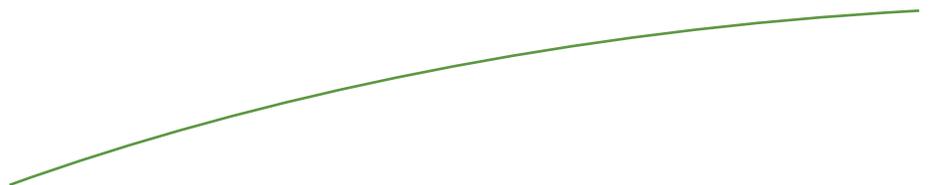




Appendix A

NOTICE OF PREPARATION AND  
RESPONSES



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Gateway Station West Residential Project

Lead Agency: City of Newark Contact Person: Terrence Grindall
Mailing Address: Community Development Department, 37101 Newark Blvd Phone: (510) 578-4208
City: Newark Zip: 94560 County: Alameda

Project Location: County: Alameda City/Nearest Community: City of Newark
Cross Streets: Hickory Street (east); Enterprise Drive (south) Zip Code: 94560
Longitude/Latitude (degrees, minutes and seconds): 37 ° 31 ' 09 " N / 122 ° 03 ' 16 " W Total Acres: 54.5
Assessor's Parcel No.: Parcel 1 of Parcel Map 9837 Section: 11 Twp.: 5 South Range: 2 West Base: Mt. Diablo
Within 2 Miles: State Hwy #: State Route 84 Waterways: San Francisco Bay
Airports: None Railways: Union Pacific Schools: Newark Junior High

Document Type:

CEQA: [X] NOP [ ] Draft EIR NEPA: [ ] NOI Other: [ ] Joint Document
[ ] Early Cons [ ] Supplement/Subsequent EIR [ ] EA [ ] Final Document
[ ] Neg Dec (Prior SCH No.) [ ] Draft EIS [ ] Other:
[ ] Mit Neg Dec Other:

Local Action Type:

[ ] General Plan Update [ ] Specific Plan [X] Rezone [ ] Annexation
[ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [X] Planned Unit Development [ ] Use Permit [ ] Coastal Permit
[ ] Community Plan [X] Site Plan [X] Land Division (Subdivision, etc.) [ ] Other:

Development Type:

[X] Residential: Units 669 Acres 41
[ ] Office: Sq.ft. Acres Employees [ ] Transportation: Type
[ ] Commercial: Sq.ft. Acres Employees [ ] Mining: Mineral
[ ] Industrial: Sq.ft. Acres Employees [ ] Power: Type MW
[ ] Educational: [ ] Waste Treatment: Type MGD
[ ] Recreational: [ ] Hazardous Waste: Type
[ ] Water Facilities: Type MGD [ ] Other:

Project Issues Discussed in Document:

[X] Aesthetic/Visual [ ] Fiscal [ ] Recreation/Parks [ ] Vegetation
[ ] Agricultural Land [ ] Flood Plain/Flooding [ ] Schools/Universities [X] Water Quality
[X] Air Quality [ ] Forest Land/Fire Hazard [ ] Septic Systems [X] Water Supply/Groundwater
[ ] Archeological/Historical [X] Geologic/Seismic [ ] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [ ] Minerals [ ] Soil Erosion/Compaction/Grading [X] Growth Inducement
[ ] Coastal Zone [X] Noise [ ] Solid Waste [ ] Land Use
[ ] Drainage/Absorption [ ] Population/Housing Balance [X] Toxic/Hazardous [X] Cumulative Effects
[ ] Economic/Jobs [ ] Public Services/Facilities [X] Traffic/Circulation [X] Other: Energy and GHG

Present Land Use/Zoning/General Plan Designation:

Former industrial area/Low-density Residential, Medium-density Residential, and Medium/High-density Residential

Project Description: (please use a separate page if necessary)

The project site is within the Dumbarton Transit Oriented Development (TOD) Specific Plan area with a purpose of facilitating development of a new neighborhood in close proximity to a train station planned separately as part of the Dumbarton Rail Service (DRS) Project. The proposed project includes the development of approximately 669 single- and multi-family residential units on approximately 41 acres of the site. The proposed residential development is consistent with the approved TOD Specific Plan area's Low-density Residential (LDR), Medium-density Residential (MDR), and Medium/High-density Residential (MHDR) land use designations.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

**Reviewing Agencies Checklist**

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".  
If you have already sent your document to the agency please denote that with an "S".

