
1.0 INTRODUCTION

This Draft Environmental Impact Report (Draft EIR) was prepared in accordance with and in fulfillment of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. As described in CEQA Guidelines Section 15121(a), an environmental impact report (EIR) is a public informational document that assesses the potentially significant environmental impacts of a project. CEQA requires that an EIR be prepared by the agency with primary responsibility over the approval of a project (the lead agency). The City of Hayward (City) is the lead agency for the proposed Lincoln Landing (project). Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible and have the obligation to balance economic, environmental, and social factors.

1.1 PURPOSE OF THE EIR

CEQA requires the preparation of an EIR prior to the approval of any project that may have a significant effect on the environment. The City has determined that the proposed project is a project under CEQA.

This Draft EIR reviews the environmental effects of project implementation. The City has prepared this Draft EIR for the following purposes:

- To satisfy the requirements of CEQA (Public Resources Code Sections 21000–21178) and the CEQA Guidelines (California Code of Regulations, Title 4, Chapter 14, Sections 15000–15387).
- To inform the general public, the local community, and responsible and interested public agencies of the project's nature, its possible environmental effects, recommended measures to mitigate those effects, and alternatives to the proposed project.
- To evaluate the project's potential significant environmental effects.

1.2 TYPE OF DOCUMENT

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a project EIR pursuant to CEQA Guidelines Section 15161, which defines project EIRs as follows:

The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development of the project. The EIR shall examine all phases of the project including planning, construction, and operation.

By preparing a project EIR, the City intends to allow the entire project, if approved by the City Council, to proceed without additional CEQA analysis, absent the kinds of changed circumstances or project modifications that trigger the preparation of a subsequent EIR, supplemental EIR, or addendum (see CEQA Guidelines Sections 15162–15164).

This Draft EIR utilizes technical information provided by the project applicant (Dollinger Properties), the City of Hayward General Plan and Zoning Ordinance, and information gathered from federal, state, and local agencies, as well as any other data supported by the State CEQA Guidelines (see Section 15148 [Citation] and 15150 [Incorporation by Reference]). By utilizing these provisions of the State CEQA Guidelines, the City, in preparing this Draft EIR, has been able to make maximum feasible and appropriate use of this technical information.

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1.3 INTENDED USE OF THE EIR

This Draft EIR is intended to evaluate the environmental impacts of project implementation and to help decision-makers in the permit approval process. The EIR in its final form may also be considered in the review of any subsequent permit actions, if any, to facilitate the project.

1.4 ORGANIZATION AND SCOPE

CEQA Guidelines Sections 15122 through 15132 identify content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in this Draft EIR were established through review of environmental documentation developed for the project, environmental documentation for other City projects, and responses to the Notice of Preparation and public scoping meeting comments. This Draft EIR is organized in the following sections:

SECTION ES – EXECUTIVE SUMMARY

This section provides a project narrative and identifies environmental impacts and mitigation measures through a summary table consistent with CEQA Guidelines Section 15123.

SECTION 1.0 – INTRODUCTION

This section includes an overview that describes the intended uses of the EIR, as well as the review and certification process.

SECTION 2.0 – PROJECT DESCRIPTION

This section provides a detailed description of the proposed project and project objectives, along with background information and physical characteristics consistent with CEQA Guidelines Section 15124.

SECTION 3.0 – ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

This section contains analyses relative to each environmental topic. Included in this section is a comprehensive analysis related to impacts and mitigation measures that correspond to project implementation. Each subsection contains a description of the existing setting of the project area. The environmental topics are summarized as follows:

- Effects Found Not Significant
- Transportation and Circulation

SECTION 4.0 – PROJECT ALTERNATIVES

This section discusses alternatives to the proposed project, including the CEQA mandatory No Project alternative, which are intended to avoid or reduce significant project environmental impacts.

SECTION 5.0 – OTHER CEQA ANALYSES

This section discusses significant irreversible environmental changes which would be involved in the proposed project should it be implemented, as well as significant unavoidable environmental effects, including are those that can be mitigated but not reduced to a level of insignificance.

SECTION 6.0 – REPORT PREPARERS

This section lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

SECTION 7.0 – REFERENCES

This section lists the references used in EIR compilation.

TECHNICAL APPENDICES

The appendices contain technical material prepared to support the analyses in the Draft EIR.

1.5 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

NOTICE OF PREPARATION

In accordance with CEQA Guidelines Section 15082, the City prepared a Notice of Preparation (NOP) of an EIR on July 8, 2016. The City was identified as the lead agency for the proposed project. The notice was circulated to the public, local and state agencies, and other interested parties to solicit comments on the proposed project. A scoping meeting was held on July 27, 2016, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in **Appendix NOP**.

DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. Upon completion of the Draft EIR, the City will file the Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code Section 21161).

PUBLIC NOTICE/PUBLIC REVIEW

The City will provide public notice of the availability of the Draft EIR for public review and invite comment from the general public, agencies, organizations, and other interested parties. The public review and comment period is 45 days. Public comment on the Draft EIR will be accepted in written form at public hearings and by e-mail or mail. Notice of the time and location of the hearing will be published prior to the hearing. All comments or questions regarding the Draft EIR should be addressed to:

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City of Hayward, Planning Division
c/o Leigha Schmidt, Senior Planner
777 B Street
Hayward, CA 94541
Email: Leigha.Schmidt@hayward-ca.gov

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared, responding to written comments related to the adequacy of the Draft EIR that are received during the 45-day public review period. The Final EIR includes the written responses to comments and any changes to the Draft EIR based on those comments/responses, and incorporates the findings of the Draft EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City will review and consider the EIR in its entirety. If the City finds that the Final EIR is "adequate and complete," the City may certify the EIR. Upon EIR review and consideration, the City may act upon the project. A decision to approve the project must be accompanied by written findings in accordance with CEQA Guidelines Sections 15091 and 15093, as applicable. The City is also required to adopt a Mitigation Monitoring and Reporting Program, as described below, for mitigation measures that have been incorporated into or imposed on the project to reduce or avoid significant effects on the environment. The Mitigation Monitoring and Reporting Program will be designed to ensure that these measures are carried out during project implementation.

MITIGATION MONITORING

CEQA Section 21081.6(a) requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is not required to be included in the EIR; however, it will be presented to the decision-making body for adoption and incorporation into the project.

1.6 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received several comment letters on the project's NOP. A copy of each letter is provided in **Appendix NOP** of this Draft EIR. The following issues were raised during the comment period:

- Scenic vistas in the City (Section 3.0)
- Pedestrian safety in the project area (Section 3.1)
- Water supplies (Section 3.0)
- Compliance with General Plan Policies (Section 3.0)
- Parking availability (Appendix TRA)
- Project massing impacts on existing visual character (Section 3.0)
- Transportation Demand Management (Section 3.1 and Appendix TRA)
- Bicycle parking (Section 3.1 and Appendix TRA)

- Water conservation (Section 3.0)
- Cumulative conditions (Sections 3.0 and 3.1)
- Cultural resources and Native American burial sites (Section 3.0)
- Ambient noise levels (Section 3.0)
- Impacts on public services like police, fire and schools (Section 3.0)
- Historic cultural resources (Section 3.0 and Appendix CUL)
- AB 52 consultation (Section 3.0 and Appendix CUL)

These issues have been analyzed and addressed in the appropriate sections of this EIR, as indicated above.

1.7 INCORPORATION BY REFERENCE

The Hayward 2040 General Plan Draft Environmental Impact Report (SCH No. 2013082015) is incorporated by reference.

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