

8.4 Land Use

8.4.1 Introduction

The Eastshore Energy Center (Eastshore) will be a nominal 115.5-megawatt (MW) intermediate/peaking load facility operating up to 4,000 hours per year using natural gas-fired reciprocating engine technology. The Eastshore facility will be located at 25101 Clawiter Road in the City of Hayward, Alameda County, California, on a 6.22 acre parcel owned by Eastshore Energy, LLC, the project owner. Major features of the Eastshore project include the following:

- Demolition of the existing site building, foundations and paved surface,
- Grading of site and installation of new foundations, piping and utility connections,
- Fourteen (14) nominal 8.4 MW (gross) Wartsila model 20V34SG natural gas-fired reciprocating engine – generator sets,
- Fourteen (14) state-of-the-art air pollution control systems representing Best Available Control Technology (BACT), one system per each of the 14 engines, consisting of a selective catalytic reduction (SCR) unit for oxides of nitrogen (NO_x) control and an oxidation catalyst unit for carbon monoxide (CO) and precursor organic compounds (POC) control,
- Fourteen (14) approximately 70-foot tall stacks, each with a separate continuous emissions monitoring system (CEMS),
- Acoustically-engineered main building enclosing all 14 engines,
- Closed loop cooling system consisting of multiple fan-cooled radiator assemblies outside of the main engine building,
- Two 10,000 gallon (each) aqueous (19% by weight) ammonia storage tanks and handling system serving the SCR units,
- One raw water storage tank, approximately 35,000 gallons,
- One nominal 225-kW diesel-fired emergency black start generator,
- One (1) either electric or 7.15 MMBtu/hr natural gas-fired heater (BAAQMD exempt), used for heating of the natural gas fuel to the reciprocating engines,
- Miscellaneous ancillary equipment,
- Pre-existing onsite water and wastewater service interconnections,
- Onsite 115 kV switchyard including switchgear and step-up voltage transformers,
- Approximately 1.1-mile 115 kV single-circuit transmission line interconnecting to PG&E's Eastshore Substation,
- Approximately 200-foot offsite natural gas line connection to PG&E Line 153,

- Chain-link security fencing enclosing the facility with a secured entrance on Clawiter Road, and
- 4.65-acre temporary construction laydown and parking area located immediately across Clawiter Road from the Eastshore site.

This subsection provides an inventory of existing and designated land uses at the Eastshore Energy Center (Eastshore) project site and along the 115kV transmission line. It also evaluates the project's conformity to applicable land use plans and policies. Section 8.4.2 discusses the applicable laws, ordinances, regulations, and standards that apply to the project. Section 8.4.3 describes the affected environment. Section 8.4.4 describes future growth trends in the vicinity of the Eastshore project. Section 8.4.5 lists recent discretionary reviews by public agencies, most specifically, the City of Hayward. Section 8.4.6 presents the environmental analysis of the proposed project. Section 8.4.7 discusses cumulative impacts, and Section 8.4.8 includes a discussion of permits and agency contacts.

The entire project including the project site and transmission line are located in the City of Hayward.

The land use study area is entirely within the City of Hayward as shown on Figures 8.4-1 and 8.4-2. Figures for the proposed project, 115 kV transmission line, natural gas pipeline, and water and sewer connections can be found in the end of the subsection.

8.4.2 Laws, Ordinances, Regulations, and Standards

This subsection lists and discusses the land use laws, ordinances, regulations, and standards (LORS) that apply to the project. Consistent with California Energy Commission (CEC) Application for Certification (AFC) requirements, applicable plans and policies are summarized within one mile surrounding the Eastshore site and ¼ mile on either side of the linear facilities.

8.4.2.1 Federal

There are no federal LORS for land use that apply to the project site or linear components.

8.4.2.2 State

The CEC AFC process is a California Environmental Quality Act (CEQA)-equivalent process under the Warren-Alquist Act; therefore, the project meets CEQA requirements. CEQA is codified in the California Public Resources Code sections 21000-21178.1. Pursuant to section 25500 of this act, the CEC certification process is in lieu of all state, regional, and local permit requirements. Guidelines for implementation of CEQA are codified in the California Code of Regulations (CCR) sections 15000-15387.

8.4.2.3 Local

8.4.2.3.1 General Plans and Zoning Ordinances. Land use provisions included in every California city and county general plan (California State Planning Law, Government Code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. For purposes of this AFC, the project is analyzed for its conformity to land use designations and policies described in the General Plan of the City of Hayward (which applies to the project site and linears), as well as for its conformity to City of Hayward

Zoning Ordinance policies. The City Zoning Ordinance is enforced by the City of Hayward Community and Economic Development Department. The Zoning Ordinance is a regulatory tool used to implement the General Plan. It defines zones that dictate permitted uses and design requirements, such as setbacks and height limits. Table 8.4-1 lists the local applicable LORS, and the name of and contact information for the regulating agency.

Because the project is located in the City of Hayward, it is subject to policies stipulated in Hayward General Plan (City of Hayward, 2002). Specifically, the Land Use Element of the General Plan defines planning areas and established the descriptions, limits, and directions for growth. All project components are located within the City of Hayward and are designated as Industrial Corridor under the General Plan and zoned for industrial use under the Zoning Ordinance.

Table 8.4-2 identifies the City of Hayward General Plan land use designations within one mile surrounding the Eastshore site and ¼ mile on either side of the linear facilities.

Table 8.4-3 identifies the City of Hayward zoning within the same area.

TABLE 8.4-1

Laws, Ordinances, Regulations, and Standards Applicable to the Eastshore Energy Center

LORS	Purpose	Regulating Agency	Applicability (AFC Section Explaining Conformance)
Jurisdiction for the Plant Site and Linears			
City of Hayward General Plan (2002)	Comprehensive, long-range plan serves as the guide for the physical development of the city.	City of Hayward Planning Department 777 B Street, 1st Floor Hayward, CA 94541	Table 8.4-4
City of Hayward Zoning Ordinance (2006)	Establishes zoning districts governing land use, placement of buildings, and district improvements.	Same as above	Section 8.4.6.2

TABLE 8.4-2

City of Hayward General Plan Land Use Designations

City of Hayward General Plan	
Land Use Designation	Descriptions of Land Use Designations
Residential	
Low Density	Typical density is between 4.3 and 8.7 dwelling units per net acre. Typical lot sizes range from 5,000 to 10,000 square feet. Typical development is single-family detached housing, although second units may be permitted. Planned developments may include a variety of housing types within the overall density range.

TABLE 8.4-2
City of Hayward General Plan Land Use Designations

City of Hayward General Plan Land Use Designation	Descriptions of Land Use Designations
Limited Medium Density	Density range of 8.7 to 12.0 dwelling units per net acre. Minimum lot area per dwelling unit is 2,500 square feet. Typical development may be single-family detached, mixed with duplexes, triplexes, and fourplexes, or townhouses and 2- to 3-story garden apartments. Planned developments may include a variety of housing types within the overall density range.
Medium Density	Typical density is between 8.7 to 17.4 dwelling units per net acre. Minimum lot area per dwelling unit is 2,500 square feet. Typical development may be single-family detached, mixed with duplexes, triplexes, and fourplexes, or townhouses and 2- to 3-story garden apartments. Planned developments may include a variety of housing types within the overall density range.
High Density	Typical density is between 17.4 and 34.8 dwelling units per net acre. Typical development includes apartments or condominiums within multi-story buildings near major activity centers or along major arterials. Planned developments may include a variety of housing types within the overall density range.
Mobile Home Park	Allows development of mobile home parks.
Commercial	
Retail and Office	These areas include the regional shopping center (Southland), community shopping centers, residential neighborhood convenience centers, concentrations of offices and professional services, and portions of the downtown area where mixed retail and office uses are encouraged.
Industrial	
Industrial Corridor	This area consists primarily of planned business and industrial parks along with supporting office and commercial uses. Comprehensive design standards and use restrictions permit commercial development adjacent to residential areas. Other industrial development may be appropriate if compatible with adjacent industrial parks or residential areas.
Open Space	
Parks and Recreation	These areas include regional parks, community and neighborhood parks, and special use facilities, such as golf courses, historic estates, linear parks and trails. School athletic fields and playgrounds are not shown.
Limited Open Space	These areas include cemeteries, agricultural and grazing lands, land that is undevelopable because of slope or other hazards, and lands proposed for park or other permanent open space. Minimum lot sizes shall range from 5 to 160 acres or more.
Baylands	These areas are to remain in open space uses, such as salt and freshwater marshes, salt ponds, aquaculture, or agriculture; limited educational and recreational uses that provide public contact with the wetlands are also desirable. Existing marshes are to be preserved and opportunities to expand marsh areas pursued.
Public and Quasi-Public	These areas contain major governmental, educational and cultural facilities, such as the Hayward Air Terminal, California State University-Hayward, Chabot Community College, City Center, Hayward Public Library, Alameda County Governmental Complex, high schools, intermediate schools, and elementary schools.