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Air Resources Board              | <input type="checkbox"/> Office of Historic Preservation                      |
| <input type="checkbox"/> Boating & Waterways, Department of          | <input type="checkbox"/> Office of Public School Construction                 |
| <input type="checkbox"/> California Emergency Management Agency      | <input type="checkbox"/> Parks & Recreation, Department of                    |
| <input type="checkbox"/> California Highway Patrol                   | <input type="checkbox"/> Pesticide Regulation, Department of                  |
| <input checked="" type="checkbox"/> Caltrans District #4             | <input type="checkbox"/> Public Utilities Commission                          |
| <input type="checkbox"/> Caltrans Division of Aeronautics            | <input checked="" type="checkbox"/> Regional WQCB #2                          |
| <input type="checkbox"/> Caltrans Planning                           | <input type="checkbox"/> Resources Agency                                     |
| <input type="checkbox"/> Central Valley Flood Protection Board       | <input type="checkbox"/> Resources Recycling and Recovery, Department of      |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy          | <input checked="" type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission                          | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy  |
| <input type="checkbox"/> Colorado River Board                        | <input type="checkbox"/> San Joaquin River Conservancy                        |
| <input type="checkbox"/> Conservation, Department of                 | <input type="checkbox"/> Santa Monica Mtns. Conservancy                       |
| <input type="checkbox"/> Corrections, Department of                  | <input type="checkbox"/> State Lands Commission                               |
| <input type="checkbox"/> Delta Protection Commission                 | <input type="checkbox"/> SWRCB: Clean Water Grants                            |
| <input type="checkbox"/> Education, Department of                    | <input type="checkbox"/> SWRCB: Water Quality                                 |
| <input type="checkbox"/> Energy Commission                           | <input type="checkbox"/> SWRCB: Water Rights                                  |
| <input checked="" type="checkbox"/> Fish & Game Region #3            | <input type="checkbox"/> Tahoe Regional Planning Agency                       |
| <input type="checkbox"/> Food & Agriculture, Department of           | <input type="checkbox"/> Toxic Substances Control, Department of              |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of                       |
| <input type="checkbox"/> General Services, Department of             | <input type="checkbox"/> Other: Alameda County Water District                 |
| <input type="checkbox"/> Health Services, Department of              | <input checked="" type="checkbox"/> Other: City of Fremont                    |
| <input type="checkbox"/> Housing & Community Development             |   |
| <input type="checkbox"/> Native American Heritage Commission         |   |

**Local Public Review Period (to be filled in by lead agency)**

Starting Date 08/08/2014 Ending Date 09/08/2014

**Lead Agency (Complete if applicable):**

Consulting Firm: <u>HELIX Environmental Planning Inc.</u>	Applicant: <u>Dumbarton Area 2, LLC</u>
Address: <u>11 Natoma Street, Suite 155</u>	Address: <u>500 La Gonda Way, Suite 102</u>
City/State/Zip: <u>Folsom, CA 95630</u>	City/State/Zip: <u>Danville, CA 94526</u>
Contact: <u>Dave Claycomb</u>	Phone: <u>(925) 984-7137</u>
Phone: <u>(619) 992-4117</u>	

Signature of Lead Agency Representative:  Date: 8-7-14

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



**CITY OF NEWARK, CALIFORNIA**

37101 Newark Boulevard • Newark, California 94560-3796 • (510) 578-4000 • FAX (510) 578-4306

**To:** State Agencies  
Responsible Agencies  
Local and Public Agencies  
Trustee Agencies  
Interested Parties

**From:** Terrence Grindall  
City of Newark  
Community Development Department  
37101 Newark Boulevard  
Newark, CA 94560

**NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT  
REPORT FOR THE DUMBARTON TRANSIT ORIENTED DEVELOPMENT  
GATEWAY STATION WEST RESIDENTIAL PROJECT**

The City of Newark (City) will be the Lead Agency under the California Environmental Quality Act (CEQA) and will prepare a Supplemental Environmental Impact Report (SEIR) for the above referenced project. We would like to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. This SEIR may be used by your agency when considering approvals for this project.

The project description, location, and a brief summary of potential environmental effects are attached. A Public Scoping Meeting will be held on August 18, 2014, at 2:00 p.m. to take comments regarding the scope and content of the draft SEIR. The Scoping Meeting will be held at Newark City Hall, 37101 Newark Boulevard, Newark, CA, in the City Council Chambers.

