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NEWPARK PLACE SPECIFIC PLAN
INITIAL STUDY

PREPARED FOR

City of Newark

February 16, 2018

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

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NewPark Place Specific Plan
Initial Study

PREPARED FOR

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A. BACKGROUND

Project Title	NewPark Place Specific Plan
Lead Agency Contact Person and Phone Number	City of Newark Terrence Grindall, Assistant City Manager 37101 Newark Boulevard Newark, CA 94560 510-578-4330
Date Prepared	February 16, 2018
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940 Ron Sissem, Principal Tanya Kalaskar, Assistant Planner
Project Location	City of Newark
Project Sponsor Name and Address	City of Newark (same as above)
General Plan Designation	Regional Commercial Parks and Recreation Facility
Zoning	CR – Regional Commercial POS – Parks and Open Space

Setting

Location

This initial study identifies evaluates the potential environmental effects of implementing the NewPark Place Specific Plan ("specific plan"). The specific plan area is within the City of Newark ("city") California. The specific plan area location is illustrated in Figure 1, Specific Plan Area Location. The specific plan boundary is defined by Mowry Avenue on the north, Interstate 880 ("I-880") on the east, the east-west segment of Balentine Drive on the south, and Cedar Boulevard on the west as shown in Figure 2, Specific Plan Boundary.

As will be described in more detail, the specific plan area is a subset of the 125-acre Greater NewPark Mall Focus Area described in the *Newark General Plan* (City of Newark 2013) ("general plan"). The general plan also describes this area as the Greater NewPark Mall. Figure 3, Greater NewPark Focus Area, shows this area, as well as the boundary of the specific plan area.

Two other locational terms are used in this initial study. The term "NewPark Mall" refers to the existing mall itself. The term "NewPark Place" refers to the "place" envisioned as an outcome of implementing the development guidance included in the specific plan.

Existing Conditions

The specific plan area and surrounding uses and features are illustrated in Figure 4, Existing Conditions. With the exception of Shirley Sisk Grove, a two-acre landscaped public park located on NewPark Boulevard between North Magazine and South Magazine, land within the specific plan boundary is entirely developed, primarily with retail uses located within the NewPark Mall ("mall"), but also with hotel, commercial, office, and other ancillary uses.

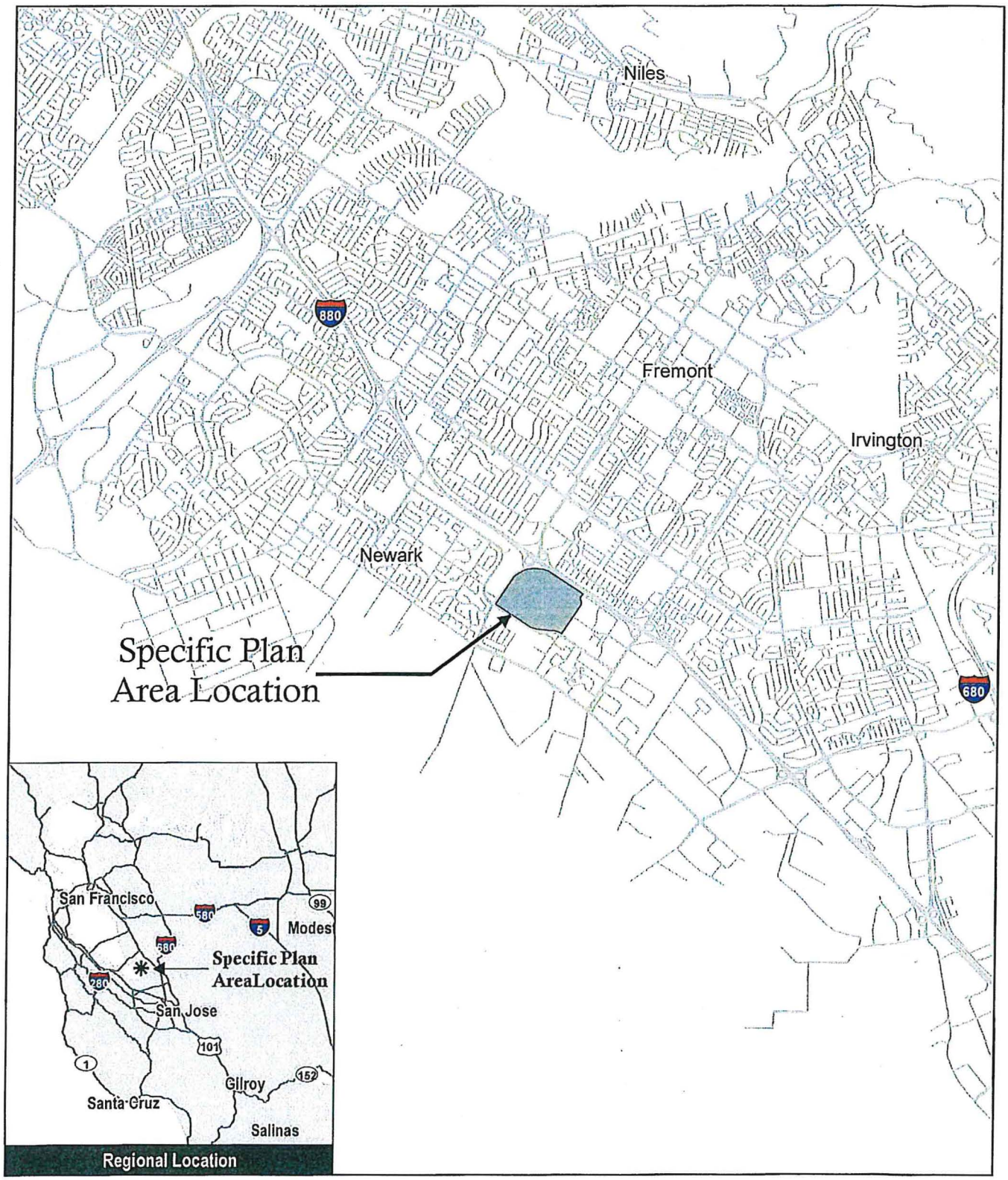
The NewPark Mall opened in 1980. It contains approximately 140 stores. The large surface parking areas on all sides of the mall are significantly underutilized and create a sea of paved space. Many of the older structures built in the 1970s that are located south of the mall between NewPark Boulevard and Cedar Boulevard still remain. Most of the buildings have housed retail business, but a number have been, and currently, are restaurants or other food establishments. Two hotel developments, Homewood Suites and Chase Suites, continue to operate on sites located along Mowry Boulevard. One office building remains along the south side of NewPark Boulevard. The city recently approved two additional hotels that are currently under construction on vacant land located in the southeastern portion of the specific plan area. Table 1, Existing Land Use, summarizes the existing developed uses within the specific plan boundary.

Table 1 Existing Land Use

Land Use	Existing
Retail	1,446,869 GSF
Retail/Restaurant	707,520 GSF
Retail Anchors	544,349 GSF
Big Box Retail	195,000 GSF
Office	27,146 GSF
Hotel	340 rooms
Residential	0 units

SOURCE: ELS 2017
GSF – gross square feet

There are no intact natural features within the specific plan boundary other than trees located within Shirley Sisk Grove and ruderal vegetation located on the undeveloped adjacent parcel to the west of Shirley Sisk Grove.



0 1 mile

Source: ESRI 2017

Figure 1

Specific Plan Area Location Map

NewPark Place Specific Plan Initial Study

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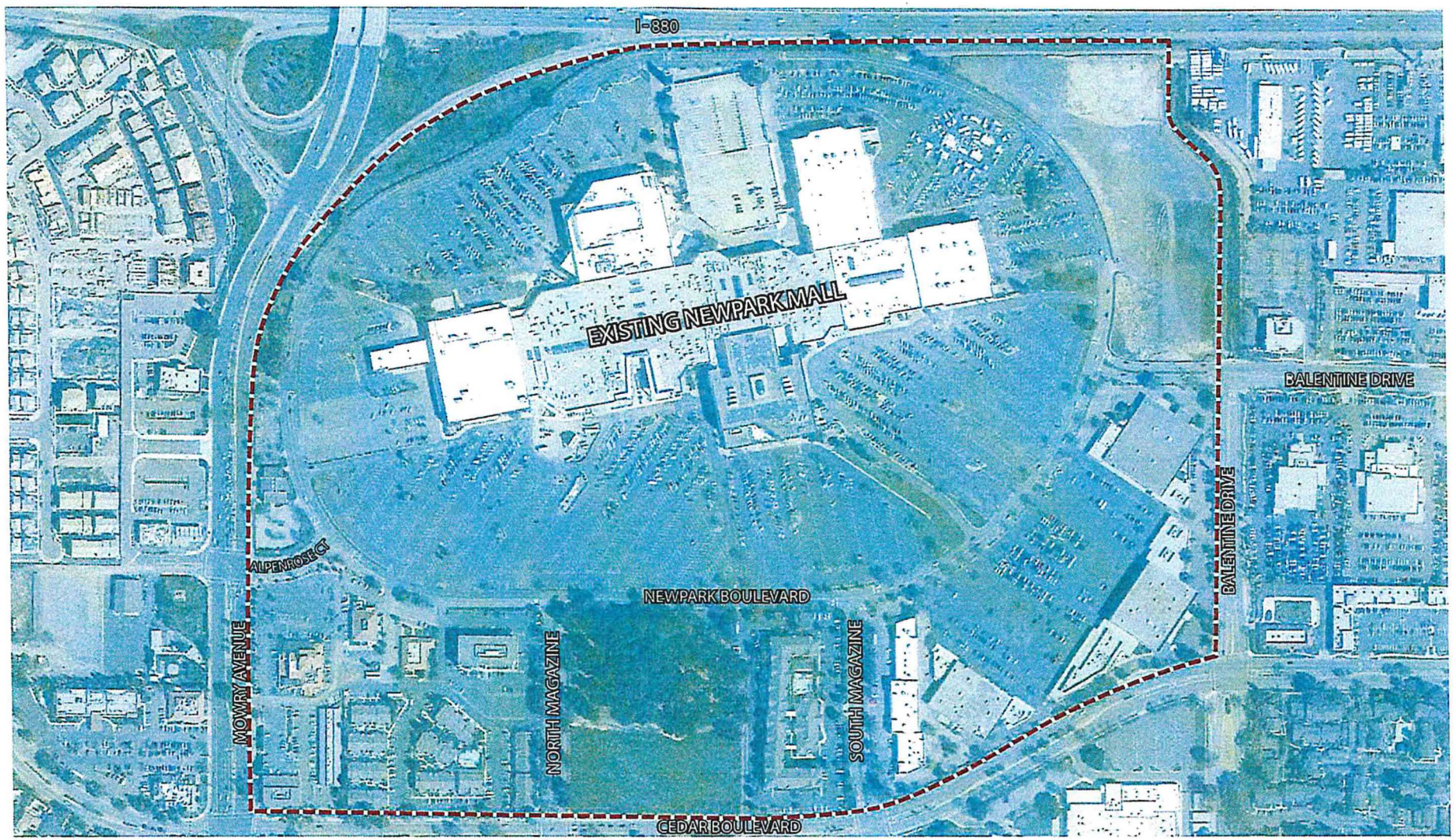

0 400 feet

Specific Plan Boundary

Source: ELS 2017

Note: For planning purposes, the specific plan boundary is considered coterminous with the Greater NewPark Mall and the Greater NewPark Focus Area boundaries identified in the general plan.

