near freshwater, preferably emergent wetland such as cattails and tules but also in thickets of willow and other shrubs. Requires nearby foraging areas with large numbers of insects.	Moderate potential to occur. Suitable foraging habitat is present in grasslands. Known to occur in the Don Castro Regional Recreation Area.[43] Closest CNDDB occurrence is approximately 4.2 miles from the site.
Yellow warbler *Dendroica petechia*	–/CSC	Nests in extensive willow riparian woodlands.	Moderate potential to occur. Suitable nesting habitat is present, but this species is a rare breeder in the County.[44] Known to occur in Garin Regional Park.[45] May forage within riparian woodland habitat during migration. Closest CNDDB occurrence is approximately 2.2 miles from the site.
Salt marsh common yellowthroat *Geothlypis trichas sinuosa*	–/CSC	Resident of the San Francisco Bay region, in fresh and salt water marshes; requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, willows for nesting.	No potential to occur. No suitable habitat is present. Known to occur in Garin Regional Park and Don Castro Regional Recreation Area.[46] Closest CNDDB occurrence is approximately 2.1 miles from the site.

41 Golden Gate and Ohlone Audubon Society. 2011, op. cit.
42 eBird. 2021, op. cit.
43 Ibid.
44 Golden Gate and Ohlone Audubon Society. 2011, op. cit.
45 eBird. 2021, op. cit.
46 Ibid.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
Mammals			
Townsend's western big-eared bat *Corynorhinus townsendii*	–/CSC	Found in wooded areas with caves or old buildings for roost sites.	Moderate potential to occur. Suitable roosting habitat may be present in structures in the vicinity, but none observed along the trail alignment during the field survey. Suitable foraging habitat present. No CNDDB occurrences within 5 miles.
Pallid bat *Antrozous pallidus*	–/CSC	Occupies a wide variety of habitats at low elevations. Most commonly found in open, dry habitats with rocky areas for roosting.	Moderate potential to occur. Suitable roosting, hibernating, and foraging habitat is present. Closest CNDDB occurrence is for museum specimen taken at an unknown location in Hayward.
Western red bat *Lasiurus blossevillii*	–/CSC	Roosts primarily in trees, 2-40 feet above ground, from sea level up through mixed conifer forests. Prefers habitat edges and mosaics with trees that are protected from above and open below with open areas for foraging.	High potential to occur. Species detected near San Lorenzo Creek and grasslands known as the Ruby Meadows in August 2019.[47] Suitable roosting habitat is present in trees along or near riparian habitat. However, this species does not breed in the region. No CNDDB occurrences recorded within 5 miles of the project site.
Western mastiff bat *Eumops perotis californicus*	–/CSC	Roosts in crevices in cliff faces, high buildings, trees and tunnels within open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral.	Low potential to occur. No suitable roosting or hibernating habitat is present on or adjacent to the site. Trees with large cavities or hollows observed on and adjacent to the site but unlikely to provide habitat in this urban setting. Closest CNDDB occurrence is an 1899 record from an unknown location in Hayward.
Salt-marsh wandering shrew *Sorex vagrans haliocoetes*	–/CSC	Middle upper salt marsh with dense vegetation cover such as pickleweed; favors areas with abundant drift wood or other surface cover.	No potential to occur. No suitable habitat is present. Known to occur in the Don Castro Regional Recreation Area.[48] Closest CNDDB occurrence is approximately 3.3 miles from the site.
Salt marsh harvest mouse *Reithrodontomys raviventris*	FE/CE, CFP	Tidal salt marshes of San Francisco Bay and its tributaries; requires tall, dense pickleweed for cover.	No potential to occur. No suitable habitat is present. Closest CNDDB occurrence is approximately 2.6 miles from the site.

[47] Schulze, B. 2019. Comments on the September 2019 CEQA Analysis of Eden Housing's Proposed Ruby Street Project. Letter to Alameda County Planning Department. November 25.

[48] eBird. 2021, op. cit.

Species	Status (Federal/ State/Local)	Habitat	Potential for Occurrence[a]
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	–/CSC	Primarily along riparian areas within chaparral and woodlands. Feeds mainly on woody plants but also eats acorns, grasses, and fungi. Builds conspicuous stick houses in trees and on the ground.	Moderate potential to occur. Suitable habitat is present within the woodland and scrub portion of the trail alignment. No woodrat houses observed during the field survey. Closest CNDDB occurrence is approximately 3.4 miles from the site.
American badger *Taxidea taxus*	–/CSC	Grassland, scrub, and woodland with loose-textured soils.	Moderate potential to occur. Suitable habitat is present in larger tracts of grasslands. No badger burrows observed during the field survey. No CNDDB occurrences recorded within 5 miles of the project site.
Mountain lion *Puma concolor*	–/Candidate CT	Various habitats where deer are present, including grassland, woodland, and mountainous terrain.	Low potential to occur. Suitable habitat is present. This species could move through the trail alignment adjacent to open space habitat. No CNDDB occurrences recorded within 5 miles of the project site.

No potential occur = No potential for occurrence on the project site. (i.e., no suitable habitat present)
Low potential to occur = Low potential for occurrence on the project site. (i.e., marginally suitable habitat present; species presumed extirpated in the area, or not known to occur anywhere in the vicinity, or site fully isolated from any nearby suitable habitat etc.)
Moderate potential to occur = Moderate potential for occurrence. (i.e., suitable habitat present but species not known to occur anywhere in the vicinity)
High potential to occur = High potential for occurrence. (i.e., suitable habitat present and species know to occur in the vicinity)
Species present = species present (i.e., observed on the site or recorded by others on the site)
[a] Nearest records are based on CNDDB[49] occurrences unless otherwise noted.

Status Codes:

FE = Federally listed as an endangered species.
FT = Federally listed as a threatened species.
CE = State-listed as an endangered species.
CT = State-listed as a threatened species.
CFP = State-listed as a fully protected species.
CSC = State Species of Special Concern.
List 1A = California Rare Plant Rank (RPR): species presumed extinct.
List 1B = RPR: plant considered rare, threatened, or endangered in California and elsewhere.
List 2 = RPR: plant considered rare, threatened, or endangered in California but more common elsewhere.
List 3 = More information is needed about plant.
List 4 = Plants of limited distribution, a watch list.
– = No status.
A1 = Species known from 2 or less botanical regions in Alameda or Contra Costa Counties, either currently or historically.
A2 = Species currently known from 3 to 5 regions in Alameda or Contra Costa Counties, or, if more, meeting other criteria such as small populations, stressed or declining populations, small geographic range, limited or threatened habitat, etc.
A1x = Species previously known from Alameda or Contra Costa Counties, but now believed to have been extirpated, and no longer occurring here.
B = Species that are on a watch list and occur in 6 to 9 regions in the two counties or are otherwise subject to threat.

[49] California Department of Fish and Wildlife. 2021, op. cit.

lack of suitable habitat, or because they have not been found within the past 50 years and are therefore considered no longer present in Alameda County. Another four species have a low potential to occur due to either marginally suitable habitat or their presumed extirpation in Alameda County. The remaining 18 species could occur within the project site based on the presence of suitable habitat, as listed in Table 3.4.A. In areas where suitable habitat is present, implementation of the proposed trail could adversely affect special-status plant species due to staging and operation of construction vehicles in areas where these species could occur and permanent loss of habitat/species due to trail development. Impacts to special-status plant species would be reduced to a less-than-significant level with implementation of Mitigation Measure BIO-1.

Mitigation Measure BIO-1a: **Pre-Construction Surveys for Special-Status Plants.** Prior to the initiation of construction of each trail segment located within undeveloped areas, protocol-level surveys shall be conducted by individual project proponents and their qualified biologist for the presence of special-status plants. The surveys shall be conducted in accordance with the California Department of Fish and Wildlife *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.* If special-status species are found during the surveys, impacts to such plant species shall be avoided or minimized with implementation of Mitigation Measures BIO-1b and -1c below.

Mitigation Measure BIO-1b: **Measures for Perennial Special-Status Plants.** If perennial special-status plants are found along the trail alignment and avoidance is not possible, a special-status plant mitigation plan shall be prepared for the affected species. The plan shall entail either transplanting or seed collection, propagation, and re-planting elsewhere within suitable habitat on HARD lands, depending on the feasibility based on the species involved and logistical constraints. If transplanting or seed collection/propagation is found to be infeasible, then a replanting plan shall be implemented involving phytophthera-free container stock, propagated from local genetic stock (i.e., San Francisco Bay region). The special-status plant mitigation plan shall also include specifications for mitigation site preparation to be implemented prior to transplanting/replanting, which may need to include irrigation and weed control depending on the species involved and characteristics of the mitigation sites. The impacted perennial special-status plants shall be mitigated by replacing plants, at a minimum 1:1 ratio based on individual plants or square footage of cover.

Mitigation Measure BIO-1c: **Measures for Annual Special-Status Plants.** For annual special-status plants, mature seeds shall be collected from all individuals for which impacts cannot be avoided (or if the population is large, a representative sample of individuals). Seeds shall be properly stored

and prepared for distribution during the proper season (based on the species involved) within suitable habitat on HARD lands to establish new populations. The plan shall also include specifications for mitigation site preparation to be implemented prior to seeding. The impacted annual special-status plants shall be mitigated at a minimum 1:1 ratio based on square footage of cover.

Special-Status Wildlife Species. A total of 49 special-status wildlife species were evaluated for the project based on the database searches (Table 3.4.A). Nineteen of these species were found to have no potential to occur on the project site based on lack of suitable habitat. Another 12 wildlife species were found to have a low potential to occur due to the presence of only marginally suitable habitat and/or the project site being well outside the species' known range. A total of 17 wildlife species were found to have a moderate potential to occur due to the presence of suitable habitat. One species has a high potential to occur since it has been detected near the site. A discussion of these and other special-status wildlife species that have potential to occur on or in the vicinity of the site is provided below.

Steelhead. The Central California Coast Distinct Population Segment of steelhead (*Oncorhynchus mykiss*) may occur in some of the creeks along the trail alignment, including San Lorenzo Creek,[50] Castro Valley Creek, Sulphur Creek, and Ward Creek.[51] The closest CNDDB occurrence is approximately 2.7 miles from the site in Alameda Creek. None of the creeks near the trail alignment have been designated as Critical Habitat for steelhead.[52]

All of the creeks within the project area may support suitable spawning, rearing, and/or migration habitat, but most of these creeks have segments downstream of the alignment that support poor quality habitat.[53] The segment of San Lorenzo Creek within the project site provides passage habitat and may support potential rearing habitat for juvenile steelhead as well as potentially low- to moderate-quality spawning habitat. Additionally, woody debris and concrete rip-rap within the channel could provide cover for steelhead.[54] However, high water temperatures in the creek during the summer could limit suitability of rearing habitat for juvenile steelhead.[55]

The potential for migratory or juvenile steelhead to be present within all of the creeks that pass through the project site is low, partly due to the presence of downstream barriers that are known or have the potential to obstruct passage by salmonids. San Lorenzo Creek has a likely

50 Leidy, R.A., G.S. Becker, B.N. Harvey. 2005, op. cit.

51 National Oceanic and Atmospheric Association (NOAA) Fisheries. 2005. National Marine Fisheries Service CCC Steelhead Distribution Vector Digital Data. August.

52 NOAA Fisheries. 2005. Endangered and Threatened Species; Designation of Critical Habitat for Seven Evolutionarily Significant Units of Pacific Salmon and Steelhead in California; Final Rule. Federal Register, Vol. 70, No. 170, September 2.

53 NOAA Fisheries. 2005, op.cit.

54 California Department of Transportation (Caltrans). 2014, op. cit.

55 Alameda County Flood Control and Water Conservation District (ACFCWCD) and Hagar Environmental Science. 2002. Fish Habitat and Fish Population Assessment for the San Lorenzo Creek Watershed, Alameda County, California.

barrier to migration from the downstream concrete flood control channel.[56] Castro Valley Creek, a tributary of San Lorenzo, crosses the alignment in two places: 1) near Carlos Bee Park at Grove Way and 2) near North 3rd Street. Castro Valley Creek has the same types of downstream barriers to migration as San Lorenzo Creek, including barriers or potential barriers at I-880, Mission Boulevard, and Foothill Boulevard/I-238.[57] Sulphur Creek crosses the alignment near Clay Street where a long culvert that connects to San Lorenzo Creek is considered to be a complete barrier to fish passage.[58] Ward Creek is a tributary that departs from Alameda Creek at I-880 where another potential barrier exists. Another potential Ward Creek barrier occurs at Foothill Boulevard where the creek appears to flow underground and enters Hayward Memorial Park.[59]

If steelhead are present in the creeks or downstream of the creeks near the alignment during project construction, and construction activities release hazardous substances or excessive silt and sediment to enter these streams, steelhead could be negatively impacted. With implementation of Mitigation Measure BIO-2, potential impacts to steelhead would be reduced to a less-than-significant level.

Mitigation Measure BIO-2: **Measures to Protect Steelhead.** The project proponent for each individual trail segment that would require a creek crossing shall implement the following measures to reduce potential impacts to steelhead. For measures to be implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- All refueling, maintenance, and staging of equipment and vehicles shall occur at least 65 feet from any riparian habitat or drainage channel. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

- To reduce the potential for erosion after work is completed, disturbed areas within the alignment shall be revegetated with an appropriate assemblage of native riparian, wetland, and upland vegetation suitable for the area. Planted material may include native seed mixes, pole cuttings, or phytophthera-free container stock as appropriate.

- Drainage contours shall be returned to the original condition at the end of project activities.

56 California Department of Transportation (Caltrans). 2014, op. cit.
57 NOAA. 2005, op. cit.
58 Ibid.
59 Ibid.

- To control erosion during and after project implementation, the following best management practices shall be implemented:
    - Install straw wattles/silt fencing to break up and filter surface runoff.
    - Conduct activities outside of the drainage channels whenever feasible by timing work to the low flow season or by utilizing equipment or methods that do not require access in the channels.
- Any instream work shall occur during the dry months (generally April 15 to October 15) when water levels within the creeks are low and when steelhead are less likely to be present.
- Prior to any instream work in the drainage channels that requires the construction of cofferdams or dewatering of the stream bed, a stream diversion plan shall be prepared. The stream diversion plan shall require that: (1) a qualified biologist shall install a fish exclusion net prior to in-channel work at the upper boundary of the in-stream construction area. Any fish below the exclusion with be flushed downstream and a net shall be installed at the downstream boundary of the construction area. Once the temporary stream crossing is constructed, the fish exclusion netting shall be removed. The same fish exclusion process shall repeated during the temporary crossing removal. A series of silt fence and water barriers shall be installed at the base of the banks of each new bridge abutment. These fences will direct the flowing water away from the work away so a dry working environment can be preserved. The construction contractor shall develop a diversion plan and ensure that all materials and equipment will be available for the water diversion prior to the commencement of work. Upon completion of the construction, all diversion and temporary crossing material shall be removed from the streambed.

Special-Status Amphibians and Reptiles. The following special-status amphibians and reptiles could be present at the site, as shown in Table 3.4.A.