According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Written comments will be accepted until September 8, 2014 at 5:00 p.m.

Please send responses to Terrence Grindall, Community Development Director, City of Newark, CA 94560-3796 or by email: [Terrence.grindall@newark.org](mailto:Terrence.grindall@newark.org). Emailed responses are encouraged. Please identify a contact person in your agency.

Terrence Grindall  
Assistant City Manager

A handwritten signature in blue ink that reads "Terrence Grindall".

Date: 8-6-14

**NOTICE OF PREPARATION OF A  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT  
FOR THE DUMBARTON TRANSIT ORIENTED DEVELOPMENT  
GATEWAY STATION WEST RESIDENTIAL PROJECT**

**A. INTRODUCTION**

The purpose of a Supplemental Environmental Impact Report (SEIR) is to inform decision makers and the general public of the environmental effects of a proposed project that were not known at the time previous environmental review was conducted for the project. The SEIR process is intended to provide environmental information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse environmental impacts; and to consider alternatives to the project. Although an SEIR is one of the first documents to be reviewed when considering a project, the document itself, including its certification, does not constitute project approval. Upon finding the SEIR complete and in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, the City Council will consider certification of the SEIR at a public hearing and may take action on the proposed Dumbarton Transit Oriented Development (TOD) Gateway Station West Residential Project (Gateway Station West project).

The City certified the Dumbarton TOD Specific Plan EIR, and adopted a General Plan Amendment to approve the Specific Plan, in 2011. The Dumbarton TOD Specific Plan EIR now serves as the master Program EIR for the Specific Plan area, which includes the Gateway Station West project parcels. The SEIR for the proposed Gateway Station West Project will be prepared and processed in accordance with CEQA, and will “tier” off of the certified Dumbarton TOD Specific Plan EIR. In accordance with the requirements of CEQA, the SEIR will include:

- Project summary,
- Project description,
- Description of the existing environmental setting, potential environmental impacts, including those that were not described in the Dumbarton TOD Specific Plan EIR, and applicable mitigation measures,
- Alternatives to the project as proposed, and
- Environmental consequences, including: (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) the growth-inducing impacts of the proposed project, and (c) cumulative impacts.

**B. PROJECT LOCATION**

The proposed Gateway Station West Project site is located in the City of Newark southwest of Highway 84 and Thornton Avenue. The 54.5-acre project site is bounded by Hickory Street on the east and solar salt production basins on the west. Enterprise Drive (formerly Wells Ave) terminates near the northeast corner of the property. The property is bounded by vacant industrial land on the north and vacant undeveloped land on the south. Construction of residential development associated with the Dumbarton TOD Specific Plan is underway to the east of the project site, east of Hickory Street and south of Enterprise Drive. More specifically,

the site is located in Section 11 of Township 5 South, and Range 2 West of the U.S. Geological Survey (USGS) 7.5-minute "Newark, California" quadrangle map and it is further described as Parcel 1 of Parcel Map 9837. Regional/vicinity and aerial maps of the project site are attached to this Notice of Preparation (NOP) as Figures 1 and 2, respectively.

The project site is generally located in a former industrial area, with open space and residential uses in the vicinity. To the north of the site is the former FMC Corporation facility and the existing Union Pacific Railroad corridor, to the east is the former Ashland Chemical Company and Torian facility, to the south is the Plummer Creek Wetland Mitigation Bank, and to the west are the Cargill bittern ponds.

As described above, the project site is within the Dumbarton TOD Specific Plan area, the Program EIR for which is the foundation document upon which subsequent projects proposed under the program are evaluated. The Specific Plan area encompasses approximately 233 acres of land in the vicinity of the Union Pacific Railroad corridor, which is also the future Dumbarton Rail Corridor (DRC). The purpose of the Dumbarton TOD Specific Plan is to facilitate the development of a new neighborhood around a train station planned separately as part of the Dumbarton Rail Service (DRS) Project. The DRS is still under development and will undergo separate environmental analysis in the future. The proposed Gateway Station Project will be analyzed and reviewed in light of the prior certified Dumbarton TOD Specific Plan EIR as the next step in the City's CEQA process for implementation of projects within the approved Dumbarton TOD Specific Plan.

### **C. DESCRIPTION OF THE PROPOSED PROJECT**

The proposed project includes the development of approximately 669 single- and multi-family residential units on approximately 41 acres of the site. The proposed residential development is consistent with the approved Specific Plan area Low-density Residential (LDR), Medium-density Residential (MDR), and Medium/High-density Residential (MHDR) land use designations.