Figure 2
Specific Plan Boundary

E M C

NewPark Place Specific Plan Initial Study

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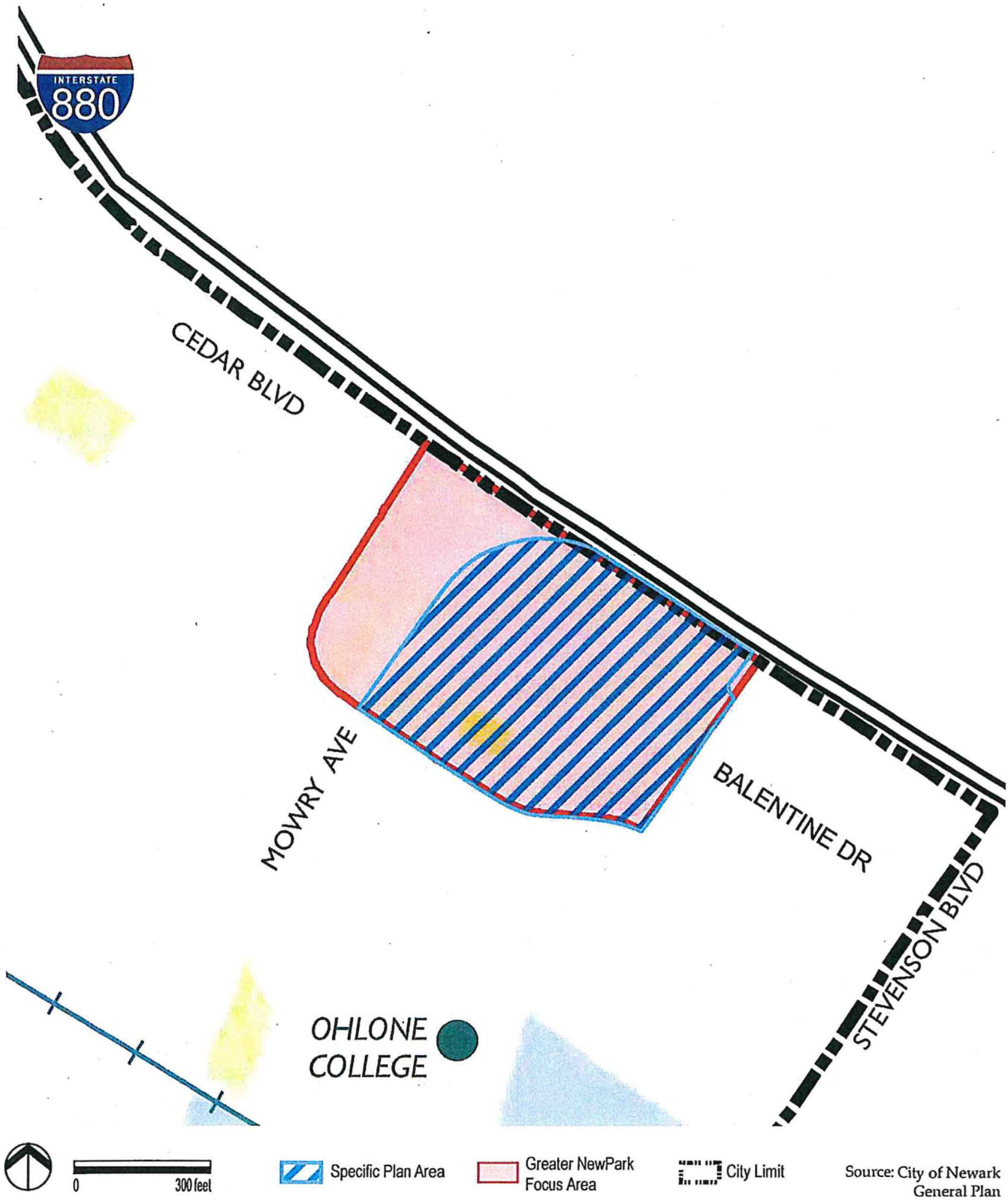

Figure 3

Greater NewPark Focus Area

NewPark Place Specific Plan Initial Study

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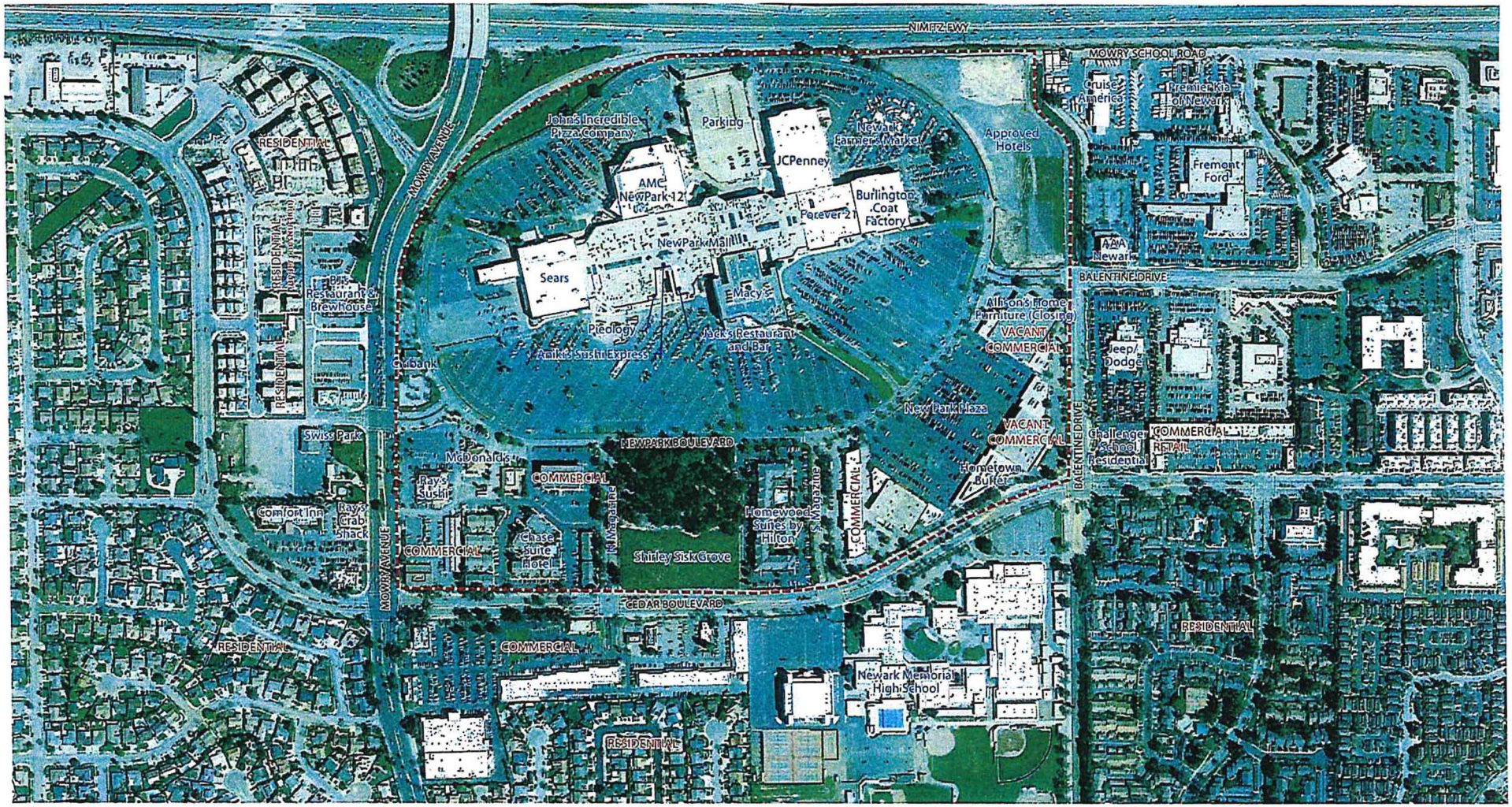

Source: Google Earth 2017

Figure 4
Existing Conditions

NewPark Place Specific Plan Initial Study

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The circulation network that provides access to and within the specific plan area is comprised of several streets. NewPark Boulevard is the main through access road. It forms a "ring road" around the NewPark Mall. Near the western boundary of the specific plan area, NewPark Boulevard connects with Alpenrose Court, which provides a direct connection to Mowry Avenue, the main regional arterial access to the area. Mowry Avenue has an interchange with I-880. Near the eastern boundary of the specific plan area, NewPark Boulevard connects with Balentine Drive. About one-half mile to the east of the specific plan boundary, Balentine Drive connects to Stevenson Boulevard, which also has an interchange with I-880. North Magazine and South Magazine provide connections between NewPark Boulevard and Cedar Boulevard, a primary arterial.

The specific plan area is surrounded with developed urban uses. Commercial development and a recently completed high density residential development are located to the north of Mowry Avenue, I-880 and additional urban development are located to the east, commercial uses are adjacent on the south, and Newark Memorial High School and commercial uses are adjacent on the west.

Background – General Plan Land Use

As noted previously, the specific plan area is located within the broader boundary of the Greater NewPark Focus Area. The Focus Area is identified in the general plan as a "priority location for growth and change over the 20-year general plan planning horizon. The general plan calls for the Greater NewPark Mall to serve as a community showcase and quality environment for shopping and other compatible uses. The general plan contains vision statements and a range of policies that provide guidance for desired land use, circulation, and design outcomes for future development within the Greater NewPark Mall area:

> *GREATER NEWPARK MALL*
>
> Greater NewPark refers to the 125-acre area including NewPark Mall and the commercial uses on its perimeter. The City initiated a visioning process for the Mall vicinity in 2012 and will continue to work with property owners to explore alternatives for making this a more vibrant regional retail center in the future. Options for complementing the retail center with mixed-use development, additional retail and office uses, and new pedestrian-oriented streets and public spaces, are explored in this General Plan (general plan, p. PF-14)
>
> Ultimately, new land uses could be considered in the NewPark area to complement the area's retail focus. Taller buildings may be appropriate in this area to create visual landmarks and accommodate a more intense level of development than would be appropriate in Old Town, Four Corners, and other commercial districts.

The NewPark area also provides an opportunity for high-quality architecture that creates a stronger sense of identity for Newark. Building elevations should incorporate a variety of forms and textures, and building materials should create a cohesive character for the area. (general plan, p. LU-27)

Policy LU-1.2 Growth Focus Areas. Achieve a future growth pattern which includes new neighborhoods on vacant land along the southern and western edges of the city, and infill development in transit-served areas such as Old Town and the Greater NewPark Mall Area. Zoning and development review decisions should recognize these areas as the priority locations for growth and change over the next 20 years.

Policy ED-2.2 Greater NewPark Mall Area. Guide the revitalization of the NewPark Mall area so it becomes a world-class retail and entertainment destination. Additional uses such as offices, hotels, and housing should be supported only to the extent that they support retail revitalization.

Policy LU-4.4 Greater NewPark Area. Modernize the Greater NewPark Area to create a vibrant regional retail location which provides urban amenities and gathering places. A mixture of higher density housing, office, hotel, entertainment, civic, and other uses should be encouraged, to the extent that these uses enhance regional retail as the primary use and assist in the area's revitalization.

Policy LU-9.1 Greater New Park Area Land Use Mix. Diversify the mix of uses in the NewPark Mall vicinity to sustain and expand its role as the premiere shopping and entertainment destination in Southern Alameda County.

Policy LU-9.2 High Density Housing in the Greater NewPark Area. To the extent that it contributes to the regional retail focus of the area, consider introduction of high-density residential uses in the NewPark Mall vicinity.

Policy LU-9.3 Greater NewPark Area Design. While maintaining the primary focus on regional retail uses, require that the design of future buildings in the NewPark area reflects a long-term vision of a more urban destination. High quality exterior materials should be used to create a welcoming environment for pedestrians. Signage, exterior lighting, landscaping, and other features should facilitate the transformation of this area from a suburban center to an "urban village."

Policy ED-2.2 Greater NewPark Mall Area. Guide the revitalization of the NewPark Mall area so it becomes a world-class retail and entertainment destination. Additional uses such as offices, hotels, and housing should be supported only to the extent that they support retail revitalization.