California Red-Legged Frog. The California red-legged frog (CRLF; *Rana draytonii*) is a federally threatened species and a California Species of Special Concern. Although suitable habitat may be present, CRLF have not been recorded in creek channels along the trail alignment. Many of the creek segments adjacent to the proposed alignment are isolated by urban development and therefore, are unlikely to support CRLF. The likely presence of introduced predators (i.e., western mosquitofish [*Gambusia affinis*] and American bullfrog [*Rana catesbeianus*]), and the absence of recorded observations in the vicinity further make

the streams adjacent to the alignment unsuitable for CRLF. The Natural Environment Study prepared for the Hayward Riparian Mitigation State Route 84 Pigeon Pass Realignment Project[60] drew the same conclusion, stating that CRLF is unlikely to occur along this segment of San Lorenzo Creek and its associated riparian habitat.

The proposed project would not impact any known or potential breeding habitat for CRLF, but CRLF, if present in the vicinity, could disperse through portions of the site or move through Zeile Creek (Figure 1-2, Sheets 9-12), which are closer to Garin Regional Park. The closest CNDDB record is approximately 1.5 miles from the site at a pond in Garin Regional Park.

California Tiger Salamander. The California tiger salamander (*Ambystoma californiense*) is a federally and State threatened species that breeds in seasonal ponds/vernal pools and occurs within grasslands and upland habitat adjacent to the breeding pools. Suitable grassland habitat is present along portions of the trail alignment, but no known breeding ponds are present in the vicinity.

Western Pond Turtle. The western pond turtle (*Emys marmorata*) is a California Species of Special Concern that could occur within the stream channels along or adjacent to the proposed trail alignment. This species could occur along San Lorenzo Creek, Castro Valley Creek, Zeile Creek, Sulphur Creek, Chabot Creek, Ward Creek, and other stream channels along the alignment. Suitable basking sites, plunge pools, and nesting habitat along the banks were observed along many of the channels. Potential basking sites would be limited to the sunny areas of the streams with less canopy cover.

Alameda Coachwhip. The Alameda coachwhip (*Masticophis lateralis euryxanthus*; formerly called Alameda whipsnake) is federally and State-listed as a threatened species. Alameda coachwhip is primarily associated with chaparral and scrub plant communities, but may also occur in adjacent grasslands and woodlands. Rock outcrops are an important feature of high-quality habitat because they provide cover from predators, areas for basking, and prey, such as western fence lizards (*Sceloporus occidentalis*). This species could occur in the riparian woodland and grasslands along the trail alignment.

Blainville's Horned Lizard. The Blainville's horned lizard (*Phrynosoma blainvillii*) is a California Species of Special Concern that could occur in grasslands, scrub, and open woodlands that support native ant populations. Although unlikely, this species could occur in the grasslands south of Harder Road and north of Tennyson Road.

As discussed above, CRLF, western pond turtle, and Alameda coachwhip and possibly California tiger salamander and Blainville's horned lizard could be present in the project area and could be impacted during construction of individual trail segments. With implementation of Mitigation Measure BIO-3, potential impacts to special-status amphibian and reptile species would be reduced to a less-than-significant level.

[60] Caltrans. 2014, op. cit.

Mitigation Measure BIO-3: **Measures to Protect Special-Status Amphibian and Reptile Species.** For trail segments located in proximity to creeks or within riparian woodlands/undeveloped grasslands, the following measures shall be implemented by individual project proponents to reduce potential impacts to special-status amphibian and reptile species, such as CRLF, western pond turtle, and Alameda coachwhip. All of the special-status amphibians and reptiles that have the potential to occur along the trail alignment fall under the jurisdiction of CDFW, while only the federally listed CRLF, Alameda coachwhip, and California tiger salamander fall under the jurisdiction of the USFWS. For measures to be implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- At least 15 days prior to the onset of activities, the project proponent's consulting biologist shall submit the names and credentials of biologists and biological monitors who would conduct activities specified in the following measures. No project activities shall begin until the project proponent has received written approval from USFWS and/or CDFW that the biologists/biological monitors are qualified to conduct the work.

- Before any construction activities begin, a USFWS- and CDFW-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training session shall include a description of the special-status species and their habitat, the importance of these species and their habitat, the avoidance measures that are being implemented to protect these species as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified biologist is on hand to answer any questions.

- A USFWS- and CDFW-approved biologist shall survey the work site for special-status amphibians and reptiles within 24 hours before the onset of activities. If special-status amphibians or reptiles are found, the approved biologist shall contact USFWS and/or CDFW to determine if moving any of these species is appropriate. If USFWS and/or CDFW (as applicable) approve moving these species, the approved biologist shall be allowed sufficient time to move these species from the work site before work activities begin. Otherwise, the animals shall be allowed to move out of the project area on their own. Only approved biologists or biological monitors under direct supervision of a

qualified biologist shall participate in activities associated with the capture, handling, and monitoring of special-status species.

- A USFWS- and CDFW-approved biologist shall be present at the work site until such time as all removal of the special-status amphibian and reptile species (if observed to be present), instruction of workers, and initial habitat disturbance (e.g., grading, grubbing) have been completed. After this time, the contractor shall designate a person to monitor on-site compliance with all minimization measures. The approved biologist shall ensure that this individual receives environmental awareness training and in the identification of the special-status species. The monitor and the approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by USFWS and/or CDFW during review of the proposed action. If work is stopped due to species presence, the project proponent, USFWS, and/or CDFW (as applicable) shall be notified immediately by the approved biologist or on-site biological monitor.

- If special-status amphibians and reptiles are encountered in the project area during construction, all activities that have the potential to result in impacts to the individual shall be immediately halted. The USFWS- and CDFW-approved biologist shall then assess the situation in order to select a course of action that shall avoid or minimize adverse impacts to the animal. To the maximum extent possible, contact with these species shall be avoided, and the animal shall be allowed to move out of the project area. If the animal will not move out of the impact area on its own, the biologist shall contact USFWS and/or CDFW (as applicable) to obtain permission to move the animal out of the work area to a suitable relocation site.

- During project activities, all trash that may attract animals shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

- All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 20 meters from any riparian habitat or stream/drainage channel. The project proponent shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the project proponent shall ensure that the contractor has prepared a plan to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of

preventing spills and of the appropriate measure to take shall a spill occur.

- No project construction activities shall occur during rain events or within 24 hours following a rain event. Prior to project activities resuming, a USFWS- and CDFW-approved biologist or biological monitor shall inspect the project area and all equipment/materials for the presence of these species. The animals shall be allowed to move away from the work area on their own or may be moved by the biologist, if approved by CDFW and/or USFWS.

- The spread or introduction of invasive exotic plant species shall be avoided to the maximum extent possible. Vehicles, equipment, and boots shall be cleaned on a regular basis to avoid the spread of dirt that may contain invasive plants.

- A USFWS- and CDFW-approved biologist shall permanently remove from the project area and euthanize, any individuals of exotic animal species, such as bullfrogs, crayfish, and centrarchid fishes, to the maximum extent possible. The permittee shall have the responsibility to ensure that their activities are in compliance with the California Fish and Game Code.

- The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated, and these areas shall be outside of riparian and wetland areas.

- Work activities near stream channels shall be completed between May 1 and October 15. Should HARD demonstrate a need to conduct activities outside this period, U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), and/or CDFW may need to authorize such activities, as may be conditioned in their respective permits.

- To control erosion during and after project implementation, the project proponent shall implement best management practices, as identified by the RWQCB.

- If a work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than 5 millimeters to prevent special-status species from entering the pump system. Water shall be released or pumped

downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate. If the pumping cannot be monitoring continuously, a milk-crate mesh system shall be installed to avoid potential impacts to aquatic wildlife that may be harmed during the pumping.

- Plastic monofilament netting (erosion control matting or wattles), loosely woven netting, or similar material in any form shall not be used at the work areas because special-status amphibians and reptiles can become entangled and trapped in them.

Special-Status Birds and Nesting Birds. Several special-status bird species (as listed in Table 3.4.A) and common birds could occur or nest in the project area. These birds could nest in the structures, trees, shrubs, and other vegetation within and/or adjacent to the trail alignment. Active nests of all native bird species are protected under the federal Migratory Bird Treaty Act (MBTA) and Section 3503 of the California Fish and Game Code, which prohibits the take, possession, or needless destruction of the nest or eggs of any bird. The potential for each special status bird species to occur within and in the vicinity of the proposed trail alignment is summarized below:

- American peregrine falcon (*Falco peregrinus anatum*) could forage on the site but are unlikely to nest on the site due to the lack of suitable nesting habitat on or adjacent to the site.

- Burrowing owl (*Athene cunicularia*) could nest or winter in rodent burrows and other suitable burrow surrogates within the grassland habitat and forage within the larger tracts of grasslands along the trail alignment.

- Loggerhead shrike (*Lanius ludovicianus*) and white-tailed kite (*Elanus leucurus*) could nest in the trees and/or large shrubs on or adjacent to the site and could forage near the site. Large stick nests (as typically constructed by these species) were not observed during the field survey, but these species could nest on or adjacent to the site in the future.

- Northern harrier (*Circus hudsonius*) could forage and/or nest in the grasslands on or adjacent to the site.

- Golden eagle (*Aquila chrysaetos*) could nest in the large sheltered tree groves near the southern end of the site in the vicinity of Harder Road and Tennyson Road.

- Tricolored blackbird (*Agelaius tricolor*) could forage in the grasslands and nest in the thickets of blackberry or thistle, if present along or adjacent the trail alignment.

Vegetation removal, vegetation trimming, and ground-disturbing activities may result in the removal of trees and shrubs that could support active native birds' nests. If such activities are conducted during the nesting season (February 1 to September 1), they could directly impact bird species protected under the federal MBTA and/or California Fish and Game Code. Construction-related disturbance and/or vegetation removal/trimming activities could also indirectly impact nesting birds by causing adults to abandon active nests, resulting in nest failure and reduced reproductive success. Active nests would need to be protected during construction by establishing temporary exclusion buffers, which typically range in size from 50 to 300 feet depending on the species. With implementation of Mitigation Measure BIO-4, potential impacts to nesting birds would be reduced to a less-than-significant level.

Mitigation Measure BIO-4: **Nesting Bird Measures.** If feasible, all vegetation removal activities shall be conducted during the non-breeding season (i.e., September to February) to avoid direct impacts to nesting birds. If such work is scheduled during the breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-construction survey of the work area to determine if any birds are nesting in or in the vicinity of vegetation to be removed. The pre-construction survey shall be conducted within 15 days prior to the start of work. If active nests are found in the work area, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged or the nest is no longer active. The size of the nest buffer shall be determined by the biologist based on the specific nesting bird species' sensitivity to disturbance.

San Francisco Dusky-Footed Woodrat (SFDFW). The San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*; SFDFW) is a California Species of Special Concern. SFDFW builds conspicuous houses out of sticks on the ground and in trees and large shrubs. The houses are generally located in areas with large amounts of trees and brush, and are often in riparian areas. SFDFW are omnivorous and feed both on the ground and in trees. They are nocturnal so they are rarely seen by people, even where their houses are numerous. No houses were observed during the field survey, but this species is likely present within the riparian woodland habitat along or adjacent to the alignment. The closest CNDDB occurrence is approximately 3.4 miles from the trail alignment.

Construction of the proposed project could adversely impact SFDFW if they are present during project construction or if construction impacts their houses. Implementation of the following mitigation measure would reduce potential impacts to SFDFW to a less-than-significant level.

Mitigation Measure BIO-5: **Measures to Protect San Francisco Dusky-Footed Woodrat.** Prior to development of individual trail segments located within riparian woodland habitat, the project proponent's qualified biologist shall survey the site for evidence of nesting SFDFW (i.e., large stick nests/houses). Since SFDFW use their nests/houses year round, surveys for nests/houses may be conducted at any time of the year.

If SFDFW or their nests/houses are present, a biological awareness training shall be provided by a qualified biologist prior to project implementation. For any SFDFW and/or nest/house that are found within project boundaries, the measures listed below for natural areas shall be implemented. For measures to be implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- If possible, the project shall avoid impacts to SDFDW nests/houses. Exclusion buffers of a minimum of 3 to 10 feet shall be implemented around the nests/houses. Fencing shall be installed around the nest/house to minimize impacts from project activities. When removing materials from around a SFDFW nest/house, tree branches, fencing, or other materials that may support the nest structure shall be protected. Whenever possible, these materials shall be left in place. However, if the materials must be removed and the nest/house may become compromised, live trapping and relocation of the SFDFW may be necessary.

- For all SFDFW nests/houses that cannot be avoided by project activities and therefore, would require relocation, CDFW shall be contacted regarding trapping methods. Trapping activities shall occur prior to April and after mid-July each year to prevent impacts to SFDFW rearing young or young SFDFW. If a nest is found to be unoccupied or not in use for 3 full days (2 nights of trapping), then it may be removed. The nest shall be relocated or a pile of replacement sticks shall be placed outside of the development footprint for future use. If a lactating female is trapped, project activities shall be postponed until young have become independent.

- Trapped SFDFW may be kept in captivity by a qualified biologist (with CDFW approval) until their nests are relocated to suitable habitat outside of the development footprint. Once trapped, nests shall be torn down and rebuilt surrounding a log based structure, an inverted wooden planter, or similar structure having at least one entrance and exit hole that is slightly buried into the ground to anchor. Any cached food and nest material encountered shall be placed within the new structure during rebuilding. If possible, additional larger branches shall be placed on the structure. The biologist shall remain outside the release structure for up to 10 minutes to mimic a predator and persuade the SFDFW to remain in the structure.

- Once nests/houses are relocated, any trapped SFDFW shall be released into the reconstructed nest by plugging the individual into the shelter using loose dirt over the entrance.

Roosting Bats. Townsend's western big-eared bat (*Corynorhinus townsendii*), western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossevillii*), pallid bat (*Antrozous pallidus*), and other bat species may forage and/or roost on or near the trail alignment. No evidence of roosting bats was observed during the field survey, but tree snags with large cavities suitable for bat roosts were observed within the riparian corridors. Old structures near the alignment, such as box culverts and sheds, could also provide suitable roosting habitat for bats.

Western red bats and other non-special-status bat species were detected near San Lorenzo Creek, the riparian woodland, and the grasslands south of Crescent Avenue (Figure 1-2, Sheets 2 and 3) in August 2019.[61] Western red bats could roost in the foliage in trees within and adjacent to the riparian corridors. Western red bats breed in the Central Valley, roughly from mid-May through August, and migrate in the spring from March through May and in the fall from late August through October. Therefore, western red bats are less likely to be present from mid-April to August, when the red bats typically reside within the Central Valley. However, some western red bats, especially males, may remain within the San Francisco Bay Area during the breeding season.[62]

Construction activities could directly impact roosting bats if these activities result in the removal of trees or structures with bat roosts or result in the disruption or abandonment of nearby active bat roosts. Implementation of the following mitigation measure would reduce potential impacts to roosting bats to a less-than-significant level.

Mitigation Measure BIO-6a: **Measures for Tree Roosts**. The following measures shall be implemented by individual project proponents prior to and during work that may affect tree roosts. For measures to be implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- Because bats may be present at any time, a pre-construction survey by a qualified biologist shall be required regardless of timing of tree removal and if an active roost is found, a suitable buffer zone shall be established around the roost. Bat surveys shall take place during the April 15 through August 31 maternity roost season whenever possible. Surveys may also take place between February 16 and April 14. Findings during spring surveys may indicate that a second summer survey is necessary.