TABLE 8.4-2
City of Hayward General Plan Land Use Designations

City of Hayward General Plan Land Use Designation	Descriptions of Land Use Designations
Source: City of Hayward (2002)	

TABLE 8.4-3
City of Hayward Zoning Ordinance Designations

City of Hayward Zoning Ordinance Designation	Description of Zoning Designations
Agriculture	The A District shall preserve agricultural areas until such time as orderly development may take place.
Central Business	The CB District shall make provisions for a principal downtown area of regional importance, and several outlying areas of more than neighborhood importance, where concentrations of shopping facilities, financial and business services, and amusement or recreation may be found in quantity.
Flood Plain	The FP District shall protect persons and property from the hazards of development in areas subject to tidal or flood water inundation, and to protect the community from the costs that may be incurred, or if premature development occurs in such area.
High Density Residential Min Lot Area – 1250 sq ft	The RH District shall promote and encourage a suitable high density residential environment through the development of multiple family dwellings.
Industrial	The purpose of the Industrial (I) District is to provide for and encourage the development of industrial uses in areas suitable for same, and to promote a desirable and attractive working environment with a minimum of detriment to surrounding properties.
Medium Density Residential Min Lot Area – 2500 sq ft	The RM District shall promote and encourage a suitable environment for family life in areas where a compatible mingling of single-family and multiple-family dwellings is possible.
Medium Density Residential Min Lot Area – 3500 sq ft	The RM District shall promote and encourage a suitable environment for family life in areas where a compatible mingling of single-family and multiple-family dwellings is possible.
Mobile Home Park	The MH District shall promote and encourage a suitable living environment for the occupants of mobile homes.
Neighborhood Commercial	The CN District shall make provisions for a number of areas throughout the city carefully located in relationship to other commercial districts and to the residential districts served. The products and services intended are those primarily represented by convenience goods and services purchased frequently.
Planned Development	The purpose of the PD District is to— <ul style="list-style-type: none"> a. Encourage development, redevelopment, and rehabilitation, which through efficient and attractive space utilization, emphasizes conservation, open space, and recreational amenities, and which is harmonious with the natural characteristics of the land, including topography, ponds, rock outcroppings, significant tree clusters, and ridge tops. b. Establish development procedures and standards whereby such lands may be developed most appropriately to maintain and enhance the natural and man-made

TABLE 8.4-3
City of Hayward Zoning Ordinance Designations

City of Hayward Zoning Ordinance Designation	Description of Zoning Designations
Single Family Residence Min Lot Area – 4000 sq ft /Min Lot Area – 5000 sq ft	<p>advantages of such sites.</p> <p>c. Foster well-designed residential and nonresidential development, encouraging projects incorporating a variety of housing types or combinations of residential and nonresidential uses by allowing diversification in the relationship of uses, buildings, architectural design, lot sizes, yard areas, and open spaces that may not be achievable under other zoning districts.</p> <p>d. Carry out the policies and objectives of the General Plan, Design Review Guidelines, the Hillside Design Guidelines, and the Landscape Beautification Plan and to meet the standards necessary to satisfy the requirement for public health, safety, and general welfare.</p> <p>These RS Districts shall promote and encourage a suitable environment for family life where children are members of many families. These districts are used only for single-family homes and the community services appurtenant thereto as permitted by this Zoning Ordinance.</p>

Source: City of Hayward (2006)

8.4.2.3.2 Other Applicable Land Use Plans

San Francisco Bay Plan. Various regional land use controls are operative in portions of the project area. The San Francisco Bay Conservation and Development Commission (BCDC) acts as the local coastal management agency that administers the local coastal management program, including the San Francisco Bay Plan (Bay Plan). Created in 1968, the Bay Plan is an enforceable regulatory framework that guides the protection and use of the San Francisco Bay and its shoreline. Key features of the Bay Plan include regulation of filling and dredging in the Bay, new development within 100 feet inland from the shoreline around the San Francisco Bay, and protection of shoreline areas suitable for high priority water-oriented uses (such as ports and harbors).

Because the Eastshore project site is located more than a one-half mile from the shoreline, the Bay Plan permit jurisdiction would not apply to this project. However, this information is being provided as courtesy to all reviewers to demonstrate that the applicant is fully aware of the applicable permitting requirements; therefore, no further discussion is required.

Hayward Area Shoreline Plan. The Hayward Area Shoreline Plan was developed in 1974 and updated in 1993 by the Hayward Area Shoreline Planning Agency (HASPA) (HAPSA, 1993). HASPA is a joint cooperative planning agency with representatives from the City of Hayward, East Bay Regional Parks District, Hayward Area Recreation District, Hayward Unified School District, and San Lorenzo Unified School District. HASPA’s planning area consists of all land in the City of Hayward west of the Union Pacific Railroad tracks to the bayshore. HASPA’s purpose is to coordinate long-range planning of the shoreline area and to enhance and restore wetlands in public ownership near the shoreline. One of the key purposes of HASPA is to coordinate the management and development of land held in public ownership within the planning area. HASPA is an advisory, rather than a jurisdictional or regulatory body.

HASPA's planning area includes about one-third of the City of Hayward Industrial Corridor. Much of this land, particularly in the western and southern areas consists of marshland, landfill, and salt evaporation ponds. Open land north of SR 92, about one-quarter of the HASPA Planning Area, is mostly public ownership (City of Hayward, East Bay Regional Parks, State of California). Open land south of SR 92 within the planning area is mostly privately held, and much of it is owned by the Cargill Corporation and operated as salt evaporation ponds.

HASPA is coordinating open space development in the HASPA Planning Area through implementation of the Hayward Area Shoreline Plan. As of 1998, HASPA had acquired 1,800 acres of shoreline property, sponsored marsh restoration (HARD Marsh, Triangle Marsh), and developed eight miles of shoreline trails. The Shoreline Interpretive Center is a key educational outreach facility for HASPA. The key program objectives of HASPA are—

- Protect environmental resources, such as wetlands and habitat for endangered and threatened species
- Preserve historical resources, such as landings and salt production sites
- Promote education and research
- Provide recreational opportunities, particularly through the shoreline trail system
- Encourage industrial development and traffic circulation improvements and promote industrial in-fill development in areas designated for industrial and public utilities
- Support land management efforts (such as mosquito abatement, shoreline erosion control, alien species management)

The Eastshore project is located immediately west of the Union Pacific Railroad (UPRR) tracks at the western edge of HASPA's jurisdiction, and more than one mile from the lands considered to be the San Francisco Bay shoreline. The project is consistent with the relevant key HASPA objective of promoting industrial in-fill development in designated industrial areas. Given the project's distance from key HASPA environmental resources and its location within existing industrial development, the other stated objectives of the HASPA are not relevant to the site. Therefore, the project will conform to the advisory goals and policies of the HASPA. In addition, compliance with CEC Conditions of Certification, intended to minimize environmental impacts to acceptable levels, as well as conformance to the City of Hayward's plans and policies, will assure that the project will not have significant impacts on the San Francisco Bay shoreline area and will therefore be consistent with the goals and policies of this plan.