The vision statements and policies clearly direct the intensification of land use and encourage a mix of uses, including higher density residential uses, within the Greater NewPark Mall area.

The *City of Newark General Plan Tune Up Draft Program EIR* (Planning Center/DC&E 2013)("general plan EIR") translates the city's desired growth scenario for the Greater NewPark Mall area into development capacity for various types of future uses as follows:

> Greater NewPark Focus Area
>
> The Greater NewPark Focus Area is located in the southeastern portion of the city, adjacent to I-880, encompassing the NewPark Mall and its vicinity, as shown in Figure 3-7. The proposed Plan articulates a vision for this 120-acre focus area that involves strengthening NewPark Mall and its environs to enhance its role as a community showcase and a quality environment for shopping, working, and living. The Plan proposes modifying the Regional Commercial land use designation applicable to much of the Greater NewPark Focus Area so as to allow high density residential, office, and hotel uses to the extent that they support the area's regional retail focus. The City estimates that the proposed Plan would allow for approximately 1,800 new housing units, 700 new hotel rooms, 200,000 square feet of net new retail space, and 500,000 square feet of net new office space in this focus area (general plan draft EIR, p. 3-21).

The general plan EIR analysis of impacts of implementing the 2013 general presumes these capacities for new development within the Focus Area as part of the general plan 2035 horizon year buildout projections, as discussed on general plan EIR page 3-26. The specific plan includes development guidance that accommodates, but does not exceed, the new development capacity for the Focus Area as discussed in the Project Description section below. Consequently, the proposed specific plan is consistent with the development density established by the general plan for this area.

The general plan land Regional Commercial use designation applies to all land within the specific plan boundary except Shirley Sisk Grove, which is designated Parks and Recreation Facility. The Regional Commercial designation is described in the general plan as follows:

> **Regional Commercial.** This designation supports the largest and most complete shopping facilities in the city. The emphasis is on a broad array of goods and services, including department stores, retail shops, restaurants, entertainment facilities, and similar uses which draw patrons from throughout Newark and the surrounding region. Uses such as hotels and corporate office buildings are acceptable in areas with this designation. Housing at densities greater than 30 units per acre may be included if such housing is a component of a large-scale planned

> development which is primarily oriented around regional retail commercial uses. FARs are generally in the range of 0.2 to 4.0. The actual intensity of development on any given site is dictated by a number of factors, including height limits, parking and landscaping requirements, and site size and dimensions (general plan, p. LU-13).

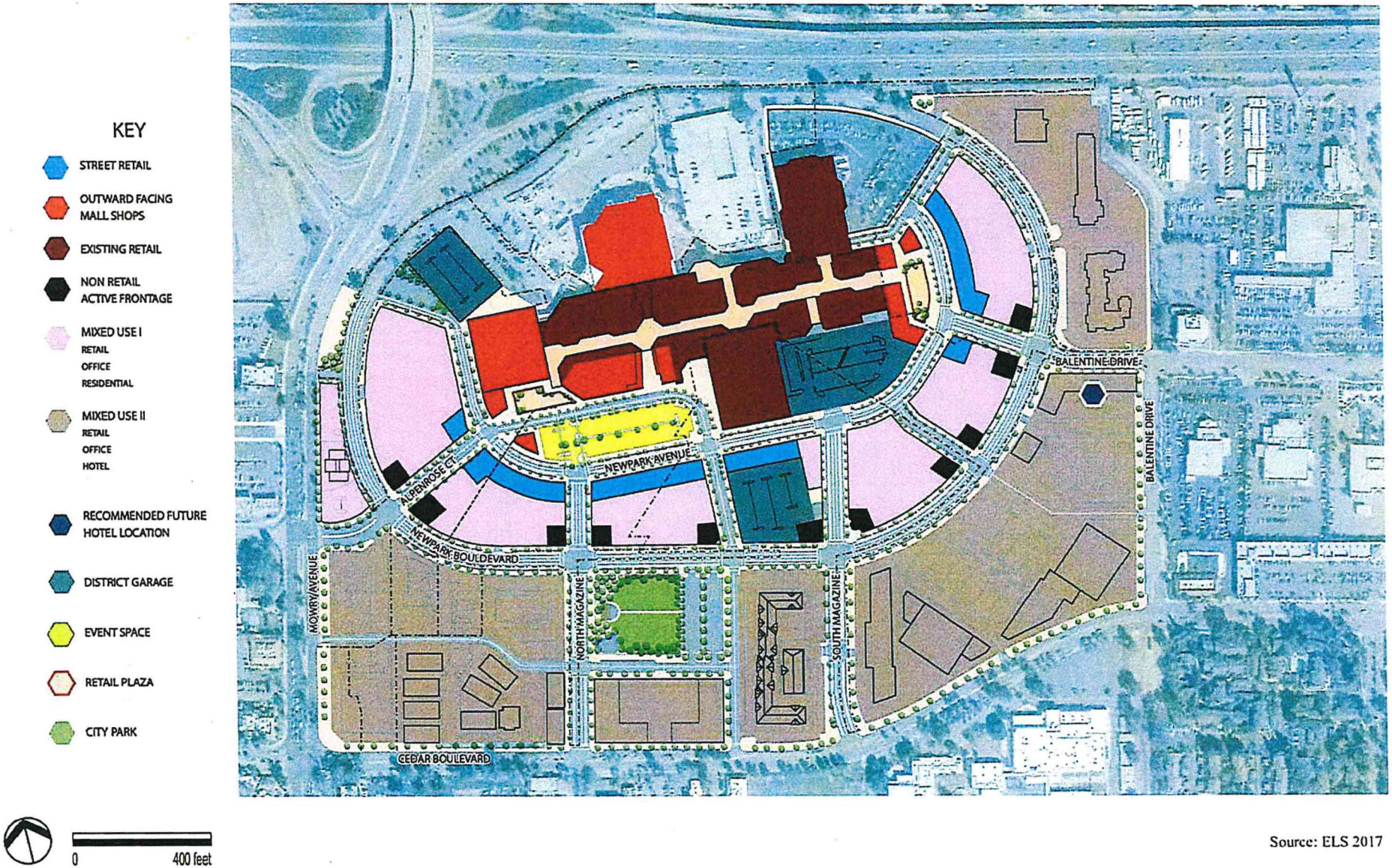
As is described in the Project Description below, the specific plan land use vision and proposed uses are consistent with the intent of the Regional Commercial land use designation.

Project Description

Specific Plan Vision and Land Use

Consistent with the general plan vision for the Greater NewPark Mall/Greater NewPark Focus Area, the specific plan vision focuses on revitalization of the Greater NewPark area into a vibrant, active and thriving mixed-use destination. The specific plan land use plan translates this vision into an arrangement of land uses and amenities. Figure 5, Specific Plan Land Use Plan, illustrates existing and proposed use. The existing NewPark Mall remains the retail focus. The Mixed Use I designation allows a mix of retail, office, and residential uses, with residential density of up to 160 units per acre. Residential development is limited to this area with the intention to create a high density residential community adjacent to the mall. As a result, residential density is focus within this area rather than distributed across the entire specific plan area. The Mixed II designation allows a mix of retail, office, and hotel uses. Structured parking garages, as well as amenities that include plazas, parks, and an event space are also planned.

As shown in Figure 3, Greater NewPark Focus Area, the specific plan boundary encompasses the subset of the land within the Greater NewPark Focus Area that is located south of Mowry Avenue. The new development capacity assumed for the specific plan boundary is, therefore, a subset of the total new development capacity assumed in the general plan and evaluated in the general plan EIR for the Greater NewPark Focus Area as described previously. Since the general plan was adopted in 2013, a 281-unit high density residential project on approximately 9.5 acres located on the north side of Mowry Avenue between Cedar Boulevard and Mowry Avenue within the Focus Area has been approved and developed. Therefore, of the 1,800 new residential unit development capacity assigned to the Greater NewPark Focus Area, 281 units are no longer available. The specific plan includes the assumption that the remaining development capacity assigned to the Greater NewPark Focus Area is available for development within the specific plan boundary.



Source: ELS 2017

Figure 5
Land Use Plan

NewPark Place Initial Study

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Table 2, Specific Plan Buildout Development Capacity, summarizes existing development, new development capacity allowed per the general plan/general plan EIR, and proposed specific plan development capacity relative to permitted capacity. As shown, the specific plan allows for the maximum development capacity increase for individual use types identified for the Greater NewPark Focus Area, but does not exceed it. Consequently, the specific plan is consistent with the general plan/general plan EIR development scenario for the Greater NewPark Focus Area.

Table 2 Specific Plan Buildout Development Capacity

Land Use	Existing Development	Additional Allowed General Plan Capacity	Total Allowed Capacity	Proposed Specific Plan Capacity	Specific Plan vs. Allowed Capacity
Retail	1,46,869 GSF	200,000 GSF	1,646,869 GSF	1,474,526 GSF	-172,343 GSF
Retail/Restaurant	707,520 GSF	---	---	1,038,419 GSF	---
Retail Anchor	544,349 GSF	---	---	309,962 GSF	---
Big Box Retail	195,000 GSF	---	---	126,145 GSF	---
Office	27,146 GSF	500,000 GSF	527,146 GSF	527,146 GSF	same
Hotel	340 rooms	700 rooms	1,040 rooms	1,040 rooms[2]	same
Residential	0[1]	1,519 units[1]	1,519	1,519 units	same

SOURCE: ELS Architecture and Urban Design 2017

NOTE:

1 A total of 1,800 residential units are allowed within the Greater NewPark Focus Area per the general plan. 281 of these have already been approved and constructed as part of the Prima Residential Project located to the north of Mowry Avenue. That site is not within the specific plan boundary. Therefore, no existing residential units are shown within the specific plan boundary and the balance of 1,519 units is shown as the total general plan allowance within the specific plan boundary.

2224 hotel rooms have been approved within the specific plan boundary since the general plan was adopted. A total of 564 hotel rooms are existing and entitled. Available new hotel room capacity equals 1,040 rooms – 564 rooms = 476.

GSF = gross square feet

Development and Design Standards

The specific plan includes development standards for building height, building setbacks, development density, open space to be provided in high density residential uses, and parking. These standards prevail over City of Newark Municipal Code standards, with the Municipal Code standards remaining applicable for all other aspects of development within the Regional Commercial zoning district.

The specific plan includes design guidelines, the aim of which is to encourage architecture that activates the key streets and public spaces to bring both the regional and local community together. The design guidelines present design expectations and direction for achieving desired aesthetic outcomes. The design guidelines apply to new buildings, additions, and exterior renovations within NewPark Place. The guidelines address topics that include generally applicable site design, generally applicable building design,

development fronting on NewPark Avenue, development fronting on NewPark Boulevard, development fronting on North Magazine and South Magazine, and development fronting on secondary streets.

Land Use Policies

Land use policies in the specific plan provide direction specific to implementing the land use plan and the land use vision it represents. In addition, direction for allocating new development capacity within the specific plan boundary is provided. From a CEQA perspective, Development Capacity policies LU-1 and LU-2 are particularly important. Policy LU-1 limits new development capacity to ensure that it remains below the values identified in the general plan/general plan EIR for the Greater NewPark Focus Area as shown in Table 2. Policy LU-2 requires that the city monitor new development within NewPark Place to ensure that cumulative development does not exceed the development capacity limits.