61 Schulze, B. 2019, op. cit.

62 Pierson ED, Rainey WE, Wyatt D. 2011. Roosting and Foraging Habitat for the Western Red Bat (*Lasiurus Blossevillii*) in the Sacramento River Valley of California. Report for U.S. Fish and Wildlife Service, Red Bluff, CA.

- Surveys shall consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of roosting bats is found, the number and species of roosting bats shall be determined. If no evidence of bat roosts is found, then no further study shall be required. Bat detectors and/or infrared detectors may be used to supplement survey efforts, but are not required.

- Tree removal/trimming of over 16 inches diameter at breast height shall be limited to the periods of February 16 to May 31 and September 1 to November 15 if roosting bats are present. This restriction would avoid potential impacts to the bat breeding season of April through August and the hibernation season of November 16 through February 15.

- Pruned limbs or cut trees must be left on the ground in place for at least 24 hours after cutting to allow any bats that may be roosting in the trees to leave the roosts prior to chipping the branches or removing the cut material from the site.

- Before any construction activities begin in the vicinity of the identified bat roosts along the trail alignment, an approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the bats and their habitat, the specific measures that are being implemented to conserve the bat roosts for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session. A qualified biologist will conduct the training session.

- If individual non-breeding and non-special-status bats are present, upon permission from CDFW, a qualified biologist shall be retained to remove the bats and work may proceed year-round.

- If maternity roosting or special-status bat species are present at any time, no work shall be conducted without first excluding and providing alternate roost site(s) outside of the breeding season. Maternity roosts shall not be removed until the young have left the roost and are foraging independently. Active day roosts likewise shall be avoided until the roost is no longer active. Roosts may only be removed once the bats are no longer occupying the roost, at which time, a plan approved by CDFW, may be implemented for removal of the roost. As part of

CDFW's approval, a new roost site may be required to be created along the trail alignment. Alternate roost sites must be determined by the biologist and submitted to CDFW before installation. Whenever possible, alternative roost sites shall be provided 6 months to 1 year prior to the removal of maternity roosting habitat to allow bats adequate time to discover the new locations. Alternative roost site(s) shall be monitored for occupancy by a qualified biologist or biological monitor within one year of installation. Contractors and others working in areas known to support maternity roost sites and/or special-status bat species shall be provided biological awareness training by a qualified biologist prior to the commencement of work.

Mitigation Measure BIO-6b: **Measures for Structure/Building Roosts.** The following measures shall be implemented by individual project proponents prior to and during work that may affect structure/building roosts. For measures to be implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- If work occur within or adjacent to structures or buildings suitable for roosting bats and if signs of bats are evident and removal or disturbance of bats is necessary, a qualified biologist shall conduct surveys for roosting bats prior to beginning work. The biologist shall conduct daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of bat roosting is found, the approximate number and species of roosting bats shall be determined. If no evidence of bat roosts is found, then no further study shall be required. Bat detectors and/or infrared detectors may be used to supplement survey efforts, but are not required.

- When bat roosting sites are located in buildings and structures, exclusion of bats from the buildings/structure shall occur outside of the April through August nursery season.

- If roosts of special-status bats are determined to be present in buildings or structures and must be removed during the April through August nursery season, a bat exclusion plan shall be prepared and submitted to CDFW. The exclusion plan shall describe the method of exclusion, which may include the use of one-way doors at roost entrances (bats may leave but not reenter) or sealing roost entrances when the site can be confirmed by a bat expert to contain no bats. The use of sonic

bat deterrents may also be allowed when called for by a qualified biologist. No bats shall be excluded until the plan is approved by CDFW and alternative roosting habitat is approved. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The bats shall be excluded from the roosting site before the site is disturbed, closed, or modified. When possible, alternative roosting sites shall be provided 6 months to a year prior to the removal of existing roosts. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site, the structures may be removed or sealed.

Mitigation Measure BIO-6c: **General Work Restrictions for Bat Species.** In areas known to support special-status bats and/or maternity roosts, the following measures shall be implemented by individual project proponents. For measures to be implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- Whenever possible, work shall take place outside of the April through August nursing season. (This measure does not apply to western red bats, which do not breed in the San Francisco Bay Area).

- Species-specific noise tolerance levels (including high frequency noise) shall be established for work taking place within a determined buffer around the maternity roost. All equipment working within the site during the nursing season shall be tested for high frequency noise outputs prior to use on the site. If equipment is determined to produce any noise that is expected to cause bats to abandon a maternity roost, it shall not be used on the site within an established buffer by the biologist during the nursing season.

American Badger. The American badger is a California Species of Special Concern that could forage and den within the grasslands, woodland, and scrub habitat on and adjacent to the trail alignment. They primarily forage in grasslands where abundant prey, such as ground squirrels and gophers are present. American badger could be impacted during construction of proposed trail segments within or adjacent to grasslands and suitable scrub habitat. Implementation of Mitigation Measure BIO-7 would reduce potential impacts to American badger to a less-than-significant level.

Mitigation Measure BIO-7: **Measures to Protect American Badger.** The following measures shall be implemented by individual project proponents prior to and during construction activities within grasslands, woodland, and scrub habitat to protect American badger. For measures to be

implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- A pre-construction survey for the presence of badger dens and signs of badger occupancy should be conducted by a qualified biologist in grasslands and suitable scrub habitat on and within 100 feet of the project limits that could be affected by future construction activities. The survey should be completed no more than seven days prior to the initiation of ground-disturbing activities. Pre-construction surveys should be repeated as necessary if ground-disturbing activities are delayed or postponed.

- If potential dens are observed on or within 100 feet of the trail alignment, then the biologist should consider a monitoring program to determine if the dens are active. Monitoring should be completed using remote triggered cameras or tracking media placed at the den entrance. Cameras or tracking media should be operated for a minimum of three nights. If no activity is observed at the den during the monitoring period, and the den needs to be impacted, then the den should be excavated by hand on the morning following the third night of monitoring. The den should be backfilled to prevent reuse. All den excavations should be coordinated with the CDFW.

- If a den is determined to be active, the den should be monitored for an additional three nights to determine if the badgers are using the den continually. Special care should be taken during the period of March through July when badger cubs may be present in the den. Excavation of natal dens should not be allowed until the biologist determines that the young have left the den and are able to forage independently. The presence of a natal den within the trail alignment or buffer area should be reported to CDFW within 24 hours of discovery.

- During the entire year, no excavation of the dens should be allowed until monitoring results demonstrate that the den has been unoccupied for at least three nights. Once the den has been determined to be unoccupied for a period of at least three consecutive nights, the den may be excavated by hand and backfilled.

- Den Blocking: in the den (August through February), measures may be taken to discourage the use of continually occupied dens. These measures may include blocking the entrance to the

den or other methods approved by CDFW. The den should be monitored during this period to ensure that badgers are not occupying the den. Excavation and backfilling may occur once the den is determined to be unoccupied for at least three consecutive nights.

- The biologist should prepare a report documenting all badger den monitoring, excavation and blocking work conducted for the project. The report should be submitted to CDFW within 30 days of completion of relocation work.

Mountain Lion. The mountain lion (*Puma concolor*) is a candidate State-listed threatened species. Mountain lions could forage or move throughout the site and could den in the riparian woodland habitat on or adjacent to the site. Mountain lion dens could be impacted by construction activities if present in the work area. Implementation of Mitigation Measure BIO-8 would reduce potential impacts to mountain lion to a less-than-significant level.

Mitigation Measure BIO-8: **Measures to Protect Mountain Lion.** The following measures shall be implemented by individual project proponents to reduce potential impacts to mountain lion during construction activities in or adjacent to riparian woodland, introduced woodland and coastal scrub habitat. For measures to be implemented by private developers, implementation shall be monitored by the applicable lead agency under CEQA, either HARD or the City of Hayward, as appropriate.

- A pre-construction survey for the presence of mountain lion dens and signs of mountain lion occupancy should be conducted by a qualified biologist in suitable scrub and woodland habitat on and within 300 feet of the project limits. The survey should be completed no more than 30 days prior to the initiation of ground-disturbing activities. Pre-construction surveys should be repeated as necessary if ground-disturbing activities are delayed or postponed.

- If potential mountain lion dens are observed on or within 300 feet of the project site, then the biologist should prepare a den monitoring program. Monitoring should be completed using remote triggered cameras, tracking media, hair snares, or other similar devices placed in the area. Cameras or tracking media should be operated for a minimum of three nights. If no activity is observed at the potential den during the monitoring period, then work can proceed in the project area. If the den is determined to be active, disturbance of dens should not be allowed until the biologist determines that the young have left the den and are able to forage independently. The presence of a

den within the project site or buffer area should be reported to CDFW within 24 hours of discovery.

- The presence of a den within the project site or buffer area should be reported to CDFW within 24 hours of discovery. If mountain lions are found, CDFW should be consulted regarding safety precautions to be implemented for workers and residents. Safety measures, such as trail restrictions and closures, should also be considered in order to avoid potential interactions with adult mountain lions when an active den is discovered in the area.

b. Would the project 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 U.S. Fish and Wildlife Service? ***(Less Than Significant with Mitigation Incorporated)***

CDFW tracks the occurrences of plant communities that are either known or believed to be of high priority for inventory in the CNDDB. The vegetation along the creeks adjacent to the proposed trail alignment would be considered riparian and would be subject to regulation by CDFW and possibly RWQCB. Sensitive natural communities identified during the reconnaissance survey include riparian woodland, California bay forest/coast live oak woodland association, and foothill needle grass grasslands. No other sensitive natural communities were identified within the proposed trail alignment during the biological survey; however, additional sensitive habitat could be present in areas that were not accessible.

Riparian Woodland. Riparian woodland occurs along the creek channels that flow along or adjacent to the trail alignment. San Lorenzo Creek, Zeile Creek, Chabot Creek, Ward Creek, Castro Valley Creek, and Sulphur Creek support riparian woodland vegetation consisting of arroyo willow, California bay, coast live oak, big leaf maple, Himalayan blackberry, and various other riparian plants.

As described in Section 1.0, Project Information, the proposed trail would be designed to avoid/minimize impacts to riparian vegetation. However, construction activities may result in the removal of or impacts to riparian vegetation and/or riparian canopy under the jurisdiction of the CDFW. Impacts to this community are considered significant under CEQA and require mitigation. Impacts to riparian woodland also require a CDFW Streambed Alteration Agreement and possibly a RWQCB Water Quality Certification permit, which would require mitigation, annual monitoring, and reporting as part of permit compliance. If riparian vegetation is impacted during project construction, implementation of the following mitigation measure would reduce potential impacts to riparian habitat to a less-than-significant level.

Mitigation Measure BIO-9: **Riparian Habitat Mitigation.** If native riparian trees or shrubs are impacted during project construction, the impacted trees shall be replaced at a minimum 3:1 ratio, while impacted shrubs and understory plants shall be replaced at a minimum 1:1 ratio. The

native riparian species shall be replaced in-kind from phytophthera-free container stock as appropriate, propagated from local genetic stock (i.e., San Francisco Bay region). Any temporarily disturbed areas within the riparian woodland shall be seeded with an appropriate native seed mix. Appropriate permits from CDFW and possibly RWQCB would need to be obtained and any monitoring and reporting requirements stated within the permits, including preparation and implementation of a mitigation and monitoring plan would have to be completed.

California Bay Forest/Coast Live Oak Woodland. The California bay forest/coast live oak woodland association is a sensitive plant community that was observed along the trail alignment near Carlos Bee Park. This plant community is ranked as S3 in the Manual of California Vegetation (MCV),[63] indicating that the habitat is rare and threatened at the State level. Construction activities may result in the removal of or impacts to the California bay forest/coast live oak woodland vegetation, including the removal or trimming of California bay or coast live oak trees or associated understory vegetation. Implementation of Mitigation Measure BIO-10, below would reduce these impacts to a less-than-significant level.

Purple Needle Grass Grassland. The purple needle grass grassland is considered a sensitive natural community by CDFW. Patches of purple needle grass were observed in the grassland south of Harder Road and could be present in this or other areas along the proposed trail alignment.

Implementation of Mitigation Measure BIO-10 would reduce potential impacts to California bay forest/coast live oak woodland, foothill needle grass grassland, and other sensitive natural communities that could be present along the trail alignment to a less-than-significant level.

Mitigation Measure BIO-10: **Other Sensitive Natural Community Mitigation.** Prior to development of individual trail segments located within undeveloped areas, the project proponent's qualified biologist shall survey the site to determine if California bay forest/Coast live oak woodland, foothill needle grass grassland, or other sensitive natural communities are present within the project area and would impacted by trail construction. Impacted native trees and understory shrub species shall be replaced at a minimum 1:1 ratio. The trees and shrubs shall be replaced in-kind from phytophthera-free container stock propagated from local genetic stock (i.e. San Francisco Bay region). The square footages of impacted needle grasslands shall be replaced at a minimum 1:1 ratio through re-plugging or seeding using nursery stock or seed mixes derived from local genetic stock (i.e., San Francisco Bay region). The mitigation plants may also have to be monitored and reported as required by the regulatory agencies.

[63] Sawyer, John O., Todd Keeler-Wolf, and Julie M. Evans. 2009. A Manual of California Vegetation. Second edition. California Native Plant Society Press, Sacramento, CA.

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ***(Less Than Significant with Mitigation Incorporated)***

Potentially jurisdictional segments of creeks, streams, and drainages occur along the proposed trail alignment. Creeks that cross through or near the trail alignment include San Lorenzo Creek, Castro Valley Creek, Zeile Creek, Sulphur Creek, Ward Creek, and Chabot Creek. Ultimately, the Corps would determine whether these features are jurisdictional in the area proposed for trail construction. As outlined in Section 1.0, Project Information, several creek crossings would be required to accommodate the proposed trail alignment. In these locations, the trail would be elevated above creeks and sensitive vegetation to minimize impact and maintain accessibility. Although the proposed trail would be designed to avoid impacts to creeks and drainages, to the extent possible, direct and indirect impacts may occur where the trail crosses these features.

Besides the creeks and drainages, no other wetlands or waters of the United States/State that are potentially jurisdictional under Section 404 of the Clean Water Act or the Porter-Cologne Act were observed on the site during the field survey, but seasonal wetlands could be present in the grasslands that were not accessible during the survey.

In accordance with State and federal requirements, impacts to the waters of the United States/State resulting from project implementation would require appropriate permits from the Corps, RWQCB, and CDFW. Implementation of Mitigation Measure BIO-11 would reduce potential impacts to Waters of the United States/State to a less-than-significant level.

Mitigation Measure BIO-11: **Jurisdictional Wetland Compensation.** Although the proposed trail alignment would be designed to avoid impacts to jurisdictional wetlands and waters of United States/State, if jurisdictional wetlands or waters are impacted during construction of individual trail segments where creek crossings are required, impacted jurisdictional features shall be replaced at a minimum 1:1 ratio. Additional mitigation, monitoring, and reporting requirements, in accordance with the Corps, RWQCB, and/or CDFW permits, shall also be implemented by individual project proponents, with oversight and monitoring by HARD or the City of Hayward, as applicable.

In addition, the following BMPs shall be implemented to prevent erosion and sedimentation into stream channels outside of work areas, prevent impacts to upland areas outside of designated work zones, control dust, and prevent accidental fuel or oil spills in or near stream channels or other sensitive habitats.

