

CHAPTER 6

Other Statutory Sections

Consistent with CEQA Guidelines Section 15126.2, this section addresses growth-inducing effects, significant irreversible environmental changes, cumulative impacts (when considered with other projects), significant unavoidable environmental, and effects found to be less than significant.

A. Growth-Inducing Effects

The CEQA Guidelines require that an EIR evaluate the growth-inducing impacts of a proposed action (Section 15126.2[d]). A growth-inducing impact is defined by CEQA Guidelines Section 15126.2(d) as:

[T]he ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth.... It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

A project can have direct and/or indirect growth-inducement potential. Direct growth inducement would result if a project involved construction of new housing that would result in new residents moving to the area. A project can have indirect growth-inducement potential if it would establish substantial new permanent employment opportunities (e.g., commercial, industrial or governmental enterprises) or if it would involve a substantial construction effort with substantial short-term employment opportunities and indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, under CEQA, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. Increases in population could tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require analysis of the characteristics of projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

The timing, magnitude, and location of land development and population growth are based on various interrelated land use and economic variables. Key variables include regional economic trends, market demand for residential and non-residential uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions. Because city and

county general plans define the location, type and intensity of growth, they are the primary means of regulating development and growth in California.

Both the Alameda General Plan (as proposed for amendment as part of the project) and the Bay Area's Sustainable Communities Strategies, *Plan Bay Area*, anticipate growth at Alameda Point in essentially the nature and density proposed with the project. Hence, the development of the proposed project has been anticipated by the City in its long-range planning (since the closure of NAS Alameda) as well as in the regionally forecast growth of the Bay Area. Thus, while the proposed project would not result in unplanned growth, it would accommodate an increase in both population and employment growth in Alameda as compared to the existing condition. Specifically, new infrastructure outlined in the Draft MIP would allow for growth to occur on the project site that has been constrained due to lack of appropriate infrastructure, as described below under points 1 through 3.

The growth inducing impacts analysis addresses the potential of the project for growth inducement in the project vicinity or broader area. Under CEQA, a project is generally considered to be growth-inducing if it results in any one of the following:

1. Extension of urban services or infrastructure into a previously unserved area;
2. Extension of a transportation corridor into an area that may be subsequently developed; or
3. Removal of obstacles to population growth (such as provision of major new public services to an area where those services are not currently available).

A.1 Extension of Urban Services or Infrastructure

Although onsite infrastructure improvements would occur as part of the proposed project, the site is within an urban setting, and the project infrastructure would connect to existing city infrastructure and not require any major expansions of infrastructure other than on the site itself. The project would not extend infrastructure to any other undeveloped areas. The project site, although occupied by buildings, is currently underutilized and located in an urban area. Hence, the proposed project would be infill development within an existing urban area.

A.2 Extension of Transportation Corridor

The proposed project would include improvement to streets that serve the project site and connect the project site to the existing street network as part of the vision of integrating the project site with the City. The project site is adjacent to City development on the east. As a redevelopment property, the proposed project would not extend transportation corridors into undeveloped areas resulting in growth inducing impacts. In fact, the project site's location near Interstate 880 and regional alternative transportation systems could result in less impact on regional transportation systems and air quality than would comparable development in a more outlying "greenfields" area, or an area with a lower concentration of population within the County.

A.3 Removal of Obstacles to Population Growth

The project involves a zoning ordinance amendment and general plan amendment for the project site to facilitate the proposed project. These amendments would remove “obstacles to population growth” only for the project site. The amendments would not facilitate population growth on any other property.

Further, by implementing the MIP, as part of the proposed project, the infrastructure improvements would allow for growth to occur on the project site that has been constrained due to lack of appropriate infrastructure. Implementing the MIP would not facilitate population growth on any other property.

The proposed project would result in the development of up to 1,425 residential dwelling units and 5.5 million square feet of commercial space. ABAG estimates that by 2040, Alameda would increase its housing stock by 18 percent over 2010 levels (from 32,350 housing units to 38,240 housing units). Therefore, the growth in housing units proposed by the project, and thus population growth generated by the proposed project, would be within the ABAG projections for the City of Alameda.

Further, because the project site is included in Plan Bay Area as the NAS Alameda PDA, from a regional standpoint the project is part of a coordinated strategy for managing land use patterns and transportation investments to accommodate projected population growth while also reducing emissions of greenhouse gases, consistent with the direction in SB 375. As Plan Bay Area’s transportation projects are tied to the proposed land use development pattern and the region’s population projections, they are inherently designed to focus growth primarily in PDAs, as opposed to other locations in the region. That is, the transportation projects in Plan Bay Area were selected to complement a certain type of land development (balanced and compact) and discourage imbalanced, sprawling, and greenfields development. As such, by specifically being included in the Plan Bay Area, the proposed project is promoting focused infill growth rather than growth beyond targeted areas. By accommodating growth in a targeted urban area, the proposed project would regionally contribute to reduced vehicle miles traveled and greenhouse gas emissions, as required by SB 375 (see Section 4.A, *Land Use*, for further discussion of SB 375 and Plan Bay Area).