### **D. ENVIRONMENTAL EFFECTS OF THE PROJECT**

The SEIR will address the following environmental issues that were not fully analyzed at a project-specific level in the Dumbarton TOD Specific Plan EIR including: aesthetics, air quality and air toxics, biological resources, energy, geology and soils, greenhouse gases, hazards and hazardous materials, hydrology/water quality, noise, and transportation/traffic. Cumulative impacts, alternatives to the project, effects found not to be significant, and growth-inducing impacts will also be examined. A brief discussion of several of the potential environmental issues related to the proposed Gateway Station West development is presented below.

#### *Aesthetics*

The SEIR will include a summary of the visual impact analysis that will be prepared to assess the degree to which the proposed project could modify scenic resources and alter the existing visual character of the site and surroundings. Although the project site is within an industrial area, it is also adjacent to the existing Plummer Creek Mitigation Bank and in the vicinity of the

San Francisco Bay Trail, the Don Edwards San Francisco Bay National Wildlife Refuge, the Newark Slough, and further afield, San Francisco Bay. The SEIR will identify whether any project features would be visible from Key Observation Points associated with these nearby scenic and recreational resources. Finally, the aesthetics analysis will address the potential for the project to produce new sources of light or glare and the project's consistency with relevant City of Newark and Dumbarton TOD Specific Plan design guidelines. Mitigation measures and/or design features will be identified to reduce and avoid aesthetics impacts, as applicable.

#### *Air Quality/Air Toxics*

The SEIR will describe the existing air quality conditions in the Bay Area and, based on an Air Quality and Greenhouse Gas (GHG) Technical Report and air toxics assessment, it will evaluate the air quality impacts of the proposed Corrective Action Plan (CAP; described further below) remediation activities and subsequent construction of proposed residences. The project site is proximate to existing and future residential uses and the project would place new residences next to existing light industrial uses. Air quality impacts to future residents from the existing industrial development will also be addressed, as well as anticipated criteria pollutant emissions associated with project construction and operations. Mitigation measures and/or design features will be identified to reduce and avoid air quality impacts, as applicable.

#### *Biological Resources*

A Biological Technical Report will document the existing biological resources on the site, and nearby, and it will assess suitability of the site as habitat for the salt marsh harvest mouse and other sensitive species. The SEIR will describe the existing vegetation communities, plant and wildlife species, and jurisdictional resources on site and in the vicinity and will discuss potential impacts of the proposed project upon sensitive biological resources. Mitigation measures and/or design features will be identified as applicable to lessen or avoid biological resources impacts.

#### *Energy*

As part of the Air Quality/GHG Technical Report, estimates of the project's energy consumption will be prepared and summarized in the SEIR in accordance with recent case law and modifications to the State CEQA Guidelines. The SEIR analysis will include an assessment of the electrical, vehicular, and water conveyance and solid waste-related energy demands associated with project construction and operations. Mitigation measures and/or design features will be identified to reduce and avoid energy impacts, as applicable.

#### *Geology and Soils*

A Preliminary Geotechnical Investigation for the project site will be summarized in the SEIR. The SEIR analysis will include discussions of the site's underlying geologic formation(s), surface soils, and seismic features, and will identify potential geologic and seismic hazards. Potential hazardous material impacts to soils will be discussed in detail in the Hazards and Hazardous Materials section of the SEIR (as described below), and cross-referenced in the Geology and Soils section of the SEIR. Mitigation measures and/or design features will be identified to reduce and avoid geology and soils impacts, as applicable.

### *Greenhouse Gas Emissions*

The Air Quality/GHG Technical Report will include an evaluation of GHG emissions associated with project construction and operations, which will be summarized in the SEIR. The SEIR will confirm that the proposed project incorporates applicable GHG reduction measures previously identified in the Dumbarton TOD Specific Plan EIR; and will address the project's compliance with applicable GHG reduction policies included in the Bay Area Air Quality Management District's 2010 CEQA Air Quality Guidelines, and the City of Newark's 2010 Climate Action Plan Initial Framework and 2013 Draft General Plan.