Mobility Plan

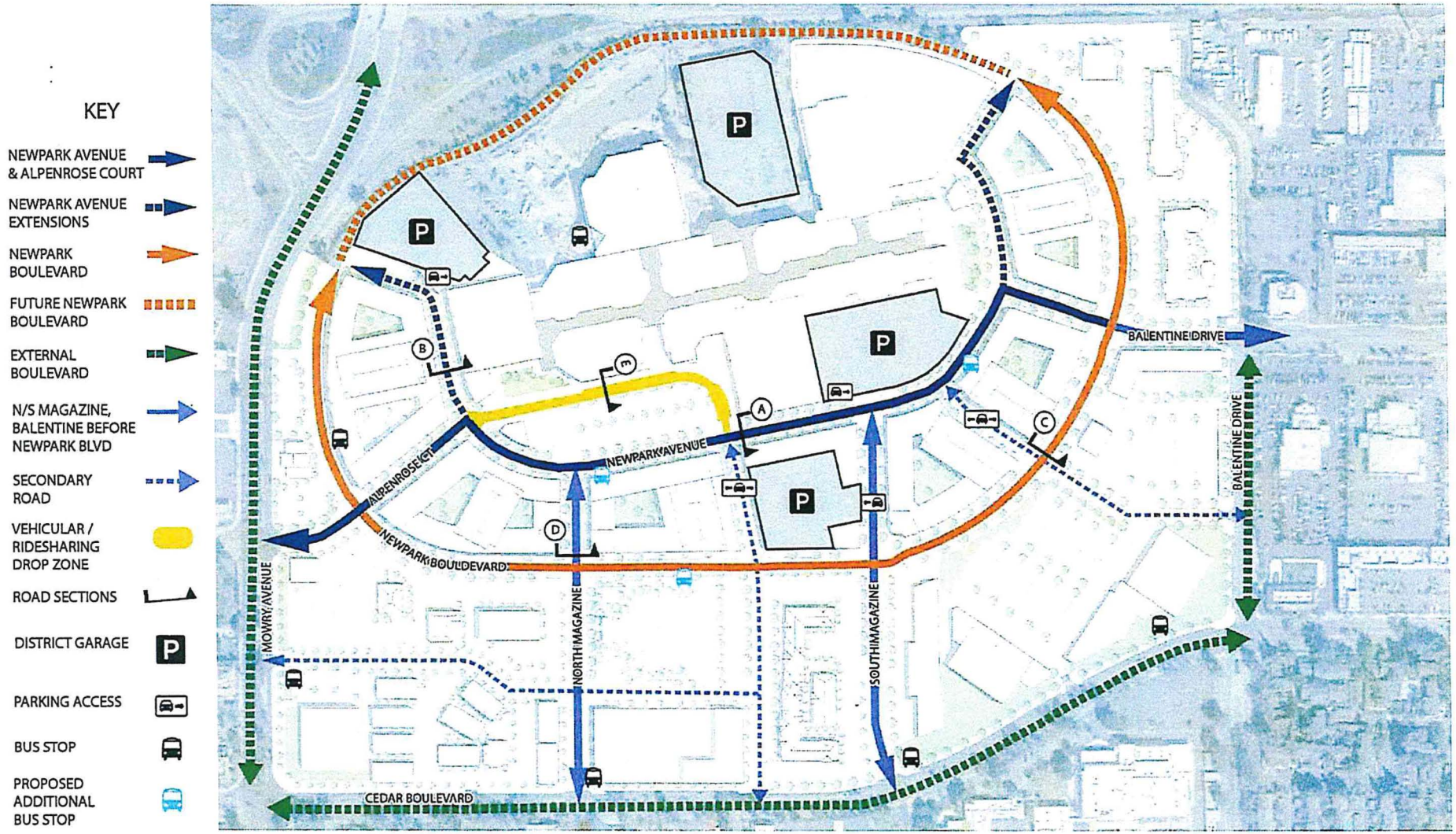
The specific plan includes an integrated circulation design that focuses on connectivity and accessibility for multiple modes of transportation consistent with the concept for "complete streets". New and existing streets are designed to include amenities that best support adjacent land and that give the streets their own character. Five street classifications have been developed as a hierarchy that connects users to desired experiences and destinations. Streets constructed to the standards for each classification work together and are interconnected. The street classifications to provide the mobility and programming that serves the mix of land uses designated for the adjoining parcels. Figure 6, Vehicular Traffic Diagram, illustrates the existing and proposed roadway network and street classifications.

All of the streets are designed as complete streets, with ample pedestrian and bicycle space. Improved transit to and increased penetration of transit into NewPark Place is also prioritized as part of the mobility plan.

Parking for commercial uses within NewPark Mall and retail uses within areas designated Mixed Use I will be provided within the three parking garages shown in Figure 5, Specific Plan Land Use Plan. Parking for residential uses within the Mixed Use I designation will be provided within each residential mixed use complex. Surface parking will remain prevalent in areas designated Mixed Use II.

Mobility Policies

The specific plan mobility policies provide direction to ensure that: roadways are designed to the standards included in the specific plan; additional traffic analysis is provided as needed to further refine roadway standards/facilities; a vehicular, pedestrian, and bicycle improvement master plan is prepared to guide improvements, identify costs, and define improvement timing and responsibilities; a transit improvement master plan is prepared to guide improvements, identify costs, and define improvement timing and responsibilities; a parking garage improvement plan is prepared; and that measures to reduce energy consumption (e.g. electric vehicle charging stations) are included in improvement plans.



* Special design consideration for Alpenrose Court between Mowry Avenue and NewPark Boulevard.

Source: ELS 2017

Figure 6

Vehicular Traffic Diagram

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Infrastructure, Facilities, and Energy

This section of the specific plan addresses needs for a variety of infrastructure and facilities needed to serve new development. It also addresses energy needs and conservation, and the relationship of both to reducing greenhouse gas emissions.

Infrastructure, Facilities, and Energy Policies

Master plans for water supply distribution, wastewater conveyance collection, and storm water collection and disposal improvements are required each of which is to address costing, responsibilities, and construction timing. Improvement plans for facilities including retail plazas, urban parks, and the planned event space are also required. Lastly, policy for reducing energy demand and greenhouse gas emissions is included to reinforce the suite of general plan policies and City of Newark Climate Action Plan measures with which new development must be consistent.

CEQA Analysis Methodology

The analysis methodology in this initial study makes fundamental use of the CEQA streamlining provisions contained in Section 15183 of the CEQA Guidelines. Section 15183 states:

> 15183. PROJECTS CONSISTENT WITH A COMMUNITY PLAN OR ZONING
>
> (a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.
>
> (b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:
>
> (1) Are peculiar to the project or the parcel on which the project would be located,
>
> (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,

(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

(4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

(c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.

(d) This section shall apply only to projects which meet the following conditions:

(1) The project is consistent with:

(A) A community plan adopted as part of a general plan,

(B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or

(C) A general plan of a local agency, and

(2) An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

(e) This section shall limit the analysis of only those significant environmental effects for which:

(1) Each public agency with authority to mitigate any of the significant effects on the environment identified in the EIR on the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and

(2) The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

(f) An effect of a project on the environment shall not be considered peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect...

The proposed project is consistent with general plan policies regarding the intensified and mixed-use growth development vision for the Greater NewPark Focus Area. Further, as discussed in the Background – General Plan Land Use, and the Project Description subsections above, the new development capacity assumed in the specific plan is consistent with that assumed in the general plan and evaluated in the general plan EIR. Therefore, the guidance in CEQA Guidelines section 15183 applies. Pursuant to section 15183(b), this initial study is used as a tool to evaluate whether any of the circumstances identified in 15183(b)(1) through 15183(b)(4) apply. Where none apply, this is so noted and no further analysis of the environmental effect required. The evaluation of each environmental topic in the initial study focuses on 15183(b)(1), as the circumstances noted in 15183(b)(2) through 15183(b)(4) generally do not apply. The evaluation of each environmental effect in this initial study generally begins with a summary of the general plan EIR significance determination for the effect and reference to general plan policies and/or uniformly applied regulations as tools to reduce impact significance. Where there are no new significant impacts, no mitigation measures are necessary. For the same reason, no checkmarks are provided in the initial study checklist to denote the level of significance for each environmental effect unless a significant impact is defined that is unique to the project or the project site that was not previously identified in the general plan EIR.

Section 15183 is also relevant for assessing the contribution of the proposed project to cumulative impacts, especially where the cumulative impact was found to be significant and unavoidable in the general plan EIR. The general plan EIR identified several significant and unavoidable impacts for which the city approved Statements of Overriding Consideration. In these cases, the analysis in this initial study concludes that the proposed project contribution to these significant and unavoidable cumulative impacts was already identified in the general plan EIR. This approach is consistent with CEQA Guidelines section 15183(c) which states, "if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact."

Other Public Agencies Whose Approval is Required

The proposed specific plan is subject only to approval of the City of Newark. Approvals from other agencies may be required for future individual development projects proposed within the specific plan boundary. The need for additional approvals will be determined at the time applications for future individual development projects are submitted.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The city has not received any requests for consultation from tribes that are traditionally or culturally affiliated with the specific plan project area. Therefore, no additional consultation was required under Assembly Bill 52.

B. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

Note: The proposed project would have no potentially significant impacts that are unique to the project or the project site that were not previously identified in the general plan EIR. Therefore, there are no impacts checked as potentially significant. Please refer to the CEQA Analysis Methodology subsection above for more information.

C. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ✓ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Terrence Grindall — 2-20-18

Terrence Grindall, Assistant City Manager — Date

D. Evaluation of Environmental Impacts

Notes

1. A brief explanation is provided for all answers.
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate the determination made in the general plan EIR about the significance of the impact.
4. As noted above, the proposed project would have no potentially significant impacts that are unique to the project or the project site that were not previously identified in the general plan EIR. Therefore, none of the Potentially Significant Impact, Less-than-Significant Impact with Mitigation Measures Incorporated, Less than Significant, or No Impact boxes is checked.
5. The analysis in this checklist is based on information contained in the general plan and general plan EIR. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.

1. AESTHETICS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista? (1,2,3)	☐	☐	☐	☒
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (3)	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings? (1,2,3)	☐	☐	☐	☒
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,3)	☐	☐	☐	☒

Comments:

a. The general plan EIR does not identify any scenic vistas or view corridors in Newark. However, panoramic views of the surrounding hills are available from open spaces within the city. Additionally, views of low-lying wetland areas fronting San Francisco Bay are available from vantage points along the western perimeter of the city. The general plan EIR concluded, starting on page 4.1-6, that with the implementation of applicable policies and conformance of future development to applicable regulations contained in the municipal code, this impact would be less than significant.

Specific impacts of development within the Greater NewPark Focus Area on scenic vistas and panoramas are addressed in the general plan EIR starting on page 4.1-9. Impacts were found to be less than significant with conformance to the general plan policies and municipal code standards referenced above and with conformance to general plan policies LU-2.1 and LU-2.2. There are no site or design characteristics of the project that give rise to significant scenic vista impacts that have not already been identified in the general plan EIR.

The specific plan includes development standards and design standards that provide guidance for future development consistent with applicable general plan policies and standards that reduce impacts on scenic vistas to less than significant.

The proposed project will not have impacts on scenic vistas or panoramas that are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b. The two highways that traverse the City of Newark, State Route 84 and I-880, are not designated scenic highways. The nearest segment of an officially State-designated scenic highway is Interstate 680, located approximately two miles east of Newark. The general plan EIR concludes that implementation of the general plan would have no impact from damaging scenic resources within a State scenic highway.

Implementation of the proposed specific plan would have no impact on scenic resources within a state scenic highway. No further analysis is required.

c. The general plan EIR concluded that new development within the city would have a less-than-significant impact on visual character provided such new development is consistent with a range of regulations contained in the municipal code and with general plan policies LU-2.1 and LU-2.2, as discussed on general plan EIR page 4.1-8.