The physical effects of implementing the proposed project, including the zoning ordinance and general plan amendments and the Master Infrastructure Plan, are described in Chapter 4 of this EIR.

B. Significant Irreversible Changes

Pursuant to Section 15126.2(c) of the State CEQA Guidelines, an EIR must consider any significant irreversible environmental changes that would be caused by the proposed Project should it be implemented. Section 15126.2(c) states:

“Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway

improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”

Resources that would be permanently and continually consumed by implementation of the proposed project include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would be typical for infill urban development and would not result in significant environmental impacts or the unnecessary, inefficient, or wasteful use of resources. Construction activities related to the proposed project would also result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobiles and construction equipment. With respect to the operational activities of the proposed project, compliance with all applicable building codes, as well as EIR mitigation measures, would ensure that all natural resources are conserved to the maximum extent practicable. It is also possible that new technologies or systems would emerge, or would become more cost-effective or user-friendly, and would further reduce the project reliance upon nonrenewable energy resources.

The CEQA *Guidelines* also require a discussion of the potential for irreversible environmental damage caused by an accident associated with the proposed project. Completion of the proposed project with residential and waterfront land uses would not involve the routine use, transport, storage, or disposal of hazardous wastes other than small amounts of construction chemicals and household cleaners by residents of the site. Commercial and industrial land uses on the site that could potentially include hazardous materials in their operation would be subject to regulatory oversight. Therefore, the potential for the completed project to cause significant irreversible environmental damage from an accident or upset of hazardous materials would be less-than-significant.

Reuse of contaminated properties could result in a greater potential for exposure of the public to hazardous materials. Implementing approved remedial actions pursuant to DTSC oversight at each of these site to remove, treat, manage, or isolate any potentially hazardous materials prior to conveyance to the City would minimize the potential for significant impacts. These land use controls have been or will be recorded with the deed and ensure that any residual contamination poses no threat provided that the terms of the deed remain in effect as required by law, as long as required by the regulatory agencies. Deed conveyances attached to properties, as determined by the Navy's Finding of Suitability for Transfer, would ensure that sites have had appropriate regulatory oversight.

C. Cumulative Impacts

CEQA defines cumulative impacts as two or more individual impacts which, when considered together, are substantial or which compound or increase other environmental impacts. The cumulative analysis is intended to describe the “incremental impact of the project when added to other, closely related past, present, or reasonably foreseeable future projects” that can result from “individually minor but collectively significant projects taking place over a period of time.”

(CEQA Guidelines Section 15355) The analysis of cumulative impacts is a two-phase process that first involves the determination of whether the project, together with existing and reasonably foreseeable projects, would result in a significant impact. If there would be a significant cumulative impact of all such projects, the EIR must determine whether the project's incremental "contribution" is cumulatively considerable, in which case, the cumulative impact would be significant. (CEQA Guidelines Section 15130)

The analysis of each environmental topic included in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, of this EIR considers possible cumulative impacts and identifies circumstances in which the project would contribute to significant cumulative impacts.

Cumulative traffic, noise, and air quality impacts were identified for the year 2035. These cumulative analyses assumed that the project-required mitigation transportation system improvements identified in this EIR would be implemented. Nonetheless, transportation, cultural resources, noise, and air quality impacts would be cumulatively considerable and not fully mitigable. No other cumulative impacts were determined to be significant after mitigation.

Impact 4.C-5: Cumulative development, including the proposed project, would potentially result in transportation impacts at local study intersections under Cumulative plus project conditions.

Impact 4.D-5: Development facilitated by the proposed project, in conjunction with, past, present, and future development, could potentially adversely affect historic architectural resources in the project vicinity.

Impact 4.F-8: Development facilitated by the proposed, when combined with past, present and other reasonably foreseeable development in the vicinity, could potentially result in cumulative criteria air pollutant air quality impacts.

Impact 4.G-6: Increases in traffic from development facilitated by the proposed project in combination with other development could potentially result in cumulatively considerable noise increases.

D. Significant and Unavoidable Environmental Impacts

In accordance with CEQA Section 21083, and with CEQA Guidelines Sections 15064 and 15065, an EIR must also identify impacts that cannot be eliminated or reduced to an insignificant level by mitigation measures included as part of the implementation of the proposed project, or by other mitigation measures that could be implemented, as described in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*. The proposed project would result in significant and unavoidable impacts to transportation, cultural resources, air quality, noise, aesthetics and public services, as summarized below:

Impact 4.C-2: Development facilitated by the proposed project would potentially result in a transportation impact at study intersection under Existing plus Project conditions.