8.4.3 Affected Environment

The following text discusses the affected environment for the study area (that is, for the one mile surrounding the project site and 1/4 mile from the center line of the linear facilities).

8.4.3.1 General Description of Study Area

The project site is located in the City of Hayward, Alameda County, California. The county is bordered to the north by Contra Costa County, to the east by San Joaquin and Stanislaus

counties, to the south by Santa Clara County, and to the west by San Mateo, San Francisco and Marin Counties. Alameda County includes a wide variety of land uses including industrial, commercial, residential, agricultural, and others. The historical land use pattern in the study area has been industrial. Additionally, the land uses to the north, east, south, and west of the project site are also industrial.

8.4.3.2 Existing Land Uses, Planning, and Zoning Designations

A general plan is a plan for future development that includes goals and policies to guide development. The City of Hayward General Plan (City of Hayward, 2002) is the planning document applicable to this site and all linear facilities. The zoning ordinance is a regulatory tool used to implement the General Plan. It defines zones that dictate permitted uses and design requirements, such as setbacks and height limits.

Consistent with the CEC siting regulations, land use information within a one-mile radius around the plant site and a 1/4 mile on either side of center line for the project components is included below. A discussion of the City of Hayward General Plan land use designations in the study area is presented in Table 8.4-2 and shown on Figure 8.4-1. A description of the City of Hayward Zoning Ordinance land use designations for the study area is presented in Table 8.4-3 and shown on Figure 8.4-2.

8.4.3.2.1 Eastshore Power Plant Site. The site consists of 6.22-acre industrial property. It is located in the southwestern part of the city approximately 3/4 mile north of the intersection of Clawiter Road and SR 92. Construction laydown and temporary parking will be provided on a 4.65-acre parcel immediately across Clawiter Road from the site on vacant property owned by Berkeley Farms.

The City of Hayward General Plan land use designation for the project site and laydown area is Industrial Corridor. This designation is intended to provide planned business and industrial parks with supporting office and commercial uses. The Zoning Ordinance designation for the project site is Industrial (I). The following uses are permitted within the Industrial (I) zone: (a) manufacturing, (b) newspaper printing facility, (c) publishing facility, (d) research and development facility, (e) research laboratory, (f) warehouse, (g) wholesale establishment, (h) Hazardous materials use and storage subject to the following limitations: (i) production, storage, and/or handling, using Group B hazardous materials less than 5,000 pounds of solids, 550 gallons of liquids, or 2,000 cubic feet of gases at standard temperatures and pressures, and (ii) production, storage, and/or handling, using Group C hazardous materials less than 50,000 pounds of solids, 5,500 gallons of liquids, or 20,000 cubic feet of gases at standard temperatures and pressures.

8.4.3.2.2 Linear Facilities

Transmission Line. The Eastshore project includes a 115 kV switchyard and approximately 1.1 miles of 115kV transmission line interconnecting into PG&E's Eastshore substation. The proposed transmission line parallels Clawiter Road going south, overcrosses SR 92, and proceeds south entering the Eastshore substation from the north.

Natural Gas Supply Pipeline. The Eastshore project will connect with PG&E's existing natural gas pipeline 153, which is located approximately 200 feet from the project site on the opposite side of Clawiter Road. PG&E will interconnect the project by installing a 4.5 inch outside-diameter pipeline through an underground bore originating at the project site,

boring under Clawiter Road and the existing UPRR right-of-way for connection to PG&E's system in the parking lot of the Life Chiropractic College located directly across Clawiter Road.

Potable Water Supply Pipeline. The Eastshore project will use very little makeup water because engine cooling is accomplished with a closed loop system. Because there will be no requirement for purified water, a demineralizing system will not be required. Site water usage will be primarily for potable water, largely for personal consumption and sanitary purposes, landscape irrigation, and washdown cleaning.

Sewer Pipeline. Sanitary waste water will be discharged to the City of Hayward sewer system. Process wastewater or service water that has the potential for contamination will be discharged to a waste water holding tank for testing, then either discharged to the City of Hayward sewer, or in the unlikely event it is determined to be necessary, hauled and appropriately disposed offsite.

8.4.3.2.3 Recreation, Scenic, Agricultural, Natural Resource Protection and Extraction, Educational, Religious, Cultural and Historic and Unique Land Uses

Recreation Land Use. Recreational facilities in the study area are generally limited to uses in the schools and parks in the cities. Rancho Arroyo Park, Mt. Eden Park, and recreational lands within the HASPA planning area are located within one mile of the project site.

Scenic Land Use. No scenic resources exist within the project review area (one mile around plant site and 1/4 mile on either side of the linear facilities) vicinity. See section 8.11 for a detailed discussion of visual resources.

Agricultural Land Use. There are no commercial agricultural uses or important farmlands within one mile of the project site. See section 8.9 for more information on agricultural uses in the project vicinity.

Natural Resource Protection and Natural Resource Extraction Areas. No natural resource protection and extraction areas exist within the study area.

Educational and Religious, and Unique Land Uses. Sensitive receptors within the project vicinity are discussed in Section 8.12. There are three schools within one mile of the project site including Chabot College, Eden Garden School, and Anthony W. Ochoa School. The Darwin Center and the Mt. Eden Cemetery are also located within one mile of the project site.

Cultural and Historic Land Use. One previously recorded site, the PG&E Eastshore to Grant transmission line, is crossed by the proposed Eastshore 115 kV transmission line. The Eastshore to Grant transmission towers are not eligible for listing on the California Register of Historic Places or National Register of Historic Places, and no mitigation is proposed. See section 8.3 for more information on cultural and historic land uses in the project vicinity.

8.4.4 Future Growth Trends

The project site is within the City of Hayward's Industrial Corridor. A significant portion of the land already devoted to industrial uses may experience a change to more intensive land uses based on current development trends. The 1,400 acres, now occupied by warehouses

or other marginal uses within the corridor, may be candidates for conversion or redevelopment as office or research and development space. In addition, the approximately 200 acres consumed by land-intensive uses such as wrecking yards, wholesale auto auction businesses, and trucking terminals are considered underutilized and appropriate for more intensive development (City of Hayward, 2002).

Recent new construction activity, as well as data on conversion activity in terms of the amount of warehouse space changing to office or research and development space, indicates that the trend toward more intensive development is continuing throughout the Industrial Corridor (City of Hayward, 2002).

8.4.5 Recent Discretionary Reviews by Public Agencies

The pending project list from the City of Hayward, dated August 21, 2006, was reviewed as part of this analysis to determine the types of development under review and subject to the issuance of building permits and the subsequent start of construction. There are 28 pending projects within the City. These projects range from single family residential additions to small commercial tenant improvements to condominium conversions of industrial/commercial properties, to several residential developments over 100 units, and the addition of square footage to industrial/commercial buildings. Within a one mile radius of the Eastshore site, there approximately 10 pending projects. It is expected that the City of Hayward decision-makers will review and approve or deny these projects within the next six months.

8.4.6 Environmental Analysis

8.4.6.1 Significance Criteria

Significance criteria for impacts on land use were determined through review of applicable state and local regulations. Because the Warren-Alquist Act is considered a CEQA-equivalent process, the following criteria developed from the CEQA guidelines and the CEQA checklist is used to evaluate the potential environmental impacts of the project:

- Will the project physically divide an established community?
- Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?
- Will 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?
- Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of farmland to non-agricultural use?