Impacts on visual resources from development within the Greater NewPark Focus Area itself are addressed in the general plan EIR starting on page 4.1-9. Impacts were found to be less than significant with conformance to general plan policies and municipal code standards referenced above that mitigate impacts of new citywide development. The specific plan includes development standards and design standards that provide guidance for future development consistent with applicable general plan policies and standards in the municipal code that reduce visual resource impacts. There are no site or design characteristics of the project that give rise to significant visual resource impacts that have not already been identified in the general plan EIR.

The proposed project will not have visual resources impacts that are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

d. The general plan EIR concluded that with implementation of general plan policies that manage exterior lighting and evening lighting at parks, and with conformance of new development to municipal code lighting regulations, light and glare impacts would be less than significant. This discussion is found starting on general plan EIR page 4.1-12.

Future development within the specific plan boundary will be typical of urban development within the city as described in the general plan EIR. Such development would create new sources of light and glare; however, these effects were already

evaluated in the general plan EIR as part of its consideration of light and glare impacts under general plan buildout conditions. Future individual development projects within the specific plan boundary will be reviewed for conformance with general plan policies and municipal regulations. There are no site or design characteristics of the project that give rise to significant light and glare impacts that have not already been identified in the general plan EIR.

The proposed project will not have light and glare impacts which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (3,4)	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (3,4)	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (3,4)	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use? (3,4)	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (3,4)	☐	☐	☐	☒

Comments:

a-e. There is no farmland or forest land located within or adjacent to the specific plan area. Implementation of the specific plan would have no impact on agriculture or forest resources.

3. AIR QUALITY

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

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan? (1,3)	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (1,3)	☐	☐	☐	☒
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (1,3)	☐	☐	☐	☒
d. Expose sensitive receptors to substantial pollutant concentrations? (3)	☐	☐	☐	☒
e. Create objectionable odors affecting a substantial number of people? (1,3)	☐	☐	☐	☒

Comments:

a. As described in the general plan EIR starting on page 4.2-18 and on page 4.2-48, although growth under the general plan would occur over a period of approximately 25 years and would be guided by a policy framework in the general plan that is generally consistent with many of the principal goals and objectives established in regional planning initiatives for the Bay Area, growth under the general plan would exceed regional projections for the city. The projected growth in vehicle miles traveled (VMT) in the city could lead to a regional VMT increase beyond that anticipated in the Bay Area Air Quality Management Districts' clean air planning efforts. As a result, buildout of the general plan planning area would contribute to ongoing air quality issues and would be inconsistent with the clean air plan. This impact was found to be significant and unavoidable.

Proposed growth within the specific plan boundary is consistent with growth assumptions included in the general plan and general plan EIR. Such development

would contribute to the significant impact unavoidable impact of conflict with the clean air plan that was in effect at the time the general plan EIR was prepared. The proposed project contribution to this significant and unavoidable cumulative impact was already identified in the general plan EIR. Consistent with CEQA Guidelines section 15183(c), an additional EIR need not be prepared for the project solely on the basis of this impact. There are no site or design characteristics of the project that give rise to significant air quality plan inconsistency impacts that have not already been identified in the general plan EIR.

The proposed project contribution to the impact of inconsistency with the clean air plan is not peculiar due to the specific plan design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

The Bay Area Air Quality Management District (air district) adopted the current version of the Clean Air Plan on April 19, 2017. In this 2017 version of the Clean Air Plan, the air district adopted a new methodology for assessing consistency of individual projects with the Clean Air Plan. The air district's Air Quality CEQA Guidelines ("air district CEQA guidelines") Section 9.1 provides guidance on for this determination. Consistency with the Clean Air Plan is based on three inter-related criteria: support for the primary goals of the Clean Air Plan, inclusion of applicable Clean Air Plan air quality control measures, and absence of hindrances to implementation of the Clean Air Plan.

The primary goals of the 2017 Clean Air Plan are to attain air quality standards; to reduce population exposure to pollutants and protect public health in the Bay Area; and to reduce greenhouse gas (GHG) emissions and protect the climate. The general plan includes numerous policies and actions to reduce population exposure to pollutants. For example, policy LU-2.4, Buffering from Transportation Facilities, requires that the design of new residential development near rail lines, truck routes, freeways, or major thoroughfares includes setbacks, landscape screening, and other provisions to minimize exposure to negative impacts such as noise and air pollution. Action HW-1.F, Health Risk Assessments, requires submittal of a Health Risk Assessment for applicants proposing major development or redevelopment within 1,000 feet of the I-880 or State Route 84 freeways and includes performance criteria. As discussed in the Greenhouse Gas Emissions section of this initial study, the general plan also includes numerous policies for reducing GHG emissions and the city's climate action plan includes measures for achieving the same. Therefore, future development within the specific plan area must be consistent with guidance that supports for the primary goals of the Clean Air Plan.

Most of the 81 control measures in the 2017 Clean Air Plan are applicable to industrial stationary sources, or are implemented at a regional level, and not directly applicable to individual land development projects. Nevertheless, several control measures that are potentially applicable to future development within the specific plan area are shown in Table 3, Potentially Applicable Control Measures (2017 Clean Air Plan), along with a brief analysis of how future development must or will be compliant with the measures. No inconsistencies have been identified.

Table 3 Potentially Applicable Control Measures (2017 Clean Air Plan)

Control Measure Number and Name	Consistency Analysis
TR2 – Trip Reduction Programs	City of Newark Municipal Code section 10.56 Transportation Management System, specifies that the city will comply with the trip reduction requirements of the congestion management agency, identifies a procedure for the city to provide direction to qualifying employers for implementing trip reduction/ridesharing programs, and includes an monitoring and enforcement mechanism. As a uniformly applied regulation, individual projects within the specific plan area will be required to comply with the city's trip reduction regulations and will be conditioned as part of the development review process.
TR8 – Ridesharing and Last-Mile Connections	Policy M-7 in the specific plan requires that parking and access locations for vanpools and carpools be designed into parking facility plans. Policy M-6 of the specific plan requires that a transit master plan be prepared and implemented to expand transit use within the specific plan area and connect it to local and regional transit systems.
TR9 – Bicycle and Pedestrian Access and Facilities	The specific plan includes complete streets design for all roadways except one minor road classification. Specific plan policies M-1 and M-2 require complete street design. Policy M-5 requires enhanced facilities to support bicycle use including storage, racks, bicycle share facilities, etc.
NW2 – Urban Tree Planting	As part of the city's development review process for individual future projects within the specific plan area, the city will require landscape plans that include tree plantings. The municipal code includes regulations for replacing existing trees that may be lost due to revitalization projects.
WA3 – Green Waste Diversion	Policy 8.1 of the general plan requires green waste diversion and provision of green waste containers in all new residential development projects. Future individual projects specific plan area will be required to conform to the policy as part of the development review process..
WR2 – Support Water Conservation	A multitude of general plan policies, as well as a range of climate action plan measures, require adoption of water conservation measures in new development. Future individual projects specific plan area will be required to conform to the policies and actions as part of the development review process.

SOURCE: BAAQMD 2017 (see Tables 5-1 through 5-10)

b. The general plan EIR concluded that with implementation of a multitude of general plan policies, operational emissions from development projects evaluated in the general plan would be less than significant. This discussion is found starting on general plan EIR page 4.2-35.

Proposed growth within the specific plan boundary is consistent with the growth assumptions included in the general plan and general plan EIR. Emissions from such growth are part of the cumulative operational emissions volume addressed in the general plan EIR. There are no site or design characteristics of the project that give rise to significant operational air emissions impacts that have not already been identified in the general plan EIR.

The proposed project will not have operational air quality impacts which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

c. The general plan EIR concluded that with implementation of a multitude of general plan policies that construction and operational emissions from cumulative development under the general plan would have a less-than-cumulatively impact from an increase in criterial pollutants for which the Bay Area is in non-attainment. This discussion is found starting on general plan EIR page 4.2-39.

Proposed growth within the specific plan boundary is consistent with the growth assumptions included in the general plan and general plan EIR. Emissions from such growth are part of the cumulative emissions volume addressed in the general plan EIR. There are no site or design characteristics of the project that give rise to significant criteria air emissions impacts that have not already been identified in the general plan EIR.

The proposed project will not have cumulatively considerable impacts which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

d. The general plan EIR concluded that with implementation of a multitude of general plan policies, new development under the general plan would not result in significant impacts from placement of sensitive receptors near major sources of air pollution or vise-versa. This discussion is found starting on general plan EIR page 4.2-40.

Proposed growth within the specific plan boundary, including development of higher density residential uses that are considered sensitive receptors, is consistent with the growth assumptions and land use assumptions included in the general plan and general plan EIR. The general plan includes policy LU-2.4 and Action HW-1.F that require setbacks from transportation facilities and health risk assessments, respectively, for new development that includes sensitive receptors near high volume transportation facilities such as I-880 and Mowry Avenue. There are no site or design

characteristics of the project that give rise to significant air emissions impacts on sensitive receptors that have not already been identified in the general plan EIR.

The proposed project will not have significant impacts from placement of sensitive receptors proximate to major sources of air pollution which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

e. The general plan EIR concluded that with implementation of general plan policies, the Bay Area Air Quality Management District regulations regarding odors for existing/proposed odor sources, impacts from exposure of a substantial number of people to objectionable odors would be less than significant. This discussion is found starting on general plan EIR page 4.2-45.

The types of growth within the specific plan boundary, including residential development and the substantial number of people who would reside within it, are consistent with types of growth assumed in the general plan and evaluated in the general plan EIR for the specific plan area. The specific plan area is not located near a source of odors, nor would the non-residential end uses allowed within it be potential sources of nuisance odors. There are no site or design characteristics of the project that give rise to significant odor impacts that have not already been identified in the general plan EIR. The proposed project will not have significant impacts resulting from exposure of a substantial number of people to objectionable odors which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

4. Biological Resources

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (3)	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (3,4)	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands, as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filing, hydrological interruption, or other means? (3,4)	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (3,4)	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2,3)	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2,3)	☐	☐	☐	☒

Comments:

a. The general plan EIR concluded that the urbanized portions of the city have low habitat value for biological resources, but also that future development could result in direct and/or indirect impacts on special-status species. Unlike other focused growth areas identified in the general plan, the general plan EIR does not indicate the presence of special-status species within the Greater NewPark Focus Area. Regardless, within implementation of a range of general plan policies and conformance with applicable federal, State, and local regulation, potential direct and indirect impacts on special-status species and sensitive biological resources from new development are reduced to less than significant. This discussion is found starting on general plan EIR page 4.3-32.

The specific plan area is largely devoid of potential habitat for special-status species, as it in nearly entirely developed with urban uses. There are no recorded occurrences of special-status species within the specific plan area. However, the trees located within Shirley Sisk Grove could provide habitat for protected nesting birds. Nesting birds could be indirectly impacted by construction activities on land adjacent to Shirley Sisk Grove. The potential for protected nesting birds to be directly or indirectly impacted by construction activities existing in locations throughout the city where new development occurs in proximity to vegetation that could provide habitat for nesting birds. There are no site or design characteristics of the project that give rise to significant special-status species impacts that have not already been identified in the general plan EIR.

The proposed project will not have significant impacts on special-status species which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b-f. The general plan EIR concluded that with implementation of general plan policies and conformance of new development with federal and State regulations, development under the general plan will have less-than-significant impacts on wetlands, riparian habitat, sensitive natural communities, and wildlife corridors, and that such development will not conflict with adopted biological resource conservation plans. This discussion is found starting on general plan EIR page 4.3-36.

The general plan and general plan EIR assume that new development will occur within the Greater NewPark Focus Area, including the specific plan. Impacts of that development are discussed in the general plan EIR. The specific plan area does not contain wetlands, riparian habitat, sensitive natural communities, or wildlife corridors, and is not within the boundary of a habitat conservation or other biological

resources management area. There are no site or design characteristics of the project that give rise to significant biological resources impacts that have not already been identified in the general plan EIR.