- Construction along stream channels shall occur during the dry season (June 15 to October 15) to avoid adverse impacts to water quality, wildlife, and riparian habitat.

- Designated vehicle and equipment staging areas shall be located at least 500 feet from any stream channels; all project vehicles and equipment shall be stored in these areas overnight or when not in use; any vehicle fueling or other maintenance shall only occur within designated staging areas.
- The boundaries of designated work areas within stream channels shall be staked to ensure that all vehicles and equipment stay within the designated boundaries.
- A maximum speed limit of 10 mph for all vehicles shall be enforced throughout the project area.
- Water shall be applied to travel and work areas as required for dust control.
- Accumulated garbage and construction debris shall be removed on a daily basis.
- All personnel involved in the construction activities shall be briefed on water quality and special-status species concerns associated with the project.
- All heavy equipment shall be maintained to prevent fluid leaks.

d. Would the project 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? ***(Less Than Significant with Mitigation Incorporated)***

Although the proposed project alignment consists of a trail that is situated within a mostly urban area, some segments would be located near Ward Creek, Castro Valley Creek, Sulphur Creek, Zeile Creek, Chabot Creek, San Lorenzo Creek, and other stream/drainage channels and their associated riparian habitat, which provide a wildlife movement corridor for aquatic and terrestrial wildlife species. As described in the Draft Master Plan, the proposed trail would be designed to minimize impacts to natural areas, including creeks, streams, drainages, and riparian areas. As described in Section 3.4.c, any impacts to streams or riparian vegetation would be reduced to a less-than-significant level with implementation of Mitigation Measures BIO-9 and BIO-11.

Segments of the proposed trail alignment would also be located within open space grassland habitat that provides wildlife movement for many species. However, within these grassland areas, the trail would be relatively narrow in size and would allow continued passage by wildlife.

No significant native wildlife nursery sites, such as large bat roosts and heron rookeries, would be impacted by the proposed project. If bat roosts are identified during the pre-construction roosting bat surveys, the roosts would be avoided or mitigated in compliance with Mitigation Measure BIO-5,

described above. Bird nests and woodrat houses would be avoided or mitigated in accordance with Mitigation Measures BIO-4 and BIO-5, respectively. Therefore, with implementation of these mitigation measures, potential impacts to wildlife nursery sites would be less than significant.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ***(Less-Than-Significant Impact)***

The proposed trail alignment occurs with unincorporated Alameda County and the City of Hayward. Alameda County requires a permit for the removal of trees along the public right-of-way that are protected under the County's Tree Preservation Ordinance. Qualified trees would include any woody perennial plant characterized by having a single trunk or multi-trunk structure at least 10-feet high and having a major trunk that is at least 2 inches in diameter taken at breast height (4.5 feet from the ground). Other protected trees include those plants generally designated as trees and any trees that have been planted as replacement trees under the County Tree Ordinance or any trees planted by the County.

The City of Hayward defines a protected tree as a tree of a specific species or size that may not be reshaped, altered, damaged, relocated or removed without first obtaining a Tree Removal and Cutting Permit from the City. Protected trees do not include trees planted and growing in a licensed nursery for sale or planted and grown as a part of an active commercial orchard. A specimen tree is a tree that is representative of a particular species in form and size. It is a tree that may also represent the character of an area or neighborhood such as a live or valley oak in the foothill areas, redwoods along the northern California coast or a specific tree that is common in a particular neighborhood.

Section 10-15.13 of the City of Hayward's Municipal Code lists protected trees, when located on properties to which this Ordinance applies, as the following:

1) Trees having a minimum trunk diameter of 8 inches measured 54 inches above the ground. When measuring a multi-trunk tree, the diameters of the largest three trunks shall be added together.

2) Street trees or other required trees such as those required as a condition of approval, Use Permit, or other Zoning requirement, regardless of size.

3) All memorial trees dedicated by an entity recognized by the City, and all specimen trees that define a neighborhood or community.

4) Trees of the following species that have reached a minimum of 4 inches diameter trunk size: Big leaf maple (*Acer macrophyllum*), California buckeye (*Aesculus californica*), Pacific madrone (*Arbutus menziesii*), Western dogwood (*Cornus nuttallii*), California sycamore (*Platanus racemosa*), Coast live oak (*Quercus agrifolia*), Canyon live oak (*Quercus chrysolepis*), Blue oak (*Quercus douglasii*), Oregon white oak (*Quercus garryana*), California black oak (*Quercus kelloggii*), Valley oak (*Quercus lobata*), Interior live oak (*Quercus wislizeni*), California bay (*Umbellularia californica*).

5) A tree or trees of any size planted as a replacement for a protected tree.

Implementation of the proposed Draft Master Plan may require the removal or disturbance of trees within the City and unincorporated areas of the County. If trees within Alameda County's public right-of-way would be impacted, a tree removal permit from the County would need to be obtained. As part of the permit approvals, the County may require the impacted trees to be replaced at a minimum 1:1 ratio.

If the proposed project would result in the removal, destruction, cutting of branches over 1 inch in diameter, or disfiguring or causing to be removed or destroyed or disfigured any protected tree within the City of Hayward, a tree removal permit from the City would need to be obtained. All removed or disfigured trees would need to be replaced with like-size, like-kind trees or an equal value tree or trees as determined by the City's Landscape Architect, consistent with Section 10-15.13 of the City of Hayward's Municipal Code.

Compliance with these ordinances would ensure that implementation of the proposed Draft Master Plan would not conflict with any local policies or ordinances protecting biological resources. This impact would be less than significant.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ***(No Impact)***

The proposed trail alignment is not located within the limits of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan; therefore, implementation of the proposed project would not conflict with any of these plans. No impact would occur.

3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

*a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? **(Less-Than-Significant with Mitigation Incorporated)***

For a cultural resource to be considered a historical resource (i.e., eligible for listing in the California Register of Historical Resources [CRHR]), it generally must be 50 years or older. Under CEQA, historical resources can include precontact (e.g., Native American) archaeological deposits, historic-period archaeological deposits, historic buildings, historic districts, and areas of traditional cultural significance to tribal groups.

On February 10, 2021, a records search was conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System, located at Sonoma State University. The NWIC, an affiliate of the California Office of Historic Preservation (OHP), is the official repository of cultural resources records and reports for the County. The record search included a review of all recorded historic-period and precontact archaeological sites and historic-period built environment resources within a 0.25-mile radius of the project site, as well as a review of known cultural resources reports.

Background research also included a review of the following State and federal inventories:

- Directory of Properties in the Historic Property Data File (OHP 2012). The directory includes the listings of the National Register of Historic Places, National Historic Landmarks, the California Register of Historical Resources (California Register), California Historical Landmarks, and California Points of Historical Interest.
- California Historical Landmarks (OHP 1996).
- California Points of Historical Interest (OHP 1992).
- *Five Views: An Ethnic Historic Site Survey for California* (OHP 1988).
- California Inventory of Historic Resources (OHP 1976).

- Built Environment Resources Directory (BERD).[64]

The results of the NWIC record search indicate that there are eight cultural resources previously recorded within the project area (Table 3.5.A).

Table 3.5.A: Cultural Resources within the Project Site

Primary No.	Resource Description	Comments
P-01-001795	Precontact campsite	The archaeological site contains buried deposits.
P-01-002175	Historic-period reservoir	This resource was evaluated as not a historical resource for the purposes of CEQA, but no record exists of SHPO concurrence on the determination.
P-01-011651	Historic-period building	The mapped resource location consists of the entire parcel containing the building.
P-01-011652	Historic-period building	The mapped resource location consists of the entire parcel containing the building.
P-01-011653	Historic-period building	The mapped resource location consists of the entire parcel containing the building.
P-01-011717	Historic-period building	The resource location is mapped by the NWIC as "approximate."
P-01-011724	Historic-period building	The mapped resource location consists of the entire parcel containing the building.
C-448	Precontact occupation site	This resource was informally reported and recorded in 1987. The exact location and site description are unknown.

CEQA = California Environmental Quality Act
NWIC = Northwest Information Center
SHPO = State Historic Preservation Officer

None of the historic-period buildings mapped within the vicinity of the project site are listed in the BERD for Alameda County. Two archaeological sites have been previously recorded within 0.25-mile of the proposed trail alignment. A total of 236 historic-period built environment resources have been recorded within 0.25-mile of the proposed trail alignment.

Eighteen previous cultural resources studies have included a portion of the proposed trail alignment. These studies included surveys (14), archaeological excavation (1), Finding of Effect reports (2), and an Environmental Impact Report section (1). Twenty-nine additional studies have previously studied a portion of the area within a 0.25 mi radius of the proposed trail alignment. These studies included surveys (24) and archaeological monitoring (5).

Based on the results of the NWIC record search, eight previously recorded cultural resources may be impacted by trail construction. In addition, the proposed trail alignment may be located on parcels containing previously-recorded historic-period buildings whose historic significance could be impacted by trail development. Implementation of Mitigation Measure CUL-1, which requires preparation of a Phase I archaeological study for each individual trail segment, evaluation of

[64] California Office of Historic Preservation. 2021. Built Environment Resources Directory. California Department of Parks and Recreation, Sacramento. Website: https://ohp.parks.ca.gov/?page_id=30338 (accessed February 22, 2021).

historical resources, and implementation of appropriate measures to address potential resources within the proposed trail alignment, would reduce potential impacts to a less-than-significant level.

Mitigation Measure CUL-1a: **Phase I Archaeological Study.** Prior to development of each proposed trail segment, HARD (or the individual project proponent) shall conduct a Phase I archaeological study in order to incorporate up-to-date record search and field survey results. Each segment-specific Phase I archaeological study would be conducted to: (1) identify archaeological deposits that may be impacted by the proposed project; (2) assess the potential for human remains; and (3) recommend procedures for avoiding or mitigating impacts to such deposits or remains, if warranted. Such procedures might include, but are not limited to, modification of the trail alignment/design to avoid sensitive resources, monitoring by a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology) during ground disturbing activities, documenting resources on State of California Department of Parks and Recreation Series 523 forms, recording the archaeological deposit, data recovery and analysis, and public outreach. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations shall be prepared by the qualified archaeologist and submitted to HARD or the City of Hayward for review, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate local curation facility and used for future research and public interpretive displays, as appropriate.

Mitigation Measure CUL-1b: **Historical Resource Evaluation.** Prior to development of any trail segment located on a parcel containing historic-period buildings (e.g., buildings over 50 years old), HARD (or the individual project proponent) shall complete a historic resources evaluation (including property-specific research and an intensive-level architectural field survey) to determine the property's eligibility for listing in the California Register of Historic Resources and qualification as a "historical resource" per CEQA. If the resource is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the trail alignment shall be designed to avoid the subject parcel entirely or to eliminate aspects of the project that might impair the historic significance of the resource (e.g., reducing trail width, eliminating trail features such as signage, lighting, etc.).

Mitigation Measure CUL-1c: **Unanticipated Discovery.** Should an archaeological deposit be encountered during construction of an individual trail segment, all ground-disturbing activities within 25 feet shall be redirected and a

qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the project proponent shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recordation of the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods and findings shall be prepared and submitted to HARD or the City of Hayward, as appropriate. The final report shall be submitted to the Northwest Information Center at Sonoma State University.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ***(Less-Than-Significant with Mitigation Incorporated)***

According to the CEQA Guidelines, "When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource" (CEQA Guidelines Section 15064.5(c)(1)). Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as "unique archaeological resources" (California PRC Section 21083.2).

Archaeological deposits identified during construction of specific trail segments shall be treated by individual project proponents—in consultation with a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology—in accordance with Mitigation Measure CUL-1. With implementation of Mitigation Measure CUL-1, identified above, impacts to archaeological resources would be less than significant.

c. Would the project disturb any humans remains, including those interred outside of formal cemeteries? ***(Less-Than-Significant Impact)***

If human remains are encountered at the project site, State Health and Safety Code Section 7050.5 and State CEQA Guidelines Section 15064.5(e)(1) state that no further disturbance shall occur to the area of the find until the County Coroner has made a determination of origin and disposition of the human bone pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately and shall make a determination within two working days of being notified. If the remains are determined to be Native American, the County Coroner shall notify the NAHC by phone within 24 hours, and the NAHC shall then immediately determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection and make recommendations or preferences for treatment of the remains within 48 hours of being granted access to the site. The MLD's recommendations may include scientific removal and nondestructive

analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.

Compliance with Section 7050.5 of the California Health and Safety Code and Public Resources Code Section 5097.98 regarding the treatment of human remains would ensure that potential impacts to human remains would be less than significant.

3.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

*a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? **(Less-Than-Significant Impact)***

This analysis evaluates energy consumption for both construction and operation of the proposed project, including diesel fuel use for construction off-road equipment.

Construction. Construction of the proposed project would require the use of energy to fuel grading vehicles, trucks, and other construction vehicles. All or most of this energy would be derived from non-renewable resources. In order to increase energy efficiency on the site during project construction, equipment idling times would be restricted to 5 minutes or less and construction workers would be required to shut off idle equipment, as identified in Mitigation Measure AIR-1 (refer to Section 3.3.b). In addition, construction activities are not anticipated to result in an inefficient use of energy as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be less than significant.

Operation. Typically, energy consumption is associated with fuel used for vehicle trips and electricity and natural gas use. However, the proposed project would result in the construction of approximately 8 miles of new non-motorized multi-use recreational trail, linking open spaces, parks, downtown Hayward, CSU East Bay, and the Mission Boulevard corridor. The project would not generate additional vehicle trips through the project area and, therefore, would not increase fuel usage. Implementation of the proposed project would include lighting along some segments; however, these features would not contribute to a significant new source of electricity and natural gas usage. Therefore, implementation of the proposed project would not result in a long-term demand for electricity and natural gas nor would the project require new service connections or construction of new off-site service lines or substations to serve the project. The nature of proposed improvements would not require substantial amounts of energy for either construction or maintenance purposes. Therefore, the proposed project would not use non-renewable resources in a wasteful or inefficient manner and operational energy impacts would be less than significant.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ***(Less-Than-Significant Impact)***

In 2002, the Legislature passed Senate Bill 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission (ZE) vehicles and their infrastructure needs, and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

The most recently CEC adopted energy report is the 2019 Integrated Energy Policy Report.[65] The 2019 Integrated Energy Policy Report provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The 2019 Integrated Energy Policy Report covers a broad range of topics, including implementation of Senate Bill 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, transportation electrification, barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to Senate Bill 1383), updates on Southern California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

As indicated above, energy usage in the project area during construction and operation would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC's 2019 Integrated Energy Policy Report. Thus, as shown above, the project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Therefore, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation and this impact would be less than significant.

[65] California Energy Commission. 2019. *2019 Integrated Energy Policy Report.* California Energy Commission. Docket # 19-IEPR-01.

3.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause 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.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☒	☐	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv. Landslides?	☐	☒	☐	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☒	☐	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

a. Would the project directly or indirectly cause 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. **(Less-Than-Significant Impact)***

The project site is located in the San Francisco Bay Area, a seismically active region subject to strong seismic ground shaking activity resulting from earthquakes on nearby faults.