8.4.6.2 Potential Effects on Land Use

The following discussion analyzes the proposed Eastshore project against the CEQA thresholds of significance for evaluating environmental impacts on the land use area.

- **Will the project physically divide an established community?**

The proposed Eastshore project would not physically divide an established community because the Eastshore site is located on a site that was previously used for industrial purposes. Further, the linear facilities will not physically divide established communities because the 115kV transmission line will mostly be constructed within an existing transmission line corridor, connecting to an existing substation, and the natural gas, water and sewer connections will be installed onsite or a very short distance underground. Thus, minimal environmental impacts are expected to occur from construction of the proposed project.

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

The proposed Eastshore site and linear facilities are located on land that is designated for industrial uses under the City of Hayward General Plan and Zoning Ordinance. Due to the nature of allowable activities, the proposed Eastshore project is considered to be consistent with these plans and policies.

- **Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?**

There are no habitat conservation plans or natural community conservation plans that apply to this site; therefore, no impacts from the proposed plant site and linear facilities would occur as a result of this threshold. Further, as discussed in section 8.4.2.3.2, Eastshore will conform to the key HASPA goals and policies that apply to this project. It is expected that compliance with CEC Conditions of Certification will ensure consistency with this plan.

- **Will 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 nonagricultural use?**

There are no prime farmlands within the vicinity of the project; therefore, no impacts on these agricultural resources would occur as a result of the development of this project.

- **Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of farmland to non-agricultural use?**

The project does not involve other changes to the existing environment that could result in conversion of farmland to non-agricultural use.

Tables 8.4-4 and 8.4-5 include a discussion of the City of Hayward General Plan and Zoning Ordinance requirements that apply to the proposed project, and a discussion of the proposed project's consistency with these policies.

TABLE 8.4-4
 Consistency of the Eastshore Energy Center with applicable City of Hayward General Plan Policies

Policy	Description	Project Consistency
Chapter 3 Circulation Policies and Strategies		
Create improved and safer circulation facilities for pedestrians.	Encourage design of development that contributes to continuous pedestrian pathways and pedestrian connectivity.	Yes. As discussed in section 8.10 of the AFC, the Eastshore project will be subject to CEC standard conditions of certification that will require compliance with CEC standards for mitigating any potentially significant impacts associated with traffic and transportation from the project to insignificant levels. Therefore, as proposed, the Eastshore project is expected to comply with this policy.
Encourage land use patterns that promote transit usage	Continue to require large developments to provide bus turnouts and shelters, and convenient pedestrian access to transit stops.	Yes. Refer to previous consistency discussion above.
Provide for future parking demand in ways that optimize mode choice	Encourage developers/employers to offer transit passes or other transit enhancements to offset some parking requirements, pursuant to provisions of the parking ordinance. Consider park-and-ride lots for bus patrons and for carpooling centers.	Yes. Refer to previous consistency discussion above.
Seek to address traffic operations and safety concerns	Provide clear and consistent signage and roadway markings, and strengthen enforcement of traffic laws through increased patrols. Require trucks to use designated routes rather than local streets and prohibit overnight and other specified truck parking activities in residential areas.	Yes. Refer to previous consistency discussion above. Additionally because of the small number of employees on site at any time, as compared to the previous use of the existing site, the operational traffic from Eastshore will contribute lower vehicle traffic volumes to a particularly narrow section of Clawiter Road.
Chapter 4 Economic Development Policies and Strategies		
Use an economic strategy that balances the need for development with other city goals and objectives.	Undertake adaptive reuse of older commercial structures and create complimentary and compatible new development of high quality. Approve development opportunities that result in minimal adverse impacts on the city's environment.	Yes. As discussed in section 8.8 of the AFC, the Eastshore project will be subject to CEC standard conditions of certification that will require compliance with CEC standards for mitigating any potentially significant impacts associated with the project, including socioeconomic factors, to insignificant levels. Therefore, as proposed, the Eastshore project is expected to comply with this policy. Additionally Eastshore will generate property tax revenue for

TABLE 8.4-4
 Consistency of the Eastshore Energy Center with applicable City of Hayward General Plan Policies

Policy	Description	Project Consistency
<p>Create a sound local economy that attracts investment, increases the tax base, creates employment opportunities for residents and generates public revenues.</p>	<p>Revitalize declining commercial and industrial areas and obsolete facilities through rezoning, redevelopment, rehabilitation, and other available means.</p> <p>Work cooperatively with local business and industrial associations to improve the general business climate and to stimulate new business investment.</p> <p>Ensure that there is adequate infrastructure (electricity, water, sewer) to support existing and new development.</p> <p>Identify sites for expansion of existing commercial, business park and industrial uses, and for new development.</p>	<p>the City without being a drain on the services supported by those tax dollars. By increasing electric reliability, Eastshore will help attract new business development and help retain existing business in the City.</p> <p>Yes. Refer to previous consistency discussion above. Further, the Eastshore project will replace a presently unused warehouse/ manufacturing facility with a new allowable industrial use.</p>
<p>Facilitate the development of employment opportunities for residents.</p>	<p>Promote commercial and industrial development to create and maintain the maximum job opportunities for area residents.</p>	<p>Yes. The project will provide the opportunity for temporary construction and permanent operation jobs for qualified residents. Therefore, as proposed, the Eastshore project is expected to comply with this policy.</p>
<p>Chapter 6 Community Facilities and Amenities Policies and Strategies</p>		
<p>Seek to increase the amount, diversity, and quality of parks and recreational facilities and opportunities.</p>	<p>Establish park dedication in-lieu fees that reflect land costs.</p> <p>Consider adoption of an ordinance that would require new commercial and industrial development to either provide onsite recreational facilities or contribute in-lieu fees for park and recreational facilities that benefit employees.</p>	<p>Yes. The Eastshore project will comply with the requirements to pay the City of Hayward development fees for minimizing impacts on recreational facilities. Therefore, as proposed, the Eastshore project is expected to comply with this policy.</p>

TABLE 8.4-4
 Consistency of the Eastshore Energy Center with applicable City of Hayward General Plan Policies

Policy	Description	Project Consistency
Enhance the city's image through identification and preservation of historic resources.	Conduct a survey of potential historic structures and sites based on evaluation criteria that include their individual significance and their contribution to an historic setting.	Yes. As discussed in section 8.2, there are no significant historic resources located within the Eastshore project's area of potential effect (APE) for historic resources. Therefore, as proposed, the Eastshore project is expected to comply with this policy.
Chapter 7 Conservation and Environmental Protection Policies and Strategies		
Protect existing watercourses and enhance water quality in surface water and groundwater sources.	<p>Concentrate development in those areas least susceptible to erosion, and minimize grading and the introduction of impervious ground surfaces; where appropriate, consider including retention basins onsite.</p> <p>Ensure that activities such as grading do not contribute to sedimentation of sloughs or marshes.</p>	Yes. As discussed in sections 8.9 and 8.14, the Eastshore project will be subject to CEC standard conditions of certification that will require compliance with CEC standards for protecting watercourses and enhancing water quality in surface water and groundwater sources. Therefore, as proposed, the Eastshore project is expected to comply with this policy.
Seek to minimize risks from geologic and seismic hazards in the siting and design of development.	<p>Continue enforcement of the seismic safety provisions of the Alquist-Priolo Act and the Building Code to minimize earthquake-related hazards in new development, particularly as they relate to high occupancy structures or buildings taller than 50 feet in height.</p> <p>Work with other agencies to ensure that electric transmission lines, water supply systems, wastewater collection systems, and gas mains crossing fault traces include provision for automated shutoff valves, switches, and equipment needed to restore service in the event of a major fault displacement.</p> <p>Assume that any site within 50 feet of any fault zone is underlain by an active fault trace until proven otherwise, and prohibit placement of structures for human occupancy across such trace.</p>	Yes. The Eastshore project will be subject to CEC standard conditions of certification that will require compliance with CEC standards for mitigation of any potentially significant geologic or seismic hazards to insignificant levels. Therefore, as proposed, the Eastshore project is expected to comply with this policy.
Work with other agencies to minimize risks associated with the use, storage, and transport of hazardous materials.	Maintain a suitable buffer zone between industrial firms involved with hazardous materials and residential areas.	Yes. As discussed in section 8.12, the project will conform to hazardous materials planning requirements that will reduce risks to insignificant levels. Therefore, as proposed, the Eastshore project is expected to comply with this policy.