### *Hazardous Materials*

The project site is heavily disturbed as a result of past industrial and other uses including: construction and operation of settling basins and drainage ditches, manipulation of site hydrology, removal of rock/gravel, the placement and removal of magnesia and gypsum, storage of construction equipment and materials, and skeet shooting and pistol ranges. In addition, a bedrock outcrop in the southeastern portion of the site is comprised of serpentine bedrock that contains chrysotile, a form of naturally occurring asbestos. A Phase I Environmental Site Assessment (ESA) identified recognized and historical environmental conditions (RECs and HRECs) related to past industrial uses, as well as naturally occurring conditions. Additionally, the northeastern portion of the site contains four wells that are part of a groundwater monitoring network used to track impacts to groundwater originating off site from the nearby Ashland Chemical Company's property.

The SEIR will summarize the relevant portions of the Phase I ESA. The proposed project includes a CAP to address industrial activities that have resulted in hazardous materials impacts to groundwater and soil, and identifies associated remediation measures. The SEIR will address RECs and HRECs as well as the implementation of a final CAP to allow residential development of the site. The SEIR and CAP will provide documentation and analysis showing that hazardous material impacts will be mitigated to achieve residential environmental screening levels or other approved goals. The SEIR will also address the implications of constructing residences adjacent to the existing light industrial development in the vicinity. A survey of proximate hazardous materials users will be completed to identify businesses and other facilities that use and/or store toxic or hazardous substances. Mitigation measures will be identified, as applicable, to lessen or avoid hazardous materials impacts.

### *Hydrology/Water Quality*

A project-specific Drainage Study and a Water Quality Technical Report (WQTR) will be prepared and summarized in the SEIR. The hydrology and water quality analyses will address pre- and post-development flows and drainage patterns both on and off site, adequacy of downstream drainage features, and potential effects of project construction and operations on surface and ground water quality. Consideration will be given to the existing wetlands on site that would be preserved as part of project development, as well as to the site's proximity to the Plummer Creek Mitigation Bank and San Francisco Bay. In addition, potential hazardous materials impacts to groundwater will be discussed in detail in the Hazards and Hazardous Materials section of the SEIR (as noted above), and cross-referenced in the Hydrology/Water Quality section of the SEIR. Consistent with the recommendations in the Drainage Study and WQTR, the SEIR will identify typical water quality control features and Best Management

Practices (BMPs) to be utilized during construction and operations to minimize potential impacts. Such features and BMPs are typically incorporated as project design features; however, mitigation measures may also be identified to reduce and avoid hydrology and water quality impacts, as applicable.

#### *Noise*

A Noise Technical Report will be prepared and summarized in the SEIR. The noise analysis will address construction noise and vibration and operational noise (including stationary and traffic sources), as well as off-site sources, and determine the project's consistency with the City's noise ordinance and General Plan noise standards. As a result of the site's proximity to the future Dumbarton Rail Corridor, an estimate of noise levels associated with multi-modal rail operations will be included in the SEIR. Potential construction noise effects on sensitive human and wildlife receptors in the vicinity of the project site also will be addressed. Mitigation measures and/or design features will be identified to reduce and avoid impacts as applicable.

#### *Transportation/Traffic*

A Traffic Technical Memorandum will be prepared and summarized in the SEIR. Although the proposed project is nearly consistent with the number of residential units proposed for the site in the Dumbarton TOD Specific Plan EIR, a larger percentage of those units would be single-family residential thereby potentially representing a higher trip generation rate than the volumes assumed in the Specific Plan EIR. The traffic memorandum and SEIR section will provide a comparison between the two and account for changes in anticipated traffic and circulation within the Specific Plan area, including proposed transit amenities. The project's Frontage Concept Design also will be addressed to determine consistency with the Specific Plan objective of "compact, connected, safe and walkable neighborhoods." Mitigation measures and/or design features will be identified to reduce and avoid noise impacts, as applicable.

#### *Cumulative Impacts*

The SEIR will include a discussion of cumulative impacts from the project in combination with other past, pending, and reasonably foreseeable future development in the area, building upon what has already been disclosed in the Dumbarton TOD Specific Plan EIR. Mitigation and avoidance measures will be identified for significant cumulative impacts, as applicable.

#### *Alternatives to the Project*

In conformance with CEQA, alternatives to the proposed project will be evaluated, including a "No Project" alternative. Other alternatives analyzed will be identified and analyzed based on their ability to reduce or avoid environmental impacts while meeting the basic objectives of the project.

#### *Growth-Inducing Impacts*

The SEIR will discuss the ways in which the proposed project may foster growth in the surrounding environment beyond levels identified in the Dumbarton TOD Specific Plan EIR.