The State of California enacted the Alquist-Priolo Earthquake Fault Zoning Act in 1972, requiring the State Geologist to delineate Earthquake Fault Zones (EFZ) along known active faults that have high potential for fault rupture. Active faults are defined as a fault that has surface displacement within the last 11,000 years.[66] State regulations prohibit habitable structures from being sited within 50 feet of an active fault. Several faults are located within the City of Hayward, including the Hayward

[66] Ibid.

Fault, an officially designated EFZ. The Hayward Fault is part of the larger San Andreas Fault System and runs north and south through the City of Hayward. Some segments of the proposed trail alignment would occur within the EFZ associated with the South Hayward Fault.[67] Individual trail segments that would be constructed as part of implementation of the Draft Master Plan would be strictly for recreation use. Consistent with the Alquist-Priolo Earthquake Zoning Act (1972), no habitable structures would be constructed as part of Draft Master Plan implementation. Due to the types of improvements proposed, implementation of the Draft Master Plan would not increase risks to human health or safety related to fault rupture compared to existing conditions. Therefore, this impact would be less than significant.

ii. Strong seismic ground shaking? ***(Less-Than-Significant with Mitigation Incorporated)***

The Draft Master Plan area and the entire San Francisco Bay Area are located in a seismically active region subject to strong seismic ground shaking. Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake, and is normally the major cause of damage in seismic events. The extent of ground-shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. The magnitude of a seismic event is a measure of the energy released by an earthquake; it is assessed by seismographs that measure the amplitude of seismic waves. The intensity of an earthquake is a subjective measure of the perceptible effects of a seismic event at a given point. The Modified Mercalli Intensity (MMI) scale is the most commonly used scale to measure the subjective effects of earthquake intensity. It uses values ranging from I to XII.[68]

Mapping has been compiled by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for the likely shaking intensities in the Bay Area that would have a 10 percent chance of occurring in any 50-year period. A large earthquake (magnitude 6.7 or greater) on one of the major active faults in the region would generate very strong (MMI 7) to severe (MMI 8) ground shaking at the project site.[69] The most significant adverse impact associated with strong seismic ground shaking is potential damage to structures and subsequent injury to people inside those structures. No habitable structures are proposed as part of the project. Furnishings, barriers/fences, lighting, signage, art and several creek crossings are proposed. Implementation of the Draft Master Plan would include construction of improvements in areas with potentially adverse geological conditions, including expansive soils, slope instability, liquefaction, and areas subject to seismic shaking. The potential for severe damage to improvements related to soil movement (resulting from expansive soils, seismic shaking, and or landslide), and the potential for injury of trail users (mostly related to trips and falls from uneven surfaces) would be a significant impact.

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67 Hayward, City of. 2021. Hayward Web Map. Website: www.hayward-ca.gov/services/city-services/mapping-and-gis (accessed February 8, 2021).

68 United States Geological Survey. 2018. The Modified Mercalli Intensity Scale. Available: www.usgs.gov/natural-hazards/earthquake-hazards/science/modified-mercalli-intensity-scale?qt-science_center_objects=0#qt-science_center_objects, (accessed February 8, 2021).

69 Metropolitan Transportation Commission (MTC)/Association of Bay Area Governments (ABAG). 2018. Probabilistic Earthquake Shaking Hazard Map, Available: mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8, (accessed February 8, 2021).

Implementation of Mitigation Measure GEO-1 would reduce potential impacts associated with these hazards to less than significant.

Mitigation Measure GEO-1: **Geotechnical Investigation.** Prior to grading, excavation, and construction of proposed trail segments located in undeveloped areas, a design-level geotechnical report shall be prepared by a licensed professional and submitted to HARD or the City of Hayward, as applicable, for review and approval. The geotechnical review shall identify the geologic conditions within the project area and specifically address potential adverse geological conditions at the specific site, including but not limited to expansive soils, slope instability, liquefaction, and seismic shaking and verify that the project plans are in conformance with current best practice standards for earthquake resistant construction in accordance with the California Building Code (Seismic Zone 4), applicable County and City codes, and other applicable design standards. All design measures, recommendations, design criteria, and specifications set forth in the design-level geotechnical review shall be implemented as a condition of project approval.

iii. Seismic-related ground failure, including liquefaction? ***(Less-Than-Significant with Mitigation Incorporated)***

Liquefaction is the transformation of loose, fine-grained sediment to a fluid-like state similar to quicksand. This phenomenon occurs due to strong seismic activity, and lessens the soil's ability to support a structural foundation. The primary factors affecting the possibility of liquefaction in soil are: 1) intensity and duration of earthquake shaking; 2) soil type and relative density; 3) overburden pressures; and 4) depth to groundwater. Soil most susceptible to liquefaction is clean, loose, fine-grained sands and non-plastic silts that are saturated.

The California Geological Survey (CGS) has mapped Seismic Hazard Zones that delineate areas susceptible to liquefaction and/or landslides that require proposed new developments in these areas to conduct additional investigation to determine the extent and magnitude of potential ground failure. According to mapping by CGS,[70] portions of the proposed trail alignment are located in areas mapped as hazards for liquefaction and landslide. Mapping performed by MTC/ABAG indicates that the proposed trail alignment is located in an area of very low to moderate liquefaction susceptibility. [71]

Implementation of the proposed Draft Master Plan would include construction of trail facilities in areas with potentially adverse geological conditions, including liquefaction. Implementation of

[70] California Geological Survey (CGS). 2019. California Earthquake Hazards Zone Application. Website: maps.conservation.ca.gov/cgs/EQZApp/app/ (accessed February 8, 2021).

[71] MTC/ABAG. 2006. Earthquake Liquefaction Susceptibility Map, Available: mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8, (accessed February 8, 2021).

Mitigation Measure GEO-1, described above, would reduce potential impacts associated with these hazards to less than significant.

iv. Landslides? ***(Less-Than-Significant with Mitigation Incorporated)***

Some of the proposed trail segments would be located on sloping hilly terrain. Seismically induced landslides and other slope failures are common during or soon after an earthquake in areas with significant ground slopes. Unstable slopes can be formed by natural processes such as erosion, water saturation, and destroyed vegetation due to wildfire and fault line displacements. Landslides may also induce flooding by damming creeks and streams with debris. CGS mapping[72] identifies portions of the proposed trail alignment that would traverse sites of previous landslide movement and/or areas where local geologic conditions indicate potential for permanent ground displacement. Implementation of Mitigation Measure GEO-1, described above, which requires preparation and implementation of a site-specific geotechnical investigation for individual projects identified in the Draft Master Plan, would reduce potential impacts associated with landslides to less than significant.

b. Would the project result in substantial soil erosion or the loss of topsoil? ***(Less-Than-Significant Impact)***

Exposed soils could be subject to erosion during installation of improvements proposed with the Draft Master Plan. Exposed soils could be entrained in storm water runoff and transported off the project site. The potential for soil erosion exists during the period of earthwork activities and between the time when earthwork is completed and new vegetation is established. As specified in Section 3.10, Hydrology and Water Quality, a Storm Water Pollution Prevention Plan (SWPPP) would be required for construction of individual trail segments proposed as part of the Draft Master Plan. Although designed primarily to protect storm water quality, the SWPPP would incorporate Best Management Practices (BMPs) to minimize erosion. Preparation and implementation of a SWPPP, required by existing regulations, would reduce any potential soil erosion impacts to less than significant.

c. Would the project 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? ***(Less-Than-Significant with Mitigation Incorporated)***

Please refer to Section 3.7.a. The proposed project would be designed and constructed in accordance with standard engineering practices and the CBC. Areas along the proposed trail alignment are not anticipated to become unstable as a result of the proposed project, or potentially result in on- or off-site landslides, liquefaction, or lateral spreading. Further, implementation of Mitigation Measure GEO-1, which would require preparation of a site-specific geotechnical evaluation and implementation of proposed geotechnical recommendations, would ensure that the proposed project would not result in a geologic hazard from landslide, lateral spreading, subsidence, liquefaction or collapse. This impact would be less than significant.

[72] California Geological Survey. 2012. *Earthquake Zones of Required Investigation Hayward Quadrangle*. September 21.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? ***(Less-Than-Significant Impact)***

Expansion and contraction of volume can occur when expansive soils undergo alternating cycles of wetting (swelling) and drying (shrinking). During these cycles, the volume of the soil changes markedly. Expansive soils are common throughout California and can cause damage to foundations and slabs unless properly treated during construction. Implementation of Mitigation Measure GEO-1, described above, would reduce potential impacts associated with expansive soils to less than significant.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ***(No Impact)***

The proposed project is a multi-use trail alignment and would not generate wastewater. No restrooms would be constructed as part of this project. No septic tanks or alternative wastewater disposal systems would be required for the proposed project. Therefore, no impact related to this topic would occur as a result of implementation of the proposed project.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ***(Less Than Significant with Mitigation Incorporated)***

The proposed project would not require deep excavation or trenching that would likely encounter paleontological resources. However, in the event that fossil remains are encountered, impacts to paleontological resources could occur. Implementation of Mitigation Measure GEO-2 would reduce potential impacts to paleontological resources to less than significant.

Mitigation Measure GEO-2: **Previously Undiscovered Paleontological Resources.** If paleontological resources are encountered during grading activities for each individual trail segment, all work within 25 feet of the discovery shall be redirected until a qualified paleontologist has assessed the discoveries and made recommendations. Paleontological resources include fossil plants and animals, and evidence of past life such as trace fossils and tracks.

If the paleontological resources are found to be significant, adverse effects to such resources shall be avoided by project activities to the extent feasible. If project activities cannot avoid the resources, the adverse effects shall be mitigated. In accordance with CEQA Guidelines Section 15126.4(b)(3), mitigation may include data recovery and analysis, preparation of a final report, and the formal transmission or delivery of any fossil material recovered to a paleontological repository, such as the University of California Museum of Paleontology (UCMP). Upon completion, the final report shall document methods and findings of the mitigation and be

submitted to HARD or the City of Hayward, as applicable and a suitable paleontological repository.

3.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

*a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? **(Less-Than-Significant Impact)***

Greenhouse gases (GHGs) are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2);
- Methane (CH_4);
- Nitrous oxide (N_2O);
- Hydrofluorocarbons (HFCs);
- Perfluorocarbons (PFCs); and
- Sulfur hexafluoride (SF_6).

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere and enhancing the natural greenhouse effect, believed to be causing global warming. While human-made GHGs include naturally occurring GHGs such as CO_2, methane, and N_2O, some gases, like HFCs, PFCs, and SF_6, are completely new to the atmosphere.

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

These gases vary considerably in terms of Global Warming Potential (GWP), a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of

each gas is measured relative to CO_2, the most abundant GHG. The definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO_2 over a specified time period. GHG emissions are typically measured in terms of pounds or tons of "CO_2 equivalents" (CO_2e).

Construction activities, such as site preparation, site grading, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, and motor vehicles transporting the construction crew would produce combustion emissions from various sources. During construction of the proposed project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. Future construction activities that may result from the implementation of the Draft Master Plan would be subject to project-specific review and would be required to comply with the regulations adopted to reduce GHG emissions, including the City of Hayward Climate Action Plan, which has been incorporated into the City's 2040 General Plan[73] and the Alameda County (Unincorporated Areas) Community Climate Action Plan.[74] Implementation of Mitigation Measure AIR-1, as discussed in Section 3.3.2 (b), would further reduce construction GHG emissions by limiting construction idling emissions.

The proposed project would result in the development of approximately 8 miles of multi-use trail, to be implemented over time by individual project proponents. Once completed, the proposed project would not generate substantial GHG emissions or result in substantial new vehicle trips that would contribute to an increase in GHG emissions. Therefore, GHG emissions generated by the proposed project would be less than significant.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ***(Less-Than-Significant Impact)***

Hayward's Climate Action Plan (CAP) was adopted by the City Council on July 28, 2009.[75] The 2009 CAP was designed to reduce communitywide emissions 12.5 percent below 2005 levels by the year 2020, and to set the City on a course to achieve a long-term emission reduction goal of 82.5 percent below 2005 levels by the year 2050.

The Hayward 2040 General Plan Draft EIR contains a comprehensive list of specific General Plan policies and programs that constitute the City's updated GHG emission reduction strategy.[76] These policies and programs contain GHG emission reduction measures that apply to both existing and

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73 Hayward, City of. 2020. Climate Action Plan. Website: www.hayward-ca.gov/services/city-services/climate-action (Accessed February 9, 2021).

74 Alameda County. 2014. Alameda County (Unincorporated Areas) Community Climate Action Plan. February. Available online at: www.acgov.org/cda/planning/generalplans/documents/110603_Alameda_CCAP_Final.pdf (Accessed February 9, 2021)

75 Hayward, City of. 2009. Hayward Climate Action Plan. July 28.

76 See Table 10.4 (pp 10-10 through 10-42) of the Hayward 2040 General Plan Draft EIR.

new development. Implementation of these measures would reduce GHG emissions by more than 20 percent below 2005 levels by the year 2020 when combined with State and federal programs.

As discussed above, the proposed project would entail development of approximately 8 miles of multi-use trail, primarily in the City of Hayward. Therefore, the proposed project would support the ability to use alternative modes of transportation, would promote initiatives to reduce vehicle trips and vehicle miles traveled, and would increase the use of alternate means of transportation, which would help reduce GHG emissions. The proposed project would implement appropriate GHG reduction strategies and would not conflict with applicable plan, policy, or regulations pertaining to GHGs. Therefore, the proposed project would not conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions, and this impact would be less than significant.

3.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

*a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **(Less-Than-Significant Impact)***

Hazardous substances include chemicals regulated under both the United States Department of Transportation[77] and the U.S. Environmental Protection Agency (USEPA)[78] "Hazardous Materials" regulations. Hazardous waste requires specific handling and disposal procedures because of potential damage to public health and the environment.

Construction and operation of the proposed project would not involve the routine transport, use or disposal of hazardous materials, although hazardous materials would be involved on a temporary basis during construction of some of the individual trail segments. During the construction of individual trail segments identified in the Draft Master Plan, hazardous materials would be used for

77 U.S. Department of Transportation. 2017. *Hazardous Materials Regulations.* Available online at: www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-regulations (accessed February 3, 2021).

78 U.S. Environmental Protection Agency. 2020. *Hazardous Waste Regulations.* Available online at: www.epa.gov/osw/lawsregs/regs-haz.htm (accessed February 3, 2021).

equipment operation and possibly maintenance; these materials could include lubricants, solvents, paint, and fuels. However, these materials would not be used in sufficient quantities to pose a threat to human or environmental health. Any activities involving hazardous materials and hazardous waste would be conducted in accordance with health and safety standards mandated by the Occupational Safety and Health Administration (OSHA) and other federal, state, and local regulations, thereby reducing potential hazards to workers, the public and the environment from the use, transport, and disposal of those materials and wastes.

Operation of the proposed project (i.e., use of the proposed trail by cyclists and pedestrians) would not involve routine transport, use, or disposal of hazardous materials. Therefore, impacts related to this topic would be less than significant.

b. Would the project 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? ***(Less-Than-Significant Impact)***

Construction at the project site would require the use and transport of hazardous materials. These materials would include fuels, oils, and other chemicals used during construction activities. Improper use and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and environment.