TABLE 8.4-4
 Consistency of the Eastshore Energy Center with applicable City of Hayward General Plan Policies

Policy	Description	Project Consistency
Incorporate measures to improve air quality in the siting and design of new development. Support implementation of Transportation Control Measures adopted by the Bay Area Air Quality Management District.	Provide adequate buffers between sources of toxic air contaminants or odors and existing or potential sensitive receptors. Evaluate hazardous air pollutant emissions in review of proposed land uses that may handle, store, or transport hazardous materials. Work with regional and local organizations to promote ridesharing opportunities.	Yes. As discussed in section 8.6, Eastshore has evaluated the potential impacts of hazardous air pollutants. Eastshore will not cause any significant public health impacts from the minimal levels of toxic air contaminants emitted from the project. No odors are expected from the Eastshore facility. Therefore, as proposed, the Eastshore project is expected to comply with this policy. Yes. Refer to consistency discussion above for Circulation Policies and Strategies.
Chapter 8 Public Utilities Policies and Strategies		
The city will seek to maintain an appropriate level of emergency response commensurate with the needs of residents and businesses.	Adopt and enforce building and fire codes utilizing fire suppression capabilities available to the city.	Yes. As discussed in sections 8.7, 8.8, and 10, the Eastshore project will be conform to applicable building and fire codes and appropriate standards and plans to ensure safety and adequate emergency response. Therefore, as proposed, the Eastshore project is expected to comply with this policy.

Source: City of Hayward (2002)

TABLE 8.4-5
Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
SEC.10-1.1600 INDUSTRIAL DISTRICT (I)		
SEC.10-1.1605 PURPOSE	The purpose of the Industrial (I) District is to provide for and encourage the development of industrial uses in areas suitable for same, and to promote a desirable and attractive working environment with a minimum of detriment to surrounding properties.	Yes. The Eastshore project is consistent with the purposes and conditionally permitted uses of the Industrial District.
SEC.10-1.1620 CONDITIONALLY PERMITTED USES	Industrial uses are permitted in the I District subject to approval of a conditional use permit, including hazardous materials use and storage are subject to the following limitations: production, storage, handling, or similar activities using any amount of hazardous materials classified as Group A hazardous materials by the Fire Chief or his or her designee.	
SEC.10-1.1625 LOT REQUIREMENTS.	<ul style="list-style-type: none"> a. Minimum Lot Size: 10,000 square feet. b. Minimum Lot Frontage: 35 feet. c. Minimum Average Lot Width: 70 feet. d. Maximum Lot Coverage: <ul style="list-style-type: none"> (1) Industrial building: No limit 	Yes. The Eastshore project complies with these requirements. Further, during final design review from the CEC's Compliance Project Manager and the City of Hayward's Chief Building Official, compliance with these requirements will be confirmed.
SEC.10-1.1630 YARD REQUIREMENTS.	<ul style="list-style-type: none"> a. Minimum Front Yard: <ul style="list-style-type: none"> (2) Corridor Street: 20 feet. b. Minimum Side Yard: None. c. Minimum Side Street Yard: 10 feet. d. Minimum Rear Yard: None. 	Yes. The Eastshore project complies with these requirements. Further, during final design review from the CEC's Compliance Project Manager and the City of Hayward's Chief Building Official, compliance with these requirements will be confirmed.
SEC.10-1-1635 HEIGHT LIMIT.	<ul style="list-style-type: none"> a. Maximum Building Height: <ul style="list-style-type: none"> (1) Industrial building: No Limit. b. Maximum Height for Fences/hedges/walls: <ul style="list-style-type: none"> (1) Front and Side Yard: 4 feet. (2) Side and Rear Yard: No Limit. (Also see Section 10-1.1645i. for additional standards) 	This policy has been listed for information only to demonstrate that the Eastshore project does not have a height limit, and further, the 14 to 70 feet tall stacks are consistent with the other types of industrial stack features within the project area as discussed in sections 8.4 and 8.11.

TABLE 8.4-5
 Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
<p>SEC.10-1.1645 MINIMUM DESIGN AND PERFORMANCE STANDARDS.</p>	<p>This section establishes design and performance standards that shall apply to the construction of industrial and commercial buildings and uses in the I District. <u>Accessory Buildings, Detached.</u> Detached accessory buildings shall meet the following criteria:</p> <ul style="list-style-type: none"> (1) Shall not exceed one story. (2) Shall not be located in a required front yard or side yard street. (4) Shall not be located in front of a primary building, unless no other practical alternative exists. (5) Shall be setback a minimum of 10 feet from a primary building and any other accessory building. Greater setbacks may be necessary where required by the Uniform Building Code as adopted by the city. <p><u>Architectural Design Principles.</u></p> <p>Refer to the City of Hayward Design Guidelines and Neighborhood Plans where applicable.</p> <ul style="list-style-type: none"> (1) Incorporate design elements that are harmonious and in proportion to one another. (2) Incorporate an attractive mixture of color and materials. (3) Articulate entries and windows along all street frontages. (4) Create shadow relief with recesses, columns, score lines, trellises, windows, or other features on blank walls when they are visible from adjacent streets. (5) Building facades in excess of 100 feet long and/or greater than 20 feet in height shall be setback a minimum of 20 feet from the front property line and must incorporate recesses and projections, which may include windows, and trellises. (6) New buildings shall use roof parapet walls to screen rooftop mechanical equipment. Existing buildings shall use screen walls that are consistent with the design of the building to conceal new rooftop mechanical equipment. (7) Any metal clad building that is visible from a street or residential district shall adhere to the above design criteria. Unpainted (gray galvanized) metal surfaces shall not be used on primary structures. (8) Truck loading areas shall not face the street, unless no practical alternative exists. 	<p>Yes. The Eastshore project will be subject to CEC standard conditions of certification that will require compliance with applicable design and performance standards. Plans demonstrating conformance to applicable standards will be prepared and submitted to the CEC and the city for review and approval before construction. Subsequent review and approval of these items will be completed by the Chief Building Official (CBO), in consultation with CEC Compliance Unit staff. Therefore, as proposed, the Eastshore project is expected to comply with this policy. Refer to Table 8.11-5 for additional discussion of the project's conformance with the City of Hayward's design and performance standards from a visual resources perspective.</p>

TABLE 8.4-5
 Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
	<p>(9) Industrial facilities, whose building design is utilitarian by necessity, shall be screened with landscaping.</p> <p><u>Fences, Hedges, Walls.</u></p> <p>(1) Fences, hedges and walls shall not exceed a height of 4 feet in a required front yard, or side street yard.</p> <p>(3) For fences limited to a maximum of 4 feet in height, the height limit shall not be exceeded at grade measured on either side of the fence. For fences and walls required to be a minimum height (at least 6 feet high or greater), the height shall be the minimum height when measured on both sides of the fence or wall. Barb or razor wire or similar security fencing shall not be located less than 6 feet above ground along a common property line of a residential property. Such fencing shall not exceed 3 feet in height and where used shall be angled toward the industrial use.</p> <p>(4) Where a lot is situated at the intersection of two or more streets, fences, hedges and walls shall not be erected, placed, planted, or allowed to grow in such a manner as to obstruct intersection visibility.</p> <p><u>Grading.</u> All grading activity shall follow the grading and terrain design standards of the City of Hayward Subdivision Ordinance and Design Guidelines.</p> <p><u>Landscaping.</u></p> <p>(1) Landscape Areas</p> <p>(a) Required front, side, side street, and rear yard areas shall be landscaped except for permitted driveways, and walkways. All other areas not used for structures or paving shall be landscaped unless otherwise authorized by the Planning Director or other approving authority because of site constraints, existing or adjacent site conditions, or phased development.</p> <p>(b) Parking is prohibited within required front and side street yards.</p> <p>(c) Required landscaped areas shall be planted with water-conserving trees, shrubs, turf grass, ground cover, or a combination thereof. The sole use of bark, decorative paving, or decorative rock shall not be allowed in required landscape areas.</p> <p>(d) Where any landscaped area adjoins driveways or parking areas, Class B Portland Cement concrete curbs shall be constructed to a height of 6 inches</p>	