*Other Sections*

The SEIR will include copies of the technical reports and all sections required by the State CEQA Guidelines including Effects Found Not to be Significant, Significant Unavoidable Impacts, References, and Authors and Consultants.

**E. SCOPING COMMENTS**

We are soliciting comments as to the scope and content of the environmental information appropriate to your agency's statutory responsibilities or of interest to your organization; specifically, we are requesting the following:

1. Identify significant environmental effects and mitigation measures that you believe need to be explored in the SEIR with supporting discussion of why you believe these effects may be significant.
2. Describe special studies and other information that you believe are necessary for the City to analyze the significant environmental effects, alternatives, and mitigation measures you have identified.
3. For public agencies that provide infrastructure and public services, identify any facilities that will be required to provide services to support the proposed project;
4. Indicate whether staff from your agency would like to meet with City staff to discuss the scope and content of the SEIR's environmental information;
5. Provide the name, title, telephone number, postal, and email addresses of the contact person from your agency or organization that we can contact regarding your comments; and
6. Identify project alternatives that you believe need to be explored in the SEIR.

Comments may be sent to:

Terrence Grindall  
City of Newark  
Community Development Department  
37101 Newark Boulevard  
Newark, CA 94560  
<[Terrence.Grindall@newark.org](mailto:Terrence.Grindall@newark.org)>