As noted in Section 3.10, Hydrology and Water Quality, construction activities at the project site would require implementation of a SWPPP. The SWPPP would incorporate current BMPs for construction, including site housekeeping practices, hazardous material storage, inspections, maintenance, worker training in pollution prevention measures, and containment of releases to prevent runoff via stormwater. Although designed to protect stormwater quality, implementation of the SWPPP would also reduce the potential impacts of hazardous materials releases during construction to a less-than-significant level.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ***(Less-Than-Significant Impact)***

The proposed trail alignment would be located in close proximity to two schools, Hayward High School and Bret Harte Middle School. The proposed project would not routinely emit hazardous emissions, and handling of hazardous or acutely hazardous materials, substances, or waste on the project site (if any) would be temporary and cease upon project completion. Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

d. Would the project 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? ***(Less-Than-Significant Impact)***

The project site is not listed on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.[79] According to the State Water Resources Control Board's Geotracker website, several listed sites are located in proximity to the proposed trail alignment.[80] These sites are listed in Table 3.9.A below.

Table 3.9.A: Adjacent Hazardous Materials Sites

Site ID	Site Name	Address	Site Type	Status
T0600100202	76 Service Station No. 11131	21494 Foothill Boulevard, Hayward	LUST Cleanup Site	COMPLETED – CASE CLOSED
T0600101743	Former Jeri's Beacon Station	21501 Foothill Boulevard, Hayward	LUST Cleanup Site	OPEN - REMEDIATION
T0600100155	Beacon #12574	22315 Redwood, Castro Valley	LUST Cleanup Site	COMPLETED – CASE CLOSED
T060010318	Chevron #9-2760	2416 Grove Way, Hayward	LUST Cleanup Site	COMPLETED – CASE CLOSED
T0600101736	Gulf	1368 A Street, Hayward	LUST Cleanup Site	COMPLETED – CASE CLOSED
T0600100722	Hutch's Car Wash	1367 A Street, Hayward	LUST Cleanup Site	OPEN – VERIFICATION MONITORING
T0600101737	AT&T Facility	1391 B Street, Hayward	LUST Cleanup Site	COMPLETED – CASE CLOSED
T10000005232	Rajneesh Salwan Trust	24546 Mission Boulevard, Hayward	Cleanup Program Site	OPEN – SITE ASSESSMENT
T06000101718	Mission Lincoln Mercury	24644 Mission Boulevard, Hayward	LUST Cleanup Site	COMPLETED – CASE CLOSED

LUST = Leaking Underground Storage Tank

As shown in Table 3.9.A, the majority of these sites are designated as "Completed—Case Closed." A closed site indicates that regulatory requirements for response actions, such as site assessment and remediation, have either been completed or were not necessary and therefore potential migration of residual contaminants in groundwater beneath the project site (if any) does not likely pose a risk to human health and the environment. Proposed trail improvements near the two open sites would consist primarily of on-street improvements, including wayfinding signage and striping, which would require minimal ground disturbance. Therefore, no significant hazard to the public or environment would be associated with these listed sites, and this impact would be less than significant.

79 California Environmental Protection Agency. 2020. Cortese List Data Resources. Website: calepa.ca.gov/sitecleanup/corteselist (accessed February 9, 2021).

80 State Water Resources Control Board. 2021. GeoTracker. Available online at: geotracker.waterboards.ca.gov (accessed February 9, 2021).

e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ***(No Impact)***

The project site is not located within an airport use plan, or within two miles of a public airport or public use airport. The proposed trail alignment is located approximately 2.5 miles to the east of the Hayward Executive Airport and lies outside of the airport influence area. Furthermore, the proposed project consists of a proposed trail alignment and no new structures would be constructed. Therefore, the proposed project would not result in an airport-related safety hazard for the people residing or working in the project area. No impact relating to this topic would occur.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***(No Impact)***

The proposed trail would be located on existing streets and within existing or planned parks and constructed as part of private development proposals. The proposed project includes construction of a multi-use trail and would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, no impact related to this topic would occur.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? ***(Less-Than-Significant Impact)***

A wildland fire is a fire occurring in a suburban or rural area which contains uncultivated land, timber, range, brush, or grasslands. Wildland fires are primarily a concern in areas where there is a mix of developed and undeveloped lands. The proposed trail alignment is located within an urban area and is not located within a State Responsibility Area (SRA), as mapped by the California Department of Forestry and Fire Protection (CAL FIRE).[81] The project site is not located within an area identified by the California Department of Forestry and Fire Protection as a community at risk for wildland fire[82]; however, it is located within the wildland-urban interface as defined by the City of Hayward Fire Department.[83] The proposed project does not involve construction of residential or commercial structures or any other structures for human occupation. Although the proposed trail would provide additional access to undeveloped hillsides and woodlands, which would increase the risk of human-caused wildland fire, people would use the trail for a limited duration of time and trail use would be consistent with HARD regulations,[84] which prohibit fires on HARD properties, except in designated locations. Therefore, implementation of the proposed project would not expose people or structures to significant loss, injury, or death from wildfires beyond the existing condition and impacts related to this topic would be less than significant.

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81 California Board of Forestry and Fire Protection. 2020. State Responsibility Area Viewer. Website: bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer (accessed February 3, 2021).

82 California Department of Forestry. 2003. State Responsibility Areas. Available as part of the Association of Bay Area Government Earthquake and Hazards Program. Website: resilience.abag.ca.gov/wildfires (accessed February 3, 2021).

83 Hayward, City of. 2014c. *Draft Environmental Impact Report City of Hayward 2040 General Plan*. February.

84 Hayward Area Recreation and Park District. 2019. District Regulation Handbook. Available online at: www.haywardrec.org/DocumentCenter/View/2874/District-Regulation-Handbook?bidId= (accessed August 9, 2021).

3.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii. 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; or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

*a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? **(Less-Than-Significant Impact)***

Runoff water quality is regulated by the federal National Pollutant Discharge Elimination System (NPDES) Program administered by the RWQCB. The project site would be under the jurisdiction of the San Francisco RWQCB, and the Alameda Countywide Clean Water Program (ACCWP), of which the City of Hayward is a participant. ACCWP is a group of local government agencies that operate under one common NPDES Municipal Regional Stormwater Discharge Permit. Compliance with the Municipal NPDES Permit is required by State and federal law, and new construction projects must comply with the NPDES Construction General Permit.

Pollutants of concern during project construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and transport of sediment downstream compared to existing conditions. During a storm event, soil erosion could occur at an accelerated rate. In addition, construction-related pollutants such as chemicals, liquid and petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste could be spilled, leaked, or transported via storm runoff into adjacent drainages and into

downstream receiving waters. Any of these pollutants has the potential to be transported via stormwater runoff into receiving waters. Construction activities associated with the proposed project (trail grading, drainage crossing improvements) would disturb soils and could cause erosion and sedimentation if not properly managed.

The NPDES General Permit (GP) for Construction (Order 2009-0009-DWQ) requires construction sites over 1 acre to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP), and implement construction Best Management Practices (BMPs) during the construction phase. Construction BMPs would include, but not be limited to, erosion and sediment control, designed to minimize erosion and retain sediment on site, and good housekeeping practices to prevent spills, leaks, and discharge of construction debris and waste into receiving waters. Compliance with the requirements of the Construction General Permit for individual trail segments, as applicable, would ensure that the proposed project would result in less-than-significant impacts to water quality during construction.

Implementation of the Draft Master Plan would result in a nominal increase in stormwater runoff. As described in Section 1.0, Project Information, proposed off-street trails would have soft shoulders to allow stormwater runoff to infiltrate into the ground surface. Stormwater runoff from on-street trails would be directed to the existing storm drain system. Implementation of these design elements would ensure that potential stormwater quality impacts associated with operation of the proposed trail would be less than significant.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? ***(Less-Than-Significant Impact)***

Operation of the proposed project would not involve dewatering or the use of groundwater as potable water, because potable water is supplied to the project site by the City of Hayward and implementation of the Draft Master Plan would result in limited demand for potable water associated with new drinking fountains at key trailheads. The proposed project would not result in the construction of large areas of impervious surfaces that would prevent groundwater from infiltrating into the groundwater basin, nor would the project result in direct additions to or withdrawal of existing groundwater. Grading and construction activities would compact soil, which can decrease infiltration to the groundwater basin during construction. However, construction activities would be temporary, and the reduction in infiltration would not be substantial. Due to the topography along the trail alignment, dewatering during construction activities is unlikely to be required. If performed, construction-related dewatering would be temporary and limited to areas of excavation and would not substantially contribute to depletion of groundwater supplies. Therefore, impacts relating to this topic would be less than significant and no mitigation is required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site; ***(Less-Than-Significant Impact)***

During construction activities, soil would be exposed and disturbed, and drainage patterns would be temporarily altered, resulting in an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion could occur at an accelerated rate. As discussed above in Section 3.10.a above, the Construction General Permit requires preparation of a SWPPP and implementation of construction BMPs to reduce impacts to water quality during construction, including those impacts associated with soil erosion and siltation. Therefore, adherence to the requirements of the Construction General Permit would ensure that construction of the project would result in a less than significant impact related to this topic.

Implementation of the proposed trail would not result in a significant increase in impervious surface area or an associated increase in the volume and rate of runoff during a storm. Additionally, the proposed project would implement design features to protect existing drainage patterns and avoid impacts to drainage areas. Therefore, no significant change to the existing drainage pattern would occur resulting in on-site or off-site effects from erosion and siltation. This impact would be less than significant.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; ***(Less-Than-Significant Impact)***

Construction activities associated with implementation of the proposed trail would temporarily alter on-site drainage patterns and compact soil, which can increase the volume and velocity of storm water runoff. However, construction activities would be temporary, and the increase in runoff would not be substantial. As discussed in Section 3.10.a above, the Construction General Permit requires the preparation of a SWPPP to identify construction BMPs to be implemented as part of the project to reduce impacts to water quality during construction, including those impacts associated with flooding. Therefore, adherence to the Construction General Permit would ensure that construction activities would result in a less than significant impact.

Implementation of the proposed trail would not result in a significant increase in impervious surface area or an associated increase in the volume and rate of runoff during a storm. No significant change to the existing drainage pattern would occur resulting in on-site or off-site flooding. This impact would be less than significant.

iii. 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; or ***(Less-Than-Significant Impact)***

Implementation of the proposed trail would not result in a significant increase in impervious surface area or an associated increase in the volume and rate of runoff during a storm. Therefore, the proposed project would not create or contribute runoff water, which would exceed the capacity of

existing or planned stormwater drainage systems. Additionally, the proposed project would implement design features to promote infiltration of stormwater. This impact would be less than significant

iv. Impede or redirect flood flows? ***(Less-Than-Significant Impact)***

The project site is not located within a flood hazard area mapped by the Federal Emergency Management Agency (FEMA).[85] Implementation of the Draft Master Plan would result in the development of approximately 8 miles of multi-use trail, including trail amenities such as signage, lighting, seating, and trail crossings. Proposed facilities would not impede or redirect flood flows. This impact would be less than significant.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ***(Less-Than-Significant Impact)***

Based on the distance from the Bay and elevation of the project site, coastal hazards, such as sea level rise, seiche, tsunami, or extreme high tides, would not pose a threat of flooding for the proposed project. As described above, the project site is not located within a flood hazard area mapped by the Federal Emergency Management Agency (FEMA). Additionally, the proposed project would implement various design features to ensure contaminants would be contained. Therefore, this impact would be less than significant.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ***(Less-Than-Significant Impact)***

As noted above, the proposed project would implement various design features to ensure the proposed project would have a less-than-significant impact related to water quality. Additionally, the proposed project would not include the use of groundwater and would not substantially increase the amount of impervious surfaces on the project site, and therefore would not interfere with groundwater recharge in the vicinity of the project site. Therefore, this impact would be less than significant.

[85] Federal Emergency Management Agency. 2009. FEMA Flood Map Service Center: Search by Address. Website: https://msc.fema.gov/portal/search?AddressQuery=Hayward%2C%20CA#searchresultsanchor (accessed February 9, 2021).

3.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

*a. Would the project physically divide an established community? **(No Impact)***

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and an outlying area. The proposed project would construct approximately 8 miles of new non-motorized multi-use recreational trail. The proposed project would not result in the removal of any means of access or the closure of any trails, but instead would provide an important trail connection. Overall, the proposed project would enhance public access to open spaces, parks, downtown Hayward, CSU East Bay, and the Mission Boulevard corridor. Therefore, the proposed project would not disrupt or divide the physical arrangement of an established community, but would instead result in an overall benefit to connectivity within the area. No impact would occur.

*b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? **(Less-Than-Significant Impact)***

As outlined in the project description, the proposed Foothill Trail would be primarily managed by HARD. However, the trail alignment would be located on lands owned by City of Hayward, Alameda County, HARD, and various private developers. A variety of land uses, including commercial, residential, public facilities, parks, and open space are located along the proposed trail alignment.

Planning policies and regulations applicable to the proposed project include: the Alameda County General Plan, the Alameda County Zoning Ordinance, the Alameda County Bicycle and Pedestrian Master Plan, the City of Hayward General Plan, the City of Hayward Zoning Ordinance, the City of Hayward Bicycle and Pedestrian Master Plan, and the HARD Parks Master Plan.

The proposed project is generally in direct support of these plans and policies. Specifically, the Draft Master Plan conforms to the City of Hayward's Foothill Trail Special Design Overlay District (SD-7), identified in the City of Hayward Zoning Code, which defines a conceptual trail alignment, trail standards (e.g., right-of-way, width, setbacks and relationship to adjacent development), and coordination with HARD on trail standards.

The SD-7 establishes the following development standards and design guidelines that relate to general trail alignment and users:

- The trail is envisioned to be a 16-foot-wide trail within a 20-foot-wide area where possible, to accommodate multiple users.
- The trail is envisioned to be established generally in the locations as shown on the maps include in the Municipal Code.
- Where the trail traverses individual properties, it is envisioned to be developed in a location which will maximize the future development potential of the property.
- The trail shall be developed in coordination and approved by the HARD and in accordance with the District's trail standards.
- The trail shall be developed in areas where the national slope is less than 25 percent, if possible.
- The trail shall be a multi-use trail for pedestrian and bicycles and shall be available to the entire Hayward community as well as visitors to the Hayward community.
- Residential or non-residential development adjacent to the trail shall maintain at least a 10-foot setback from the edge of the trail, where feasible.
- Where the trail traverses individual properties, if possible, the trail shall be located in front of structures to accommodate greater visibility and easier access, for the safety of all trail users and the occupants of future developments.

Generally, the proposed project would directly support many applicable plans and policies. These plans contain goals and policies, which support a multi-modal transportation system to encourage walking and bicycling as an alternative to automobile use. Additional relevant policies relate to the protection of natural resources, water quality, and provision of public services. Many project impacts related to these topics are less than significant or limited to the short-term construction phase of the project described in relevant sections of this IS/MND. With mitigation measures contained in this IS/MND, the proposed project is consistent with all the relevant regulations and policies contained in these documents. Therefore, implementation of the proposed project would result in less-than-significant impacts related to this topic.

3.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

*a. Would the project 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? **(No Impact)***

Mineral resources that exist or existed within the City of Hayward limits include stone, limestone, clay, fire clay, halite, and salt. The La Vista Quarry, located to the east of Mission Boulevard and Tennyson Road, is designated as a mineral resource site of regional significance; however, all operations at the La Vista Quarry site have been terminated due to depletion of aggregate resources. No other significant mineral resources are located within the City.[86] The proposed trail would not impact any non-operational quarry sites or State-designated mineral resource sectors. Implementation of the project would not 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. There would be no impact related to this topic.