TABLE 8.4-5
 Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
	<p>above the finished pavement.</p> <p>(2) Buffer Trees/Landscaping</p> <p>(b) Masonry walls, solid building walls, trash enclosures, and/or fences facing a street or driveway shall be buffered with continuous shrubs or vines.</p> <p>(3) Parking Lot Trees/Planters</p> <p>(a) Parking areas shall include a minimum of one 15-gallon parking lot tree for every 6 parking stalls, unless an alternative tree planting is approved by the City Landscape Architect.</p> <p>(b) Parking lot trees shall be planted in tree wells or landscape medians located within the parking area, unless an alternative location is approved by the Planning Director. Required street and buffer trees shall not qualify as parking lot trees.</p> <p>(c) The minimum dimension of any tree well or landscape median shall be 5 feet, measured from back of curb.</p> <p>(d) The end of parking rows shall be capped with landscape medians, except where space is restricted because of existing site conditions.</p> <p>(e) Parking and loading areas shall be buffered from the street with shrubs, walls, or earth berms, as determined by the Planning Director. Where shrubs are used for buffering, the type and spacing of shrubs shall create a continuous 30-inch-high screen within 2 years.</p> <p>(4) Street Trees</p> <p>Street trees shall be planted along all street frontages at a minimum of one 24-inch box tree per 20 to 40 lineal feet of frontage or fraction thereof, except where space is restricted due to existing structures or site conditions.</p> <p>(6) Irrigation</p> <p>Within all required landscaped areas, an automatic water efficient irrigation system shall be installed upon initial construction of any building or substantial alteration to any building or site.</p> <p>(7) Tree Preservation</p> <p>(a) Trees shall be preserved in accordance with the Tree Preservation Ordinance with measures included for tree protection during the construction period</p>	

TABLE 8.4-5
 Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
	<p>(b) A tree removal permit is required before removing any tree 30 inches or larger in trunk circumference (or approximately 10 inches or larger in trunk diameter) measured 2 feet above the ground.</p> <p>(8) Maintenance.</p> <p>(a) After initial installation, all plantings shall be maintained in a reasonably weed-free and litter-free condition, including replacement, where necessary, as determined by the Planning Director.</p> <p>(b) Required street, parking lot, and buffer trees shall not be severely pruned, topped, or pollarded (cut back to the trunk).</p> <p><u>Lighting, Exterior</u></p> <p>Exterior lighting and parking lot lighting shall be provided in accordance with the Security Standards Ordinance (No. 90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Such lighting shall also be designed such that it is in keeping with the design of the development.</p> <p><u>Outdoor Storage</u></p> <p>All uses shall be conducted wholly within enclosed buildings. Minor open storage is a secondary use and is permitted, provided the materials, products, or equipment stored is necessary to the operation of a use being conducted on the site. Storage shall not be placed within required yard or parking areas, and the storage shall be compatible with adjoining uses, as determined by the Planning Director (for example, adequately screened, set back or not too high, and not visually unpleasant as with outside storage of appliances in conjunction with appliance sales/service).</p> <p><u>Parking, Driveways, and Paving</u></p> <p>Parking, driveways and paving for industrial and commercial uses shall be provided in accordance with the City of Hayward Off-Street Parking Regulations, Standard Details, and the following criteria:</p> <p>(1) Parking Spaces Required</p> <p>(a) The number of parking stalls required shall be:</p> <p>(i) 1.0 space for each 500 square feet of gross floor area</p> <p>(b) If an industrial use has an office area greater than 10 percent of the gross</p>	

TABLE 8.4-5
 Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
	<p>floor area of the industrial use, then the office area shall provide 1.0 parking space for each 250 square feet of gross office floor area.</p> <p>(2) Parking Space Dimensions</p> <p>(a) Standard car parking spaces shall be a minimum of 9 feet wide by 19 feet long.</p> <p>(b) Compact car parking spaces shall be a minimum of 9 feet wide by 15 feet long.</p> <p>(c) Covered or uncovered parking spaces located adjacent to walls or support columns shall be increased in width by at least one foot on the affected side(s) to accommodate door swing.</p> <p>(d) Covered parking spaces shall provide a minimum unobstructed vertical clearance of 7 feet. Parking space areas shall be unobstructed by stairs, cabinets, utilities.</p> <p>(3) Parking Space Locations</p> <p>Parking spaces shall not be located within any required front, side, side street, or rear yard setback areas.</p> <p>(4) Driveways and Paving</p> <p>(a) The minimum driveway width shall be 20 feet for a two-way driveway and 12 feet for a one-way driveway.</p> <p>(b) In no case should a driveway exceed one third of the width of the property frontage width or 35 feet, unless otherwise approved by the Planning Director.</p> <p>(c) Parking and driveway surfaces shall be paved with an all weather dustless material(s), such as concrete or asphaltic surface, as approved by the Planning Director.</p> <p>(5) Driveway Aisle Dimensions</p> <p>The minimum parking lot driveway aisle width shall be 26 feet for a two-way standard car aisle and 20 feet for a compact aisle.</p> <p>(6) Driveway Turn-around Requirement</p> <p>All industrial and commercial property shall provide a sufficient paved driveway turnaround to allow vehicles to exit property in a forward direction.</p> <p>(7) Driveway Security Gates</p>	

TABLE 8.4-5
 Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
	<p>Refer to Chapter 10, Article 14 of the Hayward Municipal Code.</p> <p>(8) Emergency Vehicle Turnaround Requirement.</p> <p>Where the farthest point of a structure(s) is located 150 feet or more from the point of street access, a turnaround area shall be provided to accommodate the turning around of fire protection vehicles, unless otherwise approved by the Fire Prevention Bureau. (For further details or alternative design considerations, contact the Fire Prevention Bureau.)</p> <p>(9) Private Street Criteria</p> <p>Refer to the Standard Details and section 10-1.2735i for design criteria and standards.</p> <p><u>Retaining Walls</u></p> <p>Retaining walls that are not a part of walls of buildings shall be reviewed and approved by Planning Director.</p> <p><u>Roof-Mounted Equipment</u></p> <p>Roof-mounted equipment, antennas, satellite dishes, support structures and similar devices shall be screened from public view, preferably by the roof form, as required by the Planning Director or other approval authority.</p> <p><u>Signs</u></p> <p>Signs shall be of a design in harmony with the environment, shall not constitute excessive visual impact, shall not be hazardous to vehicular traffic, and shall be of a quality conducive to the development of commerce. (Refer to the City of Hayward Sign Ordinance for specific regulations)</p> <p><u>Surfacing</u></p> <p>All open areas not landscaped shall be treated or paved with an all- weather, dustless material, such as an asphaltic surface, as approved by the Planning Director. Surfacing shall be permanently maintained, including replacement where necessary.</p> <p><u>Trash and Recycling Facilities</u></p> <p>(1) Trash and recycling facilities shall be adequately screened from view using a decorative wood or masonry wall or combination thereof (unless waived by the Planning Director or other approving authority) compatible with the design of the primary building on the site.</p>	