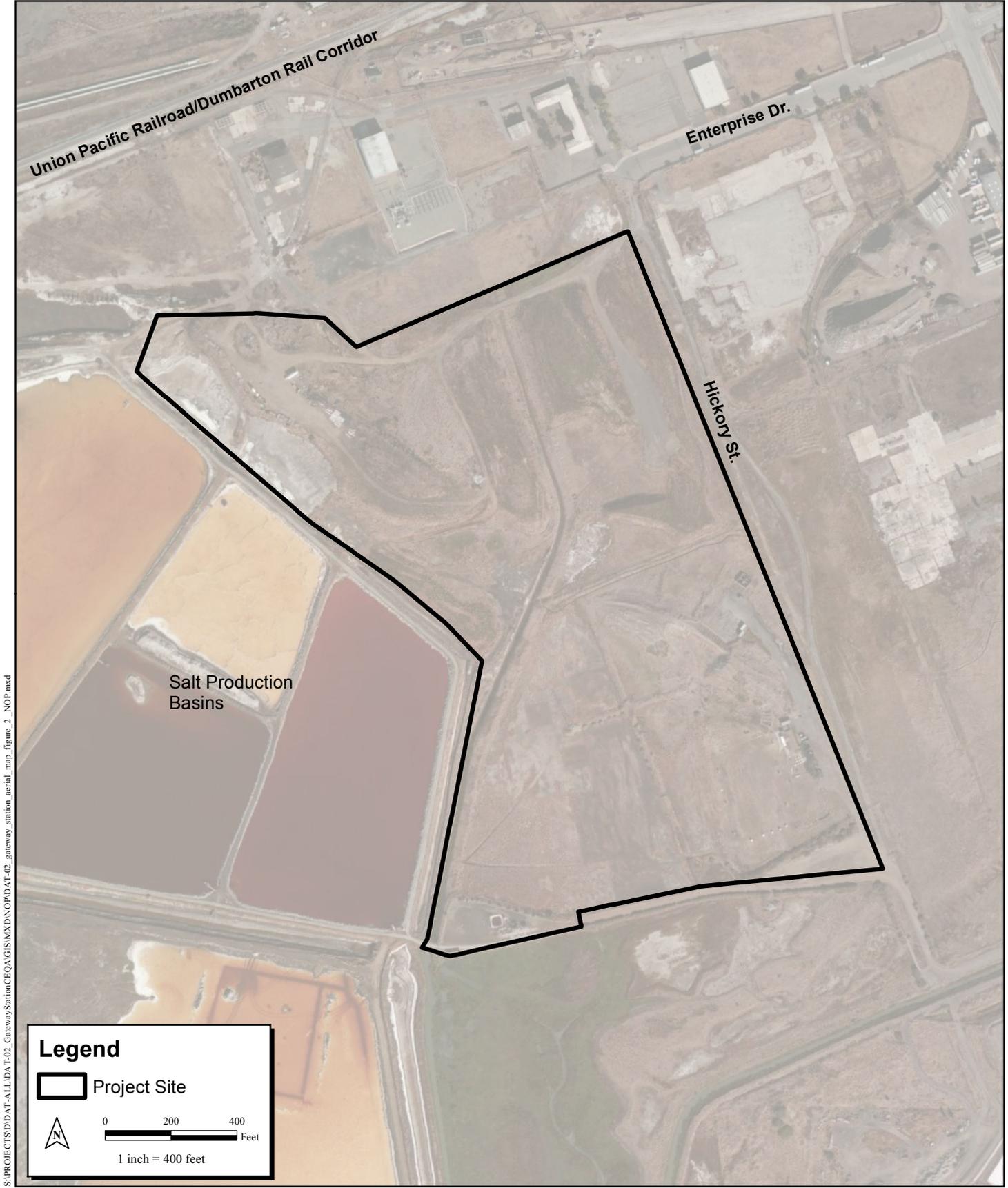


S:\PROJECTS\ID\DAT-ALL\DAT-02\_GatewayStation\CEQA\GIS\MX\NOP\DAT-02\_gateway\_station\_site\_vicinity\_figure\_1\_NOP.mxd

Base Map: USGS, ESRI 2014  
 Map Date: 07-31-2014

# Site & Vicinity Map

GATEWAY STATION WEST



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**Legend**

 Project Site

 0 200 400 Feet

1 inch = 400 feet

Aerial Source: ESRI, 2010.  
Map Date: 07/31/2014

# Aerial Map

GATEWAY STATION WEST

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-6053

FAX (510) 286-5559

TTY 711

www.dot.ca.gov

*Serious Drought.  
Help save water!*

September 8, 2014

ALA084459  
ALA/84/PM 3.5  
SCH# 2014082022

Mr. Terrence Grindall  
Community Development Department  
City of Newark  
37101 Newark Boulevard  
Newark, CA 94560

Dear Mr. Grindall:

**Gateway Station West Residential – Notice of Preparation (NOP)**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the NOP and have the following comments to offer.

***Traffic Impact Study (TIS)***

One of Caltrans' ongoing responsibilities is to collaborate with local agencies to avoid, eliminate, or reduce to insignificance potential adverse impacts by local development on State highways. We recommend using the Caltrans *Guide for the Preparation of Traffic Impact Studies* (TIS Guide) for determining which scenarios and methodologies to use in the analysis. The TIS Guide is a starting point for collaboration between the lead agency and Caltrans in determining when a TIS is needed. The appropriate level of study is determined by the particulars of a project, the prevailing highway conditions, and the forecasted traffic. The TIS Guide is available at the following website address:

[http://dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa\\_files/tisguide.pdf](http://dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf).

The TIS should include:

1. Vicinity map, regional location map, and a site plan clearly showing project access in relation to nearby State roadways. Ingress and egress for all project components should be clearly identified. The State right-of-way (ROW) should be clearly identified. The maps should also include project driveways, local roads and intersections, parking, and transit facilities.
2. Project-related trip generation, distribution, and assignment. The assumptions and methodologies used to develop this information should be detailed in the study, and should be supported with appropriate documentation.

3. Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all roadways where potentially significant impacts may occur, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. The analysis should clearly identify the project's contribution to area traffic and any degradation to existing and cumulative LOS. Caltrans' LOS threshold, which is the transition between LOS C and D, and is explained in detail in the TIS Guide, should be applied to all State facilities.
4. Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics (i.e., lane configurations) for the scenarios described above.
5. The project site building potential as identified in the General Plan. The project's consistency with both the Circulation Element of the General Plan and the Congestion Management Agency's Congestion Management Plan should be evaluated.
6. Identification of mitigation for any roadway mainline section or intersection with insufficient capacity to maintain an acceptable LOS with the addition of project-related and/or cumulative traffic.

#### ***Lead Agency***

As the lead agency, the City of Newark (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy.

#### ***Vehicle Trip Reduction***

Caltrans commends the City for the Dumbarton Transit Oriented Development (TOD) Specific Plan and for proposing this particular project under the TOD. Caltrans encourages the City to continue locating any needed housing, jobs and neighborhood services near major mass transit centers, with connecting streets configured to facilitate walking and biking, as a means of promoting mass transit use and reducing regional vehicle miles traveled and traffic impacts on the State highways.

We also commend and encourage the City to continue developing Travel Demand Management (TDM) policies to promote usage of nearby public transit lines and reduce vehicle trips on the State Highway System. These policies could include lower parking ratios, car-sharing programs, bicycle parking and showers for residents, and providing transit passes to residents, among others.