Impact 4.C-5: Cumulative development, including the proposed project, would potentially result in transportation impacts at local study intersections under Cumulative plus project conditions.

Impact 4.C-9: Development facilitated by the proposed project could potentially increase traffic safety hazards for vehicles, bicyclists, and pedestrians on public roadways due to roadway design features or incompatible uses.

Impact 4.D-1: Development facilitated by the proposed project could potentially have a significant, adverse impact on Historic Resources within the Alameda Historic District.

Impact 4.D-5: Development facilitated by the proposed project, in conjunction with, past, present, and future development, could potentially adversely affect historic architectural resources in the project vicinity.

Impact 4.F-1: Development facilitated by proposed project could potentially result in air quality impacts due to construction activities.

Impact 4.F-2: Development facilitated by the proposed project could potentially generate operational emissions that would result in a considerable net increase of criteria pollutants and precursors for which the air basin is in nonattainment under an applicable federal or state ambient air quality standard.

Impact 4.F-8: Development facilitated by the proposed, when combined with past, present and other reasonably foreseeable development in the vicinity, could potentially result in cumulative criteria air pollutant air quality impacts.

Impact 4.G-1: Construction facilitated by the proposed project could potentially expose persons to or generate noise levels in excess of the City noise standards.

Impact 4.G-3: Transportation-related operations facilitated by the proposed project could potentially result in a substantial permanent increase in ambient noise levels in the vicinity or above levels existing without the project.

Impact 4.G-6: Increases in traffic from development facilitated by the proposed project in combination with other development could potentially result in cumulatively considerable noise increases.

E. Effects Found Not To Be Significant

A Notice of Preparation (NOP) was circulated on January 10, 2013 to solicit comments from the public and agencies about the scope of this EIR. Written comments received on the NOP were considered in the preparation of the final scope for this document and in the evaluation of the proposed project. An Initial Study was not prepared for the proposed project.

Because an Initial Study was not prepared, all environmental topics in the CEQA *Environmental Checklist*, with the exception of the two topics listed below, have been fully analyzed in this document (Chapter 4).

The following two topics were excluded from detailed discussion in Chapter 4 of this EIR because it was determined during the EIR scoping phase that there would be no impacts associated with these topics.

E.1 Agricultural and Forestry Resources

As discussed in Section 4.A, *Land Use and Planning*, the General Plan Land Use Map designates various residential and commercial land use classifications in and surrounding the project site. The project site, as with the majority of developed land in the City of Alameda, is designated by the California Department of Conservation's Important Farmland in California Map as urban and built-up land (Department of Conservation, 2006). Therefore, the proposed project would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use; would not conflict with existing zoning for agricultural use, or a Williamson Act contract; and would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use. The proposed project would have no impact on agricultural resources.

Likewise, the proposed project would not cause rezoning of forest land, timberland or timberland-zoned Timberland Production. Development of the proposed project would not result in the loss of forest land or convert forest land to non-forest use.

E.2 Mineral Resources

The project site is located in a developed urban area that has no known existing mineral resources. The California Geological Survey has classified lands within the San Francisco Bay Region into Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act (SMARA) of 1974 (Stinson et al., 1982). The project site is mapped by the California Department of Mines and Geology as MRZ-1, an area where adequate information indicates a low likelihood of significant mineral resources (Stinson, et al., 1982). The intent of designating significant deposits is to identify areas where mineral extraction could occur prior to development. Therefore, development of the proposed 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; and 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. Development of the proposed project would have no impact on mineral resources.

References – Other Statutory Sections

ABAG and MTC, 2012. Plan Bay Area. *Final Jobs-Housing Connection Strategy*. May 16, 2012

ABAG and MTC, 2013. Plan Bay Area. *Strategy for a Sustainable Region*. July 2013

ABAG and MTC, 2013. Plan Bay Area. *Environmental Impact Report*. July 2013

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California Environmental Quality Act (CEQA) Statutes and Guidelines; Public Resources Code 21000-21177) and California Code of Federal Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387. 2010.

Department of Veterans Affairs (VA), *Transfer of Excess Property and Development of an Outpatient Clinic, Offices, and National Cemetery at the Former Naval Air Station Alameda, California*, January 2013.

Stinson, M. C., M. W. Manson, J. J. Plappert, and others, Mineral Land Classification: Aggregate Materials in the San Francisco-Monterey Bay Area, Part II, Classification of Aggregate Resource Areas South San Francisco Bay Production-Consumption Region, California Division of Mines and Geology Special Report 146, 1982.

Water Emergency Management Authority (WETA), *Notice of Intent to Adopt a Mitigated Negative Declaration: The San Francisco Bay Area WETA Central Bay Operations and Maintenance Facility*, March 31, 2011.