TABLE 8.4-5
 Consistency of the Eastshore Energy Center with applicable City of Hayward Zoning Ordinance Regulations

Policy	Description	Project Consistency
	<p>(2) Shall be located no farther than 100 feet from its design purpose, unless the site topography is such that adhering to this standard would interfere with the collection of trash.</p> <p><u>Yard Exceptions</u></p> <p>Off-street parking spaces may be placed within rear or side yards, except when abutting any A, MH, O, R or residential PD District.</p>	

Source: City of Hayward (2006)

8.4.7 Cumulative Impacts

The CEQA Guidelines (section 15355) define cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”

The CEQA Guidelines further note that –

The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

As discussed above, the proposed Eastshore project is consistent with the City of Hayward’s goals and objectives for industrial development and would be sited in an area zoned for industrial use. The proposed project is consistent with the General Plan land use designations and zoning designations for the site. The proposed project can be found consistent with applicable General Plan land use policies as well as Zoning Ordinance. The proposed project would be installed in an existing industrial area, thus it will be compatible with adjacent land uses. The proposed 115 kV transmission line and all other project linears will be installed within industrial areas in the City of Hayward.

The City of Hayward General Plan also indicates that the industrial area in western and southern Hayward has attracted warehouse and distribution facilities for more than 40 years, and now high-tech firms are interested in moving to Hayward. The City recognizes that this will mean a transformation of the Industrial Corridor from a manufacturing and distribution area to an area that also has research and development-oriented businesses. As such, the City acknowledges that development regulations in the Industrial Corridor may need to be revised to reflect the needs of the new business type (City of Hayward, 2002). This ongoing change in industrial development in Hayward’s Industrial Corridor would result in a change to the types of industrial-related uses as some of the existing businesses will remain in the area and new types of businesses (and facility structures) would be developed.

The area in the vicinity of the power plant site is essentially built out. As discussed above, the General Plan anticipates changes in the types of industrial uses within the Industrial Corridor of the City of Hayward. Further, as discussed in Section 8.4.5, the recent and pending current projects within the one-mile of the project site include minor additions to residential/commercial/industrial projects to the conversion of industrial projects to condominium uses and the addition of commercial-related uses to serve the employees of industrial facilities within the Industrial Corridor. As documented in Section 8.4.6 and tables 8.4-4 and 8.4-5, the proposed project will conform to the City of Hayward’s major goals and objectives for industrial development, will be sited in an area reserved for industrial uses, and will conform to the City of Hayward’s policies and standards related to site design and performance standards.

The Russell City Energy Center (RCEC), located west of the project site, has the potential to result in significant cumulative traffic impacts if construction of both projects occurs simultaneously. According to the Application for Certification (Foster Wheeler

Environmental Corporation, 2001), construction will occur over a period of 18 to 21 months. During that time, the average construction workforce will be 277 persons, with a peak workforce of 485 persons. This would result in a total of 510 peak trips, including workers and delivery trucks. However, as discussed in Section 8.10 Traffic and Transportation, significant cumulative traffic impacts resulting from the proposed Eastshore on the local streets and arterials, in combination with other proposed transportation projects in the area, are not expected to occur. For the freeway and arterial segments, however, if the construction of the RCEC and Eastshore projects occurred simultaneously, the impacts would be greater than those described for the Eastshore project alone. Significant cumulative impacts during operation of both projects are not expected to occur.

In addition, no farmland is present in the study area, so implementation of the proposed project would not significantly affect farmland. Therefore, the project would not result in a cumulative farmland impact.

No habitat conservation plan or natural community conservation plan applies to the project area. Therefore, the proposed project would not result in a cumulative conflict with such plans.

The proposed project would not conflict, from a land use perspective, with ongoing and future projects planned, including the RCEC, within the City of Hayward. The reason for this consistency is because all of the projects are expected to be found to be consistent with the industrial uses within the Industrial Corridor. Therefore, the proposed project would not contribute to a significant impact on land use in the project vicinity. Additionally, the proposed project and all other reasonably foreseeable projects would not result in significant cumulative land use impacts.

In conclusion, as discussed above, the proposed project will not result in significant impacts on land use or cumulative impacts to land use .

8.4.8 Permits and Agency Contacts

All the proposed project components are located within the City of Hayward. Permits required for the project, the responsible agencies, contacts, and proposed schedules are listed in Table 8.4-6. Coordination to obtain all permits or approvals listed below would occur following approval of the Eastshore license.

TABLE 8.4-6
Permits and Agency Contacts

Permit or Approval	Schedule	Agency Contact
Project Site and Linears (City of Hayward)		
Encroachment Permit for transmission line and gas line	Post-licensing coordination	City of Hayward Public Works Department Administration 777 B Street, 4 th Floor Hayward, CA 94541 Robert A. Bauman, Director of Public Works (510) 583-4710

TABLE 8.4-6
Permits and Agency Contacts

Permit or Approval	Schedule	Agency Contact
Union Pacific Railroad right-of-way permission to bore under railroad to connect gas line to PG&E system.	Post-licensing coordination	Union Pacific Railroad 1400 Douglas Street, Mailstop 1690 Omaha, NB 68179 Joan Preble (402) 544-5000
Caltrans Encroachment Permit to overcross Highway 92	Post-licensing coordination	Caltrans District 4 111 Grand Avenue, 6 th Floor Oakland, CA 94612 (510) 622-0724
Final Site Development and Landscape Plan approval	Post-licensing coordination	CBO City of Hayward (TBD)
Final Grading and Drainage Plan approval	Post-licensing coordination	CBO City of Hayward (TBD)

8.4.9 References

- Calpine/Bechtel Joint Development. 2001. *Application for Certification for the Russell City Energy Center, Hayward, California*. Calpine/Bechtel Joint Development, Pleasanton, CA.
- City of Hayward. 2002. *General Plan*.
- _____. 2006. *Zoning Ordinance*.
- Hayward Shoreline Planning Agency. 1993. *Hayward Area Shoreline Planning Program. A Shared Vision*. Hayward Shoreline Planning Agency, Hayward.
- San Francisco Bay Conservation and Development Commission. 2006. *San Francisco Bay Plan*. San Francisco Bay Conservation and Development Commission, San Francisco, CA.

LEGEND

-  Site Location
-  High Density Residential
-  Mobile Home Park
-  Industrial Corridor
-  Parks and Recreation
-  Limited Medium Density Residential
-  Public and Quasi-Public
-  Limited Open Space
-  Retail and Office Commercial
-  Transmission Line Route
-  Low Density Residential
-  Medium Density Residential
-  Baylands