The proposed project will not have significant impacts on the aforementioned biological resources which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5? (3)	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (3)	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (3)	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of dedicated cemeteries? (3)	☐	☐	☐	☒

Comments:

a. The general plan EIR notes that new development consistent with the general plan has potential to significantly impact historical resources, including listed historic buildings. However, no buildings in the city are listed with the National or California Registers. Locally, the city has identified to buildings in its list of historic resources, neither of which are within the specific plan boundary. The general plan EIR concluded that with the implementation of general plan policies and compliance with the municipal code and with federal, State and local regulations, impacts of new development on historical resources would be less than significant. This discussion is found starting on general plan EIR page 4.4-8.

The general plan and general plan EIR assume that new development will occur within the Greater NewPark Focus Area, including the specific plan area. As noted above, there are no known historic structures within the Greater NewPark Focus Area. There are no site or design characteristics of the project that give rise to significant historical resources impacts that have not already been identified in the general plan EIR. The proposed project will not have significant impacts on historical resources which are peculiar due to its design or location. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b-d. The general plan EIR concludes that new development enabled by the general plan has potential to uncover as yet undiscovered archeological/paleontological resources.

General plan policy LU-5.5 requires that mitigation, preservation, and recovery procedures in the event that important resources are identified during development. Conformance of new development with general plan policies, including policy 5.5, municipal code regulations, and state and federal regulations would reduce this impact less than significant. This discussion is found starting on general plan EIR page 4.4-10.

The proposed project would enable redevelopment of a previously disturbed site. Redevelopment of previously disturbed sites is identified in the general plan (including within the Greater NewPark Focus Area). The effects of redevelopment on archaeological and paleontological resources are addressed in the general plan EIR. The specific plan area does not contain known archeological or paleontological resources or human remains, but such resources could be uncovered during construction activities. There are no site or design characteristics of the project that give rise to significant operational air emissions impacts that have not already been identified in the general plan EIR.

There are no project specific significant effects on unique archaeological or paleontological resources, or on human remains which are peculiar to the project or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

6. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (3)	☐	☐	☐	☒
(2) Strong seismic ground shaking? (3)	☐	☐	☐	☒
(3) Seismic-related ground failure, including liquefaction? (3)	☐	☐	☐	☒
(4) Landslides? (3,4)	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil? (3)	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (3)	☐	☐	☐	☒
d. Be located on expansive soil, creating substantial risks to life or property? (3)	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1,3)	☐	☐	☐	☒

Comments:

a. The general plan EIR determined that implementation of general plan policies and actions and compliance of new development with the California Building Code construction regulations would reduce exposure of people and structures to seismic

and geologic hazard risks to less than significant. Compliance with these standards would ensure that structures would be able to withstand anticipated seismic events and would not result in significant damage or harm to the public. This discussion is found starting on general plan EIR page 4.5-10.

The proposed project would enable urban development that is anticipated in the general plan (including within the Greater NewPark Focus Area), the seismic and geologic hazard risks of which are addressed in the general plan EIR. There are no potential geologic or seismic hazard conditions that are specific to the project site that give rise to significant impacts that have not already been identified throughout the city and are reduced to less than significant with the implementation of general plan policies, and conformance of new development to State regulations and municipal regulations.

There are no project specific significant geologic hazard risks impacts which are peculiar to the project or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b. The general plan EIR concludes that continued urban development would lead to an increase potential for soil erosion and loss during construction related soil disturbance activities. Compliance with general plan policies and regulatory requirements, including erosion control measures as specified in the municipal code, would reduce impacts to less than significant. This discussion is found starting on general plan EIR page 4.5-12.

New development within the Greater NewPark Focus area, including the specific plan boundary, is anticipated in the general plan and its erosion impacts are addressed in the general plan EIR. There are no soil erosion impacts that are specific to the project site that give rise to significant impacts that have not already been identified throughout the city and are reduced to less than significant with the implementation of general plan policies and municipal code and State and federal regulations.

There are no project specific significant erosion impacts which are peculiar to the project or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

c,d. As noted in the general plan EIR, implementation of the general plan could lead to the construction and operation of urban development and infrastructure located on unstable or expansive soils. The general plan EIR finds that this impact would be less than significant with implementation of general plan policies and conformance of

new development within the California Building Code. This discussion is found starting on general plan EIR page 4.5-13.

New development within the Greater NewPark Focus area, including the specific plan boundary, is anticipated in the general plan, the hazards from unstable geologic units and soils of which are addressed in the general plan EIR. There are no related impacts that are specific to the project site or design that give rise to significant impacts that have not already been identified in the general plan EIR.

There are no project specific significant erosion impacts which are peculiar to the project or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

e. Use of septic disposal is not permitted and is not proposed within the specific plan area.

7. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1,3)	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1,3)	☐	☐	☐	☒

Comments:

a. The general plan EIR evaluated the increase in greenhouse gas (GHG) emission from buildout of the general plan. Cumulative development would contribute to global climate change through direct and indirect emissions of GHG from transportation sources, energy (natural gas and purchased energy), water/wastewater use, waste generation, and other off-road equipment. Community-wide GHG emissions at 2035 buildout of the general plan would exceed the quantified threshold of significance for that year. Even with implementation of general plan policies, consistency with GHG reduction measures included in the city's climate action plan, implementation of mitigation measure GHG-1 as identified in the general plan EIR, and consistency with applicable regulations, the impact cannot be mitigated to less than significant; the impact is significant and unavoidable. This discussion is found starting on general plan EIR page 4.6-18.

The proposed project would enable urban development that is anticipated in the general plan within the Greater NewPark Focus Area whose incremental effects on climate change are addressed in the general plan EIR. There are no related GHG impacts that are specific to the project site or design that give rise to significant impacts that have not already been identified in the general plan EIR.

The project will contribute to the significant and unavoidable climate change impact resulting from implementation of the general plan. Per the CEQA Guidelines section 15183 (c), if an impact is not peculiar to the project site or project and has been addressed as a significant impact in the general plan EIR, then an additional EIR need not be prepared solely on the basis of that impact.

Relative to the analysis of this impact in the general plan EIR, there are no project specific significant climate change impacts which are peculiar to the project or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b. The general plan EIR found that implementation of the general plan would have a significant environmental impact if it would conflict with the California Air Resources Board's scoping plan, the Metropolitan Transportation Commission's Plan Bay Area, or the city's climate action plan. Implementation of general plan policies and actions identified in general plan EIR Table 4.6-6, Consistency with Newark's Community-wide GHG Reduction Measures, would ensure consistency with the noted plans for reducing GHG emissions; no conflict with the plans would occur. This discussion is found starting on general plan EIR page 4.6-24.

The proposed project would enable urban development that is anticipated in the general plan within the Greater NewPark Focus Area, including development within the specific plan area. Such development must be consistent with policies of the general plan that reduce GHG emissions, and with climate action plan GHG reduction measures. There are no site or design characteristics of the project that give rise to significant impacts that have not already been identified in the general plan EIR.

There are no project specific significant impacts regarding consistency with applicable GHG reduction plans which are peculiar to the project or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1,3)	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1,3)	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (3,4)	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (3)	☐	☐	☐	☒
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard for people residing or working in the project area? (3)	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? (3)	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1,3)	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (3)	☐	☐	☐	☒

Comments:

a-c. The general plan EIR concludes that implementation of the general plan would facilitate development which requires the routine transport, use, or disposal of hazardous materials and wastes. These actions have potential to result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, including within one-quarter mile of a school (Newark Memorial High School at 39375 Cedar Boulevard). Implementation of the general plan policies and required project conformance with regulatory programs identified in the general plan EIR would reduce the potential impact to less than significant. These discussions are found starting on general plan EIR pages 4.7-19 and 4.7-23, respectively.

The proposed specific plan would enable new urban development within the Greater NewPark Focus Area as anticipated in the general plan. Like many types of non-residential development within the city, future end users within the specific plan area may use, transport, and dispose of hazardous materials. Such development must be consistent with general plan policies, and with applicable regulations contained in the municipal code and with State and federal regulations regarding hazardous materials. There are no site or design characteristics of the project that give rise to significant hazardous materials impacts that have not already been identified in the general plan EIR.

The proposed project would not result in significant hazardous materials impacts that are unique to the project or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

d. A number of sites in Newark are listed on hazardous materials databases compiled pursuant to Government Code Section 65962.5 as described in the general plan EIR. Development on these sites and/or demolition of existing structures could potentially result in the release of hazardous materials into the environment. However, new development must comply with general plan policies, and with federal and State regulations regarding cleanup and reuse of a listed hazardous materials site. This would ensure that impacts to public health and the environment are reduced to less than significant. This discussion is found starting on general plan EIR page 4.7-24.

General plan Table 4.7.1 and Figure 4.7-1 show that there are no known hazardous materials sites within the specific plan boundary. Regardless, it is possible that redevelopment activities within the specific plan area (as well as on any site within the city) could uncover previously unknown hazardous materials conditions which

must be remediated to avoid risks to public health and safety. Such development must be consistent with general plan policies and applicable regulations contained in the municipal code and with State and federal regulations regarding these types of hazardous materials conditions. There are no site or design characteristics of the project that give rise to significant hazardous conditions impacts that have not already been identified in the general plan EIR.

The proposed project would not result in significant impacts from hazardous materials conditions that are unique to the project site or project design. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

e,f. The general plan EIR states that are no public use airports or private airstrips within the City of Newark. The nearest airports are more than two miles from Newark. Consequently, there would be no potential conflicts between new development projected in the general plan, including within the specific plan boundary, and operations of public or private airports. This discussion is found starting on general plan EIR page 4.7-26.

The proposed project would not result in significant impacts from potential conflicts with airport operations that are unique to the project site or project design. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

g. The general plan EIR concluded that with the implementation of general plan policies and actions, new development in the city would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This impact was found to be less than significant. This discussion is found starting on general plan EIR page 4.7-26.

The proposed project would enable urban development that is anticipated in the general plan. Such development must be consistent with policies of the general plan that address emergency response planning and evacuation. There are no site or design characteristics of the project that give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not result in significant impacts that are unique to the project site or project design. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

h. According to general plan EIR Figure 4.7-2, the specific plan area is designated as Urban/Unzoned in terms of wildland fire risk; future development within it would

not be subject to wildland fire risks and would have no impact from exposure to wildland fire risk. This discussion is found starting on general plan EIR page 4.7-28.

The proposed project would not result in impacts from exposure of people and development to wildland fire risks that are unique to the project or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

9. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements? (1,3)	☐	☐	☐	☑
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., would the production rate of preexisting nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted? (1,3)	☐	☐	☐	☑
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in *substantial erosion or siltation on- or off-site?* (1,3,4)	☐	☐	☐	☑
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner which would result in *flooding on- or off-site?* (1,3,4)	☐	☐	☐	☑
e. Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off? (3)	☐	☐	☐	☑
f. Otherwise substantially degrade water quality? (3)	☐	☐	☐	☑
g. Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (3)	☐	☐	☐	☑
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (3)	☐	☐	☐	☑

i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? (3)	☐	☐	☐	☒
j. Be subject to inundation by seiche, tsunami, or mudflow? (3)	☐	☐	☐	☒

Comments:

a,e,f. According to the general plan EIR, future development could result in discharges of contaminated water to surface water bodies and groundwater. The general plan contains a multitude of policies directed at protecting surface water quality and groundwater quality. The policies, together with requirements that new development comply with National Pollutant Discharge Elimination System (NPDES) regulations promulgated by the State Water Resources Control Board and with the C.3 provisions of the Alameda County Clean Water Program, would ensure that surface and groundwater quality impacts from new development are less than significant. This discussion is found starting on general plan EIR page 4.8-20.