In addition, please ensure secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures are analyzed. The analysis should describe any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on State highways.

***Habitat Restoration and Management***

Project level activities related to habitat restoration and management should be done in coordination with local and regional Habitat Conservation Plans, and with Caltrans where our programs share stewardship responsibilities for habitats, species, and/or migration routes.

Potential for impacts to Caltrans mitigation site(s) in the vicinity of the proposed project should be disclosed and analyzed in the environmental document. If there is the potential for any impacts to a mitigation site, the Lead Agency should consult with Caltrans District 4 Division of Environmental Planning and Engineering at (510) 286-7182.

***Sea Level Rise***

The effects of sea level rise may have impacts on transportation facilities located in the project area. Executive Order (EO) S-13-08 directs State agencies planning construction projects in areas vulnerable to sea level rise to begin planning for potential impacts by considering a range of sea level rise scenarios for the years 2050 and 2100. Higher water levels may increase erosion rates, change environmental characteristics that affect material durability, lead to increased groundwater levels and change sediment movement along shores and at estuaries and river mouths, as well as affect soil pore pressure at dikes and levees on which transportation facilities are constructed. All these factors must be addressed through geotechnical and hydrological studies conducted in coordination with Caltrans.

***Traffic Impact Fees***

Please identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Scheduling and costs associated with planned improvements on State ROW should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any.

Mr. Terrence Grindall/City of Newark

September 8, 2014

Page 4

Should you have any questions regarding this letter, please contact Brian Brandert of my staff at (510) 286-5505 or [brian.brandert@dot.ca.gov](mailto:brian.brandert@dot.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Erik Alm".

ERIK ALM, AICP

District Branch Chief

Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse

## PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue  
SAN FRANCISCO, CA 94102  
(415) 703-1815



August 20, 2014

Terrence Grindall  
City of Newark  
37101 Newark Blvd  
Newark, CA 94560

Dear Mr. Grindall:

Re: SCH 2014082022 Newark Gateway Station West Residential - NOP

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission's Rail Crossings Engineering Branch (RCEB) is in receipt of the Notice of Preparation (NOP) for the proposed Gateway Station West Residential project. The City of Newark (City) is the lead agency.

The project consists of the development of 669 single and multi-family residential units on approximately 41 acres of the site. The Willow Street crossing (DOT# 750021M) is located north east of the project site.

Any development adjacent to or near the railroad right-of-way (ROW) should be planned with the safety of the rail corridor in mind. New developments will increase traffic volumes of both motorists and pedestrians not only on streets and at intersections, but also at any adjacent at-grade rail crossing. This can lead to several problems including but not limited to trespassing, pedestrian injury or fatality, and vehicular cueing accidents. Any traffic impact studies undertaken for the project should also address rail crossing safety analysis and associated proposed mitigation measures. Safety analysis should include queuing on tracks, pedestrian movements, turning movements and sightlines. Additional safety improvement measures may include the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes (e.g., addition or upgrade of crossing warning devices, active and passive signs, medians, curbs, tactile warning surfaces and edge lines on sidewalks at railroad crossings, channelization fencing, pedestrian swing gates, and bike lanes).

RCEB would like to be involved with safety improvements associated with the project to ensure that the development is made with the safety of the rail corridor in mind. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act (ADA). As part of the project, RCEB recommends at a minimum the following safety improvements at the Willow Street crossing to better address our safety concerns:

Terrence Grindall  
August 20, 2014  
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- Installation of sidewalks and ADA-compliant detectable warning devices on all approaches;
- Installation of bicycle lanes to ensure the safety of bicyclists while riding through the crossing;
- There appears to be a driveway immediately adjacent to the railroad crossing. The City should consider removing or relocating the driveway further from the crossing;
- Installation of raised medians on both approaches in order to avoid gate drive around; and
- Grade separation of the crossing.

In addition, construction of a new crossing or modification to an existing crossing requires authorization from the Commission. RCEB representatives are available for consultation on any potential safety impacts or concerns on the nearby crossings. More information can be found at: <http://www.cpuc.ca.gov/PUC/safety/Rail/Crossings/index.htm>.

If you have any questions in this matter, please contact me at (415) 703-1815, [siavash.mozaffari@cpuc.ca.gov](mailto:siavash.mozaffari@cpuc.ca.gov).

Sincerely,



Sia Mozaffari  
Utilities Engineer  
Rail Crossings Engineering Section  
Safety and Enforcement Division