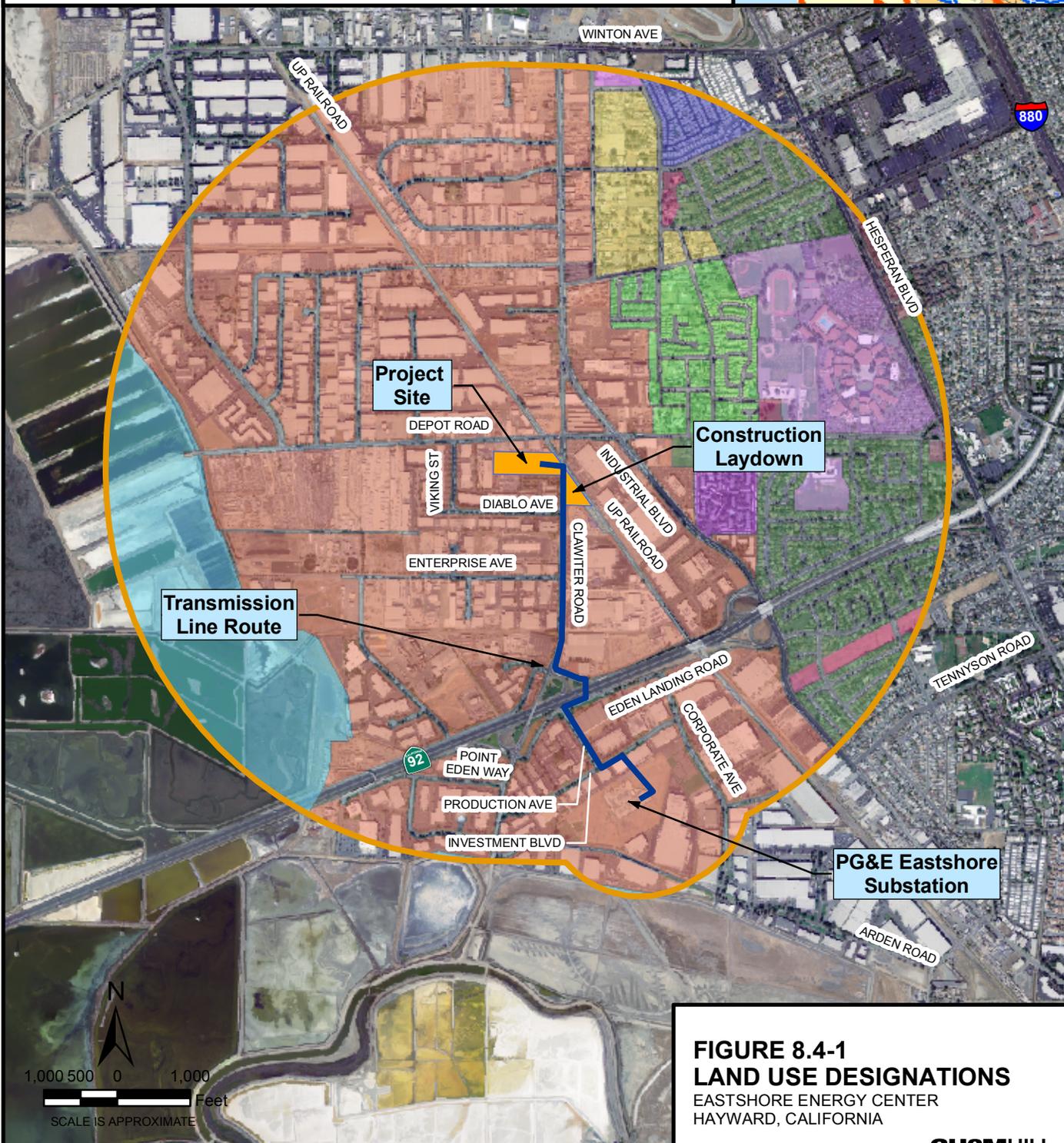


FIGURE 8.4-1
LAND USE DESIGNATIONS
 EASTSHORE ENERGY CENTER
 HAYWARD, CALIFORNIA

LEGEND

- | | | | | | | | |
|---|---|---|--|---|---|---|--|
|  | Site Location |  | Agriculture |  | Medium Density Residential Min Lot Area - 2,500 sq ft |  | Planned Development |
|  | 1 mile buffer from Project Site Includes 1/4 mile buffer from outlying Transmission Lines |  | Central Business |  | Medium Density Residential Min Lot Area - 3,500 sq ft |  | Single Family Residence Min Lot Area - 4,000 sq ft |
|  | Transmission Line Route |  | Flood Plain |  | Mobile Home Park |  | Single Family Residence Min Lot Area - 5,000 sq ft |
|  | Other |  | High Density Residential Min Lot Area - 1250 sq ft |  | Neighborhood Commercial | | |
| | |  | Industrial | | | 0 500 1,000 2,000 Feet
SCALE IS APPROXIMATE | |

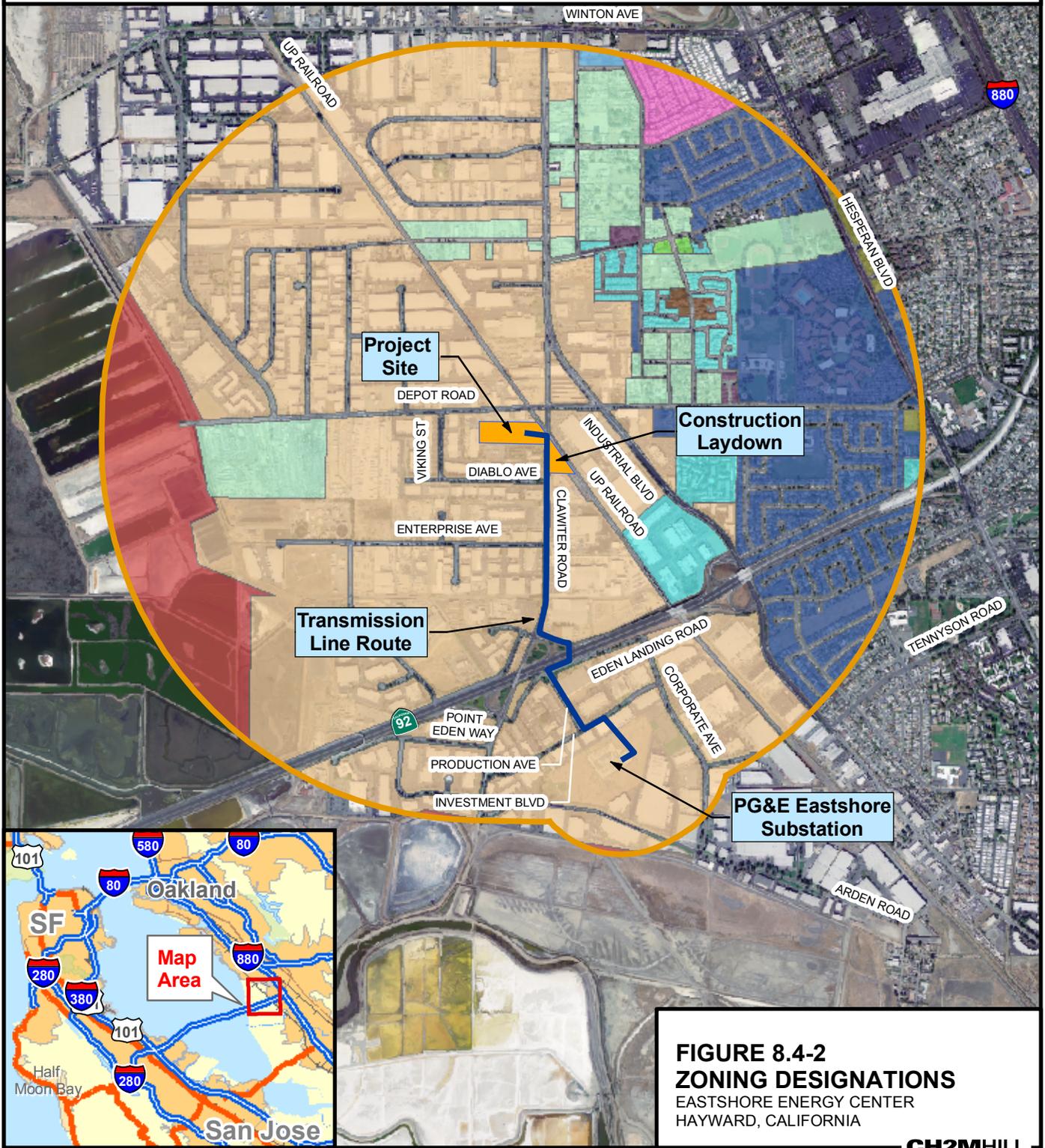


FIGURE 8.4-2
ZONING DESIGNATIONS
 EASTSHORE ENERGY CENTER
 HAYWARD, CALIFORNIA