The proposed project would enable development within the Greater NewPark Focus Area as described in the general plan and whose effects on surface water quality are a component of the impact analysis included in the general plan EIR. There are no site or design characteristics of the project that give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not have significant impacts on water quality that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b. The general plan EIR concludes that new development projected in the general plan would not substantially deplete groundwater or interfere with groundwater recharge provided that a range of general plan policies designed to groundwater recharge are implemented in new development projects. This discussion is found starting on general plan EIR page 4.8-23.

The proposed project would enable urban development within the Greater NewPark Focus Area as described in the general plan and addressed in the general plan EIR. Effects of that development on groundwater supply and groundwater recharge are considered in the hydrology and water quality impact analysis included in the general plan EIR. There are no site or design characteristics of future development within the specific plan area that give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not have significant impacts from groundwater depletion or groundwater recharge that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

c,d. Erosion and siltation impacts, and on- or off-site flooding impacts of future development were found in the general plan EIR to be less than significant with required conformance with regulations in the municipal code, NPDES requirements, C.3 requirements, and general plan policies. Conformance with these requirements and policies is ascertained through required preparation of drainage and hydrology analyses for new development. The discussions of these impacts are found starting on general plan EIR pages 4.8-25 and 4.8-26, respectively.

The proposed project would enable urban development within the Greater NewPark Focus Area, including the specific plan area, which is representative of new development with potential to alter drainage patterns with impervious surfaces as projected in the general plan EIR. Since new development within the specific plan area would be located on sites that are already covered with impervious surfaces, the change in drainage patterns and storm water runoff rates and volumes is not expected to be substantial. There are no site or design characteristics of future development within the specific plan area that give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not have significant erosion, siltation, or on- or off-site flood impacts (including impacts on storm drainage facilities) that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

g,h. General plan Figure 4.8-3 shows areas of the city that are within a 100-year floodplain. None of the specific plan area is within a 100-year floodplain. Therefore, the planned development of residential uses and other uses within the specific plan area would not impede flood flows within a 100-year flood hazard area. This discussion is found starting on general plan EIR page 4.8-29.

The proposed project would not have significant impacts from placing development within a 100-year flood hazard zone or impeding flood flows within such an area that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

i. The general plan EIR states that the entire city is located within the inundation area of three dams. However, the impact from exposure to inundation from dam failure was found to be less than significant based on implementation of hazard migration plans,

requirements for flood insurance, and conformance of new development with a range of general plan policies. This discussion is found starting on general plan EIR page 4.8-31.

Future development within the specific plan area would be subject to the same damn inundation potential as would development within the remainder of the city. There are no site or design characteristics of future development within the specific plan area that give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not have significant impacts from exposure to damn inundation that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

j. The general plan EIR concludes that the city is not subject to significant risk from tsunamis, seiches, or mudflows. As such, impacts from these risks are less than significant, with implementation of a range of general plan policies and conformance with municipal code regulations further reducing the risks. This discussion is found starting on general plan EIR page 4.8-32.

Like all new development within the city, new development within the Greater NewPark Focus area, including the specific plan area, would not be subject to significant risk from tsunamis, seiches, or mudflows. There are no site or design characteristics of future development within the specific plan area that give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not have significant impacts from exposure to risk from tsunamis, seiches, or mudflows that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

10. Land Use and Planning

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Physically divide an established community? (1,3,4)	☐	☐	☐	☑
b. 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? (1,2,3)	☐	☐	☐	☑
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (3)	☐	☐	☐	☑

Comments:

a,b. The general plan EIR concludes that the planning and development policy direction provided in the general plan would not result in impacts from physically dividing a community, and would not conflict with plans or policies that avoid or mitigate an environmental effect. Required consistency with general plan policies and regulations in the municipal code would assume that related impacts are less than significant. The discussions of these effects are found starting on general plan EIR pages 4.9-6 and 4.9-7, respectively.

New development within the Greater NewPark Focus Area, including the specific plan area, is planned for in the general plan. As a component of the general plan buildout scenario, new development within the specific plan boundary would not give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not have significant land use impacts that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

c. Please refer back to the discussion in the Biological Resources section under item "f".

11. Mineral Resources

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (3)	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (3)	☐	☐	☐	☒

Comments:

a,b. The general plan EIR identifies the fact that there are no mineral recovery sites in Newark and implementation of the general plan would not affect locally important mining operations. The discussion of these effects is found starting on general plan EIR page 7-3. Therefore, development proposed within the Greater NewPark Focus Area, including the specific plan area, would not result in mineral resources impacts.

The proposed project would not have significant mineral resources impacts that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

12. NOISE

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (1,3)	☐	☐	☐	☒
b. Result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels? (1,3)	☐	☐	☐	☒
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1,3)	☐	☐	☐	☒
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (3)	☐	☐	☐	☒
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (3)	☐	☐	☐	☒
f. For a project located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? (3)	☐	☐	☐	☒

Comments:

a. The general plan EIR concluded that significant noise impacts would occur from implementation of the general plan if it would result in noise generation or exposure which exceeds applicable State or local standards for interior or exterior noise. Standards for noise generation and exposure in the city are determined primarily through the Land Use Noise Compatibility Guidelines in the general plan. The general plan found that provided new development complies with California Building Code Title 24 standards and general plan policies and actions, impacts

associated with excessive interior and exterior noise would be less than significant. The discussion of these effects is found starting on general plan EIR page 4.10-20.

New development within the Greater NewPark Focus Area, including the specific plan area, is assumed in the general plan. As a component of the general plan buildout scenario, new development within the specific plan boundary would not result in noise generation or exposure that exceeds applicable standards. As a result, such development would not give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not have significant noise/land use compatibility impacts that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b. The general plan EIR concluded that with implementation of general plan policies and actions would reduce exposure of new sensitive receptors to excessive ground vibration to a less than significant level. The discussion of these effects is found starting on general plan EIR page 4.10-23.

The general plan anticipated urban development within the Greater NewPark Focus Area, including the specific plan area, and vibration impacts are addressed in the general plan EIR. As required of all new development within the city, conformance of new development within the specific plan boundary to general plan policies will ensure that such development would not give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not result in significant vibration impacts that are unique to the project design or the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

c. The general plan EIR concluded that impacts on noise sensitive land uses from new stationary sources of noise would be less than significant, but that exposure to noise from transportation noise from new development would be significant and unavoidable despite compliance with municipal code regulations and applicable policies and actions contained in the general plan. The discussion of these effects is found starting on general plan EIR page 4.10-27.

The general plan anticipated urban development within the Greater NewPark Focus Area, including the specific plan area. Such development would not be a source of substantial stationary noise. Traffic noise contributed by new development within the specific plan area is evaluated in the general plan EIR analysis of transportation noise increases projected to occur throughout the city with general plan buildout. The

general plan EIR found transportation noise impacts to the significant and unavoidable. Because the proposed project contribution to this significant and unavoidable cumulative impact is already identified in the general plan EIR, consistent with CEQA Guidelines section 15183(c), an additional EIR need not be prepared for the project solely on the basis of this impact. As required of all new development within the city, conformance of new development within the specific plan boundary to general plan policies and municipal code regulations will ensure that such development would not give rise to significant noise impacts that have not already been identified in the general plan EIR.

The proposed project would not result in significant vibration impacts that are unique to the project design or the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

d. The general plan EIR found that through the implementation of general plan policies and actions, and regulations contained in the municipal code, substantial temporary or periodic increases in ambient noise levels from construction activities would be less than significant. By restricting hours of construction, and directing the City to review project noise impacts as part of the planning and permitting processes, the policies and actions from the general plan would serve to reduce temporary or periodic increases to ambient noise. Therefore, the impact would be less than significant. The discussion of these effects is found starting on general plan EIR page 4.10-32.

Construction activities associated with new development within the specific plan area will be typical of those assumed in the general plan whose effects are addressed in the general plan EIR. There are no site or design characteristics of future development within the specific plan area that give rise to significant impacts that have not already been identified in the general plan EIR.

The proposed project would not result in significant short-term noise impacts that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

e,f. The general plan EIR found that the potential noise impacts from existing airport operations on existing and new noise-sensitive uses within the city would be less than significant. The nearest public airport is five miles away. Development within the city is not exposed to noise intensities from operations of that airport that exceed permitted noise exposure thresholds. Two private heliports are located about two miles from the city within Fremont. Due to their limited and sporadic use, and their

distance to the nearest areas of Newark, the impacts from excessive noise levels related to private airstrips would be less than significant. The discussion of these effects is found starting on general plan EIR page 4.10-34.

Given that airport noise exposure impacts are less than significant throughout the city, new development within the Greater NewPark Focus Area, including the specific plan area, would not be exposed to excessive airport operational noise.

The proposed project would not result in significant impacts airport noise exposure that is unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

13. Population and Housing

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (1,3)	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1,3,4)	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1,3,4)	☐	☐	☐	☒

Comments:

a. The general plan EIR concludes that implementation of the general plan would not result in unexpected population growth or growth for which inadequate planning has occurred; the impact of population growth inducement is less than significant. The discussion of this effect is found starting on general plan EIR page 4.11-7.

Population growth within the Greater NewPark Focus Area, and by extension within the specific plan boundary, is assumed in the general plan and evaluated as part of the general plan EIR. There are no site or design characteristics of future development within the specific plan area that give rise to significant population impacts that have not already been identified in the general plan EIR.

The proposed project would not result in significant population growth impacts that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b,c. The general plan EIR found that with the implementation of general plan policies and the city's Affordable Housing Program, impacts associated with displacement of housing and people would be less than significant. The discussion of this effect is found starting on general plan EIR page 4.11-8.

There is no existing housing within the specific plan boundary. Future development projects within the specific plan boundary would not displace people or housing.

The proposed project would not result in significant population or housing displacement impacts that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

14. Public Services

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection? (1,3)	☐	☐	☐	☒
b. Police protection? (1,3)	☐	☐	☐	☒
c. Schools? (1,3)	☐	☐	☐	☒
d. Parks? (1,3)	☐	☐	☐	☒
e. Other public facilities? (1,3)	☐	☐	☐	☒

Comments:

a-e. The general plan EIR concludes that new fire protection, police protection, emergency response service, school and library facilities, and parks would be needed to meet increased demand from new development. Most impacts of constructing such facilities are less than significant with implementation of a range of general plan policies described throughout the general plan that would reduce the environmental effects of new public facility construction. However, impacts of constructing and operating such facilities would also contribute to significant unavoidable impacts that have already been identified in the general plan EIR. Future new individual public facility construction projects would be subject to CEQA review as a means to identify site-specific significant impacts, if any, and to mitigate project specific impacts. The discussion of needs for new public facilities is included in Section 4.12.1.3 of the general plan EIR.

Like all new development anticipated by the general plan, the proposed project would contribute to an increase in demand for police, fire, emergency services, schools and libraries, and parks that could incrementally result in the need for new facilities, the construction of which would result in less-than-significant impacts, but also contribute to significant unavoidable impacts. There are no site or design characteristics of future development within the specific plan area that give rise to environmental impacts from construction of new public services facilities that have not already been identified in the general plan EIR.

The proposed project would not result in significant impacts from public facility construction that are unique to the project design or to the project site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

15. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1,3)	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1,3)	☐	☐	☐	☒

Comments:

a,b. The general plan EIR found that most impacts resulting from constructing recreation facilities are less than significant with implementation of a range of general plan policies described throughout the general plan. However, impacts of constructing and operating recreational facilities would also contribute to significant unavoidable impacts that have already been identified in the general plan EIR. Discussion of these effects is found starting on general plan EIR page 4.12-20.