*b. Would the project 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? **(No Impact)***

Refer to Response 3.12 (a). The proposed project would not 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. The proposed project would have no impact related to this topic.

[86] Hayward, City of. 2014b, op. cit.

3.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 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?	☐	☐	☐	☒

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ***(Less-Than-Significant with Mitigation Incorporated)***

Short-term noise impacts would occur during construction activities associated with development of individual trail segments and facilities included in the proposed Draft Master Plan. Construction-related, short-term noise levels would be higher than existing ambient noise levels in the vicinity of the construction activities, but would cease once construction is completed. However, such increases would not permanently increase ambient noise levels and would not be considered significant.

The Hayward Municipal Code limits construction activities to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Saturday and between the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays. In addition, the Hayward Municipal Code limits noise levels generated by an individual device or piece of equipment to no more than 83 dBA at a distance of 25 feet from the source and the noise level at any point outside of the property plane[87] shall not exceed 86 dBA.

Alameda County outlines noise standards within Chapter 6.60, Noise of the Municipal Code. The noise ordinance sets exterior noise level standards for receiving land uses, as identified in Table 3.13. below. In addition, as identified in the Municipal Code, construction noise is exempt from the County's noise standards when activities occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between the hours of 8:00 a.m. to 5:00 p.m. Saturday and Sunday.

[87] According to the City of Hayward Municipal Code, "property plane" means a vertical plane including the property line, which determines the property boundaries in space.

Table 3.13.A: Receiving Land Use – Noise Level Standards, dBA

Category	Cumulative Number of Minutes in Any One Hour	Daytime (7:00 a.m. – 10:00 p.m.)	Nighttime (10:00 p.m. – 7:00 a.m.)
Single or Multiple-Family Residential, School, Hospital, Church, or Public Library Properties			
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65
Commercial Properties			
1	30	65	60
2	15	70	65
3	5	75	70
4	1	80	75
5	0	85	80

Source: Alameda County, Code of Ordinances, Title 6 – Health and safety. Chapter 6.60 Noise (March 2021).

Construction of the proposed project would occur during daylight hours, from approximately 7:00 a.m. to 5:00 p.m. daily. In addition, Mitigation Measure NOI-1 would be required to limit construction activities to daytime hours and would reduce potential construction-period noise impacts for sensitive receptors to less-than-significant levels.

Mitigation Measure NOI-1: **Construction Noise Measures.** The project contractor for each individual trail segment shall implement the following measures during construction of the proposed project:

- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities.
- Ensure that all general construction-related activities are conducted consistent with City and County requirements. For segments within the City of Hayward, construction-related activities shall be restricted to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays. For trail segments within Alameda County, construction-related

activities shall be restricted to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between the hours of 8:00 a.m. to 5:00 p.m. Saturday and Sunday.

- Designate a "disturbance coordinator" at HARD who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem.

Implementation of Mitigation Measure NOI-1 would limit construction hours and require the construction contractor to implement noise-reducing measures during construction, which would reduce short-term construction noise impacts to a less-than-significant level.

Operation of the proposed trail would not result in the generation of new noise levels in excess of standards in the local general plan, since the project is not expected to generate substantial vehicular traffic or other operational noise. Pedestrians and bicyclists may converse, resulting in intermittent noise while using the trail; however, this noise level would be similar to existing conditions and would not generate noise levels that would exceed the applicable standards. Therefore, the proposed project would not expose persons to noise levels in excess of local standards. This impact would be considered less than significant.

*b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels? **(Less-Than-Significant Impact)***

Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. Vibration energy propagates from a source, through intervening soil and rock layers, to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by the occupants as the motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings radiating sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less, which is an order of magnitude below the damage threshold for normal buildings.

A significant vibration impact would occur if the project would expose persons to or generate excessive groundborne vibration or noise levels. Common sources of groundborne vibration and noise include trains and construction activities such as blasting, pile driving and operating heavy earthmoving equipment. Construction of the proposed project would involve grading, site preparation, and construction activities but would not involve the use of construction equipment that would result in substantial groundborne vibration or groundborne noise on properties adjacent to the project site. No pile driving, blasting, or substantial grading activities are proposed. Furthermore, operation of the proposed project would not generate substantial groundborne noise and vibration.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 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? ***(No Impact)***

The project site is not located within an airport use plan, or within two miles of a public airport or public use airport. The proposed trail alignment is located approximately 2.5 miles to the east of the Hayward Executive Airport and lies outside of the airport influence area. Aircraft flyover noise is occasionally audible at the project site; however, no portion of the project site lies within the 65 dBA CNEL noise contours of any public airport. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels.

3.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned 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)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a. Would the project induce substantial unplanned 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)? ***(No Impact)***

The proposed project is a multi-use trail for pedestrians and bicyclists, and would not induce substantial growth in the area either directly or indirectly. The proposed project would not provide additional vehicle access or additional major infrastructure to the project site. Additionally, the proposed project would not facilitate development of any dwelling units or commercial or industrial structures. Therefore, no impact related to this topic would occur.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ***(No Impact)***

No housing currently exists along the proposed trail alignment, and no property with existing dwellings would be acquired for the implementation of the proposed project. Although trail development would involve the dedication of easements and/or land as part of future development projects, no existing housing would be removed or displaced as a result of the project, and construction of replacement housing would not be required. No impact related to housing would occur.

3.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

a. 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:

i. Fire protection? ***(No Impact)***

The City of Hayward Fire Department (HFD) provides fire, paramedic advanced life support (ALS)/emergency medical services (EMS) and emergency services to all areas within the City limits, and to the Fairview Fire Protection District (FFPD) on a contract basis. HFD maintains nine operating stations – seven within the City and two within the Fairview area. The Alameda County Fire Department (ACFD) provides fire protection and emergency services to the unincorporated areas of Alameda County (excluding Fairview), the cities of San Leandro, Dublin, Newark, Union City and Emeryville. The nearest fire stations to the proposed trail alignment include ACFD Station 24, located at 1430 164th Avenue in San Leandro; HFD Station 1 located at 22700 Main Street; HFD Station 5, located at 28595 Hayward Boulevard; and HFD Station 7, located at 28270 Huntwood Avenue.

The proposed project would construct an approximately 8-mile non-motorized multi-use recreational trail, linking open spaces, parks, downtown Hayward, CSU East Bay, and the Mission Boulevard corridor. The proposed project would not result in a substantial increase in usage of adjacent park lands, and would not include housing units or other structures. Therefore, the demand for fire protection services would not substantially increase with development of the proposed project. In addition, the new trail would be clearly marked to aid in access and timely response for medical emergencies. Therefore, the proposed project would not result in the need for additional or altered fire protection services. No impact would occur.

*ii. Police protection? **(No Impact)***

The City of Hayward Police Department (HPD) provides police protection services in the City of Hayward. Unincorporated areas of the City, including the north end of the proposed trail alignment are served by the Alameda County Sheriff's Office. The HPD is located at 300 West Winton Avenue in the City of Hayward. The nearest Alameda County Sheriff's Department is located at 24405 Amador Street, Suite 100 in the City of Hayward. Public use of the Foothill Trail is not expected to generate a significant increase in calls for police services and would not generate the need for additional officers or equipment. Therefore, the proposed project would not result in the need for additional or altered police protection facilities. No impact would occur.

*iii. Schools? **(No Impact)***

The City of Hayward is largely served by the Hayward Unified School District (HUSD), which operates 22 elementary, five middle, and four high schools within the City. The New Haven Unified School District and the San Lorenzo Unified School District provide education services to the northernmost and southernmost portions of the City. The proposed project would not include the construction of housing or employment-generating facilities. Therefore, it would not increase demand for school services, and the proposed project would have no impact on schools.

*iv. Parks? **(Less-Than-Significant Impact)***

The proposed project would construct an approximately 8-mile non-motorized multi-use recreational trail, linking open spaces, parks, downtown Hayward, CSU East Bay, and the Mission Boulevard corridor. Implementation of the proposed Draft Master Plan would not significantly increase the usage of existing parks and open space areas, including Carlos Bee Park and Memorial Park, nor would it increase the demand for new park facilities within the vicinity of the proposed trail alignment. Please refer to Section 3.16, Recreation, for a description of the proposed project's impact on surrounding parks and open space areas. Therefore, this impact would be less than significant.

*v. Other public facilities? **(No Impact)***

Other public facilities would include facilities such as libraries, post offices, meeting rooms, or hospitals. The proposed trail would not result in an increase in population or facilities that would require other public facilities, or result in the need for physically altered facilities. Therefore, the proposed project would have no impact on other public facilities.

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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? ***(Less-Than-Significant Impact)***

HARD is an independent special use district created to provide park and recreation services for a 100-square mile area that includes the City of Hayward and the unincorporated communities of Castro Valley, San Lorenzo, Ashland, Cherryland, and Fairview. HARD operates 57 parks in the City of Hayward and offers a variety of recreational activities. The East Bay Regional Park District also provides park and recreation services within the City of Hayward, including Garin Regional Park. Implementation of the Draft Master Plan would enhance public access to parks and open space areas along the trail alignment; however, the proposed project would not result in a population increase or corresponding increase in the use of recreational facilities within the City more broadly. Use of existing parks or other recreational facilities would not increase such that substantial physical deterioration of a facility would occur or be accelerated. Therefore, the proposed project would have a less than significant impact on existing neighborhood and regional parks and other recreational 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? ***(Less-Than-Significant Impact)***

Implementation of the proposed Draft Master Plan would result in the construction of a multi-use trail, which is a recreational facility. Potential impacts associated with the implementation of the proposed project are discussed throughout this Initial Study. As noted in Sections 3.14 and 3.15, the proposed project would not substantially increase the use of local facilities or require the construction of new, or the expansion of existing, recreational facilities. Therefore, this impact would be less than significant.

3.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? ***(Less-Than-Significant Impact)***

Implementation of the Draft Master Plan would result in the development of an approximately 8-mile multi-use trail, linking open spaces, parks, downtown Hayward, CSU East Bay, and the emerging higher-density development along Mission Boulevard. The Foothill Trail would be primarily managed by HARD. However, the majority of the trail alignment is located within the City of Hayward; therefore, trail implementation would require coordination with the City, as well as Alameda County. Private developers would build many of the trail segments and may assist in maintaining certain trail segments, as determined by specific development agreements. HARD expects that local jurisdictions with land use authority will incorporate the Draft Master Plan into the development approval process.

The project would be consistent with HARD's Master Plan, HARD's Trail Master Plan, the Alameda County General Plan, the City of Hayward 2040 General Plan and City of Hayward Bicycle and Pedestrian Master Plan policies that promote alternative transportation modes. Therefore, the proposed project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities and this impact would be less than significant.

b. Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)? ***(Less-Than-Significant Impact)***

With the current CEQA Guidelines, transportation impacts are to be evaluated based on a project's effect on vehicle miles traveled (VMT). The City of Hayward Transportation Impact Analysis Guidelines provide screening criteria to determine if a proposed project should be expected to

prepare a detailed VMT analysis.[88] Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, the following types of projects should be expected to cause a less-than-significant impact under CEQA and would not require further VMT analysis. Among the examples provided is the following:

- Local Serving Public Facilities. Public facilities are publicly owned or controlled such as police stations, fire stations, passive parks, public utilities, and other similar facilities. Local serving public facilities improve people's proximity to recreation, safety, and other important community needs.

If a public facility is determined to be local serving, the project would be screened out of a detailed CEQA transportation analysis. The proposed project is consistent with the category identified above. Therefore, consistent with the City's Guidelines, the proposed is unlikely to result in a substantial or measurable increase in VMT, and the transportation impact for the purposes of CEQA would be less than significant.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ***(Less-Than-Significant Impact)***

The proposed project involves construction of a multi-use paved trail and associated improvements (e.g., signage, lighting, seating, creek crossings), along the Foothill/Mission Boulevard corridor. As described in Section 1.0, Project Information, the proposed trail would consist of both on-street and off-street segments. Implementation of proposed on-street segments would alter public roadways to accommodate trail improvements; however, as outlined in Section 1.0, the Draft Master Plan includes design standards and trail typologies that are appropriate for different types of roadway facilities to ensure safety. Similarly, the Draft Master Plan provides guidelines for safe trail crossings at intersections and mid-block street crossings. Future trail design and development of individual trail segments with street crossings would be implemented in close coordination with and with approval from either the City or County. The proposed trail alignment would be located on existing public roadways, in parks/open space areas and incorporated into private development projects and would be compatible with surrounding land uses. As such, the proposed project would not result in hazards due to incompatible uses (e.g., farm equipment). Therefore, the proposed project would result in a less-than-significant impact related to hazards associated with a design feature or incompatible uses.

d. Would the project result in inadequate emergency access? ***(Less-Than-Significant Impact)***

The proposed project would not result in inadequate emergency access, but would provide a new trail connection along the Foothill/Mission Boulevard corridor. Implementation of the proposed project would improve access allowing for easier ingress and egress for pedestrians, and bicyclists during an emergency. Therefore, the project's impact would be less than significant.

[88] Hayward, City of. 2020. *City of Hayward Transportation Impact Analysis Guidelines*. December. Available online at: www.hayward-ca.gov/sites/default/files/documents/MTCTO11_Hayward-TIAGuidelines_Final.pdf (accessed February 9, 2021).

3.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☐	☐	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☐

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Assembly Bill 52, which became law on January 1, 2015, provides for consultation with California Native American tribes during the CEQA environmental review process, and equates significant impacts to "tribal cultural resources" with significant environmental impacts. Public Resources Code (PRC) Section 21074 states that "tribal cultural resources" are:

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe and are one of the following:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources.
- Included in a local register of historical resources as defined in subdivision (k) of PRC Section 5020.1.
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

A "historical resource" (PRC Section 21084.1), a "unique archaeological resource" (PRC Section 21083.2(g)), or a "nonunique archaeological resource" (PRC Section 21083.2 (h)) may also be a tribal cultural resource if it is included or determined to be eligible for inclusion in the California Register.

The consultation provisions of the law require that a public agency consult with local Native American tribes that have requested placement on that agency's notification list for CEQA projects. Within 14 days of determining that a project application is complete, or a decision by a public agency to undertake a project, the lead agency must notify tribes of the opportunity to consult on the project, should a tribe have previously requested to be on the agency's notification list. California Native American tribes must be recognized by the California Native American Heritage Commission as traditionally and culturally affiliated with the project site and must have previously requested that the lead agency notify them of projects. Tribes have 30 days following notification of a project to request consultation with the lead agency.

The purpose of consultation is to inform the lead agency in its identification and determination of the significance of tribal cultural resources. If a project is determined to result in a significant impact on an identified tribal cultural resource, the consultation process must occur and conclude prior to adoption of a Negative Declaration or Mitigated Negative Declaration, or certification of an Environmental Impact Report (PRC Sections 21080.3.1, 21080.3.2, 21082.3).

As described in Section 1.0, Project Information, HARD sent letters describing the project and maps depicting the project site in May 2021 to all tribal representatives identified by the Native American Heritage Commission. To date, one tribe has requested consultation pursuant to Public Resources Code section 21080.3.1.