The proposed project is typical of urban development within the city that is anticipated in the general plan and whose incremental impacts from contributing to the need for constructing new recreational facilities are addressed in the general plan EIR. There are no site or design characteristics of future development within the specific plan area that give rise to significant population impacts that have not already been identified in the general plan EIR.

There are no project specific recreation facility construction-related significant effects which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

16. TRANSPORTATION/TRAFFIC

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1,3)	☐	☐	☐	☑
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (1,3)	☐	☐	☐	☑
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1,3)	☐	☐	☐	☑
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1,3)	☐	☐	☐	☑
e. Result in inadequate emergency access? (1,3)	☐	☐	☐	☑
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreased the performance or safety of such facilities? (1,3)	☐	☐	☐	☑

Comments:

a. The general plan EIR concludes that with implementation of the general plan, development under buildout conditions would generate traffic that causes significant and unavoidable impacts at three intersections that are not within the jurisdiction of the city. All new development within the city is required to pay a Public Facilities

Impact Fee, which in part is used to fund new circulation improvements on circulation facilities under the city's jurisdiction to mitigate impacts of cumulative development. Improvements can be made to city circulation facilities to reduce impacts on the city's road network to less than significant. The discussion of this impact is found starting on general plan EIR page 4.13-23.

Traffic that would be generated from new development within the Greater NewPark Focus Area, including from within the specific plan area, was included in the citywide traffic modeling conducted to project citywide traffic impacts reported in the general plan EIR. Therefore, the contribution of new specific plan development as anticipated in the general plan EIR impact analysis has already been evaluated. There are no site or design characteristics of future development within the specific plan area that give rise to significant traffic impacts that have not already been identified in the general plan EIR.

There are no project specific significant effects on the circulation network which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b. The general plan EIR concludes that the performance of roadways under general plan buildout condition would not conflict with the Alameda County Traffic Commission Congestion Management Program; impacts from degrading the performance of such roadways would be less than significant. Conformance of new development with general plan policies would further reduce the potential for conflict. The discussion of this impact is found starting on general plan EIR page 4.13-33.

Traffic that would be generated from new development within the Greater NewPark Focus Area, including from within the specific plan area, was included in the citywide traffic modeling conducted to project traffic impacts on circulation facilities included in the Congestion Management Program as reported in the general plan EIR. Therefore, the contribution of new specific plan development to effects on these facilities is evaluated in the general plan EIR.

There are no project specific significant effects resulting from the proposed project contribution to conflicts with the Congestion Management Program which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

c. As described in item "e,f" in the Hazards and Hazardous Materials section above, the closest public airport is approximately five miles away and there are no private

airports or helipads within the city. The general plan EIR concludes that under general plan buildout conditions, new development would not result in a change in air traffic patterns; the impact would be less than significant. The discussion of this effect is found starting on general plan EIR page 4.13-38.

New development within the Greater NewPark Focus area, including the specific plan boundary, is assumed as part of the analysis of impacts of implementing the general plan as evaluated in the general plan EIR. There are no site or design characteristics of future development within the specific plan area that give rise to significant air traffic pattern impacts that have not already been identified in the general plan EIR.

There are no project specific significant effects on air traffic patterns which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

d,e. The general plan EIR concludes that impacts from new development under general plan buildout would have less than significant impacts from increasing hazards due to a design feature or incompatible uses, and from inadequate emergency access. Required conformance of new development with municipal code regulations, the California Building Code, and the International Fire Code would assure that design standards are used to avoid hazardous circulation conditions and inadequate emergency access. The discussions of these impacts are found starting on general plan EIR pages 4.13-38 and 4.13-39, respectively.

Like all new development within the city, new development within the Greater NewPark Focus area, including the specific plan boundary, will be required to conform to applicable regulations that assure circulation hazards are avoided and adequate emergency access is provided through individual project design. There no project design or site characteristics that would give rise to significant impacts from circulation hazard conditions or inadequate emergency access that have not already been identified in the general plan EIR.

There are no project specific significant effects related to hazardous circulation conditions or inadequate emergency access which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

f. The general plan states that future development as projected in the general plan would not conflict with policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Conflicts are avoided through requirement conformance of new development with the city's Complete Streets policy, through a range of

additional policies included in the general plan, and through regulations in the municipal code. The discussion of this effect is found starting on general plan EIR page 4.13-40.

As required for all new development within the city, the specific plan includes street standards and roadway design policies that are consistent with complete streets principals. The specific plan also includes policies which require preparation of master plans for transit, bicycle, and pedestrian improvements to ensure that complete street improvements are design, funded, and constructed. The proposed project is consistent with general plan transit, bicycle, and pedestrian facilities policies. There are no project design or site characteristics that would give rise to significant impacts from conflicts with transit, bicycle, or pedestrian policies or plans that have not already been identified in the general plan EIR.

There are no project specific significant effects related to conflicts with transit, bicycle, or pedestrian policies or plans which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

17. Tribal Cultural Resources

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or (5)	☐	☐	☐	☒
(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (5)	☐	☐	☐	☒

Comments:

a. The city has not received any requests for consultation from tribes that are traditionally or culturally affiliated with the specific plan project area. Therefore, no additional consultation was required under Assembly Bill 52.

18. Utilities and Services Systems

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ()	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ()	☐	☐	☐	☒
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ()	☐	☐	☐	☒
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? ()	☐	☐	☐	☒
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ()	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid-waste disposal needs? ()	☐	☐	☐	☒
g. Comply with federal, state, and local statutes and regulations related to solid waste? ()	☐	☐	☐	☒

Comments:

a,b,e. The general plan EIR concludes that impacts of buildout of the general plan would have less than significant impacts from exceeding wastewater treatment requirements, construction of new wastewater treatment facilities, or generation of wastewater that exceeds wastewater treatment capacity. These effects are minimized through required compliance of new development to general plan policies, regulations contained in the municipal code, and requirements of the Union Sanitary

District, including payment of applicable fees to support wastewater services and infrastructure needs. Discussions of these effects are found starting on general plan EIR pages 4.14-18, 4.14-19, and 4.14-21, respectively.

Water generation conveyance and treatment demand from future development within the Greater NewPark Focus Area, including the specific plan area, is a component of the cumulative wastewater generation and service needs projections included in the general plan EIR. Therefore, impacts of that development are already incorporated into the analysis included in the general plan EIR. There are no project design or site characteristics that would give rise to significant impacts from wastewater treatment of facilities needs that have not already been identified in the general plan EIR.

There are no project specific significant effects related to wastewater treatment or facilities construction needs which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

b,d. The general plan EIR concludes that sufficient water supplies will be available from existing sources (Alameda County Water District) under general plan buildout conditions and that no new water supply facilities would be needed to supply additional water. Required conformance with general plan policies would serve to reduce water demand through a range of water conservation measures. Since no new water supply facilities are needed, no environmental impacts from constructing such facilities would occur. Discussions of these effects are found starting on general plan EIR pages 4.14-7 and 4.14-12, respectively.

Water demand from future development within the Greater NewPark Focus Area, including the specific plan area, is a component of the cumulative water demand projections included in the general plan EIR. All new development within the specific plan area will be required to institute water conservation measures consistent with general plan policies. There are no project design or site characteristics that would give rise to significant impacts from water demand that have not already been identified in the general plan EIR.

There are no project specific significant effects related to water demand or construction of new water facilities which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

c. The general plan EIR concludes that buildout of the general plan would not cause significant impacts from construction of new storm drainage facilities. This conclusion is based in large part on required implementation of C.3 requirements. These requirements mandate that storm water runoff from new development not

exceed pre-project volume or rate of flow delivered to existing storm water facilities. Therefore, construction of new storm drainage facilities may not be necessary. Conformance with C.3 standards, the city's Construction General Permit, and policies in the general plan assure that impacts from such construction are less than significant. Discussion of this effect is found starting on general plan EIR page 4.14-27.

The specific plan area is already developed with impervious services. New development as contemplated in the general plan and evaluated in the general plan EIR is not expected to result in a significant increase in storm water volume from the specific plan area that otherwise might require construction of new storm water facilities. Like all development in the city, new development within the specific plan boundary must comply with C.3 regulations, Construction General Permit requirements, and general plan policies to address storm water effects. There are no project design or site characteristics that would give rise to significant impacts from construction of new storm water facilities that have not already been identified in the general plan EIR.

There are no project specific significant effects related to construction of new storm water facilities which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

f,g. The general plan EIR concludes that sufficient landfill capacity will exist to service the city's solid waste disposal needs at general plan buildout, including new development within the Greater NewPark Focus Area. Conformance with general plan policies regarding source and waste reduction, as well as compliance with federal, State, and local statutes and regulations regarding waste diversion, will ensure that solid waste impacts are less than significant. Discussions of these effects are found starting on general plan EIR pages 4.14-35 and 4.14-38, respectively.

Solid waste generation from future development within the Greater NewPark Focus Area, including the specific plan area, is a component of the cumulative solid waste generation projections included in the general plan EIR. All new development within the specific plan area will be required to reduce solid waste and recycle waste consistent with general plan policies. There are no project design or site characteristics that would give rise to significant impacts from solid that have not already been identified in the general plan EIR.

There are no project specific significant effects related to solid waste which are peculiar to the project design or its site. Pursuant to CEQA Guidelines section 15183, no further analysis is required.

19. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1,2,3,4)	☐	☐	☐	☒
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1,2,3)	☐	☐	☐	☒
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1,2,3)	☐	☐	☐	☒

Comments:

a. Potential biological resource impacts of the proposed project are discussed in Section 4, Biological Resources. Potential cultural resources impacts of the proposed project are discussed in Section 5, Cultural Resources. All impacts of the proposed project are less than significant with required consistency with general plan policies.

b. The proposed project would contribute to significant and unavoidable cumulative air quality, GHG, noise, and traffic impacts as identified starting on page 5-1 in the general plan EIR. The general plan anticipated that future development and redevelopment in the city will occur principally in four focus areas, including within the Greater NewPark Focus Area as previously described. New development capacity within the Greater NewPark Focus Area, including the specific plan area, is generally greater than within any of the other three individual focus areas. As such, new development within the specific plan area would represent a significant percentage of the cumulative development within the city at buildout as shown in

general plan EIR Table 3-4, Breakdown of Proposed Plan Land Uses. In this light, the proposed project is considered to have cumulatively considerable air quality, GHG, noise, and traffic impacts.

As described in the CEQA Analysis Methodology section of this initial study, CEQA Guidelines section 15183 is relevant for assessing the contribution of the proposed project to cumulative impacts, especially where the cumulative impact was found to be significant and unavoidable in the general plan EIR. The proposed project's considerable contribution to these significant and unavoidable cumulative impacts is already identified in the general plan EIR. CEQA Guidelines section 15183(c) states, "if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact."

c. Based on the analysis contained in this initial study and in the general plan EIR, the proposed project would not have environmental effects that cause substantial adverse effects on human beings, either directly or indirectly. The proposed project would not create hazards or adverse safety conditions that would pose a substantial threat to public health and safety, either directly or indirectly.

E. SOURCES

1. City of Newark. *NewPark Place Draft Specific Plan.* October 2017.

2. City of Newark. *Newark California General Plan.* December 2013. http://www.newark.org/images/uploads/comdev/pdfs/GeneralPlan/Newark_GeneralPlan122013.pdf

3. The Planning Center/DC&E. *City of Newark General Plan Tune Up Draft Program EIR.* August 2013. http://www.newark.org/images/uploads/comdev/pdfs/NewarkGP_DEIR_PublicReview.pdf

4. Site visit by EMC Planning Group, May 30, 2017.

5. Terrence Grindall, Assistant City Manager, email message, October 3, 2017.

All documents indicated in bold are available for review at the City of Newark Community Development Department, 37101 Newark Boulevard, Newark, CA 94560, (510) 578-4330 during normal business hours.

All documents listed above are also available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.