Ms. Corrina Gould, Tribal Chair of the Confederated Villages of Lisjan Tribe, responded via email on July 2, 2021, requesting additional information related to the project design and the results of the Sacred Lands File search at the Native American Heritage Commission. On July 8, 2021, HARD responded via email to Ms. Gould and provided the requested information. Ms. Corrina Gould, Tribal Chair of the Confederated Villages of Lisjan Tribe, responded via email on July 2, 2021, requesting additional information related to the project design and the results of the Sacred Lands File search at the Native American Heritage Commission. After the requested information was

provided, Ms. Gould and HARD agreed to an August 18, 2021 phone call to discuss the proposed trail. During the August 18, 2021 consultation phone conversation, HARD staff and Ms. Gould discussed the planning intent for the buildout of the proposed trail and the cultural sensitivity of creek areas/creek banks. In general, Ms. Gould expressed no specific concerns regarding the proposed trail at this time. However, HARD will continue to coordinate with Ms. Gould as the trail design progresses.

As discussed in Section 3.5, Cultural Resources, the NWIC records search completed for the project identified two archaeological sites that have been recorded within 0.25-mile of the proposed trail alignment. The proposed project would not result in a significant impact on known tribal cultural resources that are listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources, nor has the District identified a tribal cultural resource along the trail alignment. However, the proposed trail alignment would be located along segments of creeks, streams, and drainages, which are considered culturally sensitive areas. As outlined in Section 1.0, Project Information, several creek crossings would also be required to accommodate the proposed trail alignment. As noted in Section 3.5, Cultural Resources, implementation of Mitigation Measures CULT-1 through CULT-3 would ensure that potential impacts related to historic or archaeological resources and human remains, including tribal cultural resources, would be less than significant.

3.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. 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?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

*a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? **(Less-Than-Significant Impact)***

A variety of local and regional purveyors in this area provide and maintain utility and service system facilities associated with electricity, water, stormwater, wastewater, solid waste, communications and natural gas.

Water. The City of Hayward provides water service for residential, commercial, industrial, governmental, and fire suppression uses. The City owns and operates its own water distribution system. The water supplied to Hayward is predominantly from the Sierra Nevada Range, delivered through the Hetch-Hetchy aqueducts, but also includes some treated water produced by the San Francisco Public Utilities Commission (SFPUC) from its local watershed and facilities in Alameda County. The City's agreement with SPUC allows the City of Hayward to buy sufficient water to serve its needs. However, during drought years the City has to reduce water use based on a formula established by SFPUC. The City has emergency water supplies through connections with the Alameda County Water District (ACWD) and the East Bay Municipal Utility District (EBMUD), and short-term use emergency wells, in case of disruption of delivery from SFPUC.

Implementation of the Draft Master Plan would result in development of 8 miles of multi-use trail for use by bicyclists and pedestrians. The proposed project would not include the construction of any new buildings, requiring any new or relocated utility lines. As described in Section 1.0, Project Information, water fountains are proposed at key trailheads/junctions. These facilities would be

served by the City of Hayward. It is anticipated that utility connections to the existing system could be made to serve proposed water fountains and existing pipelines are anticipated to have sufficient capacity to support project water flows. The increase in water demand associated with such facilities would be minimal. Therefore, the proposed project would not require the construction or expansion of new or existing water facilities, and this impact would be less than significant.

Wastewater. The City is responsible for collection and treatment of wastewater within the community and the East Bay Dischargers Authority (EBDA) is responsible for disposal of the treated wastewater. Wastewater is collected and transported via underground sewer lines to the City of Hayward Water Pollution Control Facility (WPCF) located at the terminus of Enterprise Avenue in western Hayward. The City's wastewater collection system includes about 320 miles of sewer mains, 9 sewage lift stations, and 4.2 miles of force mains. The proposed project is a multi-use trail alignment for use by bicyclists and pedestrians. Operation of the project would not require water or wastewater treatment as no potable water and/or toilets would be provided as part of the project. Implementation of the proposed project would not require or result in construction of new wastewater treatment facilities or require the expansion of existing facilities, which could cause significant environmental effects. This impact would be less than significant.

Stormwater. Drainage and flood control in Hayward is the responsibility of the Alameda County Flood Control and Water Conservation District, which has adopted plans to serve cities within the County, as well as, the unincorporated areas. Storm drainpipes smaller than 30 inches are typically owned by the City of Hayward and are generally provided within local streets and easements. The proposed project is a multi-use trail that would be generally 16 feet wide within a 20-foot-wide area. Some segments of the proposed trail would be paved; others would be unpaved or located on existing public roadways. As described in Section 3.10, Hydrology and Water Quality, paved portions of the proposed trail would include soft shoulders consisting of either decomposed granite or native soils, both of which are pervious surfaces allowing for stormwater infiltration. The proposed project would result in a minimal increase in impervious surface area within the project area. Therefore, the proposed project would not require or result in the construction of new stormwater drainage facilities or the expansion of existing facilities and this impact would be less than significant.

Electricity. East Bay Community Energy (EBCE) provides electricity to residential and commercial properties in the City of Hayward. Pacific Gas and Electric (PG&E) provides natural gas to the City and provides electricity to residents and business owners who choose to opt out of EBCE electric service. The proposed project is a multi-use trail alignment for use by bicyclists and pedestrians. Operation of the proposed trail would result in no change to existing natural gas or telecommunications usage, as no such facilities would be constructed or required as part of trail development. As described in Section 1.0, Project Information, lighting is proposed along some of the trail segments to promote security and safety for trail users. Proposed lighting would tie into existing electric utilities and is not anticipated to generate substantial additional demand such that new facilities or expansion of facilities would be required. Therefore, the proposed project would not require or result in the relocation or construction of new or expanded gas, electricity or telecommunications facilities. This impact would be less than significant.

c. Would the project 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? ***(No Impact)***

As noted above, the proposed project would not include the construction of any new facilities that would generate demand for wastewater services. Therefore, there would be no impact to wastewater treatment services.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? ***(Less-Than-Significant Impact)***

Construction of the proposed project could generate a small amount of solid waste. The majority of the construction waste would be organic materials such as cleared vegetation and dirt, as well as waste generated by construction workers. The generation of such solid waste would be temporary, and non-hazardous waste would be hauled to the t the Vasco Road Landfill or the Altamont Landfill east of Livermore. The Altamont Landfill has an expected disposal capacity through 2049 and is permitted to receive 11,150 tons of solid waste per day; actual input averaged approximately 3,013 tons per day, well below the allowable daily intake amount.[89] The Vasco Road Landfill has an expected disposal capacity through 2035 and is permitted to receive 2,518 tons of solid waste per day.[90] These facilities have the capacity to handle the small amount of waste that would be generated by construction of the proposed project.

Users of the proposed trail would dispose of garbage, but not in amounts that would exceed average per capita garbage generation rates. Waste receptacles would be provided at locations along the trail alignment, allowing the project to be in full compliance with waste diversion goals mandated by the California Integrated Waste Management Act of 1989. Therefore, impacts related to solid waste and landfill facilities would be less than significant.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? ***(No Impact)***

The California Integrated Waste Management Act of 1989 reorganized solid waste disposal planning within the State of California. The legislation required every county to adopt a Countywide Integrated Waste Management Plan (CoIWMP) describing local waste diversion and disposal conditions as well as create programs to meet State goals for diverting waste from landfills. A mandatory diversion goal was established diverting 25 percent of waste from landfills by 1995 and 50 percent by 2000 and maintaining 50 percent thereafter.

89 Alameda County Waste Management Authority. 2020. *Alameda County Integrated Waste Management Plan Countywide Element*. April 22. Available online at: www.stopwaste.org/resource/reports/countywide-integrated-waste-management-plan-coiwmp (accessed February 10, 2021).

90 Ibid.

The City of Hayward is a member agency of the Alameda County Waste Management Authority Board, a public agency that is responsible for preparation of the Alameda County ColWMP. First adopted in 1997, the ColWMP was most recently updated in April 2020 and established a countywide goal of 75 percent waste diversion from landfills compared to 1990 and a 75 percent reduction in organics from landfills compared to 2014.[91] The proposed project would comply with all regulations outlined in the ColWMP, as well as any other federal, State, and local statutes and regulations related to solid wastes, including waste diversion programs. No impact related to this topic would occur as a result of implementation of the proposed project. Please refer to Section 3.19.d.

[91] Alameda County Waste Management Authority. 2020, op. cit.

3.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

*a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan? **(Less-Than-Significant Impact)***

The project site is not located in a State Responsibility Area for fire hazards, as mapped by CAL FIRE. Additionally, as noted in Section 3.9, Hazards and Hazardous Materials, the project site is not located within an area identified by the California Department of Forestry and Fire Protection as a community at risk for wildland fire (Section 3.9.g). Due to the nature of the proposed project, no impairment or interference with emergency response or emergency evacuation plans would occur (Section 3.9.f). Therefore, this impact would be less than significant.

*b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? **(Less-Than-Significant Impact)***

The proposed project would consist of construction of a multi-use trail within a largely urban area. As noted in Section 3.9, Hazards and Hazardous Materials, the proposed project does not involve construction of residential or commercial structures or any other structures for human occupation. Although the proposed trail would provide additional access to undeveloped hillsides and woodlands, which would could increase the risk of human-caused wildland fire through allowing access where currently limited or no access exists, people would use the trail for a limited duration of time and trail use would be consistent with HARD regulations, which prohibit fires on HARD properties, except in designated locations. Construction of the trail would follow best management practices to minimize fire danger in fire-prone wildlands (e.g., prohibiting work on red flag days, warning the public of fire danger on high fire days, establishing pump truck requirements). Therefore, the proposed project would not exacerbate wildfire risks, and this impact would be less than significant.

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? ***(Less-Than-Significant Impact)***

As noted above, the proposed project would include construction of a multi-use trail. The proposed project would not include any buildings and therefore would not require fuel breaks, emergency water sources, power lines, or other utilities to be installed that may exacerbate fire risk or result in impacts to the environment. Therefore, this impact would be less than significant.

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? ***(Less-Than-Significant Impact)***

The proposed project would include construction of a multi-use trail. As noted in Section 3.10, Hydrology and Water Quality, all trail runoff would be locally dispersed to minimize the rate or amount of runoff associated with construction and operation of the proposed trail. Therefore, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability or drainage changes. This impact would be less than significant.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially 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, substantially 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?	☐	☒	☐	☐
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.)	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a. Does the project have the potential to substantially 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, substantially 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? ***(Less Than Significant with Mitigation Incorporated)***

Implementation of the mitigation measures recommended in this Initial Study would ensure that the construction and operation of the proposed project would not substantially degrade the quality of the environment; reduce the habitat, population, or range of a plant or animal species; or eliminate important examples of California history or prehistory. As outlined in Section 1.0, Project Information, several creek crossings would be required to accommodate the proposed trail alignment. In these locations, the trail would be elevated above creeks and sensitive vegetation to minimize impact and maintain accessibility. Section 3.4, Biological Resources, includes mitigation measures to minimize impacts to special status species, nesting birds, sensitive communities (e.g., riparian woodland, purple needlegrass grassland) and jurisdictional waters. Mitigation is provided in Section 3.5, Cultural Resources, in the event that unanticipated archeological and/or human remains are identified in the project area during construction. With implementation of these mitigation measures, the proposed project would result in less than significant impacts to the quality of the environment.

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)? ***(Less-Than-Significant Impact)***

The *CEQA Guidelines* require a discussion of significant environmental impacts that would result from project-related actions in combination with "closely related past, present, and probably future projects: located in the immediate vicinity" (CEQA Guidelines Section 15130[b][1][A]). Cumulative environmental impacts are those impacts that by themselves are not significant, but when considered with impacts occurring from other projects in the vicinity would result in a cumulative impact. Related projects considered to have the potential of creating cumulative impacts in association with the proposed project consist of projects that are reasonably foreseeable and that would be constructed or operated during the life of the proposed project.

The proposed project would be located in a highly developed urban area that is largely built out. In addition, the proposed trail would be implemented incrementally of the span of the Master Plan and by various entities. Various projects could be under construction concurrent with proposed trail segments. However, many of the mitigation measures identified in the document, such as those for Air Quality, Biological Resources, Cultural Resources, and Noise, would address both the impacts of the project as well as cumulative impacts resulting from the effects of other projects in the vicinity of the trail alignment.

As described in this Initial Study, the majority of environmental impacts associated with the proposed project would be temporary, construction-related and would be reduced to a less than significant level with implementation of the mitigation measures contained herein. Therefore, the proposed project would not make a considerable contribution toward a cumulative impact related to construction. Additionally, the proposed project would not generate a significant amount of greenhouse gas emissions and would therefore not result in a cumulatively considerable impact to global climate change. Therefore, cumulative impacts would be less than significant, and no mitigation is required.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ***(Less-Than-Significant with Mitigation Incorporated)***

As described in this IS/MND, any potential environmental impacts from the project would be reduced to less than significant with the implementation of the recommended mitigation measures. With implementation of measures both incorporated into the project design and recommended as mitigations to reduce the impacts associated with air quality, cultural resources, geology and soils, and noise, the project would not result in substantial adverse effects on human beings.

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APPENDIX A

LIST OF WILDLIFE SPECIES OBSERVED

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Wildlife Species Observed during January 2021 Survey

Common Name	Scientific Name	Status
Amphibians		
Pacific treefrog	*Hyliola regilla*	R
Birds		
Mallard	*Anas platyrhynchos*	R
Wild turkey	*Meleagris gallopavo*	R
Rock pigeon	*Columba livia*	R
Anna's hummingbird	*Calypte anna*	R
California gull	*Larus californicus*	R
Great egret	*Ardea alba*	R
Turkey vulture	*Cathartes aura*	R
Red-tailed hawk	*Buteo jamaicensis*	R
Northern flicker	*Colaptes auratus*	R
Acorn woodpecker	*Melanerpes formicivorus*	R
Nuttall's woodpecker	*Dryobates nuttallii*	R
American kestrel	*Falco sparverius*	R
Black phoebe	*Sayornis nigricans*	R
California scrub-jay	*Aphelocoma californica*	R
American crow	*Corvus brachyrhynchos*	R
Chestnut-backed chickadee	*Poecile rufescens*	R
Oak titmouse	*Baeolophus inornatus*	R
Red-breasted nuthatch	*Sitta canadensis*	W
Ruby-crowned kinglet	*Regulus calendula*	W
Bewick's wren	*Thryomanes bewickii*	R
Northern mockingbird	*Mimus polyglottos*	R
House finch	*Haemorhous mexicanus*	R
Lesser goldfinch	*Spinus psaltria*	R
Dark-eyed junco	*Junco hyemalis*	R
White-crowned sparrow	*Zonotrichia leucophrys*	W
Golden-crowned sparrow	*Zonotrichia atricapilla*	W
Song sparrow	*Melospiza melodia*	R
California towhee	*Melozone crissalis*	R
Yellow-rumped warbler	*Setophaga coronata*	W
Mammals		
Botta's pocket gopher	*Thomomys bottae*	R (burrows observed)
Fox squirrel	*Sciurus niger*	R
Black-tailed deer	*Odocoileus hemionus*	R

R = Year-round resident; expected to nest/breed on the Project site or vicinity
S = Spring/summer resident; may nest in the Project site or vicinity
W = Winter resident; winters on or near site but migrates out of Bay Area to nest

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